



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-7

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October 5, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the Minutes for the City Council Meetings held September 14 and 21, 2010 and the Budget Hearing Held Tuesday, September 14, 2010

DISCUSSION

The Legistar minutes for the City Council meetings held September 14 and 21, 2010 and the Budget Hearing held Tuesday, September 14, 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 G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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



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

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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:41 PM)

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

Councilmembers Lowenthal
Absent:

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.

Mayor Foster presiding.

SPECIAL MEETING (3:41 PM)

1. 10-1019 Recommendation to conduct a Budget Hearing to review and approve the Budget Oversight Committee recommendations.

This Agenda Item was received and filed.

There was no action taken on Agenda Item No. 1. It was combined with the Continued Budget Hearing Agenda Item Nos. 11, 12 and 13, which were continued to the 5:00 PM Regular City Council meeting.

CONTINUED BUDGET HEARING: (3:41 PM)

The following Agenda Items (2-15) were continued from the September 7, 2010 City Council Budget Hearing (7:00 P.M.). They appear on this agenda and on the September 14, 2010 Regular City Council Agenda (5:00 P.M.). Placement on both agendas allows the City Council to take action at either meeting.

Mayor Foster made introductory comments.

2. 10-0962 Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2011 budget as listed in Attachment A. (Citywide)
- A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation. The motion carried by the following vote:**
- Yes:** 8 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal
- Absent:** 1 - Lowenthal
3. 10-0963 Recommendation to adopt resolution approving the FY 11 budget for the Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on June 28, 2010. (A-1)
- Councilmember Garcia spoke.
- Councilwoman Schipske spoke.
- Councilwoman Gabelich spoke.
- Richard D. Steinke, Executive Director, Long Beach Harbor Department, spoke.
- Mayor Foster spoke.
- A motion was made by Councilmember DeLong, seconded by Councilmember Neal, to approve recommendation and adopt Resolution No. RES-10-0109. The motion carried by the following vote:**
- Yes:** 8 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal
- Absent:** 1 - Lowenthal
- Enactment No:** RES-10-0109
4. 10-0964 Recommendation to declare an emergency to exist. (A-2)
- A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:**
- Yes:** 8 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal
- Absent:** 1 - Lowenthal
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5. 10-0965 Recommendation to declare ordinance approving the Resolution No. WD-1270 establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on June 24, 2010, as an emergency ordinance, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-3)

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to declare emergency Ordinance No. ORD-10-0026 read and adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Enactment No: ORD-10-0026

6. 10-0966 Recommendation to adopt resolution approving the FY 11 budget of the Long Beach Water Department as adopted by the Board of Water Commissioners on June 24, 2010. (A-4)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0110. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Enactment No: RES-10-0110

7. 10-0967 Recommendation to adopt resolution amending the master fee and charges schedule for specified City services for Citywide fees and charges for the City of Long Beach. (A-5)

Lori Ann Farrell, Director of Financial Management, spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

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

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0111. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Enactment No: RES-10-0111

8. 10-0968 Recommendation to approve the FY 11 one-year Capital Improvement Program. (A-6)

Councilwoman Gabelich spoke.

Michael Conway, Director of Public Works, spoke.

Patrick West, City Manager, spoke.

Councilwoman Gabelich spoke.

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

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

Absent: 1 - Lowenthal

9. 10-0973 Recommendation to adopt a motion approving the transfer of \$24,847,412 from the Harbor Revenue Fund to the Tidelands Operating Fund. (A-11)

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

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

Absent: 1 - Lowenthal

10. 10-0975 Recommendation to declare ordinance amending the Departmental

Organization Ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. (A-13)

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, 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: 8 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Lowenthal

Enactment No:

11. 10-0978 Recommendation to adopt the Mayor's proposed funding recommendations, as amended, to the FY 11 Proposed Budget. (A-15)

Mayor Foster spoke.

Councilmember DeLong spoke.

Mayor Foster declared a 5-minute recess.

Mayor Foster reconvened the meeting.

Councilmember DeLong spoke and distributed information regarding the Budget Oversight Committee recommendations, dated 9-14-1020.

At this time, the meeting was adjourned to Closed Session, and Agenda Item No. 11 was continued to the 5:00 PM Regular City Council meeting.

12. 10-0980 Recommendation to adopt the Budget Oversight Committee's proposed funding recommendations, as amended to the FY 11 Proposed Budget. (A-16)

There was no action taken on this item. It was continued to the 5:00 PM Regular City Council meeting.

13. 10-0983 Recommendation to adopt a motion amending the proposed budget. (A-17)

There was no action taken on this item. It was continued to the 5:00 PM Regular City Council meeting.

14. 10-0986 Recommendation to declare an emergency to exist. (A-18)

There was no action taken on this item. It was continued to the 5:00 PM Regular City Council meeting.

- 15. 10-0989** Recommendation to declare the Appropriations Ordinance for FY 11, creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an emergency ordinance, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-19)

There was no action taken on this item. It was continued to the 5:00 PM Regular City Council meeting.

Enactment No: ORD-10-0029

ADJOURNMENT (4:25 PM)

At 4:25 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 (6:20 PM)

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

Councilmembers Lowenthal
Absent:

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.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Councilmember Dee Andrews, Sixth District.

HEARING (6:21 PM)

1. 10-1008 Recommendation to receive supporting documentation into the record, conclude the hearing, declare ordinance relating to the temporary limitation (moratorium) on the approval of permits for the installation of wireless telecommunications facilities in the Residential and Institutional zones of the City; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read, adopted as read and laid over to the next regular meeting of the City Council for final reading.
(Citywide)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to declare emergency Ordinance No. ORD-10-0027, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Enactment No: ORD-10-0027

PUBLIC COMMENT (6:22 PM)

Patrick Ford spoke.

Tom McFarland spoke regarding employee contract.

10-1069 Floyd Seymour spoke regarding skateboard parks; and submitted correspondence.

This Handout was received and filed.

CONSENT CALENDAR (6:29 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Gabelich, to approve Consent Calendar Items 2 - 13, except for Item 2. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

2. 10-1006 Recommendation to adopt resolution declaring October as Filipino-American History Month in Long Beach.

Councilmember Garcia spoke.

Paul Blanco, President of the Federation of Filipino-American Association, spoke.

Marcilino Inis Jr. spoke.

Franco Arcebal, Vice President Filipino-American World War II Veterans,

spoke; and submitted correspondence.

A motion was made by Councilmember Garcia, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-10-0112. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Enactment No: RES-10-0112

3. 10-1007 Recommendation to authorize City Clerk Department to serve as a Passport Acceptance Facility (PAF) as designated by the U.S. Department of State, Bureau of Consular Affairs, effective October 1, 2010, and adopt, by resolution, the recommended passport acceptance and execution fee of twenty-five (\$25) dollars, a passport photo fee of fifteen dollars (\$15), and an express postage fee of eighteen dollars and thirty cents (\$18.30).
A motion was made to approve recommendation on the Consent Calendar.
4. 10-1011 Recommendation to refer to City Attorney damage claims received between August 30, 2010 and September 3, 2010.
A motion was made to approve recommendation on the Consent Calendar.
5. 10-0997 Recommendation to authorize City Manager, or designee, to execute the Fourth Amendment to Agreement No. 28384 and any subsequent amendments or necessary documents between the Los Angeles County Department of Public Health and the City of Long Beach to accept funding in the amount of \$160,467 for the term of July 1, 2010 through June 30, 2011, to provide Community Outreach, Enrollment, Utilization and Retention (COEUR) services for the benefit of low-income families to gain affordable medical insurance. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
6. 10-0998 Recommendation to authorize City Manager, or designee, to execute all necessary agreements and any subsequent amendments changing the amounts or extending the terms between the City of Long Beach and the South Bay Center for Counseling in the amount of \$30,720 to provide Family Support Program Activities. (Citywide)

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

7. 10-0999 Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and The Earl B. and Loraine H. Miller Foundation to accept funding in the amount of \$79,000 for the period from July 1, 2010 through June 30, 2011, to continue and expand childhood obesity prevention health education programming. (Citywide)

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

8. 10-1000 Recommendation to authorize City Manager, or designee, to accept grant funding and execute an agreement and all necessary documents between the City of Long Beach and the State of California Department of Public Health in an amount not to exceed \$76,726 for Pandemic Influenza Preparedness. (Citywide)

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

9. 10-1001 Recommendation to authorize City Manager, or designee, to execute all necessary agreements and any subsequent amendments between the City of Long Beach and the South Bay Center for Counseling in the amount of \$37,330 to provide Partnership for Families - First 5 Los Angeles activities and services; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by \$37,330. (Citywide)

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

10. 10-1002 Recommendation to receive and file the application of Tequila Jacks Incorporated, dba Tequila Jacks, for a fiduciary transfer of an Alcoholic Beverage Control License, at 407 Shoreline Village Drive, with existing conditions. (District 2)

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

11. 10-1003 Recommendation to receive and file the application of DDRC Pike Entertainment LLC, dba Gameworks, to drop a partner from an Alcoholic Beverage Control License, at 10 Aquarium Way. (District 2)

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

12. 10-1004 Recommendation to authorize City Manager to execute an agreement and all related documents with BMC Software Distribution, Inc. to provide various enterprise server software licenses and technical support services for a one-year term with an option to renew for two additional one-year terms, subject to approval of the City Manager, in an amount not to exceed \$111,878 annually. (Citywide)

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

13. 10-1014 Recommendation to receive and file the minutes for:
Civil Service Commission - August 25, 2010.

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

REGULAR AGENDA (6:37 PM)

14. 10-1009 Recommendation to receive and file a new list of City Council Standing Committees.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, that the item be laid over one week to the meeting of Tuesday, September 21, 2010. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

15. 10-1010 Recommendation to receive and approve the revised appointments to the City Council Authorities and Memberships.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that the item be laid over one week to the meeting of Tuesday, September 21, 2010. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

16. 10-1022 Recommendation to request that City Manager direct the Director of the Airport, Mario Rodriguez, to contact the Smithsonian Air and Space Museum and the U.S. Postal Service Citizens' Stamp Advisory Committee concerning their participation with Long Beach in the 100th

Anniversary of the First Transcontinental Flight that began in Sheepshead Bay, New York and ended in the surf off Pine Avenue in Long Beach.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation; and add that the item be referred to the Airport Advisory Commission to assist in planning this event. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

ORDINANCES (6:42 PM)

- 17. 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; and by adding Section 14.14.110, all relating to public walkways occupancy permits, read and adopted as read. (Citywide)

A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, that the item be laid over one week to the meeting of Tuesday, September 21, 2010. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

- 18. 10-0961** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 2.01.380 and 2.01.1020 relating to officeholder accounts, read and adopted as read. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation and adopt Ordinance No. ORD-10-0028. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Enactment No: ORD-10-0028

CONTINUED BUDGET HEARING (6:44 PM)

The following Agenda Items (19 – 32) were continued from the September 7, 2010 City Council Budget Hearing (7:00 P.M.). They appear on this agenda and on the September 14, 2009 Budget Hearing Agenda (3:30 P.M.). Placement on both agendas allows the City Council to take action at either meeting.

Agenda Item Nos. 19 - 27 were adopted at the September 14, 2010, 3:30 PM Budget Hearing.

- 19. 10-0962** Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2011 budget as listed in Attachment A. (Citywide)

This item was adopted at the 3:30 PM Budget Hearing.

- 20. 10-0963** Recommendation to adopt resolution approving the FY 11 budget for the Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on June 28, 2010. (A-1)

This resolution was adopted at the 3:30 PM Budget Hearing.

Enactment No: RES-10-0109

- 21. 10-0964** Recommendation to declare an emergency to exist. (A-2)

This item was adopted at the 3:30 PM Budget Hearing.

- 22. 10-0965** Recommendation to declare ordinance approving the Resolution No. WD-1270 establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on June 24, 2010, as an emergency ordinance, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-3)

This emergency ordinance was read, adopted as read and laid over to the next regular meeting of the City Council at the 3:30 PM Budget Hearing.

Enactment No: ORD-10-0026

- 23. 10-0966** Recommendation to adopt resolution approving the FY 11 budget of the Long Beach Water Department as adopted by the Board of Water Commissioners on June 24, 2010. (A-4)

This resolution was adopted at the 3:30 PM Budget Hearing.

Enactment No: RES-10-0110

24. 10-0967 Recommendation to adopt resolution amending the master fee and charges schedule for specified City services for Citywide fees and charges for the City of Long Beach. (A-5)

This resolution was adopted at the 3:30 PM Budget Hearing.

Enactment No: RES-10-0111

25. 10-0968 Recommendation to approve the FY 11 one-year Capital Improvement Program. (A-6)

This item was adopted at the 3:30 PM Budget Hearing.

26. 10-0973 Recommendation to adopt a motion approving the transfer of \$24,847,412 from the Harbor Revenue Fund to the Tidelands Operating Fund. (A-11)

This item was adopted at the 3:30 PM Budget Hearing.

27. 10-0975 Recommendation to declare ordinance amending the Departmental Organization Ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. (A-13)

This ordinance was read and laid over to the next regular meeting at the 3:30 PM Budget Hearing.

Agenda Item Nos. 28, 29 and 30 were considered together, with all votes recorded under Agenda Item No. 28.

Councilmember DeLong spoke and distributed information regarding the Budget Oversight Committee recommendations, dated 9-14-1020.

28. 10-0978 Recommendation to adopt the Mayor's proposed funding recommendations, as amended, to the FY 11 Proposed Budget. (A-15)

Councilmember Delong spoke.

Councilmember O'Donnell spoke.

Patrick West, City Manager, spoke.

Stu Con spoke.

Janet Schabow spoke.

Tonia Reyes Uranga spoke.

Francis Emily Dawson Harris spoke.

Patrick West, City Manager, spoke.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, that the Budget Oversight Committee recommendations be amended to not out-source the crossing guards, with the expectation that the Police Department budget savings and optimization efforts will provide the cost reductions contained in the City Manager's FY 11 Proposed Budget. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation to approve all General Fund recommendations from the Budget Oversight Committee, except for the Health and Human Services Department, the Fire Department, the Police Department, and Parks, Recreation and Marine Department. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Councilwoman Gabelich spoke.

Francis Emily Dawson Harris spoke.

Councilwoman Gabelich spoke.

Patrick West, City Manager, spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation from the Budget Oversight Committee with regard to the Health and Human Services Department to adopt Plan A and Plan B, with the exception of the reductions to the Multi-Service Center and the transportation van. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Stu Con spoke.

Councilwoman Gabelich spoke.

Tonia Reyes Uranga spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation from the Budget Oversight Committee regarding the Parks, Recreation and Marine Department Plan A and B reductions, except for a restoration of \$4,000 in funding for the Will J. Reed Swim program and a request that the City Manager report back next week regarding specific revenue or budget reduction offsets necessary to support the restoration. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Councilmember Neal spoke.

Alan Patalano, Fire Chief, spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Alan Patalano, Fire Chief, spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Elaine Hutchinson spoke.

Nancy Alsweet spoke.

Francis Emily Dawson Harris spoke.

Rich Brandt, President of Long Beach Firefighters Association, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation from Budget Oversight Committee for the Fire Department Plan A and Plan B budget reductions, except for \$500,000 in revenue offsets related to Plan A and the residential inspection fee; further provided that the Fire Department conduct community outreach and submit a report on outreach findings and on how the necessary reduction/offset can be attained. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Councilmember DeLong spoke.

Janet Schabow spoke.

Councilwoman Gabelich spoke.

Jim McDonnell, Chief of Police, spoke.

Councilmember Garcia spoke.

Jim McDonnell, Chief of Police, spoke.

Councilmember Garcia spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation from the Budget Oversight Committee regarding the Police Department Plan B reduction, with the exception of \$1.5 million associated with the budgeted cost of a police academy, which instead may be used to restore reductions in police officer positions. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Gabelich, to approve recommendation from the Budget Oversight Committee concerning Other Funds, minus the Special Advertising & Promotions funds, and the Tidelands fund. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Motion: Approve recommendation from the Budget Oversight Committee for Special Advertising & Promotions fund and the Tidelands fund as recommended.

Moved by DeLong, seconded by Andrews.

Councilwoman Schipske spoke.

Alan Patalano, Fire Chief, spoke.

Councilwoman Schipske spoke.

Motion: Substitute motion to restore \$150,000 to the lifeguard program. Moved by Schipske, seconded by Gabelich.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Tonia Reyes Uranga spoke.

Sean Parker, Lifeguards Association, spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Alan Patalano, Fire Chief, spoke.

Suzanne Frick, Assistant City Manager, spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Neal, to reinstate \$150,000 in funding for restoration of weekend summer lifeguard staffing hours, with consideration of possible marine safety position classification changes that could reduce costs; and approve \$35,000 in funding for the Municipal Band and \$100,000 in funding for the Aquarium. The motion carried by the following vote:

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

No: 1 - Andrews

Absent: 1 - Lowenthal

Councilmember DeLong spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation from the Budget Oversight Committee recommendation for the Special Advertising & Promotions fund. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Mayor Foster declared a 15 minute recess.

Mayor Foster reconvened the meeting and reported out from the closed session that the City Council voted unanimously to direct the City Manager to initiate the process to meet with IAM to meet the budget targets, not only through layoffs, but potentially through furloughs.

- 29. 10-0980** Recommendation to adopt the Budget Oversight Committee's proposed funding recommendations, as amended to the FY 11 Proposed Budget. (A-16)
- Agenda Item Nos. 28, 29 and 30 were considered together, with all votes recorded under Agenda Item No. 28.
- 30. 10-0983** Recommendation to adopt a motion amending the proposed budget. (A-17)
- Agenda Item Nos. 28, 29 and 30 were considered together, with all votes recorded under Agenda Item No. 28.
- 31. 10-0986** Recommendation to declare an emergency to exist. (A-18)
- A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation. The motion carried by the following vote:**
- Yes:** 8 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal
- Absent:** 1 - Lowenthal
- 32. 10-0989** Recommendation to declare the Appropriations Ordinance for FY 11,

creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an emergency ordinance, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-19)

Lori Ann Farrell, Director of Financial Management, distributed revised Exhibits A and B to the Appropriations Ordinance, with corrections as required from the items discussed and adopted as part of the budget.

Councilmember Neal spoke.

Councilmember Johnson spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to declare emergency Ordinance No. ORD-10-0029, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Enactment No: ORD-10-0029

NEW BUSINESS:

33. 10-1045 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 10, 2010.

This Agenda Item was received and filed.

34. Affidavits of Service for the special meetings held Tuesday, September 14, 2010.

ANNOUNCEMENTS (8:41 PM)

Mayor Foster spoke thanked the City Councilmembers and the City staff, in particular the Financial Management Department for all the work and cooperation in putting the budget together.

Councilwoman Gabelich made community announcements.

Councilmember O'Donnell made community announcements.

Councilman Andrews made community announcements.

Councilmember Johnson made community announcements.

Councilmember Garcia made community announcements.

Councilwoman Schipske made community announcements.

Mayor Foster announced the departure of Taylor Honrath from the Mayor's staff.

PUBLIC (8:48 PM)

Tonia Reyes Uranga spoke.

IAM member spoke.

Mayor Foster spoke.

ADJOURNMENT (8:53 PM)

At 8:53 PM, Mayor Foster adjourned the meeting.

nem

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



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

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

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

Agenda Items were considered in the order presented with the exception of Agenda Item No. 44 which was considered following Agenda Item No. 22.

ROLL CALL (5:08 PM)

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

Councilmembers Gabelich
Absent:

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; Carolyn Harris, City Clerk Specialist.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Councilmember James Johnson, Seventh District.

Mayor Foster announced that Agenda Item No. 27 was withdrawn and that Councilwoman Gabelich would be absent.

HEARING (5:09 PM)

1. 10-1026 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Entertainment Permit, with conditions, on the application of LJB Bishop Enterprises, Inc., dba Shore Ultra Lounge, 6400 E. Pacific Coast Highway, for Entertainment With Dancing by Patrons at an existing bar/tavern/lounge.

(District 3)

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, that the item be laid over to the City Council meeting of Tuesday, October 5, 2010. The motion carried by the following vote:

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

Absent: 1 - Gabelich

Mayor Foster spoke regarding the line item veto of the Official Budget for FY 2010-2011.

PUBLIC (5:10 PM)

10-1102 Dallas Alexander spoke and submitted information regarding the medical marijuana Ordinance No. ORD-10-0007.

This Handout was received and filed.

10-1103 Judi Farris spoke and submitted information regarding federal civil rights on the medical marijuana Ordinance No. ORD-10-0007.

This Handout was received and filed.

10-1104 Yvonne Schaffer spoke and submitted information regarding federal law on the medical marijuana Ordinance No. ORD-10-0007.

This Handout was received and filed.

10-1105 David Zink spoke and submitted information regarding the medical marijuana Ordinance No. ORD-10-0007.

This Handout was received and filed.

Dr. Lance Williams spoke regarding the Mayoral veto of the Port of Long Beach Administration Building.

Larry Goodhue spoke regarding various issues.

10-1106 Greggory Moore spoke and submitted information regarding erroneous information provided by the City Attorney's office.

This Handout was received and filed.

Michael Mais, Assistant City Attorney, spoke.

Greggory Moore spoke.

Mayor Foster spoke.

Robert Shannon, City Attorney, spoke.

Deborah Rowe introduced herself as the Secretary of City Affairs of CSULB.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember Garcia spoke.

Mayor Foster spoke.

Larry Herrera, City Clerk, spoke.

Richard Eastman spoke regarding the unfair lottery held for the medical marijuana.

10-1107 Floyd Seymour spoke and submitted information regarding the McBride Park expansion.

This Handout was received and filed.

Chris Lytle, Deputy Executive Director, Port of Long Beach, spoke regarding the Mayoral veto on Port funds.

Mayor Foster spoke.

Chris Lytle, Deputy Executive Director, Port of Long Beach, spoke.

Mayor Foster spoke.

CONSENT CALENDAR (5:49 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve Consent Calendar Items 2 - 14. The motion carried by the following vote:

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

Absent: 2 - Schipske and Gabelich

2. 10-1029 Recommendation to authorize City Attorney to submit Joint Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$56,540 for the claim of Janet Harris, in compliance with the Appeals Board Order.
A motion was made to approve recommendation on the Consent Calendar.

3. 10-1032 Recommendation to authorize City Attorney to pay the sum of \$6,000 in full settlement of lawsuit entitled Capili v. City of Long Beach, et al; and to pay the sum of \$7,734.20 in full settlement of lawsuit entitled 21st Century Insurance Company v. City of Long Beach; Michael Christopher Garcia.
A motion was made to approve recommendation on the Consent Calendar.

4. 10-1065 Recommendation to authorize City Manager to amend the agreement with KPMG, LLC to exercise the two one-year options to perform the audit of the Comprehensive Annual Financial Report (CAFR) and perform the Federal Single Audit for the City of Long Beach and related reporting entities in an amount not to exceed \$994,865 per year covering fiscal years 2010 and 2011; and extend the term of the agreement to September 30, 2012.
A motion was made to approve recommendation on the Consent Calendar.

5. 10-1066 Recommendation to receive and file the quarterly report of Cash and Investments for the quarter ending December 31, 2009.
A motion was made to approve recommendation on the Consent Calendar.

6. 10-1027 Recommendation to approve the minutes for the City Council meeting and Budget Hearing held Tuesday, September 7, 2010.
A motion was made to approve recommendation on the Consent Calendar.

7. 10-1028 Recommendation to refer to City Attorney damage claims received between September 3, 2010 and September 13, 2010.
A motion was made to approve recommendation on the Consent Calendar.

8. 10-1030 Recommendation to receive and file the Separately Issued Financial Statements for the Los Cerritos Wetlands, Gas Enterprise Fund, Airport Enterprise Fund, Airport Schedules for Passenger Facility Charges, and the Auditor's communication with those charged with governance for the Fiscal Year ended September 30, 2009. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
9. 10-1031 Recommendation to adopt Specifications No. PA-02710 to award a contract to Anvil International, L.P., of University Park, IL (not an MBE, WBE, SBE or Local), for a one-time purchase in the amount not to exceed \$162,000, for furnishing and delivering gas pipe fittings and equipment. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
10. 10-1033 Recommendation to receive and file the report, Elevation Changes in the City of Long Beach, November 2009 through April 2010. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
11. 10-1034 Recommendation to receive and file the application of Pravinchandra Shankerbhai Patel and Ranjanbala Pravinchandra Patel, dba Belmont Heights Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3500 East Broadway Suite A, with existing conditions. (District 3)
A motion was made to approve recommendation on the Consent Calendar.
12. 10-1035 Recommendation to receive and file the application of Falcone Family Limited Partnership, dba Fora Restaurant, for a person-to-person transfer of an Alcoholic Beverage Control License, at 5730 East 2nd Street, with existing conditions. (District 3)
A motion was made to approve recommendation on the Consent Calendar.
13. 10-1036 Recommendation to authorize City Manager to execute a one-year contract extension with MWH Americas, Inc., (MWH), in an amount not to exceed \$122,500 (with a net cost to the City of \$17,500) to provide statistical and data gathering services for the California Multi-Agency Capital Improvement Program (CIP) Benchmarking Study Group in which the City of Long Beach participates. (Citywide)

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

14. 10-1037 Recommendation to receive and file the minutes for:
Planning Commission - August 19, 2010.

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

UNFINISHED BUSINESS (5:50 PM)

41. 10-1009 Recommendation to receive and file a new list of City Council Standing Committees.

Mayor Foster announced two revisions to the City Council Standing Committee assignments: [1] Steven Neal vice chair of Economic Development, with Gary DeLong as a member; and [2] Rae Gabelich as chair of I-710, with Steven Neal, as vice chair and James Johnson as a member.

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

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

Absent: 2 - Schipske and Gabelich

42. 10-1010 Recommendation to receive and approve the revised appointments to the City Council Authorities and Memberships.

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

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

Absent: 2 - Schipske and Gabelich

Agenda Item No. UB-43: The recommended action for this ordinance was incorrectly noted on the agenda as a first reading. The correct recommended action should have been for a final reading.

43. 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; and by adding Subsection 14.14.110, 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)

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to request City Attorney to amend Ordinance to apply to Belmont Shore only and return to City Council for first reading. The motion carried by the following vote:

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

Absent: 1 - Gabelich

REGULAR AGENDA (5:53 PM)

15. 10-1038 Recommendation to receive and approve the following Non-Charter Commission Appointments.

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

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

Absent: 1 - Gabelich

16. 10-1067 Recommendation to request that City Council refer the naming of a portion of Whaley Park "Cherry Tree Peace Grove" to the Housing and Neighborhoods Committee and the Parks and Recreation Commission.

Councilmember O'Donnell spoke.

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

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

Absent: 2 - Garcia and Gabelich

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

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

Absent: 2 - Garcia and Gabelich

17. 10-1068

Recommendation to request that the following curfew hours be established at Rose Park in the interest of community members and public safety:

- Summer (May 1 through September 30) Hours: Dusk to Dawn
- Fall (October 1 through April 30) Hours: 7:00 p.m. to Dawn

Vice Mayor Lowenthal spoke.

Emily Stevens spoke.

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

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

Absent: 1 - Gabelich

18. 10-1039

Recommendation to authorize City Manager, or designee, to execute any and all documents including the Purchase and Sale Agreement (PSA) with Lyon Capital Ventures, LLC, a California limited liability company, for the sale of City-owned property at 100 Long Beach Boulevard (City Hall East) in an amount of \$4,000,000; and to authorize the close of escrow. (District 2)

Larry Goodhue spoke.

Ben Rockwell spoke.

Councilmember Johnson spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Councilmember Johnson spoke.

Patrick West, City Manager, spoke.

Councilmember DeLong spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

Councilmember Garcia spoke.

Patrick West, City Manager, spoke.

Councilmember Garcia spoke.

Patrick West, City Manager, spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilmember DeLong spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Mayor Foster spoke.

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

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

No: 2 - Schipske and Johnson

Absent: 1 - Gabelich

19. 10-1040

Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2010 to September 30, 2011 for the East Anaheim Street Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting a date for a public hearing for Tuesday, October 19, 2010 at 5:00 p.m. (Districts 3,4)

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-10-0113. The motion carried by the following vote:

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

Absent: 2 - Johnson and Gabelich

Enactment No: RES-10-0113

20. 10-1041

Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2010 to September 30, 2011 for the Fourth Street Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting a date for a public hearing for Tuesday, October 19, 2010 at 5:00 p.m. (District 2)

Vice Mayor Lowenthal spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-10-0114. The motion carried by the following vote:

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

Absent: 2 - Johnson and Gabelich

Enactment No: RES-10-0114

21. 10-1042

Recommendation to approve and adopt the funding recommendations of the Community Development Advisory Commission for the Fiscal Year 2011 (FY 11) Social Service Grant Program; and authorize City Manager to execute all necessary documents with 16 various nonprofit organizations approved for FY 11 Social Service Grant Program in the total amount of \$200,000 for the period from October 1, 2010 through September 30, 2011. (Citywide)

Distributed at or prior to the meeting: Email correspondence from Catholic Charities of Los Angeles, Inc.

Patrick West, City Manager, spoke.

Angela Reynolds, Neighborhood Services Bureau Manager, spoke.

Councilmember O'Donnell spoke.

Ben Rockwell spoke.

Tulen Smiley spoke.

Jessica Quintana spoke.

Jeff Farber spoke.

Councilmember Garcia spoke.

Shirley Knopf, Commissioner, Community Development Advisory Commission, spoke.

Councilmember Neal spoke.

Councilmember Andrews spoke.

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

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

Absent: 1 - Gabelich

22. 10-1061

Recommendation to authorize City Manager to execute all documents necessary with Urban Innovations (Urban), based in Pittsburgh, Pennsylvania, to enter one or more agreements and to submit one or more applications to seek pre-application and pre-development grant funding from the Metropolitan Transportation Authority and the Federal Transit Agency for the preparation of an Alternative Transportation Analysis. (District 2)

Michael Conway, Director of Public Works, spoke.

Robert Ardolino, President, Urban Innovations, spoke and provided a PowerPoint presentation.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

Robert Ardolino, President, Urban Innovations, spoke.

Michael Conway, Director of Public Works spoke.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Michael Conway, Director of Public Works, spoke.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

Ben Rockwell spoke.

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

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

No: 1 - Johnson

Absent: 1 - Gabelich

23. 10-1044

Recommendation to adopt Specifications No. PA-01810 and award a contract to Contact Security, Inc., of Brea, CA (MBE, WBE), in an estimated annual amount of \$350,000, for providing security guard services for a one-year period; with the option to renew for one additional one-year period, at the discretion of the City Manager. (Citywide)

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

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

Absent: 1 - Gabelich

24. 10-1048

Recommendation to adopt resolution amending the Long Beach Marina Rules and Regulations pursuant to the provisions of Section 16.08.970 of the Long Beach Municipal Code. (Districts 2,3)

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0115. The motion carried by the following vote:

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

Absent: 1 - Gabelich

Enactment No: RES-10-0115

25. 10-1049

Recommendation to authorize City Manager to execute an agreement with the Long Beach Unified School District for the operation of the 21st Century Community Learning Centers Program, Long Beach Winners Reaching Amazing Potential after school enrichment program, at Los Cerritos Elementary School; authorize the required 15 percent General Fund in-kind match; and authorize City Manager to execute any future documents, including amendments, necessary to accept, implement and administer the agreement. (District 8)

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

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

Absent: 1 - Gabelich

26. 10-1050

Recommendation to authorize City Manager to execute agreements with the Long Beach Unified School District for the operation of the After School Education and Safety Program at Burbank, Edison, Garfield, Grant, King, Lafayette, and Lee Elementary and Hudson K-8 school sites; increase appropriations by \$284,314 in the General Grants Fund (SR 120) in the Department of Parks, Recreation and Marine (PR); authorize the required 15 percent in-kind match in the form of Community Development Block Grant and General Fund monies; and authorize City Manager to execute any future documents, including amendments, necessary to accept, implement and administer the agreements. (Districts 1,2,4,6,7,9)

Councilman Andrews spoke.

Councilmember Johnson spoke on behalf of Councilwoman Gabelich.

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

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

Absent: 1 - Gabelich

27. 10-1051 WITHDRAWN
~~Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 600 Long Beach Boulevard, and submit a Public Notice of Protest. (District 1)~~
- This ABC License was withdrawn.**
28. 10-1052 Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Broadlind Lounge LLC, dba Basement Lounge, for an exchange of an Alcoholic Beverage Control License, at 149 Linden Avenue, with conditions. (District 2)
- Distributed at the meeting: ABC Conditions requested by Vice Mayor Lowenthal.
- A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation with conditions. The motion carried by the following vote:**
- Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal
- Absent:** 1 - Gabelich
29. 10-1053 Recommendation to receive and file the application of Me Soo Hungry Incorporated, dba Me Soo Hungry, for an original Alcoholic Beverage Control License, at 5372 East 2nd Street, with conditions. (District 3)
- Councilmember Johnson spoke.
- Councilmember DeLong spoke.
- A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to protest due to over concentration in the area. The motion carried by the following vote:**
- Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal
- Absent:** 1 - Gabelich
30. 10-1054 Recommendation to receive and file the application of New Craft Industries LLC, dba New Craft Cellars, for an original Alcoholic Beverage Control License, at 7002 East Rendina Street, with conditions. (District 3)
-

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

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

Absent: 1 - Gabelich

31. 10-1055 Recommendation to receive and file the application of Tony Tung Dang, dba Acapulco Hawaiian Fish Chicken Grill, for an original Alcoholic Beverage Control License, at 1022 Long Beach Boulevard, with conditions. (District 6)

Distributed at the meeting: ABC Conditions requested by Councilman Andrews.

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

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

Absent: 1 - Gabelich

32. 10-1056 Recommendation to receive and file the application of Distinctive Spirits LLC, dba Distinctive Spirits LLC, for an original Alcoholic Beverage Control License, at 4101 North Virginia Road, with conditions. (District 8)

Councilmember Johnson spoke on behalf of Councilwoman Gabelich.

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

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

Absent: 1 - Gabelich

33. 10-1057 Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Super Center Concepts Incorporated, dba Superior Grocers, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 5450 Cherry Avenue, with conditions. (District 8)

Distributed at the meeting: ABC Conditions requested by Councilwoman

Gabelich.

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

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

Absent: 1 - Gabelich

- 34. 10-1058** Recommendation to receive and file the application of Carlos Abelardo Cortez and Oscar Javier Ramirez, dba El Pollo Imperial, for an original Alcoholic Beverage Control License, at 5991 Atlantic Avenue, with conditions. (District 9)

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, that the item be laid over to the City Council meeting of Tuesday, October 5, 2010. The motion carried by the following vote:

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

Absent: 1 - Gabelich

- 35. 10-1059** Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal FY 2010 Edward Byrne Memorial Justice Assistance Grant Program; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$363,219. (Citywide)

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

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

Absent: 1 - Gabelich

- 36. 10-1060** Recommendation to authorize City Manager to approve a Memorandum of Agreement (MOA) with the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (LA Gateway Authority) for the preparation of the Los Cerritos Channel Metals Total Maximum Daily Load (TMDL) Coordinated Implementation Plan, monitoring program, and special studies. (Districts 3,4,5,7,8,9)

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

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

Absent: 1 - Gabelich

ORDINANCES (7:45 PM)

37. 10-0965 Recommendation to declare ordinance approving Resolution No. WD-1270, a resolution of the Board of Water Commissioners of the City 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, 2010, read and adopted as read. (Ordinance No. ORD-10-0026) (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember Neal, to declare Emergency Ordinance No. ORD-10-0026 read and adopted as read. The motion carried by the following vote:

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

Absent: 1 - Gabelich

Enactment No: ORD-10-0026

38. 10-0975 Recommendation to declare ordinance relating to adopting an amendment to Ordinance No. C-6496, adopted July 5, 1988, and 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, and July 15, 2008, relating to Departmental Organization of the City of Long Beach, read and adopted as read.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-10-0030. The motion carried by the following vote:

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

Absent: 1 - Gabelich

Enactment No: ORD-10-0030

39. 10-0989 Recommendation to declare ordinance approving and adopting the Official Budget of the City of Long Beach for the Fiscal Year 2010-2011, 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, 2010, read and adopted as read. (Ordinance No. ORD-10-0029) (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember Neal, to declare Emergency Ordinance No. ORD-10-0029 read and adopted as read. The motion carried by the following vote:

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

Absent: 1 - Gabelich

Enactment No: ORD-10-0029

40. 10-1008 Recommendation to declare interim ordinance amending Ordinance Nos. ORD-10-0015 and ORD-10-0020 relating to the temporary limitation on the issuance of discretionary permits for the installation, modification or relocation of wireless facilities within residential and institutional use zones, respectively; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-10-0027) (Citywide)

A motion was made by Councilman Andrews, seconded by Councilmember Neal, to declare Emergency Ordinance No. ORD-10-0027 read and adopted as read. The motion carried by the following vote:

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

Absent: 1 - Gabelich

Enactment No: ORD-10-0027

NEW BUSINESS (6:55 PM)

41. Agenda Item No. 41 is listed under Unfinished Business.
42. Agenda Item No. 42 is listed under Unfinished Business.
43. Agenda Item No. 43 is listed under Unfinished Business.

44. 10-1070 Recommendation to respectfully request City Attorney to draft a resolution in support of the Federal DREAM Act on behalf of the City of Long Beach.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Tom Modica, Manager of Government Affairs, spoke.

Ben Rockwell spoke.

Loren William spoke.

Elana Macias spoke.

Dr. Sabrina Sanders spoke.

Raul Arnorve spoke.

Julio Salgado spoke.

Josephine Castellanos spoke.

Christopher Chavez spoke.

Carlos Ramos spoke.

Jessica Quintana spoke.

Diana Poras spoke.

Julie Wickam spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember Garcia, to approve recommendation and include the topic in the Federal Legislative Committee agenda. The motion carried by the following vote:

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

Absent: 1 - Gabelich

45. 10-1043 Recommendation to approve Fiscal Year 2010 fourth quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Vice Mayor Lowenthal spoke.

Councilmember DeLong spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation with an amendment to appropriate \$590,000 in the Transportation Fund and \$400,000 in the Refuse Fund for the nexus study, thereby increasing the Capital Projects Fund for Infrastructure Improvements by \$400,000. The motion carried by the following vote:

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

Absent: 1 - Gabelich

- 10-1075 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 17, 2010.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:55 PM)

Vice Mayor Lowenthal requested that the meeting be adjourned in memory of Jeanne Bader.

Councilmember Garcia made community announcements.

Councilman Andrews made community announcements.