



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-1

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

August 18, 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 4, 2009

DISCUSSION

The Legistar minutes for the City Council and Budget Workshop held Tuesday, August 4, 2009 are attached for review and approval.

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

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

TIMING CONSIDERATIONS

None.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


LARRY G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:04 PM)

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

Councilmembers Absent: Lowenthal, Reyes Uranga and Gabelich

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.

SPECIAL MEETING (3:04 PM)

- 09-0795 Recommendation to conduct a Budget Workshop to receive:
 - Overview of Proposed Budget for Fiscal Year 2010
 - City Council Deliberation
 - Public Input

This Agenda Item was received and filed.

Mayor Foster spoke.

Pat West, City Manager, spoke and presented a PowerPoint presentation.

SECOND ROLL CALL (3:05 PM)

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

Councilmembers Lowenthal
Absent:

Reyes Uranga joined the meeting. Gabelich joined the meeting.

THIRD ROLL CALL (3:14 PM)

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

Lowenthal joined the meeting.

Councilmember Reyes Uranga spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Anthony Batts, Chief of Police, spoke.

Councilmember Garcia spoke.

PUBLIC: (4:02 PM)

09-0835 Diane Lejins spoke and submitted information regarding impounded animals.

This Handout was received and filed.

Annie Greenfeld spoke.

Don Johnson spoke.

Tom Stout spoke.

Mayor Foster spoke.

ADJOURNMENT (4:13 PM)

At 4:13 PM, Mayor Foster adjourned the meeting.

ch

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.

ROLL CALL (5:04 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; 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: Robert Garcia, Councilmember, First District.

Julie Pruitt, spcaLA, presented a canine.

Presentation from Neighborhood Leadership Program.

Vice Mayor Lerch spoke.

HEARINGS (5:18 PM)

1. 09-0770 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 The Beach Club Sports Bar & Grill, LLC, 5755 E. Pacific Coast Highway, for Entertainment Without Dancing by Patrons at an existing restaurant. (District 3)

Distributed at the meeting: Correspondence from Bruce Dahl and business co-owner Benjamin Goldberg.

Benjamin Goldberg, applicant, spoke.

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lerch, to approve recommendation to grant the Permit with conditions, with the understanding that the Financial Management Department and the Police Department will provide a 12-month update to the City Council concerning establishment operations, and any issues or problems. The motion carried by the following vote:

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

PUBLIC COMMENT (5:26 PM)

Dennis Dunn spoke regarding a variety of issues.

Ben Rockwell spoke regarding Pine Avenue public right-of-way during evening dining hours.

Pat Alviso invited City Councilmembers to attend a Memorial at Sea.

Barry Saks spoke regarding the Memorial at Sea.

Larry Goodhue spoke regarding the budget.

Karen Ashikeh LaMantia spoke regarding community television.

09-0836 Mike Ruehle spoke regarding police and submitted charts regarding police activity.

This Handout was received and filed.

Tom Stout spoke regarding staffing.

CONSENT CALENDAR (5:47 PM)

Passed The Consent Calendar

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve Consent Calendar Items 2 - 17, except for Items 2, 3, 4 and 8. The motion carried by the following vote:

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

2. 09-0747

Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee to receive and approve renaming Somerset Park to Chrissy Strong-Marshall Park. (District 7)

Distributed at the meeting: Correspondence from Gerald A. Mineghino Jr.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Motion: Receive and file the item to allow for community input.
Moved by Gabelich, motion failed due to lack of second.

Claudette Powers spoke.

P. G. Herman spoke.

Marie Galle spoke.

Jennifer Baldwin spoke.

Jonathan Smith spoke.

Ryan O'Dell spoke.

Ben Rockwell spoke.

Gerald A. Mineghino Jr. spoke.

Vice Mayor Lerch spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

A substitute motion was made by Councilwoman Gabelich, seconded by Councilmember DeLong, to return the item to Housing and Neighborhoods Committee to receive community input on how to honor Ms. Marshall at the highest level with the aim of raising funds for park improvements, with a report back to City Council within 90 days. The motion failed by the following vote:

Yes: 4 - Lowenthal, DeLong, Gabelich and Lerch

No: 5 - Garcia, O'Donnell, Schipske, Andrews and Reyes Uranga

A motion was made by Councilmember Reyes Uranga, 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

No: 1 - Gabelich

3. 09-0748

Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee to receive and approve renaming 19th Street Greenbelt to Cressa Park. (District 7)

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

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

4. 09-0749

Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee to receive and approve renaming Queen Mary Special Events Park to Harry Bridges Memorial Park at the Queen Mary. (District 2)

Ben Rockwell spoke.

Rich Dines spoke.

Sandy Van Horn spoke.

Bill Orten spoke.

Diana Lejins spoke.

Councilwoman Schipske spoke.

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

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

Absent: 1 - DeLong

5. 09-0789 Recommendation to approve the City Council and the Budget Meeting minutes for the meetings held Tuesday, July 14, 2009; and the City Council minutes for the meeting held Tuesday, July 21, 2009.

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

6. 09-0791 Recommendation to refer to City Attorney damage claims received between July 13, 2009 and July 27, 2009.

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

7. 09-0771 Recommendation to authorize City Manager to execute all documents with the South Bay Center for Counseling to receive a \$41,000 Hire-A-Youth grant, and to execute any needed subsequent amendments. (Citywide)

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

8. 09-0772 Recommendation to authorize City Manager to execute all documents with the State Department of Education in the amount of \$120,750 to operate the Even Start Family Literacy Program; to execute a contract with the Long Beach Unified School District in the amount of \$105,750 to provide family literacy services; and to execute any needed subsequent amendments. (Citywide)

Councilmember Reyes Uranga spoke.

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

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

Absent: 1 - DeLong

9. 09-0773 Recommendation to authorize City Manager, or designee, to execute the Third 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, 2009 through June 30, 2010, 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.

10. 09-0774

Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Children and Families First - Proposition 10 Commission in the amount of \$430,000 from July 1, 2009 through September 30, 2010 to continue the Long Beach-Wilmington Best Babies Collaborative Program, and to execute service subcontracts and subsequent amendments with the listed agencies for outreach and health education. (Districts 1,6,7,9)

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

11. 09-0775

Recommendation to authorize City Manager to execute a one-year agreement with the County of Los Angeles, beginning July 1, 2009 and continuing through June 30, 2010, for an amount not to exceed \$500,000, to assist in the cost of removing debris deposited on City beaches and marinas emanating from the Los Angeles River. (District 2)

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

12. 09-0776

Recommendation to receive and file the application of Pike Restaurant Incorporated, dba Pike, for a fiduciary transfer of an Alcoholic Beverage Control License, at 1836 East 4th Street, with existing conditions. (District 2)

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

13. 09-0777

Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the County of Los Angeles Real Estate Fraud Prosecution Program grant; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$33,000. (Citywide)

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

14. 09-0778 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the California Office of Traffic Safety for the 2010 Selective Traffic Enforcement Program; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$375,725. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
15. 09-0779 Recommendation to authorize City Manager to execute a quitclaim deed for a portion of a utility easement located at 4442-4466 Atlantic Avenue. (District 8)
A motion was made to approve recommendation on the Consent Calendar.
16. 09-0780 Recommendation to adopt resolution authorizing the application for the fifteenth cycle of the Used Motor Oil Block Grant and Implementation, authorize City Manager, or designee, to accept the grant funds and execute all documents necessary to implement the purposes of the Grant. (Citywide)
A motion was made to approve recommendation and adopt Resolution No. RES-09-0077 on the Consent Calendar.
Enactment No: RES-09-0077
17. 09-0790 Recommendation to approve minutes for the meetings of:
Board of Examiners, Appeals and Condemnation - May 18, 2009.
Parks and Recreation Commission - June 18, 2009.
Water Commission - June 18, 2009.
A motion was made to approve recommendation on the Consent Calendar.

REGULAR AGENDA (6:43 PM)

18. 09-0788 Recommendation to designate the new dog park at Pacific and Ninth as "K-9 Corner," and refer this item to the Parks and Recreation Commission and to the Housing and Neighborhoods Committee.
- Councilmember Garcia spoke.
- Ben Rockwell spoke.
- Diana Lejins spoke.

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

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

19. 09-0794

Recommendation to request City Manager to provide a review of City Manager departments that details: a comparison of these departments pre and post the passage of Proposition 13; population trends during this period; and recommendations for consolidations, eliminations and/or reductions of these departments so that such efficiencies can be included in the Fiscal Year 2010 budget.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Pat West, City Manager, spoke.

Councilmember Lowenthal spoke.

Councilwoman Gabelich spoke.

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

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

No: 3 - Garcia, DeLong and Andrews

20. 09-0796

Recommendation to direct City Manager and request City Attorney and City Prosecutor to develop specific standards and criteria relating to the licensing of medical marijuana dispensaries under the provisions of Title 5 of the Long Beach Municipal Code pertaining to the regulation of businesses, trades and professions.

Councilmember Reyes Uranga spoke and submitted written comments.

Motion: To refer to the Economic Development and Finance Committee

for report back to the City Council within 90 days on its deliberations regarding the following considerations related to the licensing of medical marijuana dispensaries and how the City would: [1] Provide a process for the collectives and cooperatives to apply for a business license, to set forth the specific standards and criteria under which such businesses shall be conducted and regulated within the City, and to set forth any regulatory fees pursuant to Title 5; [2] Declare a moratorium on medical marijuana facilities in order to develop a process for business licensing, adopt related zoning ordinances and to provide a time period for the registration of all existing facilities in order to determine the location and number of dispensaries within the City; [3] Develop and recommend the zoning requirements for placement of these facilities: i.e., not allowed near churches or schools, in neighborhoods, etc.; [4] Develop and recommend a standard on the number of dispensaries that would be allowed in the City; and [5] Determine how to amortize the closure of preexisting, non-confirming uses after guidelines have been established. Moved by Reyes Uranga, seconded by O'Donnell.

Councilmember DeLong spoke.

Motion: Substitute motion to refer deliberation of medical marijuana licensing considerations cited in Councilmember Uranga's main motion to the Housing and Neighborhood Committee, rather than the Economic Development and Finance Committee, and return to City Council within 90 days.

Moved by DeLong, seconded by Garcia.

Councilmember O'Donnell spoke.

Vice Mayor Lerch spoke.

Councilwoman Gabelich spoke and submitted written comments from Councilmembers Garcia, Lowenthal, Gabelich and Lerch.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Suzanne Frick, Assistant City Manager, spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Ben Rockwell spoke.

Jim Wade spoke.

Diana Lejins spoke.

Ken Anderson spoke.

Mark Adams spoke and submitted written comments.

Sherif Issa spoke and submitted written comments.

Kendall Rainwater spoke.

Catherine Aldridge spoke.

John Donahue spoke.

William Britt spoke and submitted a booklet entitled "Cannabis Yields and Dosage."

Gregory Moore spoke.

Helen Bush spoke.

Francis Emily Dawson Harris spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

A second substitute motion was made by Councilwoman Gabelich, seconded by Councilmember Lowenthal, to:

A. Concurrently refer discussion of medical marijuana dispensaries licensing to the Economic Development and Finance Committee for receipt of additional public comment; and

B. Request the City Attorney to report back to the City Council within 60 days on the feasibility, legality and enforcement of potential local ordinances the Council may enact regarding medical marijuana, pursuant to state law. The report would include the following considerations:

[1] The means for legal medical marijuana collectives, as defined in state law and clarified in court cases such as *People v. Mentsch*, *People v. Northcutt* and *People v. Urziceanu*, to operate within the City;

[2] Zoning criteria for the location of collectives within the City, including whether it is feasible to limit the location, size and number of members in a collective operating within a residential-zoned area;

[3] The ability to prohibit any collective from being located within a 1,000-foot radius of schools, parks, licensed child care facilities, or other medical marijuana collectives;

[4] The establishment of a system in which qualified collectives must register with the City to obtain a permit, and provide a list of the primary care givers and qualified patients that belong to the collective;

[5] An appropriate fee payable to the City prior to being issued a permit;

[6] The ability to regulate the sale or dispensing of any marijuana-related paraphernalia;

[7] Require that all permitted collectives meet certain conditions, including, but not limited to: a) The location shall have a security plan approved by the Police Department, and the Police Department or other appropriate City department may inspect every medical marijuana collective location at a reasonable time to ensure compliance; b) No cultivated marijuana or dried marijuana product may be visible from the building exterior; c) No medical marijuana products may be consumed on-site, or in the parking areas of the site ; and d) Any food-related products offered by the collective shall comply with Health Department standards;

[8] The applicability of the Americans with Disabilities Act towards the operating of collectives in either residential or commercial corridors; and

[9] The legality and feasibility of imposing a tax on gross receipts of medical marijuana, similar to the measure recently approved by the voters of the City of Oakland, CA.

The foregoing motion also incorporated Councilmember Reyes Uranga's request that the discussion on dispensary licensing include how the City would:

[1] Provide a process for the collectives and cooperatives to apply for a business license, to set forth the specific standards and criteria under which such businesses shall be conducted and regulated within the City, and to set forth any regulatory fees pursuant to Title 5;

[2] Declare a moratorium on medical marijuana facilities in order to develop a process for business licensing, adopt related zoning ordinances and to provide a time period for the registration of all existing facilities in order to determine the location and number of dispensaries within the City;

[3] Develop and recommend the zoning requirements for placement of these facilities: i.e .not allowed near churches or schools, in neighborhoods, etc.; [4] Develop and recommend a standard on the number of dispensaries that would be allowed in the City; and [5] Determine how to amortize the closure of preexisting, non-confirming uses after guidelines have been established. The motion carried by the following vote:

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

21. 09-0781

Recommendation to authorize City Manager to accept grant funding in the amount of \$75,000 from the County of Los Angeles; increase appropriations in the Tidelands Operations Fund (TF 401) in the Department of Community Development (CD) by \$75,000; and authorize City Manager to execute any and all documents necessary, including any amendments thereto, for the Colorado Lagoon Restoration Project. (District 3)

Dave Perazzi spoke.

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

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

Absent: 2 - Garcia and Lerch

22. 09-0782

Recommendation to authorize City Manager to execute all documents with the State of California for the Workforce Investment Network to receive \$935,797 in American Recovery and Reinvestment Act (ARRA) funds to operate a local Green Jobs Corps that will assist at-risk youth

ages 17-24; to execute all documents with various initiative partners in an amount totaling \$275,000; and to execute any needed subsequent amendments. (Citywide)

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, Schipske, Andrews and Gabelich

Absent: 2 - Reyes Uranga and Lerch

23. 09-0783

Recommendation to authorize City Manager to execute all necessary documents with the United States and the State of California Department of Transportation in the amount totaling \$130,000 to provide training and placement services in construction and other building trades; and to execute any needed subsequent amendments. (Citywide)

Councilman Andrews 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 Gabelich

Absent: 1 - Lerch

24. 09-0785

Recommendation to adopt resolution authorizing City Manager to execute a contract and any amendments thereto with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner Western Star-Long Beach (Los Angeles Freightliner) for the purchase of 18 McNeilus liquefied natural gas powered rear-loader refuse trucks on the same terms and conditions afforded the Long Beach Unified School District, in a total amount not to exceed \$4,817,800 including tax, plus a 5 percent contingency (or \$240,887), if necessary and if funds are available. (Citywide)

A motion was made by Councilman Andrews, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-09-0078. The motion carried by the following vote:

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

Absent: 1 - Lerch

Enactment No: RES-09-0078

25. 09-0792 Recommendation to adopt resolution authorizing City Manager to execute a five-year software licensing agreement and any amendments thereto with Compulink Management Center, Inc., dba Laserfiche Solutions Group (LSG), for the purchase of an Electronic Document Management Solution on the same terms and conditions afforded to the City of Santa Monica in the total amount not to exceed \$364,000 (\$72,800 annually), plus a \$100,000 contingency if necessary and if funds are available for implementation services. (Citywide)
- Councilwoman Gabelich spoke.
- Chris Wacker, Laserfiche Solutions Group, spoke.
- A motion was made by Councilwoman Gabelich, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-09-0079. The motion carried by the following vote:**
- Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch
- Enactment No:** RES-09-0079
26. 09-0786 Recommendation to authorize City Manager to enter an agreement with the Long Beach Police Officers' Association and Long Beach Firefighters' Association, to continue the Workers' Compensation Supplemental Dispute Resolution Program for a one-year period, and thereafter, continuing from year to year unless terminated by either party. (Citywide)
- Councilwoman Schipske spoke.
- Robert Shannon, City Attorney, spoke.
- A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Gabelich and Lerch
- Absent:** 2 - DeLong and Reyes Uranga
27. 09-0759 Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Pacific Sailing LLC, dba Pacific Sailing and Yacht Club, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 423 Shoreline Village Drive Suite D, with

conditions. (District 2)

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

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

28. 09-0787

Recommendation to adopt Plans and Specifications No. R-6786 for the Temple Avenue Bridge Repair between 29th Street and Spring Street, and authorize City Manager to award the contract to Peterson-Chase General Engineering Construction, Incorporated, in an estimated amount of \$1,150,000 plus a 25 percent contingency of \$287,500, if necessary and if funding is available. (District 5)

Ben Rockwell spoke.

Councilwoman Schipske spoke.

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

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

29. 09-0784

Recommendation to authorize City Manager to execute all documents necessary to enter and consummate a real estate exchange of approximately 13.4 acres of City-owned land for approximately 37.77 acres of land owned by LCW Partners, LLC. (Districts 1,3)

Distributed at the meeting: Correspondence from Raymond Johnson; PowerPoint presentation from Public Works Department "Los Cerritos Wetlands," dated August 4, 2009; and correspondence from Councilmember O'Donnell and Councilwoman Gabelich.

Mike Conway, Director of Public Works, provided a PowerPoint presentation.

Councilmember DeLong spoke.

Elizabeth Lamb spoke.

Gary Jensen spoke.

Larry Goodhue spoke.

Mary Parcell spoke.

Donald Simms spoke.

Rudy Vitmier spoke.

Mike Ruehle spoke.

Anne Dennison spoke.

Teran Olson spoke and submitted correspondence from attorney
Raymond W. Johnson.

Jim McCabe spoke.

Carrie Aley spoke.

Andrew Leach, representing LCW Partners, LLC, spoke.

Alan Sanger spoke.

David Robertson spoke.

Melinda Cotton spoke.

Thomas Marchese spoke.

Councilmember DeLong spoke.

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

Councilman Andrews spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke and submitted information concerning
Costs to City of Long Beach.

Motion: Substitute motion to deny the recommended action and
encourage LCW Partners, LLC to negotiate directly with the Coastal
Conservancy to sell the property. -- (Withdrawn)
Moved by Gabelich, seconded by Schipske.

Councilmember O'Donnell spoke and submitted written comments.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke and with the consent of the second withdrew her substitute motion.

Vice Mayor Lerch spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Laura L. Doud, City Auditor, spoke.

A second substitute motion motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to approve a 30-day extension. The motion failed by the following vote:

Yes: 4 - Lowenthal, Schipske, Reyes Uranga and Gabelich

No: 5 - Garcia, DeLong, O'Donnell, Andrews and Lerch

A substitute motion was made by Councilmember O'Donnell, seconded by Councilmember Lowenthal, to approve the recommended action with the addition: "It is the intent of the City Council in taking this action that the property to be acquired by the City be preserved in perpetuity as wetlands and/or other open space." The motion carried by the following vote:

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

No: 4 - Garcia, Schipske, Reyes Uranga and Gabelich

ORDINANCES (10:31 PM)

- 30. 09-0739** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 2.57.020, relating to the Senior Citizen Advisory Commission members, read and adopted as read. (Citywide)

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-09-0020. The motion carried by the following vote:

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

No: 1 - Schipske

Enactment No: ORD-09-0020

31. 09-0740

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.02.040, Section 10.04.010, Section 10.040.020, Section 10.08.010, Section 10.08.040, Section 10.08.050, Section 10.08.060, Section 10.08.070, Section 10.08.080, Subsection 10.08.090.A, Subsection 10.08.110.A, Section 10.08.120, Subsection 10.10.010.A, Section 10.10.020, Section 10.10.040, Section 10.10.050, Section 10.14.010, Section 10.20.030, Section 10.22.060, Section 10.22.090, Section 10.24.075, Section 10.24.079, Section 10.24.090, Subsection 10.24.140.B, Section 10.26.010, Section 10.26.020, Subsection 10.26.030.B, Section 10.26.040, Section 10.34.025 and Section 10.58.060; and by adding Section 10.18.050, Subsection 10.24.130.D, and Section 10.58.015 all relating to traffic and parking controls, read and adopted as read. (Citywide)

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-09-0021. The motion carried by the following vote:

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

Enactment No: ORD-09-0021

32. 09-0753

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 1.32.010(E), Chapter 6.04, Chapter 6.08, Chapter 6.12, Chapter 6.16 and Chapter 9.65, all relating to the Animal Care Services Bureau, Code Enforcement, and Development Services administrative citations, read and adopted as read. (Citywide)

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-09-0022. The motion carried by the following vote:

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

Enactment No: ORD-09-0022

33. 09-0685 Recommendation to declare ordinance amending and restating the Downtown Shoreline Planned Development District (PD-6), read and adopted as read. (District 2)

A motion was made by Councilmember Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation and adopt Ordinance No. ORD-09-0023. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: ORD-09-0023

34. 09-0717 Recommendation to declare ordinance amending the use district map of the City of Long Beach as said map has been established and amended by amending portions of Part 10 of said map from Park (P) to Institutional (I), read and adopted as read. (District 6)

A motion was made by Councilman Andrews, seconded by Councilmember Lowenthal, to approve recommendation and adopt Ordinance No. ORD-09-0024. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: ORD-09-0024

NEW BUSINESS (10:35 PM)

35. Affidavits of Service for the special meetings of Tuesday, August 4, 2009.

ANNOUNCEMENTS (10:35 PM)

Councilmember Lowenthal made community announcements.

Councilman Andrews made community announcements.

Councilmember Garcia made community announcements.

Councilwoman Gabelich made community announcements.

PUBLIC (10:40 PM)

Nick Dibbs spoke regarding economic conditions.

ADJOURNMENT (10:43 PM)

At 10:43 PM, Mayor Foster adjourned the meeting.

nem