



# CITY OF LONG BEACH

# C-5

DEPARTMENT OF CITY CLERK

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October 6, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

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

## DISCUSSION

The Legistar minutes for the City Council meetings held Tuesday, September 8, 15 and 22, 2009; and the City Council Budget Hearing held Tuesday, September 15, 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

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 & DRAFT 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.

#### ROLL CALL (7:35 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; Heather Mahood, Chief Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Patrick O'Donnell, Councilmember, Fourth District.

#### PUBLIC COMMENT (7:36 PM)

Hattie Bass spoke regarding curb painting for disability parking.

Claudette Powers spoke regarding community meetings.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Steve Sheldon spoke regarding the Latin American Parade and Festival in Downtown.

Larry Goodhue spoke regarding merging of City Departments.

Susan Picking spoke regarding h'ARTbeats in Harmony, a benefit concert.

Tom Stout spoke regarding a variety of issues.

Orland Pardo spoke regarding budget issues.

Douglas Kauffman spoke regarding budget issues.

Michael Kakes spoke regarding budget issues.

### **CONSENT CALENDAR (8:01 PM)**

Passed The Consent Calendar

**A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to approve Consent Calendar Items 1 - 7. The motion carried by the following vote:**

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

1. 09-0913 Recommendation to approve the City Council Budget Workshop minutes for the meeting held Tuesday, August 25, 2009.  
**A motion was made to approve recommendation on the Consent Calendar.**
2. 09-0914 Recommendation to refer to City Attorney damage claims received between August 24, 2009 and August 31, 2009.  
**A motion was made to approve recommendation on the Consent Calendar.**
3. 09-0915 Recommendation to authorize City Manager, or designee, to execute all necessary documents with the State of California Department of Public Health to provide Beach Water Quality Monitoring and Public Notification activities in the amount of \$79,528 for the period of July 1, 2008 through June 30, 2010. (Citywide)  
**A motion was made to approve recommendation on the Consent Calendar.**
4. 09-0916 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the California Department of Education in the amount of \$1,788 for the provision of health and sanitation inspections for the

Summer Food Service Program for a period of three months. (Citywide)

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

5. 09-0917 Recommendation to receive and file the application of L B Ocean Corporation, dba L B Ocean Corporation, for a person-to-person transfer of an Alcoholic Beverage Control License, at 805 East Ocean Boulevard, with existing conditions. (District 2)

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

6. 09-0918 Recommendation to receive and file the application of Speedy LK Liquor Incorporated, dba Speedy Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3036 East 4th Street, with existing conditions. (District 2)

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

7. 09-0919 Recommendation to receive and file minutes for:  
Civil Service Commission - August 12 and 19, 2009.  
Water Commission - August 6, 2009.

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

#### **REGULAR AGENDA (8:02 PM)**

8. 09-0945 Recommendation to convene the Charter Amendment Committee on September 22, 2009 to explore the feasibility of implementing a "Rainy Day Fund," and place a proposed Charter amendment on the April 2010 ballot, including a discussion on the recommendations:

- The amount of annual transfers from the General Fund to the Rainy Day Fund, the total annual Fund Balance;
- The conditions under which Rainy Day Funds may be spent, including a cap on the total amount that may be spent; and
- The maximum amount, if any, that the Rainy Day Fund should reach before excess funds could be spent for one-time purposes.

Suggested amendment: A Charter amendment to create a "Rainy Day" Reserve in the City's budget. In any given year when revenue growth is in excess of five (5) percent over the previous year, 50 percent of the excess will be placed into a Reserve. During lean fiscal times, the City would be able to withdraw up to 50 percent of the Reserve funds in a given year, but no more than the revenue decline from the previous year.

The Reserve would be capped at 40 percent of General Fund.

Vice Mayor Lerch spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Vice Mayor Lerch spoke

Councilwoman Gabelich spoke.

Larry Goodhue spoke.

Francis Emily Dawson Harris spoke.

**A motion was made by Vice Mayor Lerch, 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

9. 09-0920

Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Kress Market LLC, dba Kress Market, for an original Alcoholic Beverage Control License, at 443 Pine Avenue, with conditions. (District 1)

Councilmember Garcia spoke.

**A motion was made by Councilmember Garcia, 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

10. 09-0922

Recommendation to certify Negative Declaration for the River Avenue Drain Project in accordance with the California Environmental Quality Act (CEQA), and approve a Finding of No Significant Impact (FONSI) in accordance with the National Environmental Policy Act (NEPA);

Adopt Plans and Specifications No. R-6796 for the River Avenue Drain Phase II, award the project, and authorize City Manager to execute all documents necessary to enter into a contract with Vasilj Inc., the lowest responsible bidder, in an estimated amount of \$1,021,675, plus a 25 percent contingency of \$255,419 if necessary, and execute any necessary amendments; and

Increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) in the amount of \$1,479,200 representing the American Recovery and Reinvestment Act (ARRA) Community Development Block Grant (CDBG-R) funds from Housing and Urban Development (HUD) that have been dedicated to this project. (District 7)

Mike Conway, Director of Public Works, spoke.

Councilmember Reyes Uranga spoke.

Miguel Moreno spoke.

Francis Emily Dawson Harris spoke.

**A motion was made by Councilmember Reyes Uranga, 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

**BUDGET HEARING 7:00 PM (8:19 PM)**

11. 09-0923 Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2010 budget as listed in Attachment A of the letter. (Citywide)
- This Public Hearing was laid over by consensus of the City Council to the Budget Hearing scheduled for Tuesday, September 15, 2009.**
11. 09-0926 Recommendation to adopt resolution approving the FY 10 budget for the  
1 Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on May 18, 2009.
- Councilwoman Gabelich spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-09-0093. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0093

11. 09-0927  
2

Recommendation to declare an emergency to exist.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Larry Goodhue spoke.

Councilmember O'Donnell spoke.

**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, Andrews, Reyes Uranga, Gabelich and Lerch

**No:** 1 - Schipske

11. 09-0928  
3

Recommendation to declare ordinance approving Resolution No. WD-1257 establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on July 24, 2009, as an emergency ordinance, read and adopted as read and laid over to the next regular meeting of the City Council for final reading.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to declare Emergency Ordinance No. ORD-09-0027 read and adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**

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

**No:** 1 - Schipske

**Enactment No:** ORD-09-0027

11. 09-0929 Recommendation to adopt resolution approving the FY 10 budget of the  
4 Long Beach Water Department as adopted by the Board of Water  
Commissioners on July 10, 2009.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-09-0094. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0094

11. 09-0930 Recommendation to adopt resolution amending the master fee and  
5 charges schedule for specified City services for citywide fees and charges and the City Clerk, City Prosecutor, Community Development, Development Services, Financial Management, Fire, Gas and Oil, Health and Human Services, Library Services, Long Beach Airport, Parks, Recreation and Marine, Police, and Public Works Departments.

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

Francis Emily Dawson Harris spoke.

Annie Greenfeld spoke.

Councilmember DeLong spoke.

**A substitute motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, that the item be laid over one week to the meeting of Tuesday, September 15, 2009. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0099

11. 09-0931 Recommendation to approve the FY 10 One-Year Capital Improvement  
6 Program.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.



**A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, that the item be laid over one week to the meeting of Tuesday, September 15, 2009. The motion failed by the following vote:**

**Yes:** 3 - Reyes Uranga, Gabelich and Lerch

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

**A motion was made by Councilmember DeLong, 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

11. 09-0932  
7

Recommendation to adopt resolution approving the budgets for the Redevelopment Agency's Project Area Committees in the amounts of \$50,000 for Central Long Beach, \$80,000 for West Long Beach Industrial and \$44,895 for North Long Beach.

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

Councilman Andrews spoke.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

Craig Beck, Director of Development Services, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

Annie Greenfeld, Central PAC Chair, spoke.

Laurie Angel, North Long Beach PAC, spoke.

Francis Emily Dawson Harris spoke.

Mayor Foster spoke.

Robert Shannon, City Attorney, spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember DeLong, that the Project Area Committees be requested to make a voluntary 6% reduction in their operating budgets. The motion failed by the following vote:**

**Yes:** 3 - Lowenthal, DeLong and Andrews

**No:** 6 - Garcia, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

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

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

**No:** 1 - Andrews

11. 09-0933  
8

Recommendation to adopt resolution finding that the use of taxes allocated to the North Redevelopment Project on behalf of the Central Redevelopment Project for the purpose of increasing, improving and preserving the community's supply of low- and moderate-income housing will be of benefit to the North Redevelopment Project.

Councilwoman Gabelich spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-09-0095. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0095

11. 09-0934  
9 Recommendation to adopt a motion approving the budget for The Long Beach Housing Development Company in the amount of \$14,771,161, which is included in the budget of the Department of Community Development.
- A motion was made by Vice Mayor Lerch, 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
- No:** 1 - Reyes Uranga
11. 09-0935  
10 Recommendation to adopt a motion approving the transfer of \$16,083,972 from the Harbor Revenue Fund to the Tidelands Operating Fund.
- 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:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch
11. 09-0943  
11 Recommendation to adopt a motion approving the use of the CalPERS Annual Lump Sum Prepayment Option for the employer portion of the City's CalPERS retirement benefit. The recommended prepayment, in the amount of \$46,013,000, should provide a budgetary savings of \$1,749,730 to the City. Of this amount, the General Fund should recoup a budgetary savings of \$1,049,400.
- Tom Stout spoke.
- Larry Boland spoke.
- A motion was made by Councilmember DeLong, 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
11. 09-0936  
12 Recommendation to adopt resolution adopting an appropriations limit (Gann) for FY 10 pursuant to Article XIII (B) of the California Constitution.

**A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-09-0096. The motion carried by the following vote:**

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

**Absent:** 1 - Andrews

**Enactment No:** RES-09-0096

Mayor Foster spoke.

Motion: Approve that Agenda Item Nos. 11.13 through 11.17 be continued to the Budget Hearing of Tuesday, September 15, 2009.

Moved by DeLong, seconded by Lowenthal.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Motion: Substitute motion that Agenda Item Nos. 11.13 through 11.17 be laid over and set a budget hearing for Thursday, September 10, 2009.

Moved by Gabelich, seconded by Schipske.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Without objection, Mayor Foster announced that the substitute and main motions concerning Agenda Item Nos. 11.13 - 11.17 were being withdrawn.

NOTE: Mayor Foster announced that Agenda Item Nos. 11.13, 11.14, 11.15, 11.16, 11.17 were being continued to the Budget Hearing scheduled for Tuesday, September 15, 2009, by a consensus of the City Council.

**11. 09-0937** Recommendation to adopt the Mayor's proposed funding  
**13** recommendations, as amended, to the FY 10 Proposed Budget.

**This Public Hearing was laid over by consensus of the City Council to the Budget Hearing scheduled for Tuesday, September 15, 2009.**

11. 09-0938  
14

Recommendation to adopt the Budget Oversight Committee's proposed funding recommendations, as amended, to the FY 10 Proposed Budget.

Vice Mayor Lerch spoke.

Councilmember DeLong distributed and discussed the Budget Oversight Committee recommendations.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke and submitted a memorandum from Councilmembers Schipske, Reyes Uranga, Gabelich and Garcia with recommendations for reinstatement into the Mayor's and City Manager's budget.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Mayor declared a 10 minutes recess.

Councilmember DeLong read the revised BOC recommendations.

Motion: Approve the City Manager's Budget, the Mayor's recommendations, and the BOC recommendations with the changes as outlined.

Moved by DeLong, seconded by Lowenthal.

Mayor Foster and Robert Shannon, City Attorney, indicated that Agenda Item No. 11.5 would need to be passed prior to the remainder of the

budget. Without the fee schedule, there would not be a balanced budget.

Motion: Reconsider the action to lay over Agenda Item No. 11.5 one week.  
Moved by Lowenthal, seconded by Andrews.

Councilmember Garcia spoke.

Laurie Angel spoke.

Francis Emily Dawson Harris spoke.

Annie Greenfeld spoke.

Councilwoman Gabelich spoke.

Motion: That discussion continue and the remaining budget items be continued to the next available meeting for resolution.  
Moved by Gabelich, motion failed due to lack of second.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranaga spoke.

Robert Shannon, City Attorney, spoke.

Councilmember DeLong spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga suggested that portions of the BOC recommendations be discussed and voted on and referred to Financial Management for incorporation into the budget for adoption on September 15, 2009.

Mayor Foster spoke.

Councilwoman Gabelich spoke, with the following recommendations to consider removing billboards as income; consider taking half of increase

in infrastructure, sidewalk repairs and public works infrastructure and give \$500,000 to police and public safety restorations for youth programs.

Councilmember DeLong spoke.

Motion: To reduce sidewalk repair funding and the public works infrastructure funding, totaling \$1.2 million, and give \$500,000 to police to restore youth programs as they deem beneficial.  
Moved by Gabelich, seconded by Lerch.

Robert Shannon, City Attorney, spoke.

Motion: Substitute motion to leave the allocations to police and infrastructure as outlined.  
Moved by DeLong, seconded by Lowenthal.

Francis Emily Dawson Harris spoke.

Laurie Angel spoke.

Annie Greenfeld spoke.

Larry Boland spoke.

P. G. Herman spoke.

Mario Beas, Civil Service Department, spoke.

Shawn Parker, Lifeguard Association, spoke.

Councilmember DeLong spoke and highlighted some corrections to the earlier BOC proposal.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke regarding concerns about the council budgets and the civil service reductions, and suggested sidewalk repair be taken from budget stabilization account, restoring the Spanish simulcast, and taking \$135,000 out of Tidelands and money from

infrastructure to fund Rescue Boat 3.

Councilwoman Schipske requested input from Fire and Police concerning the impact from the proposed recommendations.

David Wodynski, Budget and Performance Management Bureau Manager, spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Motion: Second Substitute motion to take \$700,000 to restore youth services and restore Rescue Boat 3 to full status, and transfer that amount from the reserve account into the infrastructure sidewalk repair fund and take \$700,000 and put into those two funds.  
Moved by Lerch, seconded by Gabelich.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong withdrew his substitute motion.

Vice Mayor Lerch spoke.

Robert Shannon, City Attorney, spoke.

**A second substitute motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to direct Financial Management staff to prepare final budget documents for a September 15, 2009 budget hearing based upon the Budget Oversight Committee recommendations, as initially proposed, relative to new revenue sources, restoration and enhancements, including these additional revisions as described by Councilmember DeLong: [1] restore \$1,344,252 for Police Department operations (Night Team: \$475,000; Youth Services/J-CAR: \$504,906; Civic Center Security: \$127,229; and Night Detectives Auto: \$237,117); [2] restore \$55,000 for the Homework Helper Program; and [3] delete \$150,000 in new estimated revenue associated with the placement of digital billboards. The motion carried by the following vote:**



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

**No:** 3 - Reyes Uranga, Gabelich and Lerch

Robert Shannon, City Attorney, spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember Garcia, to direct Financial Management to review and balance the recommended Budget Oversight Committee recommendations, as amended on the floor, and identify any available or other one-time revenues that could be added to supplement Police Department operations as set forth in the preceding motion adopted by the Council. The motion carried by the following vote:**

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

**This Public Hearing was laid over by consensus of the City Council to the Budget Hearing scheduled for Tuesday, September 15, 2009.**

11. 09-0940  
15

Recommendation to adopt a motion amending the Proposed Budget.

**This Public Hearing was laid over by consensus of the City Council to the Budget Hearing scheduled for Tuesday, September 15, 2009.**

11. 09-0941  
16

Recommendation to declare an emergency to exist.

**This Public Hearing was laid over by consensus of the City Council to the Budget Hearing scheduled for Tuesday, September 15, 2009.**

11. 09-0942  
17

Recommendation to declare Appropriations Ordinance for FY 10, creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an Emergency Ordinance, read and adopted as read and laid over to the next regular meeting of the City Council for final reading.

**This Public Hearing was laid over by consensus of the City Council to the Budget Hearing scheduled for Tuesday, September 15, 2009.**

**Enactment No: ORD-09-0028**

**NEW BUSINESS (11:35 PM)**

12. 09-0957 Recommendation that budget hearings shall be set for September 10 and 14, 2009, at times convenient of the public.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, that the item be received and filed. The motion carried by the following vote:**

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

**Absent:** 1 - Lerch

13. 09-0947 Recommendation to adopt resolution proclaiming, calling, giving notice of and providing for the holding of a Special Election to be held in the City of Long Beach on Tuesday, the 29th day of December, 2009, for the Election of Governing Board Member of the Long Beach Unified School District Area 3 for the remainder of the term of office terminating on the third Monday of July, 2010; and

**A motion was made by Councilmember Lowenthal, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-09-0097. 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-09-0097**

- 09-0948 Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Election to be held on Tuesday, December 29, 2009.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-09-0098. 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-09-0098

14. Affidavits of Service for the special meetings held Tuesday, September 8, 2009.

**PUBLIC (11:40 PM)**

Thomas Marcheses spoke regarding wetlands land swap.

**ANNOUNCEMENTS (11:44 PM)**

Mayor Foster made community announcements.

Councilmember Garcia made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

**ADJOURNMENT (11:48 PM)**

At 11:48 PM, Mayor Foster adjourned the meeting.

nem

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 & 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, with the exception of Agenda Items 6 - 13, which were considered and approved during the 3:30 PM Budget Hearing.

### ROLL CALL (5:24 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.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gerrie Schipske, Councilwoman, Fifth District.

### PUBLIC COMMENT (5:25 PM)

Dennis Dunn spoke regarding painting the National Armory building.

Tom Stout spoke regarding the water rate increase.

Janet Schabow, IAM, spoke concerning the negotiation of the employee contract.

Edward Villanueva, IAM, spoke concerning the negotiation of the employee contract.

Tony Esparza spoke concerning the negotiation of the employee contract.

Vern Geiger spoke regarding contracting out towing operations.

Ray Rivera, IAM, spoke concerning the negotiation of the employee contract.

Nataya Massey spoke regarding the City towing services.

Tom McFarland spoke regarding furloughs.

Foster Slaughter spoke concerning the negotiation of the employee contract.

Stanley Fields spoke concerning the negotiation of the employee contract.

Mayor Foster spoke.

### **CONSENT CALENDAR (5:49 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 4. The motion carried by the following vote:**

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

1. 09-0950 Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$60,720 for the claim of Arcelia Delgado; authority to pay 1) \$127,075 and 2) to pay \$92.77 per week for a Life Pension for the claim of James Jones; and authority to pay 1) \$5,940 and 2) separate authority to pay \$187,934 with a Life Pension thereafter of \$162.34 per week for the claim of Michael Kinnee, in compliance with the Appeals Board Orders.  
**A motion was made to approve recommendation on the Consent Calendar.**
2. 09-0951 Recommendation to approve the City Council and Budget Workshop Minutes for the meetings held Monday, August 31, 2009 and Tuesday, September 1, 2009.  
**A motion was made to approve recommendation on the Consent Calendar.**
3. 09-0939 Recommendation to refer to City Attorney damage claims received between August 31, 2009 and September 4, 2009.

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

4. 09-0960 Recommendation to receive and file minutes of:  
Civil Service Commission - August 26, 2009.

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

**REGULAR AGENDA (5:51 PM)**

5. 09-0955 Recommendation to adopt the Amendment to the October 1, 2005 through September 30, 2009 Memorandum of Understanding with the Long Beach Police Officers Association, and adopt the amended resolution approving the Memorandum of Understanding with the Long Beach Police Officers Association; and

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

Mayor Foster spoke.

Steve James, President of the Police Officers' Association, spoke.

Councilmember DeLong spoke.

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0100. The motion carried by the following vote:**

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

**No:** 1 - DeLong

**Enactment No:** RES-09-0100

09-0956

Adopt the October 1, 2009 through September 30, 2014 Memorandum of Understanding with the Long Beach Police Officers Association, and adopt the resolution approving the Memorandum of Understanding with the Long Beach Police Officers Association; and allow those matters that affect compensation to be implemented on the effective dates set forth in the October 1, 2005 through September 30, 2009 Amended Memorandum of Understanding and the October 1, 2009 through September 30, 2014 Memorandum of Understanding. (Citywide)

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0101. The motion carried by the following vote:**

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

**No:** 1 - DeLong

**Enactment No:** RES-09-0101

NOTE: Agenda Item Nos. 6 - 13 were considered and voted upon during the September 15, 2009 Budget Hearing at 3:30 PM. The video for the action taken on these items is available with the 3:30 PM Budget Hearing.

**CONTINUED BUDGET HEARING: 7:00 PM**

The following Agenda Items (6 – 13) were continued from the September 8, 2009 City Council Budget Hearing. They appear on this agenda and on the September 15, 2009 Budget Hearing Agenda (3:30 PM). Placement on both agendas allowed the City Council to take action at either meeting.

6. 09-0923 Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2010 budget as listed in Attachment A of the letter. (Citywide)
7. 09-0930 Recommendation to adopt resolution amending the master fee and charges schedule for specified City services for citywide fees and charges and the City Clerk, City Prosecutor, Community Development,

Development Services, Financial Management, Fire, Gas and Oil, Health and Human Services, Library Services, Long Beach Airport, Parks, Recreation and Marine, Police, and Public Works Departments.

**Enactment No:** RES-09-0099

8. 09-0932 Recommendation to rescind the City Council action taken on September 8, 2009 adopting a resolution approving the budgets for the Redevelopment Agency's Project Area Committees in the amounts of \$50,000 for Central Long Beach, \$80,000 for West Long Beach Industrial and \$44,895 for North Long Beach; and

Adopt a motion approving the budgets for the Redevelopment Agency's Project Area Committees in the amounts of \$50,000 for Central Long Beach, \$80,000 for West Long Beach Industrial and \$44,895 for North Long Beach.

9. 09-0937 Recommendation to adopt the Mayor's proposed funding recommendations, as amended, to the FY 10 Proposed Budget.
10. 09-0938 Recommendation to adopt the Budget Oversight Committee's proposed funding recommendations, as amended, to the FY 10 Proposed Budget.
11. 09-0940 Recommendation to adopt a motion amending the Proposed Budget.
12. 09-0941 Recommendation to declare an emergency to exist.
13. 09-0942 Recommendation to declare Appropriations Ordinance for FY 10, creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an Emergency Ordinance, read and adopted as read and laid over to the next regular meeting of the City Council for final reading.

**Enactment No:** ORD-09-0028

**ORDINANCE (6:07 PM)**

14. 09-0928 Recommendation to declare emergency ordinance approving Resolution No. WD-1257, a resolution of the Board of Water Commissioners of the City establishing the rates and charges for water and sewer service, read and adopted as read. (Ordinance No. ORD-09-0027).



Tom Stout spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember Reyes Uranga, to declare Emergency Ordinance No. ORD-09-0027 read and adopted as read. 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-09-0027

**NEW BUSINESS (6:10 PM)**

Affidavits of Service for the special meetings held Tuesday, September 15, 2009.

**ANNOUNCEMENTS (6:10 PM)**

Mayor Foster requested that the meeting be adjourned in memory of John Kiser.

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

09-1020 Councilwoman Schipske submitted a petition from residents in support of keeping Fire Station 18 open.

**This Handout was received and filed.**

Councilmember Lowenthal made community announcements.

Vice Mayor Lerch made community announcements.

Councilmember O'Donnell requested that the meeting be adjourned in memory of Kalee Alvarez.

Councilmember Garcia made community announcements.

Councilmember Reyes Uranga made community announcements.

**PUBLIC (6:17 PM)**

Larry Goodhue spoke.

Dennis Dunn spoke.

**ADJOURNMENT (6:22 PM)**

At 6:22 PM, Mayor Foster adjourned the meeting in memory of John Kiser and Kalee Alvarez.

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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

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 & 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 following order: Agenda Item Nos. 1, 31, 2, Public Comment, Consent Calendar, Agenda Item Nos. 3, 19, 25, 51, 27, 50, 28 - 30, and 32 - 49.

### ROLL CALL (5:07 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; Heather Mahood, Chief Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Dee Andrews, Councilman, Sixth District.

Mayor Foster announced that Agenda Item Nos. 7, 23 and 26 had been withdrawn; and that Agenda Item No. 51 would be considered around 8:00 PM.

Certificate of Recognition for the El Dorado Nature Center.

### HEARINGS (5:14 PM)

1. 09-0969 Recommendation to receive supporting documentation into the record, conclude the hearing and adopt resolution approving the Long Beach Tourism Business Improvement Area program and assessment for the period of October 1, 2009 through September 30, 2010; and authorize City Manager to execute an agreement with the Long Beach Area

Convention and Visitors Bureau for a one-year term. (Districts 1,2,4,5)

Steve Goodling and Larry Jackson spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Kraig Kojian, President, Downtown Long Beach Associates, spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-09-0102. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0102

2. 09-0971

Recommendation to receive supporting documentation, including the petitions, into the record, conclude the public hearing, and request City Attorney to prepare an amendment to the Long Beach Municipal Code, modifying Preferential Parking District "Z" to include Litchfield Avenue between Fidler Avenue and Calderwood Street as recommended by the City Traffic Engineer. (District 4)

Councilmember O'Donnell spoke.

Tracy Thompson spoke and submitted photographs showing cars blocking driveways.

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

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

**Absent:** 1 - Garcia

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

Lorna Jasmin spoke in opposition to union organization in local hotels.

Orfelina Olmos spoke regarding unionization of hotels.

Kathy Ryan spoke regarding pension contributions.

09-1029 Ashley Rambo-Sonko spoke and submitted an information packet regarding a new non-profit organization, Christ's Hand on Afrika.

**This Handout was received and filed.**

Larry Goodhue spoke regarding security.

Lee Glaze spoke regarding Americans with Disabilities Act curb cuts.

Councilwoman Gabelich spoke.

09-1028 Bill Orton spoke regarding legislative actions and submitted a Capitol Weekly article.

**This Handout was received and filed.**

Councilmember Reyes Uranga spoke.

Samara Ashley spoke regarding the upcoming Green Port Fest event.

### **CONSENT CALENDAR (6:17 PM)**

Passed The Consent Calendar

**A motion was made by Councilman Andrews, seconded by Councilwoman Schipske, to approve Consent Calendar Items 3 - 24, except for Items 3, 7, 19 and 23. The motion carried by the following vote:**

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

**Absent:** 1 - Lowenthal

3. 09-1014 Recommendation to authorize City Manager to execute a Third Amendment to Agreement No. 30635 with the firm of Meyers, Nave, Riback, Silver & Wilson, in the matter entitled Michael Kenneth Paul Edwards vs. City of Long Beach, Case No. CV05-8990 GS (PLAx) and Davis Faris, et al. vs. City of Long Beach, Case No. SACV07-954 JVS (ANx).

Robert Shannon, City Attorney, spoke.

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Francis Emily Dawson Harris 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:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Gabelich

**No:** 1 - Lerch

4. 09-1015 Recommendation to authorize City Manager to execute an agreement with the firm of Liebert Cassidy Whitmore, in the matter entitled Hausauer v. City of Long Beach, Case No. BC398898.  
**A motion was made to approve recommendation on the Consent Calendar.**
5. 09-1013 Recommendation to approve the City Council Budget Workshop Minutes for the meeting held Tuesday, September 8, 2009.  
**A motion was made to approve recommendation on the Consent Calendar.**
6. 09-1011 Recommendation to refer to City Attorney damage claims received between September 4, 2009 and September 14, 2009.  
**A motion was made to approve recommendation on the Consent Calendar.**
7. 09-0972 Recommendation to authorize City Manager to execute any and all documents necessary for a lease between the City of Long Beach and the Historical Society of Long Beach, California, a California nonprofit corporation, for the use and occupancy of City-owned property located at 4258-4260 Atlantic Avenue, at an annual rent of \$1. (District 8)  
**This Contract was withdrawn.**
8. 09-0973 Recommendation to authorize City Manager, or designee, to execute the First Amendment to Lease No. 28989 between Thomas F. Merrick and

Barbara A. Merrick, Individuals, and the City of Long Beach for office space at 13-17 East Market Street, for the continued operation of the Department of Health and Human Services' Women, Infants and Children Nutrition Program for an extended eleven-month term at the monthly base rent of \$3,245. (District 8)

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

9. 09-0974 Recommendation to approve and authorize City Manager to enter into an agreement between the City of Long Beach and PCR Services Corporation for a survey and a conservation management plan for valuable decorative assets in the storage areas on the Queen Mary in an amount not to exceed \$63,370. (District 2)

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

10. 09-0975 Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and The Earl B. and Loraine H. Miller Foundation in the amount of \$79,000 to continue the childhood obesity prevention health education programming at the Miller Family Health Education Center for the period from July 1, 2009 through June 30, 2010. (Citywide)

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

11. 09-0976 Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and Kaiser Permanente South Bay Medical Center in the amount of \$5,000 for the Health Access through Early Childhood Education Program for the period of July 1, 2009 through June 30, 2010; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$5,000. (Citywide)

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

12. 09-0977 Recommendation to authorize City Manager, or designee, to execute a third amendment to the agreement between the City of Long Beach and the County of Los Angeles to provide HIV/AIDS Health Education/Risk Reduction services in the amount of \$35,653 for the period of July 1, 2009 through September 31, 2009, and to execute any subsequent amendments that change the terms or the funding amount. (Citywide)

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

13. 09-0978 Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and Kaiser Permanente South Bay Medical Center in the amount of \$15,000 to continue the Latino Diabetes Prevention and Management Program for the period of July 1, 2009 through July 1, 2010. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
14. 09-0979 Recommendation to receive and file the application of MCK & Company, dba Cat Man Blu, for a LLC membership change of an Alcoholic Beverage Control License, at 51 South Pine Avenue, with existing conditions. (District 2)
- A motion was made to approve recommendation on the Consent Calendar.**
15. 09-0980 Recommendation to receive and file the application of Thai Gourmet By Sri Maya LLC, dba Thai Gourmet By Sri Maya, for a person-to-person transfer of an Alcoholic Beverage Control License, at 4722 East 2nd Street, with existing conditions. (District 3)
- A motion was made to approve recommendation on the Consent Calendar.**
16. 09-0981 Recommendation to receive and file the application of Evertina Arroyo and Adela Morales Contreras, dba Trojan III, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2020 East Anaheim Street, with existing conditions. (District 4)
- A motion was made to approve recommendation on the Consent Calendar.**
17. 09-0982 Recommendation to receive and file the application of The Factory Gastrobar LLC, dba The Factory Gastrobar, for a person-to-person transfer of an Alcoholic Beverage Control License, at 4020 Atlantic Avenue, with existing conditions. (District 8)
- A motion was made to approve recommendation on the Consent Calendar.**
18. 09-0984 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Broadway Pizza & Grill located at 120 East Broadway Street. (District 2)
- A motion was made to approve recommendation on the Consent Calendar.**



19. 09-0986 Recommendation to adopt resolution ordering the vacation of a portion of Lakewood Boulevard north of the Traffic Circle adjacent to 1919 Lakewood Boulevard. (District 4)
- Councilwoman Schipske spoke.
- Councilmember O'Donnell spoke.
- Larry Goodhue spoke.
- A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-09-0103. The motion carried by the following vote:**
- Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch
- Enactment No:** RES-09-0103
20. 09-0985 Recommendation to determine that the granting of Facility/Pipeline Permit No. P-237-09 to Long Beach City College will not be contrary to the public interest; and authorize City Manager to issue said permit in accordance with Section 15.44.060, Permit-Issuance, of the Long Beach Municipal Code, for the installation of communications and fiber optic data conduits. (District 5)
- A motion was made to approve recommendation on the Consent Calendar.**
21. 09-0987 Recommendation to authorize City Manager to execute an agreement and amendments thereto with the Gateway Cities Council of Governments (GCCOG) regarding the City of Long Beach's participation in, and \$25,145.32 contribution towards, the development of a coordinated implementation plan to reduce the amount of metals pollutants in Reach 1 of the Los Angeles River and its associated tributaries. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
22. 09-0983 Recommendation to authorize City Manager to execute an agreement and amendments thereto with the San Gabriel Valley Council of Governments (SGVCOG) regarding the City of Long Beach's participation in, and \$7,527.50 contribution towards, the development of a coordinated implementation plan to reduce the amount of metals pollutants in Reach 2 of the Los Angeles River and its associated tributaries. (Citywide)
-

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

23. 09-0988 Recommendation to authorize City Manager to extend and execute an amendment to Contract No. 29707 with Tajann Corporation for as-needed scanning services for an additional one-year term, and to increase the contract authority for Tajann Corporation by \$50,000. (Citywide)

**This Contract was withdrawn.**

24. 09-0965 Recommendation to receive and file minutes for:  
Civil Service Commission - September 2, 2009.  
Planning Commission - August 20, 2009.  
Water Commission - August 20 and 27, 2009.

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

**REGULAR AGENDA (6:34 PM)**

25. 09-1016 Recommendation to receive and file report on the actions taken at the Metropolitan Water District Board meeting held on September 15, 2009.

Councilmember Lowenthal spoke and distributed a summary of actions at the Metropolitan Water District board meeting.

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

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

**Absent:** 1 - Garcia

26. 09-1017 WITHDRAWN  
~~Recommendation to request City Attorney to draft an ordinance requiring that in the case of emergency excavations that take place on a right of way that has been constructed, reconstructed or resurfaced within the previous 60 months, or that has been slurry sealed within the previous 24 months, the right of way be resurfaced from curb to curb at the point of excavation.~~

**This Agenda Item was withdrawn.**

27. 09-1018 Recommendation to request to convene a meeting of the Charter

Amendment Committee to discuss charter reform opportunities and charter-based funding sources, including, but not limited to, revising the Harbor Department transfer to the Tidelands Operating fund.

Distributed at the meeting: Correspondence from Jennifer Lucchesi, Staff Counsel, California State Lands Commission.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember Garcia spoke.

Councilmember Lowenthal spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

William Light spoke.

Larry Goodhue spoke.

Elizabeth Horn spoke.

Michelle Grubbs spoke.

Rich Dines spoke.

Dan Myler spoke.

Francis Emily Dawson Harris spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

**A motion was made by Councilwoman Gabelich, seconded by Councilwoman Schipske, to request a study session on October 6, 2009 to discuss Charter reform regarding the Harbor Department formula for transfers to the Tidelands Operating fund. The motion carried by the following vote:**

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

- 28. 09-0989** Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2009 to September 30, 2010, for the Fourth Street Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting the date of hearing for Tuesday, October 20, 2009 at 5:00 p.m. (District 2)

**A motion was made by Councilmember Lowenthal, seconded by Vice Mayor Lerch, to approve recommendation and adopt Resolution No. RES-09-0104. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 1 - O'Donnell

**Enactment No:** RES-09-0104

- 29. 09-0990** Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2009 to September 30, 2010, for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting the date of hearing for Tuesday, October 13, 2009 at 5:00 p.m. (District 3)

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-09-0105. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Absent:** 1 - O'Donnell

**Enactment No:** RES-09-0105

- 30. 09-0991** Recommendation to adopt resolution approving the Annual Assessment

Report from October 1, 2009 to September 30, 2010, for the Bixby Knolls Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting the date of hearing for Tuesday, October 13, 2009 at 5:00 p.m. (Districts 7,8)

**A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0106; and change the date of hearing to Tuesday, October 20, 2009. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0106

- 31. 09-0992** Recommendation to authorize City Manager to execute the Seventh Amendment to Agreement No. 28164 with the Long Beach Area Convention and Visitors Bureau, Inc., to provide funding in the amount of \$3,815,366 for Fiscal Year 2010. (Citywide)

**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

- 32. 09-0996** Recommendation to authorize City Manager to execute all documents with the United States Department of Education to receive a grant in the amount of \$1,189,000, to operate the Long Beach Youth Career Academy pilot that will assist probationary youth ages 14-18; to execute all documents with various initiative partners in an amount totaling \$475,000; and to execute any needed subsequent amendments. (Citywide)

Councilman Andrews spoke.

**A motion was made by Vice Mayor Lerch, 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

- 33. 09-0999** Recommendation to approve the Fiscal Year 2009 fourth quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

Councilwoman Schipske spoke.

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

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

34. 09-1000

Recommendation to authorize City Manager to execute an Agreement with Chandler Asset Management to provide investment advisory and management services relating to the City's pooled investment portfolio, in an amount not to exceed \$300,000 annually, for a period of two years with options for three, one-year extensions, at the discretion of the City Manager; and

Revise the City of Long Beach Investment Policy for Calendar Year 2009 to comply with the new agreement with Chandler Asset Management. (Citywide)

Lori Ann Farrell, Director of Financial Management, spoke.

Larry Goodhue spoke.

**A motion was made by Councilman Andrews, 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

35. 09-1001

Recommendation to adopt Specifications No. PA-02209 and award contract to Waxie's Enterprises, Inc., dba Waxie Sanitary Supply, to furnish and deliver custodial supplies, in the estimated annual amount of \$550,000 for a period of one year, with the option of renewing for one additional one-year period, at the discretion of the City Manager, with the option of adding expenditures up to 10 percent (or \$55,000) above the annual contract amount, if necessary and if funds are available, plus extend the existing interim contract with Waxie Sanitary Supply through September 30, 2009; and increase the contract amount by \$150,000 to cover expenditures made during the bidding process. (Citywide)

Councilwoman Schipske spoke.

**A motion was made by Councilman Andrews, seconded by Vice Mayor Lerch, to approve recommendation. The motion carried by the following vote:**

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

- 36. 09-0997** Recommendation to authorize City Manager to submit a grant application, through the Long Beach Department of Health and Human Services, to the U.S. Department of Housing and Urban Development (HUD) for the 2009 Continuum of Care for Homeless Assistance Program; and execute all necessary documents, sub-grants and any amendments changing the amount of the award or extending the grant term upon receipt of HUD funding. The Grant award amount will be between \$5 million and \$8 million, for a period of one to five years. (Citywide)

Francis Emily Dawson Harris spoke.

**A motion was made by Councilmember DeLong, 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

- 37. 09-0998** Recommendation to authorize City Manager, or designee, to execute all necessary agreements, all sub-grant agreements and any subsequent amendments thereto that change the terms or extend the time period for the 2009 - 2011 Emergency Shelter Grant (ESG) program allocation of \$363,221 to fund five projects (4 agencies) for the period of October 1, 2009 to August 31, 2011, with an option to renew the ESG program for an additional grant period ending on August 31, 2012. (Citywide)

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Francis Emily Dawson Harris spoke.

**A motion was made by Councilmember Lowenthal, 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

- 38. 09-1003** Recommendation to authorize City Manager to enter into an agreement with ARINC, Incorporated, for an estimated amount of \$460,000, plus a 15 percent contingency of \$69,000, if necessary, to design, project manage and install additional security equipment required by the U.S.

Department of Homeland Security, Transportation Security Administration; to execute any necessary amendments; and increase appropriation in the Airport Enterprise Fund (EF 320) in the Long Beach Airport Department (AP) by \$126,500. (District 5)

Councilwoman Gabelich spoke.

**A motion was made by Councilmember Reyes Uranga, 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

- 39. 09-1004** Recommendation to authorize City Manager to execute all documents necessary to enter into a three-year contract with JBT Aerotech to perform maintenance and associated services for the baggage handling systems at the Long Beach Airport for a maximum of \$2,000,000. (District 5)

**A motion was made by Councilwoman Schipske, 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

- 40. 09-0891** Recommendation to adopt Plans and Specifications No. R-6777 for the construction of Phase I-B Improvements to the Air Carrier Ramp at the Long Beach Airport; and authorize City Manager to execute any and all documents for a contract with Palp, Inc., dba Excel Paving, the lowest responsible bidder, in an estimated amount of \$4,674,935, plus a 25 percent contingency amount of \$1,168,734, if necessary; and increase appropriation by \$5,843,669 in the Airport Enterprise Fund (EF 320), in the Airport Department. (District 5)

**A motion was made by Councilmember Reyes Uranga, 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

- 41. 09-1005** Recommendation to receive and file the application of Pattama Norasing and Pawina Norasing, dba Thiptara, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 5630 East Pacific Coast Highway, with conditions. (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

**42. 09-1006**

Recommendation to increase Contract No. 31077 with Minako America Corporation, dba Minco Construction, for the Queen Mary Fire Alarm Upgrade, 1126 Queens Highway, in the amount of \$145,270, due to extra work required relating to Long Beach Fire Department testing requirements. (District 2)

Councilwoman Schipske spoke.

Jeff Reeb, Deputy Chief, Long Beach Fire Department, spoke.

Vice Mayor Lerch spoke.

**A motion was made by Councilmember Lowenthal, 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

**43. 09-1007**

Recommendation to adopt Plans and Specifications No. R-6736 for the rehabilitation of Carson Street between Long Beach Boulevard and Atlantic Avenue, and authorize City Manager to award the contract to Sully-Miller Contracting Company, in an estimated amount of \$540,212 plus a 10 percent contingency amount of \$54,021, if necessary, for a total of \$594,233, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$675,265 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 8)

**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

**44. 09-1008**

Recommendation to adopt Plans and Specifications No. R-6740 for installing and modifying traffic control signals at various locations; award

the project; and authorize City Manager to execute all documents necessary to enter into a contract with California Professional Engineering in an estimated amount of \$1,175,653, plus a 25 percent contingency of \$293,913, if necessary and if funding is available, and to execute any necessary amendments thereto. (Districts 5,6,9)

Councilwoman Schipske spoke.

Councilman Andrews 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

45. 09-1009

Recommendation to adopt resolution approving the Traffic Mitigation Program Seventeenth Annual Report (Fiscal Year 2007-08); making findings relative thereto; and amending the Traffic Mitigation Program to add the following projects:

Initiate traffic corridor studies to evaluate and implement comprehensive traffic improvements for all transportation modes (vehicles, transit, pedestrian and bicycles) on the following streets:

1. Del Amo Boulevard from west city limits to Atlantic Avenue
2. Bellflower Boulevard from 7th Street to Stearns Street
3. 2nd Street from Bay Shore Bridge to Studebaker Road

Upgrade and modernize four intersections to include pedestrian indications, left turn signalization, and new traffic signals at the following locations:

1. Pacific Avenue and Spring Street
2. Woodruff Avenue and Willow Street
3. Claremore Avenue and Wardlow Street
4. Palo Verde Avenue and Metz Street

(Citywide)

Larry Goodhue spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt Resolution No. RES-09-0107. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0107

Councilmember Reyes Uranga made a motion to reconsider Agenda Item No. 50. See Agenda Item No. 50 for the action taken.

**46. 09-1012** Recommendation to request City Attorney to draft an ordinance amending Section 10.22.025 of the Long Beach Municipal Code relating to parking in front of private driveways as recommended by the City Traffic Engineer; and

Request City Attorney to draft a resolution establishing an application fee and annual permit fee for driveway parking as recommended by the City Traffic Engineer. (Citywide)

Francis Emily Dawson Harris spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Councilwoman Gabelich spoke.

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, Gabelich and Lerch

**Absent:** 1 - Reyes Uranga

**47. 09-0613** Recommendation to adopt Plans and Specifications No. R-6799 for the Storm Drain Maintenance and Repair contract; and authorize City Manager to award the contract to United Storm Water, Inc., in the estimated annual amount of \$582,379 plus a five percent contingency for potential unforeseen weather-related maintenance and repair costs, with a term of October 1, 2009 through September 30, 2012, with the option of renewing for two one-year periods at the discretion of the City Manager. (Citywide)

**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

- 48. 09-1010** Recommendation to adopt Plans and Specifications No. R-6807 for the improvement of Mothers Beach Playground, on Appian Way at Marine Stadium; and authorize City Manager to award and execute a contract with Mega Way Enterprises, in an estimated amount of \$245,999 plus a 10 percent contingency amount of \$24,600, if necessary, for a total of \$270,599, and any amendments thereto. (District 3)

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, Gabelich and Lerch

**Absent:** 1 - Reyes Uranga

**ORDINANCE (8:42 PM)**

- 49. 09-0942** Recommendation to declare ordinance approving and adopting the official budget of the City of Long Beach for the Fiscal Year 2009-10, creating and establishing the funds of the Municipal Government of the City of Long Beach and appropriating money to and authorizing expenditures from said funds and for said fiscal year; declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 a.m. on October 1, 2009, read and adopted as read. (Ordinance No. ORD-09-0028) (Citywide)

Larry Goodhue spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to declare Emergency Ordinance No. ORD-09-0028 read and adopted as read. The motion carried by the following vote:**

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

**Absent:** 1 - Reyes Uranga

Enactment No: ORD-09-0028

**NEW BUSINESS (7:16 PM)**

50. 09-1025 Recommendation to request the convening of the Charter Amendment Committee to discuss and consider Instant Run-off Voting (IRV) for the April 13, 2010 Citywide ballot.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

Robert Shannon, City Attorney, spoke.

Motion: Request a study session regarding the issue of Instant Run-off Voting; and refer to the Charter Amendment Committee.  
Moved by Lowenthal, seconded by DeLong.

Councilmember Reyes Uranga spoke.

Vice Mayor Lerch spoke.

Councilmember O'Donnell spoke.

Amanda Fowler spoke.

Gautam Dutta spoke.

Kobe Skye spoke.

Casey Peters spoke.

Woodrow Coleman spoke.

**A substitute motion was made by Councilmember O'Donnell, seconded by Councilmember Reyes Uranga, to request a study session. The motion carried by the following vote:**

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

Robert Shannon, City Attorney, spoke.

Councilmember DeLong spoke.

**A motion was made by Councilmember Reyes Uranga, seconded by Councilman Andrews, to reconsider Agenda Item No. 50. The motion carried by the following vote:**

**Yes:** 5 - O'Donnell, Schipske, Andrews, Reyes Uranga and Gabelich

**No:** 4 - Garcia, Lowenthal, DeLong and Lerch

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga spoke regarding continuing Agenda Item No. 50 to October 6, 2009.

Councilmember Garcia spoke.

Larry Herrera, City Clerk, spoke.

Robert Shannon, City Attorney, spoke.

Councilmember DeLong spoke.

Francis Emily Dawson Harris spoke.

Mayor Foster spoke.

Larry Herrera, City Clerk, spoke.

Mayor Foster spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Schipske spoke.

Larry Herrera, City Clerk, spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Larry Herrera, City Clerk, spoke.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga spoke.

**A motion was made by Councilmember Reyes Uranga, seconded by Councilman Andrews, that the item be received and filed. The motion carried by the following vote:**

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

**No:** 2 - Garcia and Lowenthal

51. 09-1026

Recommendation to reduce appropriation in the Legislative Department District 7 (LD07) allocation for FY09 and appropriate savings to designated programs for FY10.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

**A motion was made by Councilmember Reyes Uranga, 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

52. Affidavit of Service for the special meeting held Tuesday, September 22, 2009.

**ANNOUNCEMENTS (8:44 PM)**

Mayor Foster requested that the meeting be adjourned in memory of Billie Curry.

Vice Mayor Lerch made community announcements.

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Lowenthal requested that the meeting be adjourned in memory of Mark Wittenberg.

Councilmember Garcia made community announcements.

**ADJOURNMENT (8:52 PM)**

At 8:52 PM, Mayor Foster adjourned the meeting in memory of Billie Curry and Mark Wittenberg.

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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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

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## FINISHED AGENDA & DRAFT MINUTES

### SPECIAL MEETING

#### ROLL CALL (3:40 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; Thomas Reeves, City Prosecutor; Laura  
L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

#### CONTINUED BUDGET HEARING (3:40 PM)

1. 09-0923 Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2010 budget as listed in Attachment A of the letter.  
(Citywide)

Lori Ann Farrell, Director of Financial Management, spoke.

Francis Emily Dawson Harris spoke.

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

2. 09-0930 Recommendation to adopt resolution amending the master fee and charges schedule for specified City services for citywide fees and charges and the City Clerk, City Prosecutor, Community Development,

Development Services, Financial Management, Fire, Gas and Oil, Health and Human Services, Library Services, Long Beach Airport, Parks, Recreation and Marine, Police, and Public Works Departments.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Francis Emily Dawson Harris spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-09-0099. The motion carried by the following vote:**

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

**Enactment No:** RES-09-0099

**3. 09-0932**

Recommendation to rescind the City Council action taken on September 8, 2009 adopting a resolution approving the budgets for the Redevelopment Agency's Project Area Committees in the amounts of \$50,000 for Central Long Beach, \$80,000 for West Long Beach Industrial and \$44,895 for North Long Beach; and

Adopt a motion approving the budgets for the Redevelopment Agency's Project Area Committees in the amounts of \$50,000 for Central Long Beach, \$80,000 for West Long Beach Industrial and \$44,895 for North Long Beach.

**A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Garcia, to approve recommendation to rescind action taken on September 8, 2009 to adopt a resolution. The motion carried by the following vote:**

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

**A motion was made by Vice Mayor Lerch, seconded by Councilmember Reyes Uranga, to approve recommendation to approve the budgets for the Redevelopment Agency's Project Area Committees. The motion carried by the following vote:**

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

Agenda Item Nos. 4, 5 and 6 were moved in one combined motion and voted upon with one vote.

4. 09-0937 Recommendation to adopt the Mayor's proposed funding recommendations, as amended, to the FY 10 Proposed Budget.

Councilmember DeLong spoke and distributed revised BOC recommendations.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Mario Beas, Civil Service Director, spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Mario Beas, Civil Service Director, spoke.

Francis Emily Dawson Harris spoke.

Capt. John Caplis, U.S. Coast Guard, spoke.

Shawn Parker, Long Beach Lifeguards Association, spoke.

Larry Goodhue spoke.

Councilwoman Gabelich spoke.

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

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

Mayor Foster spoke.

5. 09-0938 Recommendation to adopt the Budget Oversight Committee's proposed funding recommendations, as amended, to the FY 10 Proposed Budget.
- A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation as outlined and amended. The motion carried by the following vote:**
- Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch
6. 09-0940 Recommendation to adopt a motion amending the Proposed Budget.
- A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation as outlined and amended. The motion carried by the following vote:**
- Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch
7. 09-0941 Recommendation to declare an emergency to exist.
- 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
8. 09-0942 Recommendation to declare Appropriations Ordinance for FY 10, creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an Emergency Ordinance, read and adopted as read and laid over to the next regular meeting of the City Council for final reading.
- A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to declare Emergency Ordinance No. ORD-09-0028 read and adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**
- Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

**Enactment No: ORD-09-0028**

**ADJOURNMENT (4:26 PM)**

At 4:26 PM, Mayor Foster adjourned the meeting.

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