



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-3

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

April 7, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council minutes for the meetings held Tuesday, March 17, 2009 and Tuesday, March 24, 2009.

DISCUSSION

The Legistar minutes for the City Council meetings held Tuesday, March 17, 2009, and Tuesday, March 24, 2009, 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 G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 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 for this meeting were considered in the order presented, with the exception of the ceremonial items at the beginning of the meeting.

ROLL CALL (5:07 PM)

Councilmembers S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich
Present: and Lerch

Councilmembers Reyes Uranga
Absent:

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.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Vice Mayor Val Lerch, Councilmember, Ninth District.

Julie Pruitt, spcaLA, presented two canine puppies.

Presentation on Long Beach Bicycle Festival.

Pat West, City Manager, spoke.

Kraig Kojian, Executive Director, Downtown Long Beach Associates, spoke.

Mayor Foster announced that Agenda Item No. 18 would be laid over to the meeting of Tuesday, March 24, 2009.

Arts Council presentation.

Justin Hectus, Arts Council Board President, and Antonio Pedro Ruis, spoke.

Presentation to St. Anthony's Academic Decathlon.

Mayor Foster spoke.

HEARING (5:42 PM)

1. 09-0263 Recommendation to receive supporting documentation into the record, conclude the hearing and approve one of the following actions: 1) grant the Permit, with or without conditions; or 2) grant a One-Year Short-Term Permit, with or without conditions; or 3) deny the Permit on the application of Panama Joe's, Inc., dba Panama Joe's Cafe, 5100 E. Second Street, for Entertainment Without Dancing by Patrons at an existing Restaurant. (District 3)

Ron and Greg Newman, applicants, spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to approve recommendation to grant a One-Year Short-Term Permit, with conditions. The motion carried by the following vote:

Yes: 6 - S. Lowenthal, DeLong, O'Donnell, Schipske, Gabelich and Lerch

Absent: 2 - Andrews and Reyes Uranga

PUBLIC COMMENT (5:48 PM)

Donald Freeman spoke regarding panhandling at restaurants with outdoor seating on Pine Avenue.

William Wallace spoke regarding homeless veterans dialogue.

Gary Shelton spoke regarding an up-coming forum on mental illness and homelessness.

Larry Goodhue spoke regarding the marine stadium.

Ron Jones spoke regarding the City of Long Beach bid process.

Frances Emily Dawson Harris spoke regarding a variety of issues concerning parking obstructions to sidewalk accessibility, and apartment management.

Dennis Dunn spoke regarding graffiti and the clock next to City Hall.

09-0322 Jamie Marie Cribbs spoke regarding saving the drug and alcohol program at Martin Luther King Park, and submitted a petition.

This Handout was received and filed.

Montaque Bailey spoke regarding the closing of the Long Beach Health Department drug and alcohol program at Martin Luther King Park.

Pat West, City Manager, spoke.

Councilman Andrews spoke.

Councilmember S. Lowenthal spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

CONSENT CALENDAR (6:33 PM)

Passed The Consent Calendar

A motion was made by Councilmember S. Lowenthal, seconded by Councilman Andrews, to approve Consent Calendar Items 2-10.

The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

2. 09-0273 Recommendation to authorize City Attorney to submit Stipulation with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$64,785.25 for the claim of David Daniels, in compliance with the Appeals Board Order.

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

3. 09-0274 Recommendation to authorize City Attorney to pay the sum of \$7,500 in full settlement of lawsuit entitled Lindy Ou Chau v. City of Long Beach et al.

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

4. 09-0275 Recommendation to approve the City Council and the Budget Meeting minutes for the meetings held Tuesday, March 3, 2009.

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

5. 09-0280 Recommendation to refer to City Attorney damage claims received between March 2, 2009 and March 9, 2009.

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

6. 09-0264 Recommendation to adopt resolution authorizing the temporary closure of certain streets, alleys, walkways, The Promenade, and the downtown shoreline bike path in connection with the conduct of the 2009 Toyota Grand Prix of Long Beach. (District 2)

A motion was made to approve recommendation and adopt Resolution No. RES-09-0018 on the Consent Calendar.

Enactment No: RES-09-0018

7. 09-0265 Recommendation to authorize City Manager to execute a revocable permit granting the Grand Prix Association of Long Beach permission to occupy and use certain areas for parking and hospitality during the staging of the 2009 Toyota Grand Prix of Long Beach. (District 2)

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

8. 09-0266 Recommendation to receive and file the application of Michael Byung Lim, dba Bennies Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2016 East Anaheim Street, with existing conditions. (District 4)

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

9. 09-0267 Recommendation to receive and file the application of Tastee Subs Incorporated, dba Amigos Market & Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2000 West Willow Street, with existing conditions. (District 7)

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

10. 09-0276 Recommendation to receive and file minutes of:

Civil Service Commission - February 18 and 25, 2009.
Planning Commission - December 18, 2008, January 15 and
February 5, 2009

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

REGULAR AGENDA (6:33 PM)

11. 09-0286 Recommendation to respectfully request City Manager and City Attorney to develop a regulatory process for reviewing, approving and enforcing related building and public health codes for smoking lounges as defined in Long Beach Municipal Code Chapter 8.68 and return with proposed regulatory changes to the City Council within 60 days for review and approval;

Request City Council adopt a minute order initiating a one-year moratorium to prohibit the establishment of any new smoking lounges as defined in Long Beach Municipal Code Chapter 8.68 beyond those tobacco-related businesses currently operating in the City of Long Beach; and

Request City Manager provide recommendations to the Planning Commission to restrict smoking lounges to those tobacco-related businesses currently operating in the City of Long Beach.

Claudette Powers spoke.

Melinda Cotton spoke.

Evan Braude spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Pearl Williams spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

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

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

12. 09-0287 Recommendation to receive and file report on the actions taken at the Metropolitan Water District Board meeting held on March 10, 2009.

Councilmember S. Lowenthal spoke.

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

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

13. 09-0268 Recommendation to adopt resolution authorizing the submission of an application to the California State Department of Housing and Community Development Infill Infrastructure Grant Program for assistance of up to \$20,000,000; and authorize City Manager to execute all documents necessary to accept and expend the funds for the proposed project, upon funding approval. (District 1)

Evan Braude spoke.

Frances Emily Dawson Harris spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0019. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

Enactment No: RES-09-0019

14. 09-0269 Recommendation to adopt resolution authorizing the submission of an application to the California State Department of Housing and Community Development Transit Oriented Development Housing Program for an assistance of up to \$17,000,000; and authorize City Manager to execute all documents necessary to accept and expend the funds for the proposed project, upon funding approval. (District 1)

A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor Lerch, to approve recommendation and adopt Resolution No. RES-09-0020. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

Enactment No: RES-09-0020

15. 09-0270 Recommendation to receive and file the Fiscal Year 2009 First Quarter Operational Performance Report. (Citywide)

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

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

Yes: 6 - S. Lowenthal, DeLong, O'Donnell, Schipske, Gabelich and Lerch

Absent: 2 - Andrews and Reyes Uranga

16. 09-0271 Recommendation to receive and file the Fiscal Year 2009 First Quarter Budget Performance Report. (Citywide)

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

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

Yes: 6 - S. Lowenthal, DeLong, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - O'Donnell and Reyes Uranga

17. 09-0272 Recommendation to receive and file the application of Guy Simeon Mosher, dba Moshers Gourmet, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 6400 East Pacific Coast Highway Suite E, with conditions. (District 3)

Distributed at the meeting: Conditions from Councilmember DeLong for

the ABC License.

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

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

ORDINANCES (7:11 PM)

18. 09-0277

Recommendation to declare ordinance relating to a small, very small and local small business enterprise pilot program for certain City contracts with specified City departments, and making a determination related thereto 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 Councilman Andrews, seconded by Councilmember O'Donnell, that the item be laid over to the meeting of Tuesday, March 24, 2009. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

19. 09-0278

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 21.60, relating to relocation assistance for households displaced due to demolition or condominium conversion read the first time and laid over to the next regular meeting of the City Council for final reading; and

Mike Mais, Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

Motion: Approve recommendation to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

Moved by Gabelich, seconded by Andrews.

Nancy Alsweet, Apartment Association, spoke.

Frances Emily Dawson Harris spoke.

Suzanne Brown, Legal Aid, spoke.

Vice Mayor Lerch spoke.

Mike Mais, Assistant City Attorney, spoke.

Motion: Substitute motion to receive and file without adopting the ordinance.

Moved by Lerch, seconded by O'Donnell.

Councilmember S. Lowenthal spoke.

Mike Mais, Assistant City Attorney, spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

Councilwoman Schipske spoke.

Mike Mais, Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

Mike Mais, Assistant City Attorney, spoke.

Councilwoman Schipske spoke.

A second substitute motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Gabelich, to request that the City Attorney return on March 24, 2009, with revised ordinance for first reading that would: [1] require a 20-day appeal period rather than a 10-day period; and [2] eliminate the requirement that the landlord/owner provide a list of available rental units to tenants. It was further requested that the City Attorney work with stakeholders to draft ordinance language relative to when the payment of relocation benefits shall not be provided, as contemplated under proposed Section 21.60.330 [1]. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

09-0279

Adopt resolution authorizing the Director of Development Services to submit amendments to the California Coastal Commission for its

consideration and approval. (Citywide)

Note: As a companion item to the ordinance (file ID No. 09-0278), this item was laid over to the meeting of Tuesday, March 24, 2009.

A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Gabelich, that the item be laid over to the meeting of Tuesday, March 24, 2009 with the companion ordinance. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

NEW BUSINESS (7:44 PM)

20. 09-0300

Recommendation to direct City Manager to allocate all future Citywide-eligible funds for residential street repairs according to the following formula:

- 1) Half of the funds will be divided equally among the nine Council Districts;
- 2) The remaining half of these funds will be distributed among the nine Council Districts according to each District's percentage of Citywide need, as determined by the total dollar value for streets with a Pavement Condition Index (PCI) below 70 according to current 10-year plan for repairs or the most current available assessment of need.

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

Councilmember DeLong spoke and distributed a spreadsheet regarding sidewalk needs, which will be presented at a future meeting as a new agenda item.

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation, with the addition that each City Council office will be able to identify and prioritize those streets within their districts that fall within the 70% or greater need for repair. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

21. Affidavit of Service for special meeting held Tuesday, March 17, 2009.

ANNOUNCEMENTS (7:49 PM)

Vice Mayor Lerch made community announcements.

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

Councilmember S. Lowenthal made community announcements.

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements; and requested that the meeting be adjourned in memory of Raymond Cummings.

ADJOURNMENT (8:00 PM)

At 8:00 PM, Mayor Foster adjourned the meeting in memory of Shannon Boone and Raymond Cummings.

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



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

Bob Foster, Mayor

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

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

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

Agenda Items for this meeting were considered in the following order: Agenda item No. 1, Public Comment, Consent Calendar (minus Agenda Item No. 4), Agenda Item Nos. 4, 28, 10, 11, 12, 27, and 14-24, with the exception of Agenda Item Nos. 13, 25, and 26, which were withdrawn from the agenda.

ROLL CALL (5:05 PM)

Councilmembers S. Lowenthal, DeLong, O'Donnell, Andrews, Reyes Uranga,
Present: Gabelich and Lerch

Councilmembers Schipske
Absent:

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Suja Lowenthal, Councilmember, Second District.

Julie Pruitt, spcaLA, presented a canine.

Mayor Foster announced that Agenda Item No. 13 had been withdrawn; Agenda Item No. 27 would be considered at 7:30 P.M.; and that the Election for the First Council District will be held on April 7, 2009.

North Division Bike Presentation.

Vice Mayor Lerch spoke.

SECOND ROLL CALL (5:11 PM)

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

Schipske joined the meeting.

Anthony Batts, Chief of Police, spoke.

Proclamation for Cesar Chavez Day.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Recognition of Detective Mark McGuire for receiving the Peace-Keeper Award.

Councilmember O'Donnell spoke.

HEARING (5:27 PM)

1. 09-0289 Recommendation to declare ordinance designating the Palace Hotel located at 2640 East Anaheim Street as a Long Beach Historic Landmark read the first time and laid over to the next regular meeting of the City Council for final reading. (District 4)

Craig Beck, Director of Development Services, presented a PowerPoint presentation.

Councilmember O'Donnell spoke.

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

Yes: 6 - S. Lowenthal, O'Donnell, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 2 - DeLong and Schipske

PUBLIC COMMENT (5:31 PM)

Jon Mackey spoke regarding mentally ill homeless facility at Schroeder Hall.

Sandy VanHorn spoke regarding wetlands destruction.

Councilmember O'Donnell spoke.

Pat West, City Manager, spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember S. Lowenthal spoke.

Pat West, City Manager, spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

09-0325 Joe Sopo spoke regarding hoomeless and submitted handout.

This Handout was received and filed.

09-0323 Diane rush spoke regarding Queen mary and smitted correspondence.

This Handout was received and filed.

Ariel Robbins spoke regarding homeless.

Kathy Ryan spoke regarding pensions retirement ages.

Susan M. Hillyer spoke in support of The Pickens Plan.

Elizabeth Lambe spoke regarding grading of Los Cerritos Wetlands Habitat Area.

Miguel Angel Moreno spoke regarding Arlington area victims.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Pat West, City Manager, spoke.

Dennis Thys, Director of Community Development, spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Joe Sopo spoke.

Dennis Thys, Director of Community Development, spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

09-0324 Lather Bizer spoke regarding drug and alcohol closure and submitted petition.

This Handout was received and filed.

Robert Shannon, City Attorney, spoke.

CONSENT CALENDAR (6:29 PM)

Passed The Consent Calendar

A motion was made by Vice Mayor Lerch, seconded by Councilmember Reyes Uranga, to approve Consent Calendar Items 2 - 9, except for Item No. 4. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

2. 09-0309 Recommendation to approve the City Council minutes for the meeting held Tuesday, March 10, 2009.

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

3. 09-0313 Recommendation to refer to City Attorney damage claims received between March 9, 2009 and March 16, 2009.

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

4. 09-0290 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the University of California, Los Angeles to participate in a methamphetamine dependence study in the amount of \$36,283 for the period of April 1, 2009 through February 28, 2010; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by \$36,283. (Citywide)

Councilwoman Gabelich spoke.

Ron Arias, Director of Health and Human Services, spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Schipske spoke.

Ron Arias, Director of Health and Human Services, spoke.

Councilmember O'Donnell spoke.

Councilmember Andrews spoke.

Paul Young spoke.

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

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

5. 09-0291 Recommendation to authorize City Manager to execute an agreement and all related documents with The California Endowment for the Role of Men Train-the-Trainer Program in the amount of \$303,638 from March 1, 2009 through February 28, 2011; execute subsequent amendments if applicable; and increase appropriations in the Health Fund (SR 130) and in the Department of Health and Human Services (HE) by \$303,638. (Citywide)

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

6. 09-0292 Recommendation to receive and file the application of Zeyad Mousa Cahla, dba Minit Market, to drop a partner from an Alcoholic Beverage Control License, at 1310 Pine Avenue. (District 1)

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

7. 09-0293 Recommendation to receive and file the application of Larios Enterprises Incorporated, dba Honduras Kitchen, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1909 East 4th Street, with existing conditions. (District 2)

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

8. 09-0295 Recommendation to authorize City Manager to execute a one-year agreement, with amendments to extend the term for two additional years, and all related documents for the purchase of software maintenance for Lotus Domino and Lotus Notes Passport Advantage with Software House International annually at a cost not to exceed \$110,000. (Citywide)

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

9. 09-0310 Recommendation to receive and file minutes of:
Civil Service Commission - March 4, 2009.
Water Commission - February 5 and 19, 2009.

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

UNFINISHED BUSINESS (6:41 PM)

27. 09-0277 Recommendation to declare ordinance relating to a Small, Very Small and Local Small Business Enterprise Pilot Program for certain City contracts with specified City departments, and making a determination related thereto read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Mayor Foster spoke.

Erik Sund, Purchasing Officer, spoke.

Councilmember Reyes Uranga spoke.

Amy Burton, Deputy City Attorney, spoke.

Councilman Andrews spoke.

Barbara Sullivan spoke.

Edward Wallace spoke.

Archie Cordova spoke.

Hilda Sanchez spoke.

Jim Eaton spoke.

Randy Gordon spoke.

Jane Kellerher spoke.

Kraig Kojian spoke.

Lewis Chiting spoke.

Councilwoman Gabelich spoke.

A motion was made by Vice Mayor Lerch, seconded by Councilmember Reyes Uranga, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading, with revisions to the following ordinance sections: 1) Section 9.1 of Exhibit A to the ordinance to be amended to read: All construction contract bidders shall submit a completed SBE/VSBE/LSBE Commitment Plan for construction contracts indicating the dollar value and percentage of SBE/VSBE/LSBE contract participation; and 2) Section 9.2 of Exhibit A to the ordinance to be amended to read: The City may, in its discretion, allow bidders up to three (3) additional business days to submit Good Faith Effort documentation. A bidder that does not meet the SBE/VSBE/LSBE participation goals and does not submit its GFE documentation is declared non-responsive and forfeit its bidder's bond. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

28. 09-0278

Recommendation that the first reading of an ordinance amending Chapter 21.60 of the Long Beach Municipal Code relating to relocation assistance for households displaced due to the demolition or condominium conversion be continued to the City Council meeting of April 14, 2009. (Citywide)

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

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

REGULAR AGENDA (6:42 PM)

10. 09-0317

Recommendation to request City Attorney to prepare a resolution in support of keeping the United States Postal Service Processing and Distribution Center facility located at 2300 Redondo Avenue fully operational.

Councilwoman Schipske spoke.

Ben Rockwell spoke.

Councilwoman Gabelich spoke.

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

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

11. 09-0254

Recommendation to City Council to concur in the recommendation of the Budget Oversight Committee to equalize the Fiscal Year 2010 budgets for all City Council District Offices.

Councilmember DeLong spoke.

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

Councilmember DeLong spoke.

A substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, that the Item be received and filed. The motion carried by the following vote:

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

12. 06-1362

Recommendation to City Council to concur in the recommendation of the Economic Development and Finance Committee to direct City Attorney to prepare an ordinance adopting the recommendations for fire sprinkler retrofit alternatives for existing commercial and residential high-rise buildings, multi-family, hotels, and motels with 50 or more units under one roof.

Councilwoman Gabelich spoke.

David W. Ellis, Fire Chief, spoke.

Michael C. Garcia, Fire Marshal, presented a PowerPoint presentation.

Councilwoman Gabelich spoke.

Lester Miller spoke.

Don Beasley spoke.

Katherine Par spoke.

Thomas Fuentes spoke.

Nancy Alsweet spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

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

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

13. 07-0825

WITHDRAWN

~~Recommendation to City Council to concur in the recommendation of the Public Safety Committee to direct City Attorney to prepare an ordinance that would require firearms ammunition vendors in the City of Long Beach to keep ammunition sales records.~~

This Agenda Item was withdrawn.

14. 09-0314

Recommendation to approve the City's Guiding Principles for Stimulus Funding. (Citywide)

Pat West, City Manager, spoke.

Tom Modica, Manager of Government Affairs, spoke.

Councilmember Reyes Uranga spoke.

Larry Goodhue spoke.

Bob Hilderbrandt spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to approve recommendation, incorporating suggestions made by Councilmember Reyes Uranga and Councilwoman Schipske. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

15. 09-0296 Recommendation to receive and file a report on the development of a regional courthouse in downtown Long Beach; and authorize City Manager to commence proceedings to vacate a portion of Daisy Avenue. (Districts 1,2)

Pat West, City Manager, spoke.

Craig Beck, Director of Development Services, provided a PowerPoint presentation.

Larry Goodhue spoke.

Bob Hilderbrandt spoke.

Craig Beck, Director of Development Services, spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

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

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

16. 09-0297 Recommendation to adopt resolution making certain findings regarding the construction of certain public improvements on The Promenade north of Third Street and south of Ocean Boulevard, with Redevelopment funds (Promenade Improvements) from the Downtown Redevelopment Project; and

Pat West, City Manager, spoke.

Craig Beck, Director of Development Services, spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0021. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

Enactment No: RES-09-0021

09-0312

Adopt resolution making certain findings regarding the construction of certain public improvements on The Promenade north of Third Street and south of Ocean Boulevard, with Redevelopment funds (Promenade Improvements) from the West Beach Redevelopment Project. (Districts 1,2)

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-09-0022. The motion carried by the following vote:

Yes: 6 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 2 - DeLong and Gabelich

Enactment No: RES-09-0022

17. 09-0315

Recommendation to adopt Specifications No. PA-00809 and award contract to American Building Maintenance Company (ABM) to provide custodial services at various locations in an annual amount of \$841,715 for a one-year period;

Authorize amendments to extend the term for three additional one-year periods, at the discretion of the City Manager; and

Declare Proposition "L" ordinance read the first time and laid over to the next regular meeting of the City Council for final reading, which pursuant to Section 1806 of the Long Beach City Charter, makes findings and determinations regarding contracting of custodial services. (Citywide)

Lori Ann Farrell, Director of Financial Management, spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation to adopt Specifications No. PA-00809 and award contract to American Building Maintenance Company (ABM) to provide custodial services at various locations and return to the City Council after one-year period. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

A motion was made by Councilman Andrews, seconded by Councilmember Reyes Uranga, to declare Proposition "L" 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 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

18. 09-0304

Recommendation to adopt Specifications No. PA-00409 and award contracts to McCain, Inc., and J & J, Inc., for the purchase of traffic signal parts and equipment in the amount of \$170,000 for a period of one year, with the option of renewing for two additional one-year periods, at the discretion of the City Manager, with the option of adding expenditures up to 10 percent (or \$17,000) above the annual contract amount, if necessary and if funds are available. (Citywide)

Councilwoman Schipske spoke.

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

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

19. 09-0316

Recommendation to authorize City Manager to enter into a Natural Gas Services Agreement with Shell Energy North America (SENA) to provide the administrative functions related to the delivery of natural gas to the City of Long Beach's natural gas pipeline system for a term not to exceed three years. (Citywide)

Councilwoman Gabelich spoke.

Chris Garner, Director of Long Beach Gas and Oil, spoke.

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

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

20. 09-0307

Recommendation to determine that the application serves the public

convenience and necessity, and receive and file the application of Residence Inn By Marriott LLC, dba Residence Inn By Marriott, for an original Alcoholic Beverage Control License, at 600 Queensway Drive, with conditions. (District 2)

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

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

21. 09-0305

Recommendation to receive and file the application of Jose Aldolfo Diaz, dba El Burrito Grill, for an original Alcoholic Beverage Control License, at 4101 North Bellflower Boulevard Suite A, with conditions. (District 5)

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

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

22. 09-0306

Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Jeovany Antonio Guevara, dba Willow Street Landing, for an original Alcoholic Beverage Control License, at 437 West Willow Street, with conditions. (District 6)

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, that the item be laid over to the meeting of Tuesday, April 14, 2009. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

23. 09-0308

Recommendation to authorize City Manager to execute all documents necessary to accept, implement and administer all funds in connection with the Metro Blue Line LED Train Warning Signs and Countdown Pedestrian Signs Project; and increase appropriations by \$405,835 in the Capital Projects Fund (CP) in the Department of Public Works (PW); and

Adopt resolution for a sole source purchase from Wells Sign Manufacturing and Distributing, Inc. (WSMD); authorize City Manager to

execute a contract with WSMD in an estimated amount of \$164,000 for the purchase of LED Train Warning Signs and execute any amendments thereto. (Districts 1,2,6,7,8)

Councilwoman Schipske spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0023. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

Enactment No: RES-09-0023

ORDINANCES (8:24 PM)

- 24. 09-0311** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 10.40.010.B relating to the parking of commercial vehicles in residential zones read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, 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 - S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

- 25. 09-0277** WITHDRAWN
~~Recommendation to declare ordinance relating to a Small, Very Small and Local Small Business Enterprise Pilot Program for certain City contracts with specified City departments, and making a determination related thereto, read and adopted as read. (Citywide)~~

This Ordinance was withdrawn.

- 26. 09-0278** WITHDRAWN
~~Recommendation to declare ordinance amending the Long Beach~~

~~Municipal Code by amending Chapter 21.60, Divisions I through III,
relating to relocation assistance, read and adopted as read. (Citywide)~~

This Ordinance was withdrawn.

ANNOUNCEMENTS (8:28 PM)

Mayor Foster requested that the meeting be adjourned in memory of Chrissy Marshall, and the four Oakland Police Officers, Officer John Hege, Sargeant Ervin Romans, Sargeant Daniel Sakai, and Sargeant Mark Dunakin.

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember S. Lowenthal requested that the meeting be adjourned in memory of Chrissy Marshall; and made community announcements.

Councilwoman Schipske offered condolences to Chrissy Marshall's family; and made community announcements.

Vice Mayor Lerch offered condolences to Chrissy Marshall's family; and made community announcements.

Councilmember Reyes Uranga offered condolences to Chrissy Marshall's family; and made community announcements.

PUBLIC (8:39 PM)

Summer Hansen, Children's Day USA, spoke.

Tom Marchese spoke.

ADJOURNMENT (8:47 PM)

At 8:47 PM, Mayor Foster adjourned the meeting in memory of Chrissy Marshall, Officer John Hege, Sargeant Ervin Romans, Sargeant Daniel Sakai and Sargeant Mark Dunakin.

adb