



CITY OF LONG BEACH

C-3

DEPARTMENT OF CITY CLERK

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September 1, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council and Budget Workshop Minutes for the Meetings Held Tuesday, August 11, 2009 and Tuesday, August 18, 2009

DISCUSSION

The Legistar minutes for the City Council and Budget Workshops held Tuesday, August 11, 2009 and Tuesday, August 18, 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,

Handwritten signature of Larry G. Herrera in black ink.

LARRY G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

Robert Garcia, 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.

Mayor Foster announced that Agenda Item No. 22 was withdrawn.

ROLL CALL (5:57 PM)

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

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; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Suja Lowenthal, Councilmember, Second District.

HEARING (5:58 PM)

1. 09-0799 Recommendation to receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use, adopt resolution ordering the vacation of a portion of the alley north of Artesia Boulevard and west of Orange Avenue, and authorize a quitclaim of the reserved utility easement. (District 9)

Vice Mayor Lerch spoke.

A motion was made by Vice Mayor Lerch, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0080. The motion carried by the following vote:

Yes: 5 - DeLong, O'Donnell, Andrews, Reyes Uranga and Lerch

Absent: 4 - Garcia, Lowenthal, Schipske and Gabelich

Enactment No: RES-09-0080

PUBLIC COMMENT (6:01 PM)

Karen Ashikeh LaMantia spoke regarding community television.

Pat West, City Manager, spoke.

Councilmember O'Donnell spoke.

Larry Goodhue spoke regarding graffiti and the budget.

Mike Ruehle spoke regarding police.

Councilmember DeLong spoke.

Mayor Foster spoke.

Vicki Cooper spoke regarding renovations taking place without permits.

Ben Rockwell spoke regarding inappropriate business signage on Pine Avenue.

Tom Stout spoke regarding lawsuit with police officers.

Larry Boland spoke regarding pensions.

Robert Shannon, City Attorney, spoke.

CONSENT CALENDAR (6:22 PM)

Passed The Consent Calendar

A motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor Lerch, to approve Consent Calendar Items 2 - 9, except for Item 8. The motion carried by the following vote:

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

Absent: 1 - Gabelich

2. 09-0800 Recommendation to approve the City Council Special Meeting and Breakwater Study Session minutes for the meetings held Monday, July 27, 2009.
A motion was made to approve recommendation on the Consent Calendar.
3. 09-0801 Recommendation to refer to City Attorney damage claims received between July 27, 2009 and August 3, 2009.
A motion was made to approve recommendation on the Consent Calendar.
4. 09-0802 Recommendation to authorize City Manager to execute the First Amendment to Lease No. 28350 with The Bolder Group, Inc., to extend the term through September 30, 2014, and adjust the annual minimum rent. (District 3)
A motion was made to approve recommendation on the Consent Calendar.
5. 09-0803 Recommendation to request City Manager, or designee, to accept an easement deed for alley widening and a corner cut at 601 West Willow Street. (District 7)
A motion was made to approve recommendation on the Consent Calendar.
6. 09-0804 Recommendation to request City Manager, or designee, to accept an easement deed for street widening at 3850 Cherry Avenue. (District 7)
A motion was made to approve recommendation on the Consent Calendar.
7. 09-0805 Recommendation to authorize City Manager to execute an Assignment Consent Agreement for Facility/Pipeline Permit No. P-132-81, from Raytheon Technical Services Company, LLC, to Linwood Avenue Limited Partnership, in accordance with Long Beach Municipal Code Section 15.44.220, Permit-Transfer. (District 8)
A motion was made to approve recommendation on the Consent Calendar.
8. 09-0806 Recommendation to refer the Proposed Capital Improvement Program

for Fiscal Year 2010 to the Planning Commission for review of its consistency with the General Plan. (Citywide)

Councilmember DeLong spoke.

Pat West, City Manager, spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and request that the Planning Commission also identify any increased staffing costs. The motion carried by the following vote:

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

Absent: 1 - Gabelich

9. 09-0807 Recommendation to receive and file minutes of:
Planning Commission - June 18, 2009.
Water Commission - July 9, 2009.

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

REGULAR AGENDA (6:29 PM)

10. 09-0831 Recommendation to receive and file the appointment of Councilmembers to serve on Standing Committees of the City Council.

Mayor Foster spoke.

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

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

No: 1 - Schipske

Absent: 1 - Gabelich

Mayor Foster retired and Vice Mayor Lerch assumed the chair.

11. 09-0808 Recommendation to authorize City Manager to execute an amendment to the Los Cerritos Wetlands Authority Joint Exercise of Powers Agreement to delete the prohibition of appointment of an elected official, appointed official or employee from either the City of Long Beach or the City of Seal Beach by the Rivers and Mountains Conservancy (RMC) or the State Coastal Conservancy (SCC).

Thomas Marchese spoke.

Councilmember DeLong spoke.

Larry Goodhue spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Terry Slavin spoke.

Councilmember Reyes Uranga spoke.

A substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to receive backup material and a revised Joint Powers Agreement. The motion failed by the following vote:

Yes: 2 - Schipske and Reyes Uranga

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

Absent: 1 - Gabelich

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

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

No: 2 - Schipske and Reyes Uranga

Absent: 1 - Gabelich

12. 09-0809 Recommendation to respectfully request Long Beach Gas and Oil Department to investigate the feasibility of offering a rebate program.

Councilmember DeLong spoke.

Councilman Andrews spoke.

Francis Emily Dawson Harris spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation and explore educating consumers with a "Go Green, Save Green" Program that includes ways to help save energy and help the environment. The motion carried by the following vote:

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

Absent: 2 - Reyes Uranga and Gabelich

13. 09-0832 Recommendation to request City Manager to provide a detailed report that outlines what has been specifically done by City staff within the past twelve (12) months to attract employers, especially Tesla Motors.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

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

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

No: 1 - Lowenthal

Absent: 1 - Gabelich

14. 09-0833 Recommendation to respectfully request City Attorney work with Development Services to revise the Long Beach Municipal Code to include single-family and duplex projects as possible impact fee exemptions.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Councilmember O'Donnell spoke.

Keith Jackson spoke and submitted written comments.

Francis Emily Dawson Harris spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, that the item be referred to the Housing and Neighborhoods Committee for review. The motion carried by the following vote:

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

Absent: 1 - Gabelich

15. 09-0811 Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the County of Los Angeles Chief Executive Office to receive and expend Department of Homeland Security grant funding for the 2008 State Homeland Security Grant Program; and increase appropriations by \$401,917 in the General Grants Fund (SR 120) and the Fire Department (FD). (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, Reyes Uranga and Lerch

Absent: 1 - Gabelich

16. 09-0810 Recommendation to authorize City Manager, or designee, to execute all necessary documents and amendments between the City of Long Beach and the State Department of Health Care Services to claim

reimbursement for allowable Medi-Cal administrative activities (MAA) in an amount up to \$3,300,000 for a three-year period. (Citywide)

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

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

Absent: 1 - Gabelich

17. 09-0812 Recommendation to receive and file the application of John William McLaughlin and Maria Elizabeth McLaughlin, dba J M Chef Catering at Last Cafe, for an original Alcoholic Beverage Control License, at 204 Orange Avenue, with conditions. (District 2)

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

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

Absent: 1 - Gabelich

18. 09-0813 Recommendation to receive and file the application of Oscar Olaf Cuellar, dba El Picosito Restaurant, for an original Alcoholic Beverage Control License, at 5140 Long Beach Boulevard, with conditions. (District 8)

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember DeLong, that the item be laid over one week to the meeting of Tuesday, August 18, 2009. The motion carried by the following vote:

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

Absent: 1 - Gabelich

19. 09-0814 Recommendation to approve the conversion of Cerritos Avenue between 3rd Street and 4th Street, and Bonito Avenue between 3rd Street and 4th Street to one-way streets, and request City Attorney to prepare the required amendment to Section 10.14.020 of the Long Beach Municipal Code adding the following new subsection:

“(Southbound) Cerritos Avenue between 3rd Street and 4th Street”

“(Northbound) Bonito Avenue between 3rd Street and 4th Street,” and

Adopt resolution authorizing installation of angled parking on the east side of Cerritos Avenue between 3rd Street and 4th Street and the west side of Bonito Avenue between 3rd Street and 4th Street. (District 2)

Karen LaMantia spoke.

James Dodd spoke.

Dave Roseman, City Traffic Engineer, spoke.

Liz Palmer spoke.

Francis Emily Dawson Harris spoke.

Councilmember Lowenthal spoke.

Councilman Andrews spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0081. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

Enactment No: RES-09-0081

20. 09-0815

Recommendation to approve the conversion of Argonne Avenue between Livingston Drive and Broadway to a one-way street, and request City Attorney to prepare the required amendment to Section 10.14.020 of the Long Beach Municipal Code adding the following new subsection:

“(Southbound) Argonne Avenue between Livingston Drive and Broadway.” (District 3)

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

Yes: 7 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

21. 09-0816

Recommendation to request City Attorney to revise Section 21.42.060 of

the Long Beach Municipal Code regarding public parkways. (Citywide)

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

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

Yes: 7 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

22. 09-0817

Recommendation to:

1. Direct City Attorney to draft amendments to the Long Beach Municipal Code Chapter 8.60 regarding operating rules and regulations for private refuse haulers;
2. Authorize City Manager to develop and execute seven-year agreements, with three one-year renewal options, with all private refuse haulers currently operating in compliance with their Refuse Transportation Permit; and
3. Authorize Director of Public Works to:
 - a. Develop and implement rules and regulations as required for the successful execution, implementation and administration of the agreements and to ensure compliance with federal, state and local regulations;
 - b. Limit the number of permits to be issued to the 16 existing permitted haulers only;
 - c. Collect any and all fees as authorized by the City Council including the currently authorized AB 939 fee and the proposed Refuse Hauler Business Fee;
 - d. Require private haulers to utilize alternative fuel vehicles when operating in the City after September 30, 2012; and
 - e. Continue to require private haulers to provide recycling services to

all multi-family and commercial accounts as determined by the Director of Public Works.

This Agenda Item was withdrawn.

23. 09-0818 Recommendation to authorize City Manager to execute a lease-purchase agreement and related financing documents with Banc of America Public Capital Corp for the financing of personal computers, computer related equipment, and servers in an amount not to exceed \$1,446,000 including interest, payable over a four-year period; and authorize City Manager to execute a Master Purchase Agreement with GTSI, Inc. (Citywide)

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

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

No: 1 - Garcia

Absent: 2 - DeLong and Gabelich

NEW BUSINESS (7:38 PM)

24. Affidavits of Service for the special meetings held Tuesday, August 11, 2009.

ANNOUNCEMENTS (7:38 PM)

Councilwoman Schipske requested that the meeting be adjourned in memory of Thomas Cominski.

Councilman Andrews made community announcements.

Councilmember Lowenthal made community announcements.

PUBLIC (7:41 PM)

Glen Mathews spoke regarding homelessness and the Multi-Service Center that serves the homeless.

ADJOURNMENT (7:43 PM)

At 7:43 PM, Vice Mayor Lerch adjourned the meeting in memory of Thomas Cominski.

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



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

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

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:10 PM)

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

Councilmembers Garcia, Lowenthal and 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;
Allison Bunma, City Clerk Analyst.

Mayor Foster presiding.

1. 09-0830 Recommendation to conduct a Budget Workshop to receive:
 - Fire Department Presentation
 - Police Department Presentation
 - City Council Deliberation
 - Public Input

SECOND ROLL CALL (3:14 PM)

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

Garcia joined the meeting.

Lowenthal joined the meeting.

Gabelich joined the meeting.

Pat West, City Manager, spoke.

Anthony Batts, Chief of Police, spoke and provided a PowerPoint presentation for Police Department.

Councilmember Garcia spoke.

Robert Luna, Deputy Chief, spoke.

Councilwoman Gabelich spoke.

Braden Phillips spoke.

Anthony Batts, Chief of Police, spoke.

William Blair, Deputy Chief, spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Alan Patalano, Deputy Chief, Support Services Bureau, spoke and provided a PowerPoint presentation for Fire Department.

Jeff Reeb, Deputy Chief, Operations Bureau, continued the PowerPoint presentation.

Mike Garcia, Deputy Chief, Fire Prevention Bureau, continued the PowerPoint presentation.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

PUBLIC (4:55 PM)

09-0862 Rich Brandt, President, Long Beach Firefighters' Association, spoke and submitted correspondence.

This Handout was received and filed.

Don Johnson spoke.

Diana Lejins spoke.

John Cal spoke.

David McGill spoke.

Jim Dental spoke.

Matt Voldama spoke.

John Cryst spoke.

Larry Boland spoke.

Keith Johnson spoke.

Francis Emily Dawson Harris spoke.

Tom Stout spoke.

Kathy Ryan spoke.

Ben Rockwell spoke.

Mike Duree, Vice President, Long Beach Firefighters' Association, spoke.

Rex Pritchard read a letter on behalf of Diane Ripley.

Mike Ruehle spoke.

Robert Luman, Deputy Chief, Long Beach Police Department, spoke.

Donald Sims spoke.

Mayor Foster spoke.

ADJOURNMENT (5:40 PM)

At 5:40 P.M., Mayor Foster adjourned the meeting.

adb

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



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

Bob Foster, Mayor

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

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:04 PM)

Councilmembers Lowenthal, O'Donnell, Reyes Uranga and Lerch
Present:

Councilmembers Garcia, DeLong, Schipske, Andrews and 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; Allison Bunma, City Clerk Analyst.

Vice Mayor Lerch presiding.

SPECIAL MEETING (3:05 PM)

- 09-0861 Recommendation to conduct a Budget Workshop to receive:
 - Library Services Presentation
 - Parks, Recreation & Marine Presentation
 - City Council Deliberation
 - Public Input

This Agenda Item was received and filed.

SECOND ROLL CALL (3:07 PM)

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

Garcia joined the meeting.

DeLong joined the meeting.

Schipske joined the meeting.

Andrews joined the meeting.

Gabelich joined the meeting.

Pat West, City Manager, spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Glenda Williams, Director of Library Services, provided a PowerPoint presentation for Library Services.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Ryan Baker spoke.

John Callis spoke.

Linda Poling spoke.

Gayle Tweed spoke.

Nancy Paradise spoke.

Jennifer Songster spoke.

Shawn Townsend spoke.

Jo Rae Zuckerman spoke.

Phil Hester, Director of Parks, Recreation and Marine, provided a PowerPoint presentation for Parks, Recreation and Marine Department.

09-0866 Lovetta Kramer spoke and submitted correspondence.

This Handout was received and filed.

Larry Goodhue spoke.

Aaron Joiner spoke.

Sierra Serfey spoke.

Dr. Susan Matthew spoke.

PG Herman spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Councilmember Garcia spoke.

ADJOURNMENT (4:53 PM)

At 4:53 PM, Vice Mayor Lerch adjourned the meeting.

adb

Robert Garcia, 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

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

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

ROLL CALL (5:32 PM)

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

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

Vice Mayor Lerch presiding.

Invocation: Moment of Silence.

Flag Salute: Gary DeLong, Councilmember, Third District.

Kathy Schofield, spcaLA, presented a canine.

PUBLIC COMMENT (5:35 PM)

09-0867 George Burden spoke regarding Boeing Aircraft rally and submitted a flyer regarding the event.

This Handout was received and filed.

09-0868 Ben Rockwell spoke regarding graffiti and submitted documentation.

This Handout was received and filed.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Pat West, City Manger, spoke.

Mike Ruehle spoke regarding drawings.

Councilmember DeLong spoke.

Pat West, City Manager, spoke.

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

09-0869 Kate Karp spoke regarding the homeless man beaten recently and submitted a flyer.

This Handout was received and filed.

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

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

Larry Boland spoke regarding Fire Department responses.

Councilwoman Schipske spoke.

Tom Stout spoke regarding pensions.

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

Vice Mayor Lerch spoke.

CONSENT CALENDAR (6:06 PM)

Passed The Consent Calendar

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

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

1. 09-0837 Recommendation to approve the City Council and Budget Workshop

minutes for the meetings held Tuesday, August 4, 2009.

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

2. 09-0838 Recommendation to refer to City Attorney damage claims received between August 3, 2009 and August 10, 2009.

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

3. 09-0857 Recommendation to approve the destruction of records for Financial Management Department Commercial Services Bureau, Purchasing Division, Administrative Services Division and Accounting Operations Division as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-09-0082 on the Consent Calendar.

Enactment No: RES-09-0082

4. 09-0839 Recommendation to authorize City Manager to execute any and all documents necessary for a Revocable Facility Use Permit with the Antioch Church of Long Beach for the use of the City-owned parking lot located at 1401 East Anaheim Street, also known as the Mark Twain Library, on a month-to-month basis at the initial monthly rental rate of \$250. (District 6)

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

5. 09-0840 Recommendation to adopt resolution certifying the 2008-2009 Local Development Report and its conformance with the State-Mandated Congestion Management Program. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-09-0083 on the Consent Calendar.

Enactment No: RES-09-0083

6. 09-0841 Recommendation to authorize City Manager to execute any and all documents necessary for the fifth amendment to extend Contract No. 20610 with Southern California Edison (SCE) by three months to July 31, 2010, for continued manual meter-reading, and with provisions to allow for a smooth transition to a new meter-reading vendor, in an estimated amount not to exceed \$60,000. (Citywide)

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Harvey Cochran spoke.

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

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

7. 09-0842 Recommendation to refer the Comprehensive Annual Financial Report (CAFR), Separately Issued Financial Statements and the Federal Single Audit for the Fiscal Year Ended September 30, 2008 to the Budget Oversight Committee. (Citywide)

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

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

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

UNFINISHED BUSINESS (6:15 PM)

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

Councilwoman Gabelich spoke.

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

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

No: 1 - Garcia

REGULAR AGENDA (6:17 PM)

9. 09-0844 Recommendation to request City Manager work with the employee unions to investigate the feasibility and benefits of implementing an additional Pension option for City employees and report to City Council within 30 days.
- Councilmember DeLong spoke.
- Councilmember Lowenthal spoke.
- Councilmember Garcia spoke.
- Councilwoman Gabelich spoke.
- Heather Mahood, Chief Assistant City Attorney, spoke.
- Councilmember O'Donnell spoke.
- Councilmember Reyes Uranga spoke.
- Councilmember DeLong spoke.
- Councilwoman Schipske spoke.
- Councilwoman Gabelich spoke.
- Harvey Cochran spoke.
- Larry Boland spoke.
- Larry Goodhue spoke.
- Kathy Ryan spoke.
- Tom Stout spoke.
- Vice Mayor Lerch spoke.
- Kristen Drolin spoke.
- Councilmember Garcia spoke.
- Councilmember O'Donnell spoke.
- Councilwoman Schipske spoke.

Councilman Andrews spoke.

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

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

Absent: 1 - Reyes Uranga

10. 09-0858

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

Councilman Andrews spoke.

Harvey Cochran spoke.

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

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

Absent: 1 - Reyes Uranga

11. 09-0845

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

Larry Goodhue spoke.

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

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

Absent: 1 - Reyes Uranga

12. 09-0671

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

Pat West, City Manager, spoke.

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

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

Absent: 2 - Reyes Uranga and Gabelich

Enactment No: RES-09-0084

13. 09-0846

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

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

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

Absent: 1 - Reyes Uranga

14. 09-0847

Recommendation to approve the Fiscal Year 2009 third quarter departmental and fund budget appropriation adjustments in accordance

with existing City Council policy. (Citywide)

Councilwoman Gabelich spoke.

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

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

Absent: 1 - Reyes Uranga

15. 09-0848

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

Al Pfeltz spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

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

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

Absent: 1 - Reyes Uranga

16. 09-0849

WITHDRAWN

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

This Agenda Item was withdrawn.

17. 09-0850

WITHDRAWN

~~Recommendation to receive and file the status update regarding the Long Beach Airport QuieterHome® Program and adopt the 2008 65 dB CNEL Airport noise contour for purposes of the Long Beach Airport~~

QuieterHome® Program. (Districts 4,5)

This Agenda Item was withdrawn.

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

Councilwoman Gabelich spoke.

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

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

Absent: 1 - Reyes Uranga

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

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

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

Absent: 1 - Reyes Uranga

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

Councilmember DeLong submitted conditions for the ABC license.

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

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

Absent: 1 - Reyes Uranga

21. 09-0854 Recommendation to authorize City Manager to execute a Memorandum of Understanding (MOU) with California State University Long Beach (CSULB) and take any actions necessary to its implementation regarding parking enforcement in the one-mile area surrounding CSULB. (Districts 3,4)

Councilmember O'Donnell spoke.

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

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

Absent: 1 - Reyes Uranga

22. 09-0855 Recommendation to authorize City Manager to execute agreements for as-needed surveying services with Woolley & Associates, Hunsaker & Associates, and Harris & Associates, in an amount not to exceed \$1,500,000.00 per consultant, for a three-year term; and to execute amendments to the agreements relative to: extending the term for up to one additional three-year term, authorizing additional services, if required, with the provisions of the agreements, and adjusting the fee schedule of hourly rates for inflation as appropriate and if funds are available. (Citywide)

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Pat West, City Manager, spoke.

Vice Mayor Lerch spoke.

Harvey Cochran spoke.

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

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

No: 2 - Schipske and Lerch

Absent: 1 - Reyes Uranga

ORDINANCES (7:35 PM)

23. 09-0859 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 8.68.075, relating to smoking prohibited at bus stops read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)
- Harvey Cochran spoke.
- Steven Harrison spoke.
- Councilmember Garcia spoke.
- A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**
- Yes:** 6 - Garcia, Lowenthal, Schipske, Andrews, Gabelich and Lerch
- Absent:** 3 - DeLong, O'Donnell and Reyes Uranga
24. 09-0860 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 8.68.085, relating to smoking prohibited at farmers' markets read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)
- Harvey Cochran spoke.
- Steven Gallegos spoke.
- Councilmember Garcia spoke.
- A motion was made by Councilmember Garcia, seconded by Councilmember Lowenthal, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**
- Yes:** 6 - Garcia, Lowenthal, Schipske, Andrews, Gabelich and Lerch
- Absent:** 3 - DeLong, O'Donnell and Reyes Uranga

NEW BUSINESS (7:46 pm)

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

ANNOUNCEMENTS (7:46 PM)

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Lowenthal made community announcements.

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

PUBLIC (7:54 PM)

Harvey Cochran spoke regarding a book.

ADJOURNMENT (7:55 PM)

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

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