

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



Gerrie Schipske, R.N.P./J.D., 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

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## FINISHED AGENDA & MINUTES

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

Agenda Items were considered in the order presented.

### ROLL CALL (5:00 PM)

**Councilmembers** Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson,  
**Present:** Gabelich and Neal

**Councilmembers** O'Donnell  
**Absent:**

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Principal Deputy City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gary DeLong, Councilmember, Third District.

### PUBLIC COMMENT (5:02 PM)

Kathy Ryan spoke regarding the Police Officers' Association contract.

### CONSENT CALENDAR (5:04 PM)

Passed The Consent Calendar

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

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

1. [11-0904](#) Recommendation to refer to City Attorney damage claims received between August 29, 2011 and September 2, 2011.  
**A motion was made to approve recommendation on the Consent Calendar.**
2. [11-0899](#) Recommendation to authorize City Manager to amend existing purchase orders with Trane US, Inc., of La Crosse, WI (not an MBE, WBE, SBE or Local), increasing the amount by \$129,730, bringing the total purchase order amount to \$220,541, for temporary air conditioning services for the Police Department Crime Laboratory. (District 1)  
**A motion was made to approve recommendation on the Consent Calendar.**
3. [11-0905](#) Recommendation to authorize City Manager, or designee, to execute an agreement and all necessary documents between the City of Long Beach and the State of California Department of Health Services in an amount not to exceed \$76,726 for Pandemic Influenza Preparedness. (Citywide)  
**A motion was made to approve recommendation on the Consent Calendar.**
4. [11-0900](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the California Office of Traffic Safety for the 2012 Selective Traffic Enforcement Program; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$300,000. (Citywide)  
**A motion was made to approve recommendation on the Consent Calendar.**
5. [11-0901](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the National Institute of Justice FY 11 Paul Coverdell Forensic Science Improvement Grant Program; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$175,000. (Citywide)  
**A motion was made to approve recommendation on the Consent Calendar.**
6. [11-0902](#) Recommendation to authorize City Manager to execute any and all documents necessary for a lease with Ultramar, Inc., a Nevada corporation, doing business as Valero Wilmington Refinery, for

City-owned property at 2402 East Anaheim Street, Wilmington, California. (Citywide)

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

7. [11-0903](#) Recommendation to authorize City Manager to increase the contract with Fleming Environmental, Inc. (Fleming), from \$95,000 to \$160,000 annually to provide parts, repair and maintenance services for the City's fuel sites and underground storage tank (UST) systems. (Citywide)

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

### ORDINANCES (5:04 PM)

[see media](#)

8. [11-0865](#) Recommendation to declare ordinance amending Sections 2.08.070, 2.08.100, 2.08.110 and 2.08.160 of Chapter 2.08 of the Long Beach Municipal Code regarding regulation of persons who lobby public officials, read and adopted as read. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-11-0021. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

**Enactment No:** ORD-11-0021

[see media](#)

9. [11-0632](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Sections 18.48.700 and 18.48.710, both relating to the Fire Code, read and adopted as read. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Ordinance No. ORD-11-0022. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

**Enactment No:** ORD-11-0022

[see media](#)

10. [11-0869](#) Recommendation to declare Emergency Ordinance approving Resolution No. WD-1285 establishing the rates and charges to be charged for water and sewer service and declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 a.m. on October 1, 2011, read and adopted as read. (Ordinance No. ORD-11-0019). (A-3)

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Emergency Ordinance No. ORD-11-0019. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

**Enactment No:** ORD-11-0019

[see media](#)

11. [11-0885](#) Recommendation to declare ordinance adopting an amendment to Ordinance No. C-6496, adopted July 5, 1988, as amended on January 24, 1989, July 11, 1989, December 5, 1989, March 20, 1990, July 3, 1990, September 18, 1990, July 2, 1991, July 7, 1992, January 26, 1993, August 24, 1993, June 28, 1994, July 18, 1995, November 28, 1995, October 1, 1996, March 25, 1997, October 7, 1997, October 27, 1998, April 20, 1999, October 19, 1999, October 17, 2000, October 30, 2001, March 19, 2002, November 26, 2002, January 6, 2004, February 8, 2005, November 1, 2005, December 5, 2006, March 20, 2007, May 22, 2007, December 18, 2007, July 15, 2008, and September 21, 2010, relating to the Departmental Organization of the City of Long Beach, read and adopted as read. (A-11)

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Ordinance No. ORD-11-0023. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

**Enactment No:** ORD-11-0023

[see media](#)

12. [11-0892](#) Recommendation to declare ordinance approving and adopting the Official Budget of the City of Long Beach for the Fiscal Year 2011-2012, 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 for said fiscal year; declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 a.m. on October 1, 2011, read and adopted as read. (Ordinance No. ORD-11-0020). (A-18)

Mike Kowal spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Emergency Ordinance No. ORD-11-0020. The motion carried by the following vote:**

**Yes:** 5 - Garcia, Lowenthal, DeLong, Andrews and Johnson

**No:** 3 - Schipske, Gabelich and Neal

**Absent:** 1 - O'Donnell

**Enactment No:** ORD-11-0020

**NEW BUSINESS: (5:15 PM)**

13. Affidavit of Service for the special meeting held Tuesday, September 13, 2011.

14. [11-0914](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 9, 2011.

**This Agenda Item was received and filed.**

15. [11-0961](#) eComments received for the City Council meeting of Tuesday, September 13, 2011.

**This Agenda Item was received and filed.**

**ANNOUNCEMENTS: (5:15 PM)**

Councilmember Neal made community announcements.

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements.

Councilmember Garcia made community announcements.

Councilmember Johnson made community announcements.

Councilmember DeLong spoke.

**ADJOURNMENT (5:22 PM)**

At 5:22 PM, Mayor Foster adjourned the meeting.

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