

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

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## FINISHED AGENDA & MINUTES

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

Agenda Items for this meeting were considered in the order presented, with the exception of Agenda Item No. 22, which was the first item considered under the Regular Calendar.

### ROLL CALL (5:07 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; 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: Robert Garcia, Councilmember, First District.

Vice Mayor Lerch announced that Agenda Item No. 22 would be considered at the beginning of the Regular Agenda.

Proclamation recognizing Employees of the Year for the Long Beach Fire Department.

Proclamation recognizing Retired Fire Ambassadors.

Certificate of Recognition for Women to Women Recovery Programs.

### HEARINGS (5:25 PM)

1. [09-1059](#) WITHDRAWN  
~~Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution confirming the Belmont Shore Parking and Business Improvement Area program and continuing the assessment for the period of October 1, 2009 through September 30, 2010; and authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one year term. (District 3)~~

**This Resolution was withdrawn.**

[see media](#)

2. [09-1060](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and approve one of the following actions: 1) grant the permit with or without conditions; or 2) grant a One-Year Short-Term Permit with or without conditions; or 3) deny the permit on the application of The Green Mango, Inc., dba Golden Villa Restaurant, 1360 E. Anaheim Street, No. 205, for Entertainment With Dancing by Patrons. (District 2)

Evan Braude, attorney, spoke.

Sophy Khut and Kolvady Men, owners, spoke.

Evan Braude, attorney, spoke.

Alicia Navarro spoke.

Olivia Alvarez spoke.

Pauli Aguilar spoke.

We Cha spoke.

Teran Miller spoke.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation to grant a One-Year Permit with conditions defined in previous Permit; and request City Manager to meet with the Councilmember and the Owners to discuss the conditions and requirements of the Permit. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

[see media](#)

3. [09-1061](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution amending the Master Fee and Charges Schedule for specified City services for the Development Services; Fire; Long Beach Gas and Oil; Library Services; and Public Works Departments. (Citywide)

**A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0113. The motion carried by the following vote:**

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

**Absent:** 2 - DeLong and Gabelich

**Enactment No:** RES-09-0113

#### **PUBLIC COMMENT (5:54 PM)**

[09-1121](#) Larry Goodhue spoke and submitted correspondence concerning Alamitos Bay.

**This Handout was received and filed.**

Martha Thuente spoke regarding the Long Beach Veterans Day Parade.

Kathy Ryan spoke regarding transparency.

[09-1122](#) Deborah Kearn and Annie Greenfeld-Wisner spoke regarding Long Beach Grip Mural presentations - Human Dignity Department and submitted an article from the *Long Beach Magazine*.

**This Handout was received and filed.**

Claudette Powers spoke regarding Peace Builders.

#### **CONSENT CALENDAR (6:12 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember Garcia, seconded by Councilmember Reyes Uranga, to approve Consent Calendar Items 4 - 10, except for Item 6. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

4. [09-1083](#) Recommendation to receive and file a report on travel to Seattle, Washington to participate for the United States Conference of Mayors, October 1 - 3, 2009.

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

5. [09-1062](#) Recommendation to refer to City Attorney damage claims received between September 28, 2009 and October 5, 2009.

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

[see media](#)

6. [09-1063](#) Recommendation to authorize City Manager, or designee, to execute amendments to the current agreements with Los Angeles County, in the total combined amount of \$88,148 to provide Human Immunodeficiency Virus (HIV)/Acquired Immune Deficiency Syndrome (AIDS) case management, outpatient medical, and treatment advocacy programs for the terms as listed through May 31, 2009. (Citywide)

Councilwoman Schipske spoke.

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

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

**Absent:** 2 - Andrews and Gabelich

7. [09-1064](#) Recommendation to receive and file the application of Kehar Jat Holdings Corporation, dba J & G Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 6190 Orange Avenue, with existing conditions. (District 9)

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

8. [09-1065](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the NIJ FY09 Paul

Coverdell Forensic Sciences Improvement Grant Program; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$125,000. (Citywide)

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

9. [09-1066](#) Recommendation to authorize City Manager, or designee, to purchase and accept an easement deed from Southern California Edison (SCE) in the appraised amount of \$76,500, for purposes of constructing, operating, and maintaining the River Avenue Storm Drain within SCE's Hinson Sub Station. (District 7)

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

10. [09-1067](#) Recommendation to receive and file minutes for:  
Civil Service Commission - September 9, 2009.  
Parks and Recreation Commission - August 20, 2009.

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

#### **REGULAR AGENDA (6:15 PM)**

[see media](#)

11. [09-1068](#) Recommendation to approve and adopt the funding recommendations of the Community Development Advisory Commission for the Fiscal Year 2010 (FY 10) Social Service Grant Program; and authorize City Manager to execute all necessary documents with fifteen (15) various nonprofit organizations approved for FY 10 Social Service Grant Program in the total amount of \$199,985 for the period from October 1, 2009 through September 30, 2010. (Citywide)

Jessica Quintana spoke.

Erica Jewel spoke.

Mary Weaver spoke.

Dr. John Blake spoke.

Roul R. Norvell spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember Reyes Uranga 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, Reyes Uranga and Lerch

**Absent:** 1 - Gabelich

[see media](#)

**12. [09-1069](#)**

Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the City of Los Angeles, to receive and expend Department of Homeland Security grant funding for the 2008 Urban Area Security Initiative (UASI) Grant, at an amount not to exceed \$3,951,754 for a period ending February 28, 2011; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$1,014,543 and in the General Grants Fund (SR 120) in the Police Department (PD) by \$1,937,211. (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, Reyes Uranga and Lerch

**Absent:** 1 - Gabelich

[see media](#)

**13. [09-1070](#)**

Recommendation to receive and file the Fire Facilities Impact Fee Report for Fiscal Year 2008. (Citywide)

**A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, 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

[see media](#)

**14. [09-1071](#)**

Recommendation to receive and file the Police Facilities Impact Fee Report for Fiscal Year 2008. (Citywide)

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

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

**Absent:** 2 - Garcia and Gabelich

[see media](#)

15. [09-1072](#)

Recommendation to authorize City Manager, or designee, to execute all necessary documents, including two amendments to agreements, between the City of Long Beach and the County of Los Angeles to accept funding in the amount of \$1,899,091 effective from the date of contract execution through July 30, 2010 to support local H1N1 Influenza Preparedness and Response Activities; authorize a sole source purchase order with the Long Beach Unified School District to support school-based vaccination clinic expenses in an amount not to exceed \$20,000; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$1,899,091. (Citywide)

Dr. Helen Calvet spoke and provided a PowerPoint presentation.

Vice Mayor Lerch spoke.

Councilmember O'Donnell 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, Reyes Uranga and Lerch

**Absent:** 1 - Gabelich

[see media](#)

16. [09-1073](#)

Recommendation to authorize City Manager to accept grant funding, and execute an agreement and all necessary documents with 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 by Councilmember O'Donnell, seconded by Councilmember DeLong, 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

[see media](#)

17. [09-1074](#)

Recommendation to adopt resolution approving amendments to the Memoranda of Understanding with the Long Beach City Attorneys Association, Long Beach Prosecutors Association, and the Long Beach Firefighters Association; adopt amendments to the October 1, 2007 through September 30, 2012 Memoranda of Understanding with the Long Beach City Attorneys Association and Long Beach Prosecutors Association; adopt amendment to the January 1, 2008 through September 30, 2013 Memoranda of Understanding with the Long Beach Firefighters Association; and allow those matters that affect compensation to be implemented on the effective dates set forth in the October 1, 2007 through September 30, 2013 Amended Memoranda of Understanding with the Long Beach City Attorneys Association and Long Beach Prosecutors Association, and on the effective dates set forth in the January 1, 2008 through September 30, 2014 Amended Memoranda of Understanding with the Long Beach Firefighters Association. (Citywide)

**A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0114. The motion carried by the following vote:**

**No:** 1 - DeLong

**Absent:** 1 - Gabelich

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

**Enactment No:** RES-09-0114

[see media](#)

18. [09-1075](#)

Recommendation to adopt resolution approving amendments to the Memoranda of Understanding with the Long Beach Management Association, the Long Beach Association of Confidential Employees and Long Beach Lifeguard Association; adopt amendments to the October 2, 2004 through September 30, 2008 Memoranda of Understanding with the Long Beach Management Association and the Long Beach Association of Confidential Employees; adopt amendment to the November 1, 2005 through September 30, 2008 Memoranda of Understanding with the Long Beach Lifeguard Association; and allow those matters that affect compensation to be implemented on the effective dates set forth in the October 2, 2004 through September 30, 2010 Amended Memoranda of Understanding with the Long Beach Management Association and the Long Beach Association of Confidential Employees and on the effective dates set forth in the November 1, 2005 through September 30, 2010 Amended Memoranda of Understanding with the Long Beach Lifeguard Association. (Citywide)



**A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0115. The motion carried by the following vote:**

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

**No:** 1 - DeLong

**Absent:** 1 - Gabelich

**Enactment No:** RES-09-0115

[see media](#)

**19. [09-1076](#)**

Recommendation to adopt resolution authorizing implementation of a work furlough for employees represented by the International Association of Machinists and Aerospace Workers in order to generate an amount equivalent to 5.7 percent in pay (120 hours for regular, full-time employees and 60 hours for part-time employees) for all permanent employees in Fiscal Year 2010. (Citywide)

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Vice Mayor Lerch spoke.

Councilmember Lowenthal spoke.

James Belore spoke.

Councilmember Lowenthal spoke.

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

**Yes:** 1 - DeLong

**No:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

**Absent:** 1 - Gabelich

**A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, that the item be laid over one week to the meeting of Tuesday, October 20, 2009. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

[see media](#)

**20.** [09-1077](#)

Recommendation to authorize City Manager to execute the renewal of contracts with Great-West Life/CIGNA, the City's Third Party Administrator, for the Preferred Provider Organization (PPO) and the Open Access (OA) group health plans; PacifiCare for the Health Maintenance Organization (HMO) group health plan and closed-panel dental plan; Medco, the Prescription Benefit Manager (PBM), for the prescription drug plan; Elite as the Stop-Loss Re-insurer; Delta Dental for the fee-for-service dental plan; Medical Eye Services (MES) for the vision plan; Standard Insurance Company for life insurance and Long- and Short-Term Disability; Union Mutual Life Insurance Company (UNUM) through Larry Lambert & Associates Insurance Services for the long-term care benefits; and to continue the City's self-funded, In-Hospital Indemnity program administered by Great-West Life/CIGNA;

Authorize City Manager to execute an amendment to extend the existing contract with Alliant Insurance Services, Inc. for healthcare consulting and actuarial services for a period of one year; and

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

**A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, 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

[see media](#)

**21.** [09-1078](#)

Recommendation to receive and file the application of Roberta Iustini,

dba Vino & Cucina, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 4501 East Carson Street, Suite 104-106, with conditions. (District 5)

**A motion was made by Councilwoman Schipske, seconded by Councilmember Garcia, 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

[see media](#)

**22. [09-1079](#)**

Recommendation to receive and file the application of Far West Restaurant Group LLC, dba Wing Stop, for an original Alcoholic Beverage Control License, at 6700 Cherry Avenue Unit C, with conditions. (District 9)

Vice Mayor Lerch spoke.

**A motion was made by Councilmember Garcia, 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

**ORDINANCES (7:17 PM)**

[see media](#)

**23. [09-1081](#)**

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking District "Z" 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 O'Donnell, seconded by Councilwoman Schipske, 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, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

**Absent:** 1 - Gabelich

**Enactment No:** ORD-09-0032

[see media](#)

24. [09-0970](#)

Recommendation to declare ordinance amending the Douglas Park Planned Development (PD-32), read and adopted as read. (District 5)

**A motion was made by Councilwoman Schipske, seconded by Councilmember Lowenthal, to approve recommendation and adopt Ordinance No. ORD-09-0029. 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:** ORD-09-0029

[see media](#)

25. [09-0994](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 8.80.160 by amending the Noise District Map, read and adopted as read. (District 5)

**A motion was made by Councilmember Reyes Uranga, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-09-0030. 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:** ORD-09-0030

[see media](#)

26. [09-0995](#)

Recommendation to declare ordinance approving the Amended and Restated Development Agreement for the Douglas Park project pursuant to Chapter 21.29 of the Long Beach Municipal Code; and directing the City Manager to execute, on behalf of the City, the Amended and Restated Development Agreement with the McDonnell Douglas Corporation, read and adopted as read. (District 5)

**A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-09-0031. 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:** ORD-09-0031

**NEW BUSINESS (7:19 PM)**

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27. Affidavits of Service for the special meetings held Tuesday, October 13, 2009.

**ANNOUNCEMENTS (7:19 PM)**

Councilmember Lowenthal made community announcements.

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Vice Mayor Lerch made community announcements.

**ADJOURNMENT (7:23 PM)**

At 7:23 PM, Vice Mayor Lerch adjourned the meeting.

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