

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 & MINUTES

SPECIAL MEETING

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 Nos. 22 and 25, which were considered first on the Regular Agenda and then the remaining agenda items in order.

ROLL CALL (7:30 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; Michael Mais, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Carolyn Harris, City Clerk Specialist.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Tonia Reyes Uranga, Councilmember, Seventh District.

Mayor Foster announced that Agenda Item No. 17 was pulled from the Consent Calendar for separate discussion and that Agenda Item No. 25 would be considered immediately following Agenda Item No. 22.

Proclamation presented for Disability Month October 2009 (7:32 PM)

[09-1102](#)

Frances Emily Dawson Harris spoke and distributed information regarding the Proclamation for Disability Month October 2009.

This Handout was received and filed.

Presentation declaring Domestic Violence Awareness Month October 2009 (7:36 PM)

Representatives of Interval House spoke regarding Domestic Violence Awareness Month.

Mayor Foster spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

Vice Mayor Lerch spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

HEARINGS (7:51 PM)

[see media](#)

1. [09-0715](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution making certain findings for an Owner Participation Agreement with Cowelco Properties, Inc., for the development of 1328-1340 West Canal Avenue. (District 1)

Councilwoman Schipske spoke.

A motion was made by Councilmember Garcia, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-09-0108. The motion carried by the following vote:

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

Enactment No: RES-09-0108

[see media](#)

2. [09-0970](#) Recommendation to receive the supporting documentation into the record, conclude the public hearing, declare the ordinance amending the Douglas Park Planned Development (PD-32) read for the first time and laid over to the next regular meeting of the City Council for final reading;

Councilwoman Schipske spoke.

George Bullock spoke.

Richard Hernandez spoke.

Frances Emily Dawson Harris spoke.

Gary Shelton spoke.

America Aceves spoke.

Marisol Barajas spoke.

Jeannine Pearce spoke.

Sandra Crowl spoke.

Jackson Smith spoke.

Lori Loftstrom spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, 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, Reyes Uranga, Gabelich and Lerch

Absent: 1 - Andrews

[see media](#)

[09-0993](#)

Adopt resolution amending the Land Use, Noise, and Transportation Elements of the General Plan and the Bicycle Master Plan for Douglas Park;

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-09-0109. The motion carried by the following vote:

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

Enactment No: RES-09-0109

[see media](#)

[09-0994](#)

Recommendation to declare ordinance amending the Noise District Map

read the first time and laid over to the next regular meeting of the City Council for final reading; and

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, 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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

[see media](#)
[09-0995](#)

Recommendation to declare ordinance approving the Amended and Restated Development Agreement and authorizing the City Manager to execute it in substantially the same form as attached, read the first time and laid over to the next regular meeting of the City Council for final reading. (District 5)

Councilman Andrews spoke.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Schipske, 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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

[see media](#)

3. [09-1030](#)

Recommendation to receive supporting documentation into the record, conclude the public hearing, and request City Attorney to prepare an amendment to the Long Beach Municipal Code, modifying Preferential Parking Districts "O", "R", and "U" as recommended by the City Traffic Engineer. (District 4)

Distributed at the meeting: Proposed Expansion of Preferential Parking Map from Dave Roseman.

Councilwoman Schipske spoke on behalf of Councilmember O'Donnell.

James Choi spoke.

Duane Studder spoke.

Yolanda Wise spoke.

Katherine Riceton spoke.

Frances Emily Dawson Harris spoke.

Joe Sopo spoke.

Judy Weldon spoke.

Shannon Adams spoke.

Lori Mower spoke.

Justine Bartlow spoke.

Darryl Supernault spoke.

Craig Pettinger spoke.

Patty Stearn spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Vice Mayor spoke.

Councilmember Reyes Uranga spoke.

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, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Abstentions: 1 - O'Donnell

PUBLIC COMMENT (9:27 PM)

Claudette Powers made community announcements.

Larry Goodhue spoke regarding construction litigations.

Fred Magenheimer spoke regarding mental health and homelessness.

Hattie Bass spoke regarding handicapped parking.

Frances Emily Dawson Harris spoke regarding Disability Awareness Month Celebration.

Rick Berry spoke regarding Long Beach Symphony Orchestra.

CONSENT CALENDAR: (4 - 18)

[see media](#)

A motion was made by Councilmember Garcia, seconded by Councilmember O'Donnell, to passed the Consent Calendar Items 4-18. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and DeLong

4. [09-1052](#) Recommendation to receive and file travel report for League of California Cities 2009 Annual Conference/Exposition and Latino Caucus Board Meeting held September 17 - 19, 2009.

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

5. [09-1050](#) Recommendation to approve the City Council minutes for the meetings held Tuesday, September 8, 15 and 22, 2009; and the City Council Budget Hearing held Tuesday, September 15, 2009.

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

6. [09-1058](#) Recommendation to refer to City Attorney damage claims received between September 14, 2009 and September 28, 2009.

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

7. [09-1048](#) Recommendation to approve the destruction of records for Financial Management Department Payroll Division, and Financial Management Department Treasury Bureau as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-09-0110.

Enactment No: RES-09-0110

8. [09-1049](#) Recommendation to approve the destruction of records for the Public Works Department Administration Bureau and Public Works Department

Engineering Bureau as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-09-0111.

Enactment No: RES-09-0111

9. [09-1031](#)

Recommendation to authorize City Manager to execute any and all documents necessary for the first amendment to lease with the Judicial Council of California, Administrative Office of the Courts (collectively, AOC), for 162 parking spaces located within the Long Beach Courthouse parking lot at Ocean Boulevard and Magnolia Street for the continued use by the Long Beach Police Department for an additional five-year term at an initial monthly base rent of \$10,976. (District 1)

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

10. [09-1032](#)

Recommendation to refer the Los Cerritos Wetlands Authority, Air Quality Management District (AQMD), Annual Financial Reports for the Airport Enterprise Fund and Airport Schedules for Passenger Facility Charges for the Fiscal Year ended September 30, 2008 to the Budget Oversight Committee. (Citywide)

A motion was made by Councilmember Garcia, seconded by Councilmember O'Donnell, to approve recommendation and refer to the Budget Oversight Committee. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and DeLong

11. [09-1033](#)

Recommendation to receive and file the report, "Elevation Changes in the City of Long Beach, November 2008 through April 2009." (Citywide)

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

12. [09-1034](#)

Recommendation to authorize City Manager to execute Schedule A, Intrastate Transmission Service, which is an attachment to the current long-term Master Services Contract No. 26729 between the City and Southern California Gas Company for the transmission of natural gas. (Citywide)

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

13. [09-1035](#)

Recommendation to authorize City Manager to execute a permit with Debby McCormick, an individual doing business as McCormick Divers,

for the use of Belmont Plaza Pool, for the purpose of training divers for national and international competitions and to conduct diving competitions for a term of three years, with one two-year renewal option at the discretion of the City Manager or his designee. (District 3)

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

14. [09-1036](#)

Recommendation to authorize City Manager to execute a permit with Long Beach Swim Club, a California non-profit doing business as Beach Swim Club, for the use of Belmont Plaza Pool, for the purpose of training swimmers for national and international competitions and to conduct swimming competitions for a term of three years, with one two-year renewal option at the discretion of the City Manager or his designee. (District 3)

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

15. [09-1037](#)

Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Hole Mole Restaurant located at 421 Obispo Avenue. (District 2)

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

16. [09-0881](#)

Recommendation to authorize City Manager, or designee, to accept an easement deed for street widening and an irrevocable offer to dedicate for future street purposes at 3756 and 3768 Long Beach Boulevard. (District 7)

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

17. [09-1038](#)

Recommendation to authorize City Manager to execute a one-year contract extension with MWH Americas, Inc., (MWH) in an amount not to exceed \$146,000 (with a net cost to the City of \$20,857) to provide statistical and data gathering services for the California Multi-Agency Capital Improvement Program (CIP) Benchmarking Study Group in which the City of Long Beach participates. (Citywide)

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

18. [09-1051](#)

Recommendation to receive and file minutes of:
Civil Service Commission - September 9 and 16, 2009.
Cultural Heritage Commission - August 10, 2009.

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

REGULAR AGENDA (9:46 PM)

[see media](#)

19. [09-1056](#) Recommendation to request City Manager to arrange for a public presentation by the Environmental Protection Agency On-Scene Coordinator, Robert Wise, before the City Council to discuss status of the contamination on the subject property being considered for acquisition from LCW, LLC by the City of Long Beach and the steps the City must take to protect itself from liability for any contamination should it acquire the subject property.

Pat Towner spoke.

Elizabeth Lamb spoke.

Thomas Marchese spoke.

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

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

[see media](#)

20. [09-1057](#) Recommendation to request City Attorney and City Manager to return to the City Council in 90 days with a report on approaches to strengthen the local housing preference program in new and existing residential developments. Additionally, request that this 90-day process include discussions with community stakeholders, such as The Long Beach Housing Development Company, Legal Aid and developers.

Councilmember Garcia spoke.

Jack Smith spoke.

Gary Shelton spoke.

Councilman Andrews spoke.

Councilmember Reyes Uranga spoke.

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

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

[see media](#)

21. [09-1039](#) Recommendation to approve the Andy Street Multi-family Improvement District Annual Report and Assessment for the period of October 1, 2009 through September 30, 2010, automatically extending the Andy Street Multi-family Improvement District for a one-year period, and authorize City Manager to execute an agreement with the Andy Street Community Association for administration of the Multi-family Improvement District Funds. (District 9)

A motion was made by Vice Mayor Lerch, 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

[see media](#)

22. [09-1040](#) Recommendation to receive and file the Annual Report of the Downtown Long Beach Parking and Business Improvement Area; approve the proposed budget for Fiscal Year 2010 (FY 10); and authorize City Manager to execute a contract with the Downtown Long Beach Associates for the period of October 1, 2009 through September 30, 2010. (Districts 1,2)

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

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

[see media](#)

23. [09-1042](#) Recommendation to authorize City Manager to execute contracts totaling \$1,029,073, with service providers to operate Workforce Investment Act Youth Academies, for the period of October 1, 2009 through March 30, 2011; and to execute any needed subsequent amendments. (Citywide)

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Gabelich, 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

[see media](#)

24. [09-1043](#) Recommendation to authorize City Manager to execute any and all documents necessary for an amendment to Lease No. 7681 with the Alamitos Bay Yacht Club, a non-profit, public benefit corporation (ABYC), for City-owned land and improvements at 7201 East Ocean Boulevard, for an additional 25 years. (District 3)

A motion was made by Councilmember DeLong, 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

[see media](#)

25. [09-1041](#) Recommendation to approve the Downtown Long Beach Property and Business Improvement District Annual Report for the period of January 1, 2010 through December 31, 2010, automatically extending the Agreement for Funding with the Downtown Long Beach Associates for one year; and authorize payment of \$404,380 in City property assessments from the Civic Center Fund (IS 380) in the Department of Public Works (PW). (Districts 1,2)

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

[see media](#)

26. [09-0849](#) Recommendation to receive and file a presentation from the Long Beach Airport regarding Capital Improvement Program status. (District 5)

Distributed at the meeting: PowerPoint entitled Long Beach Airport Capital Improvement Projects.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

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

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

[see media](#)

27. [09-0850](#) 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)

Distributed at the meeting: PowerPoint entitled Residential Sound Attenuation Program.

Councilmember O'Donnell spoke.

Mike Mais, Assistant City Attorney, spoke.

Councilmember Reyes Uranga spoke.

Vince Mestre spoke.

Tom Jerou spoke.

Councilmember O'Donnell spoke.

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

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

Absent: 1 - Andrews

[see media](#)

28. [09-1044](#)

Recommendation to adopt resolution authorizing City Manager to implement Gas Rate Schedules 1 through 5, 7 and 9 and special conditions and incentives in Exhibits A and B. (Citywide)

A motion was made by Councilmember Garcia, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-09-0112. The motion carried by the following vote:

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

Absent: 2 - DeLong and Andrews

Enactment No: RES-09-0112

[see media](#)

29. [09-1045](#)

Recommendation to adopt Plans and Specifications No. R-6784 for the rehabilitation of Spring Street between Clark Avenue and Claremore Avenue, and authorize City Manager to award and execute the contract to Elite Bobcat Service Inc., in an estimated amount of \$2,782,164, plus

a 10 percent contingency amount of \$278,216, if necessary, for a total of \$3,060,380, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$3,477,705 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (Districts 4,5)

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

Yes: 6 - Garcia, Lowenthal, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 3 - DeLong, O'Donnell and Andrews

[see media](#)

30. [09-1046](#)

Recommendation to adopt Plans and Specifications No. R-6774 for the rehabilitation of California Avenue between Harding Street and Artesia Boulevard, and authorize City Manager to award and execute the contract with Nobest Incorporated, in an estimated amount of \$421,000, plus a 10 percent contingency amount of \$42,100, if necessary, for a total of \$463,100, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$526,250 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (District 9)

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

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

Absent: 2 - DeLong and Andrews

[see media](#)

31. [09-1047](#)

Recommendation to adopt Plans and Specifications No. R-6797 for the rehabilitation of Harding Street between Deforest Avenue and Atlantic Avenue, and authorize City Manager to award and execute the contract with Silvia Construction, Inc., in an estimated amount of \$190,243, plus a 10 percent contingency amount of \$19,024, if necessary, for a total of \$209,267, and any amendments thereto except for an increase in the

contract price; and

Increase appropriations by \$237,804 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (District 9)

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

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

Absent: 2 - DeLong and Andrews

NEW BUSINESS (10:59 PM)

32. Affidavits of Service for Special Meetings held Tuesday, October 6, 2009.

ANNOUNCEMENTS (10:59 PM)

Councilmember Reyes Uranga made community announcements.

Vice Mayor Lerch made community announcements.

ADJOURNMENT (11:01 PM)

At 11:01 P.M., Mayor Foster adjourned the meeting.

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