

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



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

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

SPECIAL MEETING

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

Agenda items were considered in the order presented.

ROLL CALL

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

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Robert Garcia, Councilmember, First District.

Mayor Foster announced that the State of the City is later this evening at the Terrace Theater.

Presentation recognizing Dr. Martin Luther King Jr. Day.

Councilman Andrews presented a video concerning Dr. Martin Luther King Jr.

Poly High School Grace Choir performed.

Councilman Andrews spoke and the Peace Makers Awards were presented.

PUBLIC COMMENT (4:21 PM)

Mary Beth Stephens, Muscular Dystrophy Association, spoke and presented plaques.

Rich Brandt, Long Beach Firefighters Association, spoke and awarded plaques to Councilmembers O'Donnell and DeLong, and to Mayor Foster for the Fill the Boot program.

Harvey Cochran spoke regarding projects in the First District and trees.

Sam Hall spoke regarding the Port of Long Beach's "Let's Talk" series.

CONSENT CALENDAR (4:30 PM)

Passed The Consent Calendar

A motion was made by Councilmember Lowenthal, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 1 - 13, except for Item 2. The motion carried by the following vote:

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

Absent: 1 - Lerch

1. [10-0045](#) Recommendation to receive and file report on travel to San Francisco for the International Gay and Lesbian Leadership Conference, December 4, 2009.

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

[see media](#)

2. [09-1289](#) Recommendation to City Council to concur in recommendation of the Federal Legislation Committee to approve the 2010 Federal Legislative Agenda.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation, as amended on the floor relative to federal legislation regarding medical marijuana dispensaries, alternative transportation funding, and revision of age and veteran points requirements for admission to Gold Star Manor. The motion carried by the following vote:

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

3. [10-0047](#) Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending March 31, 2009.
A motion was made to approve recommendation on the Consent Calendar.
4. [10-0046](#) Recommendation to refer to City Attorney damage claims received between December 28, 2009 and January 4, 2010.
A motion was made to approve recommendation on the Consent Calendar.
5. [10-0048](#) Recommendation to adopt resolution certifying the results of the Special Election held in the City of Long Beach, California, on Tuesday, December 29, 2009, for the purpose of electing a Trustee for Long Beach Unified School District, Area 3.
A motion was made to approve recommendation and adopt Resolution No. RES-10-0008 on the Consent Calendar.
Enactment No: RES-10-0008
6. [10-0010](#) Recommendation to authorize City Manager to execute all necessary documents and all necessary amendments, including term extensions, with the United States Department of Homeland Security to receive and expend grant funding for the American Recovery and Reinvestment Act Port Security Grant Program; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$100,000. (Districts 1,2)
A motion was made to approve recommendation on the Consent Calendar.
7. [10-0035](#) Recommendation to adopt resolution authorizing City Manager to execute documents necessary to accept and expend funds from the State of California, Department of Boating and Waterways, to reimburse the City for costs incurred to remove and dispose of abandoned watercraft. (Districts 2,3)
A motion was made to approve recommendation and adopt Resolution No. RES-10-0009 on the Consent Calendar.
Enactment No: RES-10-0009
8. [10-0036](#) Recommendation to receive and file the application of Massoum Azadi, dba Huffs Restaurant, for a fiduciary transfer of an Alcoholic Beverage Control License, at 8105 East Wardlow Road, with existing conditions. (District 5)
A motion was made to approve recommendation on the Consent Calendar.
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9. [10-0037](#) Recommendation to receive and file the application of Dae Ho Kim and Hye Yeong Kim, dba Cherry Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3601 Cherry Avenue, with existing conditions. (District 7)
A motion was made to approve recommendation on the Consent Calendar.
10. [10-0038](#) Recommendation to receive and file the application of Chiseled Entertainment Incorporated, dba Pistons Bar, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2020 East Artesia Boulevard, with existing conditions. (District 9)
A motion was made to approve recommendation on the Consent Calendar.
11. [10-0039](#) Recommendation to request City Manager, or designee, to accept an easement deed for sidewalk widening at 1328 Canal Avenue. (District 1)
A motion was made to approve recommendation on the Consent Calendar.
12. [10-0040](#) Recommendation to request City Manager, or designee, to accept two easement deeds for sidewalk widening at 1495 Judson Avenue. (District 1)
A motion was made to approve recommendation on the Consent Calendar.
13. [10-0041](#) Recommendation to authorize City Manager, or designee, to accept a permanent grant of easement and a temporary easement agreement for storm drain purposes at 5950 Long Beach Boulevard. (District 9)
A motion was made to approve recommendation on the Consent Calendar.

REGULAR AGENDA (4:36 PM)

[see media](#)

14. [10-0042](#) Recommendation to receive and file the application of Beachside Blue Cafe Incorporated, dba Mariposa On Pine, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 217-23 Pine Avenue, with conditions. (District 2)

Councilmember Lowenthal spoke

Councilmember Reyes Uranga spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Garcia, to approve recommendation, with an additional condition that amplified music be allowed as long as it is not heard outside the structure. 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 Councilmember Lowenthal, seconded by Councilmember DeLong, that the vote for Agenda Item No. 14 be reconsidered. The motion carried by the following vote:

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

Absent: 1 - Andrews

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

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

Absent: 1 - Andrews

[see media](#)

15. [10-0043](#)

Recommendation to adopt Plans and Specifications No. R-6828 for the improvement of Mothers Beach Playground, on Appian Way at Marine Stadium; and authorize City Manager to award and execute a contract with CST Construction Company, in an estimated amount of \$272,282 plus a 10 percent contingency amount of \$27,228, if necessary, for a total of \$299,510, and any amendments thereto. (District 3)

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

Councilmember Lowenthal requested that the vote on Agenda Item No. 14 be reconsidered at this time.

[see media](#)

16. [10-0044](#) Recommendation to authorize City Manager to enter into a Stipulated Agreement and any related documents with the State Water Resources Control Board for the settlement of penalties related to prior non-compliance of the City's Underground Storage Tank (UST) systems; and
- Increase appropriations by \$1,700,000 in the General Fund (GP 100) in the Citywide Department (XC) for the negotiated UST settlement costs. (Citywide)
- Mayor Foster spoke.
- Councilwoman Gabelich spoke.
- A motion was made by Councilmember Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation. The motion carried by the following vote:**
- Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch
- Absent:** 1 - Andrews

ORDINANCES (4:47 PM)

[see media](#)

17. [09-1297](#) Recommendation to declare an urgency ordinance involving the temporary limitation (moratorium) on truck transfer and truck terminal facilities in the IG (General Industrial) Zone; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read (Ordinance No. ORD-10-0001). (Citywide)
- Vice Mayor Lerch spoke.
- Councilwoman Gabelich spoke.
- Vice Mayor Lerch spoke.
- A motion was made by Vice Mayor Lerch, seconded by Councilmember DeLong, to declare urgency Ordinance No. ORD-10-0001, read and adopted as read. The motion carried by the following vote:**
- Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch
- Enactment No:** ORD-10-0001

[see media](#)

18. [09-1012](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.22.025 relating to parking in front of private driveways, read and adopted as read. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Ordinance No. ORD-10-0002. The motion carried by the following vote:

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

No: 1 - Garcia

Enactment No: ORD-10-0002

ANNOUNCEMENTS (4:50 PM)

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements; and requested that the meeting be adjourned in memory of Gustavo Ramirez.

Councilmember Lowenthal made community announcements.

Mayor Foster spoke a congratulatory work to Mr. McGinnis, the newly elected School Board member.

Councilmember Garcia made community announcements.

Mayor Foster spoke regarding the State of the City Address.

ADJOURNMENT (4:57 PM)

At 4:57 PM, Mayor Foster adjourned the meeting in memory of Gustavo Ramirez.

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