



CITY OF LONG BEACH

C-6

DEPARTMENT OF CITY CLERK

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September 21, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the Minutes for the City Council Meeting and City Council Budget Hearing
Held Tuesday, September 7, 2010

DISCUSSION

The Legistar minutes for the City Council Meeting and City Council Budget Hearing held Tuesday, September 7, 2010, 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 C. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:44 PM)

Councilmembers Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson,
Present: Gabelich and Neal

Councilmembers Andrews
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager;
Robert Shannon, City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk;
Carolyn Harris, City Clerk Specialist.

Mayor Foster presiding.

1. 10-0990 Recommendation to conduct a Budget Hearing to review and receive direction on the following items as proposed in the Fiscal Year 2011 Budget:
 - Municipal Band
 - Arts Council Funding
 - Rental Fees for Tenants of the Multi-Service Center and the West, North, and Central Facilities Centers

Public participation is encouraged.

Distributed prior to meeting: Memo from Lori Ann Farrell, Director of Financial Management, regarding funding for the Arts programs.

Patrick West, City Manager, spoke regarding the Long Beach Municipal

Band FY 2011 budget.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Distributed at meeting: Memo from Councilwoman Gabelich regarding funding for the Long Beach Municipal Band.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Suzanne Frick, Assistant City Manager, spoke.

Mayor Foster spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation to ask the Port of Long Beach for a minimum of \$50,000 or more to assist with the shortfall needed to support funding for the Long Beach Municipal Band. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 1 - Andrews

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Suzanne Frick, Assistant City Manager, spoke.

Councilwoman Gabelich spoke.

JC Squires, Business Operations Bureau Manager, Department of Parks, Recreation and Marine, spoke.

Councilwoman Gabelich spoke.

JC Squires, Business Operations Bureau Manager, Department of Parks, Recreation and Marine, spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

A motion was made by Councilmember Johnson, seconded by Councilmember O'Donnell, to approve recommendation to amend Councilwoman Gabelich's proposal to use \$65,000 from the Tideland Funds to support funding for the Long Beach Municipal Band. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 1 - Andrews

Patrick West, City Manager, spoke regarding Arts Council funding for FY 2011.

Councilmember Garcia spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Councilmember Johnson spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Patrick West, City Manager, spoke.

Craig Watson, Executive Director of Arts Council, spoke.

Vice Mayor Lowenthal spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

A motion was made by Councilmember Garcia, seconded by Councilmember Johnson, to approve recommendation to restore \$25,000 from Community Development Block Grant (CDBG) funding to offset cuts to the Arts Council. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 1 - Andrews

Patrick West, City Manager, spoke regarding rental fees for tenants of the Multi-Service Center and the west, north and central facilities centers.

Councilmember DeLong spoke.

Suzanne Frick, Assistant City Manager, spoke.

Ron Arias, Director of Health and Human Services, spoke.

Vice Mayor Lowenthal spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Councilmember Johnson spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Ron Arias, Director of Health and Human Services, spoke.

Councilwoman Gabelich spoke.

Gary Shelton spoke.

John Scott spoke.

Maurice Galbraith spoke.

Rudolph James Castro spoke.

Councilwoman Gabelich spoke.

Ron Arias, Director of Health and Human Services, spoke.

Councilwoman Gabelich spoke.

Patrick West, City Manager, spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation to restore funding to the Multi-Service Center as outlined by staff. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 1 - Andrews

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia called for the question.

A motion was made by Councilmember Garcia, seconded by Vice Mayor Lowenthal, to approve recommendation to request the Board of Harbor Commission to discuss at its next meeting funding for the Fourth of July Firework show. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 1 - Andrews

PUBLIC (4:57 PM)

There was no public participation.

ADJOURNMENT (4:57 PM)

At 4:57 PM, Councilmember O'Donnell adjourned the meeting.

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

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

Agenda Items were considered in the order presented, with the exception of Agenda Item Nos. 2 and 11 that were pulled from the Consent Calendar for discussion and were considered following the Consent Calendar vote.

ROLL CALL (6:01 PM)

Councilmembers Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and
Present: Neal

Councilmembers Lowenthal and Andrews
Absent:

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Councilwoman Gerrie Schipske, Fifth District.

PUBLIC COMMENT (6:03 PM)

Madeleine Johnson spoke regarding the medical marijuana ordinance.

10-1023 Floyd Seymour spoke regarding skateboard parks and schools; and submitted written comments.

This Handout was received and filed.

Patrick Ford spoke regarding skate parks, jobs in the City of Long Beach, and the need for go cart track.

Steve Baker spoke regarding the medical marijuana ordinance and the proposed fees.

Robert Shannon, City Attorney, spoke.

Suzanne Frick, Assistant City Manager, spoke.

Kandice Hawes spoke regarding medical marijuana collectives.

Johnny Medina spoke regarding medical marijuana spoke.

Mayor Foster spoke.

Patrick West, City Manager, spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

CONSENT CALENDAR (6:28 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilmember Neal, to approve Consent Calendar Items 1 - 14, except for Items 2 and 11. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

1. 10-0932 Recommendation to authorize City Attorney to pay sum of \$6,392.75 in full settlement of Claim No. C10-0166, Long Beach Transit v. City of Long Beach.

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

2. 10-0933 Recommendation to adopt resolution supporting the California Air Resources Board's leadership in development and implementing strategies for reducing emissions from motor vehicles.
- Councilwoman Gabelich spoke.
- Councilmember O'Donnell spoke.
- A motion was made by Councilwoman Gabelich, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-10-0100. The motion carried by the following vote:**
- Yes:** 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal
- Absent:** 2 - Lowenthal and Andrews
- Enactment No:** RES-10-0100
3. 10-0934 Recommendation to approve the minutes for the City Council meetings and Budget Hearings held Tuesdays, August 17 and 24, 2010.
- A motion was made to approve recommendation on the Consent Calendar.**
4. 10-0935 Recommendation to refer to City Attorney damage claims received between August 16, 2010 and August 30, 2010.
- A motion was made to approve recommendation on the Consent Calendar.**
5. 10-0936 Recommendation to approve the destruction of records for Community Development Department Housing Authority Bureau as shown in Exhibit A; and adopt resolution.
- A motion was made to approve recommendation and adopt Resolution No. RES-10-0097 on the Consent Calendar.**
- Enactment No:** RES-10-0097
6. 10-0937 Recommendation to approve the destruction of records for the Development Services Department as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-10-0098 on the Consent Calendar.

Enactment No: RES-10-0098

7. 10-0938 Recommendation to approve the destruction of records for Financial Management Department Business License Section as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-10-0099 on the Consent Calendar.

Enactment No: RES-10-0099

8. 10-0931 Recommendation to receive and file the application of Munzer Abdou Abdolhai, Georges Abdulhay and George Roboz, dba Jones Liquore, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2435 East Broadway, with existing conditions. (District 2)

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

9. 10-0939 Recommendation to receive and file the application of J M Johnston and Associates Incorporated, dba 49RS Tavern, for a person-to-person transfer of an Alcoholic Beverage Control License, at 5660 East Pacific Coast Highway, with existing conditions. (District 3)

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

10. 10-0940 Recommendation to receive and file the application of Bernardo Catahimikan Solano and Rodel Fullado Solano, dba Smittys Cocktail Lounge, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2332 Pacific Avenue, with existing conditions. (District 6)

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

11. 10-0941 Recommendation to receive and file the application of Raul Galindo Ixtlahuac, dba Sipology Red A California Kitchen, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3403 & 3405 Orange Avenue, with existing conditions. (District 7)

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

Yes: 6 - Garcia, DeLong, O'Donnell, Schipske, Gabelich and Neal

Abstentions: 1 - Johnson

Absent: 2 - Lowenthal and Andrews

12. 10-0942 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Gaucho Grill, located at 200 Pine Avenue, Suite B. (District 2)

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

13. 10-0943 Recommendation to authorize City Manager to execute subdivision agreements with Lennar Homes of California Inc., the new developer of the Aubry at Alamitos Ridge development located north of 20th Street and east of Obispo Avenue. (District 4)

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

14. 10-0944 Recommendation to receive and file the minutes for:
Civil Service Commission - August 11, 2010.
Parks and Recreation Commission - July 22, 2010.
Planning Commission - June 3 and 17, 2010 and August 5, 2010.

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

UNFINISHED BUSINESS (6:34 PM)

15. 10-0808 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 14.14.010, and Subsections 14.14.020.D and 14.14.045.B; and by adding Subsection 14.14.110, all relating to public walkways occupancy permits read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, 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: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

REGULAR AGENDA (6:36 PM)

16. 10-0993 Recommendation to request City Clerk to implement a program to make campaign-related independent contributions and expenditures readily available to the public online as well as by request at City Hall.

Councilmember Johnson spoke.

Councilmember Neal spoke.

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

17. 10-0994 Recommendation to request City Manager to work with the City Attorney to utilize provisions within SB 1137 and develop a Foreclosure Ordinance that includes:

- A requirement for lenders to register foreclosures when they have issued a Notice of Default (NOD) that includes a registration fee in order to cover the cost incurred by the City of Long Beach for maintaining this registry. The existing maintenance requirements of the Vacant Building Monitoring Program must be met when these properties become vacant or at the time a foreclosure sale is finalized.
- Owners who have acquired properties through foreclosure or at a foreclosure sale should be given 30 days to fix unmaintained vacant properties before fines are issued.

The ordinance should complement the existing Vacant Building Monitoring Program, which would then be funded by the NOD registration fees.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Gary Shelton spoke.

America Sevas spoke.

Rachael Martin spoke.

Genise McConnell spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

18. 10-0996 Recommendation to receive and file report on the 2010 Fifth District Summer Youth Program.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

19. 10-0992 Recommendation to adopt resolution declaring a fiscal emergency.

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0101. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

Enactment No: RES-10-0101

20. 10-0949 Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2010 to September 30, 2011, for the Long Beach Tourism Business Improvement Area, declaring its intention to levy the annual assessment and setting a date for a public hearing for Tuesday, October 5, 2010 at 5:00 p.m. (Districts 1,2,4,5)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Neal, to approve recommendation and adopt Resolution No. RES-10-0102. The motion carried by the following vote:

Yes: 6 - Garcia, DeLong, O'Donnell, Schipske, Gabelich and Neal

Absent: 3 - Lowenthal, Andrews and Johnson

Enactment No: RES-10-0102

21. 10-0947 Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2010 to September 30, 2011, for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment and setting a date for a public hearing for Tuesday, October 5, 2010 at 5:00 p.m. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-10-0103. The motion carried by the following vote:

Yes: 6 - Garcia, DeLong, O'Donnell, Schipske, Gabelich and Neal

Absent: 3 - Lowenthal, Andrews and Johnson

Enactment No: RES-10-0103

22. 10-0948 Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2010 to September 30, 2011 for the Bixby Knolls Parking and Business Improvement Area, declaring its intention to levy the annual assessment and setting a date for a public hearing for Tuesday, October 12, 2010 at 5:00 p.m. (Districts 7,8)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Neal, to approve recommendation and adopt Resolution No. RES-10-0104. The motion carried by the following vote:

Yes: 6 - Garcia, DeLong, O'Donnell, Schipske, Gabelich and Neal

Absent: 3 - Lowenthal, Andrews and Johnson

Enactment No: RES-10-0104

23. 10-0950

Recommendation to approve the Andy Street Multi-family Improvement District Annual Report and Assessment for the period of October 1, 2010 through September 30, 2011, automatically extending the Andy Street Multi-family Improvement District for a one-year period.
(District 9)

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

Yes: 6 - Garcia, DeLong, O'Donnell, Schipske, Gabelich and Neal

Absent: 3 - Lowenthal, Andrews and Johnson

24. 10-0946

Recommendation to authorize City Manager to accept grant funding from the Lower Los Angeles and San Gabriel Rivers and Mountains Conservancy for the Colorado Lagoon Dredging Project; increase appropriations in the Tidelands Operation Fund (TF) in the Department of Community Development (CD) in the amount of \$1,100,000; execute a grant agreement and any amendments thereto; and execute an amendment to Agreement No. 30773 between the City of Long Beach and Moffatt & Nichol for extended engineering design and construction support services, in an amount not to exceed \$221,322, and any amendments to the contract necessary to extend the term, amend the scope of work, or adjust the fee schedule of hourly rates for inflation in the extended term. (District 3)

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

Yes: 6 - Garcia, DeLong, O'Donnell, Schipske, Gabelich and Neal

Absent: 3 - Lowenthal, Andrews and Johnson

- 25. 10-0945** Recommendation to authorize City Manager to execute all documents necessary with the Army Corps of Engineers to allow for the dredging, treatment and disposal of sediments from Colorado Lagoon; and to execute an Amendment to Agreement No. 30245 with Moffatt & Nichol in the amount of \$62,388 to allow for additional post-construction monitoring required by the State Water Resources Control Board, and any amendments to the contract necessary to extend the term, amend the scope of work, or adjust the fee schedule of hourly rates for inflation in the extended term. (District 3)
- A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation. The motion carried by the following vote:**
- Yes:** 6 - Garcia, DeLong, O'Donnell, Schipske, Gabelich and Neal
- Absent:** 3 - Lowenthal, Andrews and Johnson
- 26. 10-0951** Recommendation to receive and file the Fiscal Year 2010 Third Quarter Budget Performance Report. (Citywide)
- A motion was made by Councilmember DeLong, seconded by Councilmember Neal, to approve recommendation. The motion carried by the following vote:**
- Yes:** 6 - Garcia, DeLong, O'Donnell, Schipske, Gabelich and Neal
- Absent:** 3 - Lowenthal, Andrews and Johnson
- 27. 10-0952** Recommendation to adopt resolution to issue Water Revenue Bonds Series 2010A in an amount not to exceed \$26,000,000, acting through its Board of Water Commissioners (the Board), to refund certain Water Revenue Bonds Series 1997A, previously authorized by the City and issued by the Board, fund the Reserve Fund, and pay the cost of issuance for the Series 2010 Bonds. (Citywide)
- A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-10-0105. The motion carried by the following vote:**
- Yes:** 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal
- Absent:** 2 - Lowenthal and Andrews
-

Enactment No: RES-10-0105

- 28. 10-0953** Recommendation to authorize City Manager to purchase difference in conditions (earthquake insurance), covering City Hall and the Convention Center, for the period of July 1, 2010 through July 1, 2011, through Alliant Insurance Services, Inc., for a total premium not to exceed \$235,000. (Citywide)

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

- 29. 10-0954** Recommendation to receive and file the application of Burt Anthony Wilhelm, dba El Torazo, for an original Alcoholic Beverage Control License, at 2801 East 10th Street, with conditions. (District 4)

Councilmember O'Donnell spoke and distributed a list of conditions for the ABC License.

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

- 30. 10-0955** Recommendation to receive and file the application of Roxannes Incorporated, dba Roxannes, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 1115 & 1117 East Wardlow Road, with conditions. (District 7)

Councilmember Johnson spoke and distributed a list of conditions for the ABC License.

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

- 31. 10-0956** Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Chiseled Entertainment Incorporated, dba Pistons Bar, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 2020 East Artesia Boulevard, with conditions. (District 9)

Councilmember Neal spoke and distributed a list of conditions for the ABC License.

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

- 32. 10-0957** Recommendation to authorize City Manager to execute a Memorandum of Understanding, a Reimbursement Agreement, an Equitable Sharing Agreement and any subsequent amendments thereto; and all necessary documents with the Internal Revenue Service, Criminal Investigation (IRS, CI) for a joint task force with the Long Beach Police Department to develop and assist with criminal investigations and asset forfeitures of illegal activities in the Long Beach metropolitan and surrounding area. (Citywide)

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

- 33. 10-0958** Recommendation to authorize City Manager to execute a new agreement between the Long Beach Police Department and the Long Beach Unified School District to staff School Resource Officers (SROs)

for an amount not to exceed \$649,000. The net cost to the City's General Fund for the agreement is estimated to be \$47,000. (Citywide)

Councilmember Johnson spoke.

Jim McDonnell, Chief of Police, spoke.

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

- 34. 10-0959** Recommendation to increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$625,000 for infrastructure improvements. (Citywide)

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

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

ORDINANCES (7:07 PM)

- 35. 10-0961** Recommendation to declare ordinance amending Sections 2.01.380 and 2.01.1020 of the Long Beach Municipal Code relating to officeholder accounts read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

A motion was made by Councilmember DeLong, 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: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

36. 10-0817 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 10.41.010, 10.41.040, 10.41.060, 10.41.080, 10.56.020, 10.56.030, 10.56.040 and 10.56.060, all relating to overweight vehicles and cargo, read and adopted as read. (Citywide)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Neal, to approve recommendation and adopt Ordinance No. ORD-10-0025. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

Enactment No: ORD-10-0025

BUDGET HEARING (7:08 PM)

37. 10-0962 Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2011 budget as listed in Attachment A. (Citywide)

Councilmember DeLong spoke.

Samara Ashley, Director of Government Affairs, Long Beach Harbor Department, spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0963
1

Recommendation to adopt resolution approving the FY 11 budget for the Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on June 28, 2010. (A-1)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0964
2

Recommendation to declare an emergency to exist. (A-2)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0965
3

Recommendation to declare ordinance approving the Resolution No. WD-1270 establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on June 24, 2010, 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-3)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0966
4 Recommendation to adopt resolution approving the FY 11 budget of the Long Beach Water Department as adopted by the Board of Water Commissioners on June 24, 2010. (A-4)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0967
5 Recommendation to adopt resolution amending the master fee and charges schedule for specified City services for Citywide fees and charges for the City of Long Beach. (A-5)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0968
6 Recommendation to approve the FY 11 one-year Capital Improvement Program. (A-6)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0969
7 Recommendation to 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 \$50,000 for North Long Beach. (A-7)

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve Agenda Item Nos. 37.7 through 37.14, with the exception of Agenda Item Nos. 37.11 and 37.13. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0970
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. (A-8)

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve Agenda Item Nos. 37.7 through 37.14, with the exception of Agenda Item Nos. 37.11 and 37.13; and adopt Resolution No. RES-10-0106. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

Enactment No: RES-10-0106

37. 10-0971
9 Recommendation to adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment funds (City Place Parking Structure debt service). (A-9)

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve Agenda Item Nos. 37.7 through 37.14, with the exception of Agenda Item Nos. 37.11 and 37.13; and adopt Resolution No. RES-10-0107. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

Enactment No: RES-10-0107

37. 10-0972 Recommendation to adopt a motion approving the budget for the Long
10 Beach Housing Development Company in the amount of \$19,050,008.
(A-10)

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve Agenda Item Nos. 37.7 through 37.14, with the exception of Agenda Item Nos. 37.11 and 37.13. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0973 Recommendation to adopt a motion approving the transfer of
11 \$24,847,412 from the Harbor Revenue Fund to the Tidelands Operating Fund. (A-11)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0974 Recommendation to adopt a motion approving the use of the CalPERS
12 Annual Lump Sum Prepayment Option for the employer portion of the City's CalPERS retirement benefit. The recommended prepayment, in the amount of \$52,063,000 should provide a budgetary savings of \$1,937,000 to the City. Of this amount, the General Fund should recoup a budgetary savings of \$1,225,000. (A-12)

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve Agenda Item Nos. 37.7 through 37.14, with the exception of Agenda Item Nos. 37.11 and 37.13. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0975 Recommendation to adopt the ordinance amending the Departmental
13 Organization Ordinance. (A-13)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0976 Recommendation to adopt the resolution adopting an appropriations limit
14 (Gann) for FY 11 pursuant to Article XIII (B) of the California Constitution. (A-14)

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve Agenda Item Nos. 37.7 through 37.14, with the exception of Agenda Item Nos. 37.11 and 37.13; and adopt Resolution No. RES-10-0108. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

Enactment No: RES-10-0108

37. 10-0978 Recommendation to adopt the Mayor's proposed funding
15 recommendations, as amended, to the FY 11 Proposed Budget. (A-15)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0980 Recommendation to adopt the Budget Oversight Committee's proposed
16 funding recommendations, as amended to the FY 11 Proposed Budget.
(A-16)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0983 Recommendation to adopt a motion amending the proposed budget.
17 (A-17)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0986 Recommendation to declare an emergency to exist. (A-18)
18

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

37. 10-0989
19 Recommendation to declare the Appropriations Ordinance for FY 11, 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-19)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, that Agenda Item Nos. 37, 37.1 through 37.6, 37.11, 37.13 and 37.15 - 37.19 be laid over to the meeting of Tuesday, September 14, 2010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and Andrews

NEW BUSINESS:

38. 10-1021 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 3, 2010.

This Agenda Item was received and filed.

39. Affidavits of Service for the special meetings held Tuesday, September 7, 2010.

ANNOUNCEMENTS (7:28 PM)

Councilwoman Gabelich made community announcements.

Councilmember Johnson made community announcements.

Councilmember Garcia made community announcements.

Councilmember Neal made community announcements.

Councilmember O'Donnell made community announcements.

PUBLIC (7:32 PM)

Rachael Martin spoke and made budget suggestions.

10-1024 Jerry Glenn Thomas spoke regarding painting curb addresses in Long Beach; and submitted written comments.

This Handout was received and filed.

Patrick Ford spoke regarding financing for a go cart track.

Charles Hadler spoke regarding vending trucks and leaf blowers in neighborhood near Hamilton Middle School.

ADJOURNMENT (7:44 PM)

At 7:44 PM., Councilmember O'Donnell adjourned the meeting.

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