



CITY OF LONG BEACH

C-7

DEPARTMENT OF CITY CLERK

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June 2, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council minutes for the meetings held Tuesday, May 12, 2009 and Tuesday, May 19, 2009 and the Budget meeting held Tuesday, May 12, 2009

DISCUSSION

The Legistar minutes for the City Council meetings held Tuesday, May 12, 2009 and Tuesday, May 19, 2009 and the Budget meeting held Tuesday, May 12, 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



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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:32 PM)

Councilmembers Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes

Present: Uranga and Lerch

Councilmembers Andrews and Gabelich

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; Allison Bunma, City Clerk Analyst.

SECOND ROLL CALL (3:35 PM)

Councilmembers Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews,

Present: Reyes Uranga, Gabelich and Lerch

Andrews joined the meeting. Gabelich joined the meeting.

Mayor Foster presiding.

Recommendation to hold a Budget Meeting to:

1. 09-0495 Receive and file Staff Preview for Fiscal Year 2010 budget; and

This Agenda Item was received and filed.

Pat West, City Manager, spoke and provided a PowerPoint presentation.

Councilwoman Gabelich spoke.

Lori Ann Farrell, Director of Financial Management, spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Schipske spoke.

Harvey Cochran spoke.

Pat West, City Manager, spoke.

Rich Brandt, President, Long Beach Firefighters' Association, spoke and submitted correspondence.

Mayor Foster spoke.

2. 09-0496 Receive and file Summary of Employee Suggestions/Comments.

This Agenda Item was concluded.

Agenda Item No. 2 was not discussed at the special meeting.

ADJOURNMENT (4:21 PM)

At 4:21 PM, Mayor Foster adjourned the meeting.

adb

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINTUES

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: Consent Calendar (2-9), Agenda Item Nos. 16-20, 15, 13, 1, 10, 11 and 14.

ROLL CALL (4:32 PM)

Councilmembers Garcia, S. 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; Dominic Holzhaus, Principal Deputy City Attorney; Barbara McTigue, Deputy City Attorney; Mike Mais, 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: Girl Scouts from the Fifth District.

Mayor Foster announced that Agenda Item No. 1 would be considered at 5:00 p.m, with the Consent Calendar and as many Regular Agenda items being considered as possible prior to 5:00 p.m.

HEARING (5:07 PM)

1. 09-0487 Recommendation to respectfully request City Council: (1) receive supporting documentation into the record and conduct a hearing on four appeals in accordance with Long Beach Municipal Code Section 21.21.507; and (2) uphold the Board of Harbor Commissioners' certification of the Final Environmental Impact Report for the Middle Harbor Redevelopment Project ("FEIR") by adopting resolution

(Attachment 1). (District 2)

Mayor Foster spoke.

Richard Steinke, Executive Director, PoLB, spoke.

Robert Kanter, Managing Director, Environmental Affairs, PoLB, spoke.

Anthony Beaumon, appellant, City Attorney, City of Riverside, spoke and submitted a letter and PowerPoint presentation.

Joe Aguilar, Mayor, City of Commerce, appellant, spoke and submitted a letter.

Jorge Riffa, City Administrator, City of Commerce, appellant, spoke.

Adriano Martinez, Center for Biological Diversity, appellant, spoke and submitted correspondence.

Candace Kim, Coalition for Clean Air, spoke.

Theo Golden, City of Long Beach resident, spoke.

Adriano Martinez, appellant, Center for Biological Diversity, spoke.

Jesse Marquez, Executive Director, Coalition for Safe Environment, appellant, spoke and submitted a letter.

Gabrielle Weeks spoke.

Jesse Marquez, Executive Director, Coalition for Safe Environment, appellant, spoke.

Gabrielle Weeks spoke.

Robert Kanter, Managing Director, Environmental Affairs, PoLB, spoke.

Jolene Hayes, Transportation Planner, PoLB, provided rebuttal comments and submitted correspondence from Dave Roseman, Traffic Engineer, City of Long Beach.

Robert Kanter, Managing Director, Environmental Affairs, PoLB, spoke and presented a PowerPoint presentation.

Kathryn Jensen, Rutan and Tucker, CEQA council, spoke.

Thomas Jelenic, Assistant Director, Environmental Planning, PoLB,

spoke.

Rick Cameron, Director of Environmental Planning, PoLB, spoke.

Nick Sramak, Vice President, Board of Harbor Commissioners, spoke.

Mike Walter, Secretary, Board of Harbor Commissioners, spoke.

Mario Cordero, Board of Harbor Commissioners, spoke.

Jim Hankla, President, Board of Harbor Commissioners, spoke.

Anthony Beaumon, City Attorney, City of Riverside, appellant, spoke in rebuttal.

Tom Boyd, Traffic Engineer, City of Riverside, spoke in rebuttal.

Anthony Beaumon, City Attorney, City of Riverside, appellant, spoke in rebuttal.

Jorge Riffa, City Administrator, City of Commerce, appellant, spoke in rebuttal.

Adriano Martinez, Center for Biological Diversity, appellant, spoke and submitted correspondence.

Ryan Wiggins, Communities for Clean Ports, spoke in rebuttal and submitted written comments.

Theo Golden, City of Long Beach resident, spoke in rebuttal.

Jesse Marquez, Executive Director, Coalition for Safe Environment, appellant, spoke in rebuttal.

Gabrielle Weeks spoke in rebuttal.

Gary Toebben spoke and submitted correspondence.

Vance Baugham spoke.

Greg Freeman spoke and submitted correspondence.

Patty Senecal spoke.

Blake Christian spoke.

Jessica Maldonado spoke and submitted correspondence.

Rich Dines, ILWU representative, spoke.

Norma Duran spoke and submitted correspondence.

Rich Brandt, President, Long Beach Firefighters' Association, spoke.

Mike Duree, Vice President, Long Beach Firefighters' Association, spoke.

Michael Larison spoke.

Matthew Schrap spoke.

Marnie Primmer spoke.

Elizabeth Warren spoke.

Dominick Miretti spoke.

Thomas Jacobsen spoke.

Jill Morgan spoke.

Sandy King spoke.

Sofia Carrillo spoke.

Bill Madden spoke.

Mike Mitre spoke.

Kevin Hayes spoke.

Andrew Mayorga spoke.

Joan Greenwood spoke and submitted written comments.

Rebecca Torrez spoke for Raul Rodriguez.

John Howland spoke.

Ben Rockwell spoke.

Ralph Guida spoke.

Isella Ramirez spoke.

Dan Maylor spoke.

Juan Carlos Garibay spoke.

Susan Nakamura spoke.

Martha Cota submitted written comments.

Elena Rodriguez spoke.

Larry Goodhue spoke.

Andrew Donohue spoke.

Bob Wallace spoke.

Richard Slawson spoke.

Tom Moxley spoke.

Brenda Nevarez spoke.

Tommy Fahvae spoke.

Joel Thurwachter spoke.

Piedmont Brown spoke.

Eva Ramirez spoke.

Mark Bierci spoke.

Colleen Callahan spoke.

Harold Steinberg spoke.

Michele Grubbs spoke.

Roberto Ramirez spoke.

Ann Fry spoke.

Joe Weinstein spoke.

Carlos Crinzen spoke.

Max Palma spoke.

Christian Gonzalez spoke.

Jerry Rich spoke.

Carlos Marchese spoke.

Kevin Elizondo spoke.

Denis Delgado spoke.

Hailee Didio spoke.

Jesus Puga spoke.

Evelyn Knight spoke.

Ken Casey spoke.

Kathleen Woodfield spoke.

John Taeleifi spoke.

Joseph Saldivar spoke.

Councilmember S. Lowenthal spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke and submitted final recommendations.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Vice Mayor Lerch spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor Lerch, to approve recommendation to uphold the Board of Harbor Commissioners certification of the final EIR for the middle harbor redevelopment project and request that as part of the Community Health: Port of Long Beach grant programs, that the Port regularly assess the programs and provide reports twice annually to the City Council; and that when the grant program funding amounts become fully subscribed, the Board will review it based on advancements in environmental mitigation; and adopt Resolution No. RES-09-0049. The motion carried by the following vote:

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

Enactment No: RES-09-0049

PUBLIC COMMENT (4:37 PM)

Kathy Ryan spoke regarding AB 155.

Mike Duree, Vice President of the Long Beach Firefighters' Association, spoke.

Harvey Cochran spoke regarding volunteer service.

CONSENT CALENDAR (4:36 PM)

Passed The Consent Calendar

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve Consent Calendar Items 2-9. The motion carried by the following vote:

Yes: 7 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

2. 09-0481 Recommendation to authorize agreement between the City of Long Beach and the law firm of Brownstein Hyatt Farber Schreck, LLP to assist the City Attorney in regard to a Zero Emissions Container Mover System (ZECMS). (Districts 1,2)

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

3. 09-0482 Recommendation to authorize City Attorney to pay the sum of \$47,500 in

full settlement of lawsuit entitled Jarron Bonner v. City of Long Beach et al., Case No. BC391769; \$75,000 in full settlement of lawsuit entitled Jerome Clemmons v. City of Long Beach et al., Case No. CV05-5525; \$6,500 in full settlement of lawsuit entitled Carmen Garcia v. City of Long Beach, Case No. NC051257; and \$7,508 in full settlement of claim by James A. Marshall, Claim No. C08-0818.

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

4. 09-0483 Recommendation to refer to City Attorney damage claims received between April 27, 2009 and May 4, 2009.

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

5. 09-0475 Recommendation to authorize City Manager to enter into a contract with Landscape Structures, Inc., for the purchase of playground equipment to replace the existing equipment at Mother's Beach playground, in the amount not to exceed \$105,378. (District 3)

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

6. 09-0472 Recommendation to receive and file the application of Garfield Beach CVS LLC, dba Longs Drug Store 3931, for a person-to-person transfer of an Alcoholic Beverage Control License, at 650 North Bellflower Boulevard, with existing conditions. (District 3)

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

7. 09-0473 Recommendation to authorize City Manager to execute a license agreement with the Carpenter Performing Arts Center, located on the Campus of California State University Long Beach, for a period of one day, with an option to renew the license agreement for a period of one day, each year, over the next five years at the discretion of the City Manager. (District 3)

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

8. 09-0474 Recommendation to request City Manager to accept an easement deed for the dedication of new street right-of-way related to the development of Douglas Park. (District 5)

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

9. 09-0485 Recommendation to receive and file minutes for:

Civil Service Commission - April 22, 2009.

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

REGULAR AGENDA (4:42 PM)

10. 09-0480 Recommendation to approve the City Attorney's release of documents previously withheld relating to the proposed exchange of property between LCW, LLC and the City of Long Beach.

Councilwoman Schipske spoke.

Thomas Marchese spoke.

Robert Shannon, City Attorney, spoke.

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

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

11. 09-0491 Recommendation to request City Attorney to provide guidance concerning the appropriate policies and procedures for retention of electronic documents, including but not limited to e-mails, by elected and appointed officials (i.e. Harbor, Water, Planning, Parks, Recreation and Marine, and Civil Service Commissioners) and City employees, in order to comply with the Brown Act, the California Public Records Act and State and Federal rules of evidence.

Councilwoman Schipske spoke.

Thomas Marchese 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, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

12. 09-0492 WITHDRAWN
~~Recommendation to request City Attorney to draft a resolution in support of SB 350 (Florez), AB 241 (Nava), AB 242 (Nava) and/or AB 243 (Nava); and direct City Manager to communicate the City's support to Long Beach legislative offices.~~

This Agenda Item was withdrawn.

13. 09-0493

Recommendation to refer to the Parks and Recreation Commission and the Housing and Neighborhoods Committee in accordance with Administrative Regulations for consideration of naming parks and open space sites.

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Joan Greenwood spoke.

John Stacy spoke.

Larry Goodhue spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to approve recommendation and refer to the Parks and Recreation Commission. The motion carried by the following vote:

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

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to approve recommendation and refer to the Housing and Neighborhoods Committee. The motion carried by the following vote:

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

14. 09-0494

Recommendation to request City Manager to forward communication expressing City Council's support of Propositions 1A - 1F.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilmember S. Lowenthal spoke.

Councilmember Garcia spoke.

Ben Rockwell spoke.

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

Yes: 4 - S. Lowenthal, O'Donnell, Andrews and Reyes Uranga

No: 3 - Garcia, Schipske and Gabelich

Abstentions: 1 - Lerch

Absent: 1 - DeLong

15. 09-0490

Recommendation to authorize City Manager to execute a contract with DS & Associates, LLC to perform a Reverse Sales Tax Audit for one one-year term with the option by the City to extend for two more years, with compensation to be 20% of the total recoveries collected by the City as a result of this audit, not to exceed \$350,000.

Laura Doud, City Auditor, spoke.

Councilmember O'Donnell spoke.

Councilmember S. Lowenthal spoke.

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

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

16. 09-0476

Recommendation to adopt resolution authorizing City Manager to enter into a financial assistance agreement with the State Water Resources Control Board (SWRCB); and

Authorize City Manager to execute any and all documents necessary for a new funding agreement and any amendments thereto with the SWRCB to restart the Colorado Lagoon Clean Beaches Initiative Grant Project with funding support from the American Recovery and Reinvestment Act of 2009. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-09-0045. The motion carried by the following vote:

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

Absent: 1 - Reyes Uranga

Enactment No: RES-09-0045

17. 09-0394 Recommendation to increase the contingency percentage for Contract No. 30696 with Brian Mendoza, dba Freeway Electric, for the installation of streetlights at California State University at Long Beach on Bellflower Boulevard and Palo Verde Avenue, from 15 percent to 25 percent due to extra work required relating to SCE meter locations. (District 3)

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

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

Absent: 1 - Reyes Uranga

18. 09-0477 Recommendation to adopt resolution authorizing City Manager to enter into a financial assistance agreement with the State Water Resources Control Board (SWRCB); and

Authorize City Manager to execute any and all documents necessary for a new funding agreement and any amendments thereto with the SWRCB to restart the Vortex Separation System (VSS) project at pump station 11 with funding support from the American Recovery and Reinvestment Act of 2009. (District 9)

A motion was made by Councilmember Reyes Uranga, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0046. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-09-0046

19. 09-0478 Recommendation to adopt resolution authorizing City Manager to enter into a financial assistance agreement with the State Water Resources Control Board (SWRCB); and

Authorize City Manager to execute any and all documents necessary for a new funding agreement and any amendments thereto with the SWRCB to restart the trash nets project at pump station 12 with funding support from the American Recovery and Reinvestment Act of 2009. (District 9)

A motion was made by Councilmember S. Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0047. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-09-0047

20. 09-0479

Recommendation to adopt resolution authorizing City Manager to enter into a financial assistance agreement with the State Water Resources Control Board (SWRCB); and

Authorize City Manager to execute any and all documents necessary for a new funding agreement and any amendments thereto with the SWRCB to restart the trash nets project at pump station 13 with funding support from the American Recovery and Reinvestment Act of 2009.
(District 9)

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-09-0048. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-09-0048

NEW BUSINESS (11:03 PM)

21. Affidavits of Service for the special meetings held Tuesday, May 12, 2009.

ANNOUNCEMENTS (11:03 PM)

Councilwoman Gabelich made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilman Andrews made community announcements.

Councilmember O'Donnell made community announcements.

Mayor Foster made community announcements.

PUBLIC (11:06 PM)

Ben Rockwell spoke regarding cuts to assistance programs.

Linda Hobbs spoke regarding volunteering.

ADJOURNMENT (11:08 PM)

At 11:08 PM, Mayor Foster adjourned the meeting.

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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

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 Item No. 20, which was considered following Agenda Item No. 1.

ROLL CALL (5:02 PM)

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

Councilmembers Absent: S. Lowenthal and Gabelich

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Mike Mais, 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: Robert Garcia, Councilmember, First District.

Kathy Schofield, spcaLA, presented two kittens.

Mayor Foster announced that Agenda Item No. 20 would be considered at 6:30 PM.

Proclamation for National Public Works Week.

Mike Conway, Director of Public Works, spoke.

Proclamation for Better Hearing and Speech Month.

Dr. Sherwin Basil spoke.

Presentation for Polytechnic High School Girls' Basketball Team.

Councilman Andrews spoke.

HEARINGS (5:19 PM)

1. 09-0499 Recommendation to adopt resolution approving and adopting the 2008-2014 Housing Element of the General Plan and authorize submittal to the California Housing and Community Development Department for certification. (Citywide)

Distributed at the meeting: PowerPoint presentation entitled, Revised Draft 2008-2014 Housing Element, May 19, 2009; and red-line document entitled, Proposed Revisions to Draft Housing Element.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Mike Mais, Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

Motion: Approve recommendation as originally presented without the red-lined changes.

Moved by O'Donnell, seconded by DeLong.

Motion: Substitute motion to approve recommendation for the Housing Element with the red-line revisions submitted and the following additions: [1] changing to include light industrial to the emergency shelters for homeless; and [2] changing the time line for resolving the definition of family and Housing Development Company development permanent process from 1 year to 6 months.

Moved by Reyes Uranga, motion failed due to lack of second.

Councilwoman Schipske spoke.

Mike Mais, Assistant City Attorney, spoke.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Councilmember Garcia spoke.

Ben Rockwell spoke.

Peter Baker spoke.

Richard Hernandez spoke.

Maricella Barahas spoke.

America Aceves spoke.

Becky Blair spoke.

Martha Cota spoke.

Jeannie Pearce spoke.

Stephanie Bussy spoke.

Janise McConnell spoke.

Sandra Kroll spoke.

Stacey McDemule spoke.

Jack Smith spoke.

George Bullock spoke.

Jessica Quintanno spoke.

Suzanne Brown spoke.

JoAnn Freeman spoke.

Mike Kohl spoke.

Nancy Alsweet spoke.

Erin Hoffer spoke.

Larry Goodhue spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

A substitute motion was made by Councilmember DeLong, seconded by Vice Mayor Lerch, to adopt the revised Housing Element with the red-line additions, with the exception that in the red-line pages, Policy 1.7 at the top of Page 2 read only "Annually seek out new sources of funding for affordable housing development."; that the last bullet point of Program 2.2, concerning Definition of Family, at the top of Page 3 be deleted; and adopt Resolution No. RES-09-0050. The motion carried by the following vote:

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

Absent: 2 - S. Lowenthal and Gabelich

Enactment No: RES-09-0050

2. 09-0434

Recommendation to receive supporting documentation into the record, conclude the hearing and adopt the recommendation to revoke Business License Nos. BU20408690, BU20408700 and BU20406050 for 2706 South Street, LLC, dba Ajas, located at 2706 South Street. (District 9)

Katia Mannery, owner, and Michael Magallanes, Manager, spoke.

Mike Mais, Assistant City Attorney, spoke.

Vice Mayor Lerch spoke.

Anthony Batts, Chief of Police, spoke.

Vice Mayor Lerch spoke.

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

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

Absent: 3 - S. Lowenthal, Reyes Uranga and Gabelich

PUBLIC COMMENT (7:44 PM)

Mike Ruehle spoke regarding Development Services' policy concerning plans.

Tom Stout spoke regarding employee pensions.

Ben Rockwell spoke regarding benefits.

Larry Goodhue spoke regarding vocational training.

Mayor Foster spoke.

CONSENT CALENDAR (7:57 PM)

Passed The Consent Calendar

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve Consent Calendar Items 3 -10. The motion carried by the following vote:

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

Absent: 2 - S. Lowenthal and Gabelich

3. 09-0515 Recommendation to authorize City Attorney to pay the sum of \$6,772.89 in full settlement of lawsuit entitled Liberty Mutual v. City of Long Beach, et al., Case No. 08C02834.
A motion was made to approve recommendation on the Consent Calendar.
4. 09-0500 Recommendation to approve the City Council minutes for the meeting held Tuesday, May 5, 2009.
A motion was made to approve recommendation on the Consent Calendar.
5. 09-0501 Recommendation to refer to City Attorney damage claims received between May 4, 2009 and May 11, 2009.
A motion was made to approve recommendation on the Consent Calendar.
6. 09-0502 Recommendation to authorize City Manager to execute all necessary documents and all necessary amendments, including term extensions, with the State of California Office of Emergency Services to receive and expend grant funding for the Hazardous Materials Emergency Preparedness Grant; and increase appropriations in the CUPA Fund (SR 131) in the Fire Department (FD) by \$55,000. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
7. 09-0503 Recommendation to receive and file the application of Save The Queen Beverage Incorporated, dba The Queen Mary, for a stock transfer of an Alcoholic Beverage Control License, at 1126 Queens Highway, with

existing conditions. (District 2)

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

8. 09-0504 Recommendation to receive and file the application of Beach Club Sports Bar & Grill LLC, dba The Beach Club Sports Bar & Grill, for a person-to-person transfer of an Alcoholic Beverage Control License, at 5755 East Pacific Coast Highway, with existing conditions. (District 3)

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

9. 09-0505 Recommendation to authorize City Manager to apply for, and execute, all documents and amendments necessary to accept, implement, and administer the 2009/2010 California Department of Conservation City/County Payment Program block grant. (Citywide)

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

10. 09-0513 Recommendation to receive and file the minutes for: Civil Service Commission - April 29, 2009.

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

REGULAR AGENDA (7:58 PM)

11. 09-0492 Recommendation to request City Attorney to draft a resolution in support of animal protection legislation SB 250 (Florez), AB 241 (Nava), AB 242 (Nava) and/or AB 243 (Nava); and direct City Manager to communicate the City's support to Long Beach legislative offices.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Dr. Allen Druses, Riverside County veterinarian, spoke.

Councilmember Reyes Uranga spoke.

Judy Krumpton spoke.

Brad Minell spoke.

Wendy Aragon spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember O'Donnell, to approve recommendation, revising "support" to read "to support in concept". The motion carried by the following vote:

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

Absent: 2 - S. Lowenthal and Gabelich

12. 09-0514

Recommendation to respectfully request that City Council request City Manager to examine methods of implementing a "Tax Credit Card" that highlights tax savings opportunities for employers hiring veterans, youth, disabled, unemployed due to layoff or business closure, and economically disadvantaged in the City of Long Beach and to place the card on the back side of the current Pacific Gateway Employment card.

Councilman Andrews spoke and distributed a sample card.

Jack Smith spoke.

Councilmember O'Donnell spoke.

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

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

Absent: 2 - S. Lowenthal and Gabelich

13. 09-0506

Recommendation to receive and file Investment Report for Quarter Ending March 31, 2009. (Citywide)

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

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

Absent: 2 - S. Lowenthal and Gabelich

14. 09-0456

Recommendation to approve Fiscal Year 2009 second quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

Councilmember Reyes Uranga spoke.

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

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

Absent: 2 - S. Lowenthal and Gabelich

15. 09-0508

Recommendation to receive and file the application of Brentwood Consulting Group LLC, dba Pit Stop Pizza, for an original Alcoholic Beverage Control License, at 250 East 4th Street, with conditions. (District 1)

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

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

Absent: 2 - S. Lowenthal and Gabelich

16. 09-0509

Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Carnival Corporation, dba Carnival Cruise Ship Splendor, for an original Alcoholic Beverage Control License, at Berth H 4 Cruise Ship Terminal, with conditions. (District 2)

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

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

Absent: 2 - S. Lowenthal and Gabelich

17. 09-0510

Recommendation to receive and file the application of Heineken USA Incorporated, dba Heineken USA, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 3780 Kilroy Airport Way, Suites 500 and 510, with conditions. (District 5)

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

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 3 - S. Lowenthal, DeLong and Gabelich

18. 09-0511 Recommendation to receive and file the application of Awesome Sushi LLC, dba Awesome Sushi, for an original Alcoholic Beverage Control License, at 2601 Clark Avenue, Suite A, with conditions. (District 5)

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

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 3 - S. Lowenthal, DeLong and Gabelich

19. 09-0512 Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Premium Mezcales LLC, dba Premium Mezcales LLC, for an original Alcoholic Beverage Control License, at 2200 Technology Place, with conditions. (District 7)

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

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 3 - S. Lowenthal, DeLong and Gabelich

NEW BUSINESS (8:24 PM)

20. 09-0522 Recommendation to request the Long Beach Housing Development Company to enter into a lease with the Wrigley Is Going Green Association to utilize 1950 and 1960 Henderson Avenue for use as a temporary community garden for a two-year term.

Councilman Andrews spoke.

Annie Greenfeld spoke.

Jennifer Beaver spoke.

Lisa Rebrow and Mona Ikner spoke.

Jack Smith spoke.

Councilmember Reyes Uranga spoke.

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

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

Absent: 2 - S. Lowenthal and Gabelich

21. 09-0523

Recommendation to adopt resolution proclaiming the termination of the local emergency and the local health emergency due to Swine Flu Influenza A (SWH1N1) under California Government Code Section 8630 and California Health and Safety Code Section 101080. (Citywide)

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-09-0051. The motion carried by the following vote:

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 3 - S. Lowenthal, DeLong and Gabelich

Enactment No: RES-09-0051

22. Affidavit of Service for the special meeting held Tuesday, May 19, 2009.

ANNOUNCEMENTS (8:24 PM)

Councilmember Andrews spoke regarding community events; and requested that the meeting be adjourned in memory of Victoria Morris.

Vice Mayor Lerch requested that the meeting be adjourned in memory of Sharold Axton and Harvey Davis.

Councilmember Reyes Uranga made community announcements.

ADJOURNMENT (8:28 PM)

At 8:28 PM, Mayor Foster adjourned the meeting in memory of Victoria Morris, Sharold Axton and Harvey Davis.

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