

Dr. Robert Garcia, 1st District
Dr. 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 & 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, except for Agenda Item Nos. 22 and 23, which were considered following Public Comment.

ROLL CALL (5:04 PM)

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

Councilmembers Garcia
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Michael 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: Dr. Suja Lowenthal, Vice Mayor and Councilmember, Second District.

Mayor Foster announced that Agenda Item Nos. 22 and 23 would be considered following Public Comment.

Proclamation presented to Signal Hill Petroleum for supporting Partners of Parks "Movies in the Park" program.

Deborah Russell, Signal Hill Petroleum, spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

Certificates of Recognition presented to Neighborhoods, USA award recipients, Sixth and Ninth Districts.

[11-0630](#) Distributed at the meeting: Flyers for the Peace Garden - Weed & Seed program (6th District) and the One Day Christmas Store (9th District).

This Handout was received and filed.

Councilmember Neal spoke.

Jack Smith spoke.

Councilmember Johnson spoke.

Councilman Andrews spoke.

Annie Greenfeld spoke.

Deborah Kern spoke.

Proclamation presented to Long Beach Poly High School Boys and Girls Track Teams for Winning State Championships 2010-2011.

Councilman Andrews spoke.

Crystal Irving spoke.

Councilmember Johnson spoke.

PUBLIC COMMENT (5:35 PM)

David Zink spoke regarding L.E.A.P. (Law Enforcement Against Prohibition).

Robert Dewey Hoskins spoke regarding old post card of Long Beach.

CONSENT CALENDAR (5:55 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 9. The motion carried by the following vote:

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

Absent: 1 - Garcia

1. [11-0596](#) Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay (1) \$160,177.50 for Stipulations with Request for Award, and (2) \$154.61 per week for cost-of-living adjustments, for a Life Pension thereafter for Dale Mukanos, in compliance with the Appeals Board Order.
A motion was made to approve recommendation on the Consent Calendar.
2. [11-0615](#) Recommendation to authorize City Attorney to pay the sum of \$67,500 in full settlement of lawsuit entitled Allianz Global Insurance Company as Archbishop of Los Angeles v. City of Long Beach, Case No. NC054943; \$6,500 in full settlement of lawsuit entitled Garcia v. COLB, et al; and \$89,000 in full settlement of lawsuit entitled Long Beach Area Chamber of Commerce et al., v. City of Long Beach, Case No. 07-55691.
A motion was made to approve recommendation on the Consent Calendar.
3. [11-0619](#) Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending December 31, 2010.
A motion was made to approve recommendation on the Consent Calendar.
4. [11-0597](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, June 7, 2011.
A motion was made to approve recommendation on the Consent Calendar.
5. [11-0598](#) Recommendation to refer to City Attorney damage claims received between June 6, 2011 and June 13, 2011.
A motion was made to approve recommendation on the Consent Calendar.
6. [11-0600](#) Recommendation to authorize City Manager to execute a nonexclusive right-of-entry permit to California State University, Fullerton to enter City-owned property commonly known as Jack Dunster Marine Biological

Reserve, for the purpose of engaging in a native olympia oyster restoration project, commencing July 1, 2011 through December 31, 2017. (District 3)

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

7. [11-0497](#) Recommendation to authorize City Manager to execute any and all documents necessary for the First Amendment to Lease No. 27347 between the City of Long Beach and Jean A. Tanaka, an individual, for City-leased property at 1400 West Wardlow Road for its continued use as Tanaka Park. (District 7)

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

8. [11-0601](#) Recommendation to authorize City Manager to amend Purchase Order No. BPTS10000012 with Langham Consulting Services to increase the amount by \$45,000 to a total of \$136,800 to complete negotiation services for the selection of a new utility customer information system and related systems. (Citywide)

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

9. [11-0602](#) Recommendation to receive and file minutes for:
Civil Service Commission - June 1, 2011.
Planning Commission - May 5, 2011.

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

REGULAR AGENDA (5:39 PM)

[see media](#)

10. [11-0620](#) Recommendation to rescind City Council action of February 15, 2011, regarding a public notice of protest on the application of EJM Mini Mart for an original Alcoholic Beverage Control License, at 2221 Palo Verde Avenue, Suite 1G; and direct City Clerk to notify the Alcoholic Beverage Control Board of the City Council action to rescind.

Councilmember O'Donnell spoke.

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

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

Absent: 1 - Garcia

[see media](#)

11. [11-0621](#)

Recommendation to request City Manager to schedule a study session before the 2012 budget process is completed that discusses: the collective bargaining laws which the City must follow and how the City could make the collective bargaining process more transparent to the public, including but not limited to, adopting the transparency process utilized by the Long Beach Unified School District.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Robert Shannon, City Attorney, spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve recommendation, with meeting to be scheduled as a special meeting, not a study session. The motion carried by the following vote:

Yes: 6 - Lowenthal, DeLong, Schipske, Andrews, Johnson and Gabelich

No: 2 - O'Donnell and Neal

Absent: 1 - Garcia

[see media](#)

12. [11-0603](#)

Recommendation to receive and file the First Annual Lobbyist Registration Program Report for the period of April 11, 2010 through March 31, 2011, and (1) request City Attorney to prepare amendments to Long Beach Municipal Code Chapter 2.08, related to lobbyist registration; (2) direct City Clerk to increase initial registration and renewal fees to (two hundred seventy-five dollars) \$275, and to increase mid-year (after June 30th) registrations fees to (one hundred and thirty-eight dollars) \$138 for persons registering for the first time; and (3) incorporate the increased fees into the master fees and charges

schedule for Fiscal Year 2012. (Citywide)

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

Councilwoman Gabelich spoke.

Larry Herrera, City Clerk, spoke.

Councilmember DeLong spoke and withdrew his motion.

Councilmember O'Donnell spoke.

Larry Herrera, City Clerk, spoke.

Vice Mayor Lowenthal spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

Mike Murchison spoke.

Gary Shelton spoke.

Ilena Rodriguez spoke.

Mayor Foster spoke.

Cindy Soto spoke.

Eric Tendike spoke.

Robert Shannon, City Attorney, spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation to receive and file the report. The motion carried by the following vote:

Yes: 7 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal

Absent: 2 - Garcia and Johnson

[see media](#)

13. [11-0604](#)

Recommendation to approve and authorize City Manager to execute a

first amendment to the Agreement to Negotiate Exclusively with City Ventures, LLC, for the development of Broadway and Elm Avenue. (District 2)

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

Yes: 7 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal

Absent: 2 - Garcia and Johnson

[see media](#)

14. [11-0605](#)

Recommendation to adopt The Principles for Active Living and Complete Streets for inclusion in the update to the Long Beach General Plan update. (Citywide)

Distributed at the meeting: PowerPoint presentation.

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

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

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

Absent: 1 - Garcia

[see media](#)

15. [11-0606](#)

Recommendation to receive and file a presentation on billboards and provide guidance on the proposed changes to the City's billboard regulations. (Citywide)

Distributed at the meeting: PowerPoint presentation.

Amy Bodek, Director of Development Services, spoke; and provided a PowerPoint presentation.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember Neal, seconded by Vice Mayor Lowenthal, to direct the City Manager to present to the Planning Commission proposed regulations for their consideration that include a cap and trade policy to remove as many neighborhood billboards and blight causing billboards in exchange for significantly fewer modern electronic billboards; and further request the City Manager to include proposed regulations for Planning Commission consideration that include possible revenue generating opportunities, mobile billboards, optimal exchange ratios, and implementation of a Conditional Use Permit process, where appropriate. The motion carried by the following vote:

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

Absent: 1 - Garcia

[see media](#)

16. [11-0607](#)

Recommendation to declare specified properties as surplus; and authorize City Manager to execute any and all documents necessary for the conveyance of property described in Exhibit A to the Redevelopment Agency of the City of Long Beach from the City of Long Beach upon completion of the declaration of surplus process.
(Districts 1,2,6)

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

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

Absent: 1 - Garcia

[see media](#)

17. [11-0616](#)

Recommendation to adopt Specifications No. PA-01411 and award a contract to General Security, Inc., of Wilmington, CA (not an MBE, WBE, SBE, or Local), in an estimated annual amount not to exceed \$375,000, for providing security guard services for a period of one year, with the option to renew for one additional one-year period, at the discretion of the City Manager. (Citywide)

Wendy Beerbower, Senior Vice President of Sales, Heritage Security Company, spoke.

Chris Ward, IAM, spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Wendy Beerbower, Senior Vice President of Sales, Heritage Security Company, spoke.

Richard DeLong, President of General Security, spoke.

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

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

Absent: 1 - Garcia

[see media](#)

18. [11-0599](#) Recommendation to authorize City Manager to purchase excess workers' compensation insurance for the period of July 1, 2011 through July 1, 2012, through Marsh USA, Inc., for a total premium not to exceed \$320,000. (Citywide)

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

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

Absent: 1 - Garcia

[see media](#)

19. [11-0608](#) Recommendation to authorize City Manager to purchase excess municipal liability insurance for the period of July 1, 2011 through July 1, 2012, through Marsh USA, Inc., for a total premium not to exceed \$575,000;

Authorize City Manager to purchase airport liability insurance for the period of June 30, 2011 through June 30, 2012, through Marsh USA, Inc., for a total premium not to exceed \$60,000; and

Authorize City Manager to purchase aircraft liability and hull insurance for police helicopters for the period of June 30, 2011 through June 30, 2012, through Marsh USA, Inc., for a total premium not to exceed \$105,000. (Citywide)

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

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

Absent: 1 - Garcia

[see media](#)

20. [11-0609](#) Recommendation to authorize City Manager to purchase "all risk" property insurance for City buildings, contents, and vehicles through the Alliant Insurance Service's Public Entity Property Insurance Program, for a total premium of \$603,000 for the period from July 1, 2011 through July 1, 2012. (Citywide)

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

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

Absent: 1 - Garcia

[see media](#)

21. [11-0610](#)

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, 2011 through July 1, 2012, through Alliant Insurance Services, Inc., for a total premium not to exceed \$256,438. (Citywide)

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

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

Absent: 1 - Garcia

[see media](#)

22. [11-0611](#)

Recommendation to authorize City Manager to execute a cooperative agreement between Caltrans, the City of Long Beach, and the City of Seal Beach, to improve the intersection of the SR-22 Studebaker Road off-ramp and College Park Drive, located in the City of Long Beach. (District 3)

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

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

Yes: 7 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal

Absent: 2 - Garcia and Johnson

[see media](#)

23. [11-0612](#)

Recommendation to authorize City Manager to execute an exchange agreement, on behalf of the City of Long Beach (City) as both a municipality and as the Trustee for the State of California (State), and all related documents to convey to the State Lands Commission (SLC) the Queensway Bay Parcel (QWB Trust Termination Parcel) and immediately receive the parcel back no longer subject to the Tidelands Trust or granting statutes, and to convey to the SLC the Bixby Park Parcel, the Colorado Lagoon Parcel and the Marine Stadium Channel Parcel (Public Trust Parcels) and immediately receive these parcels back on a forty-nine year lease from the SLC subject to the Tidelands Trust;

Find that these activities are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations 15061 as a statutorily exempt project pursuant to Public Resources Code Sections 21080.11 and 15282(f), settlement of title and boundary problems and to exchanges or leases in connection with those settlements; and that these activities are consistent with the use classification designated by the City of Long Beach for the land pursuant to Public Resources Code Sections 6307, et seq.; and

Authorize City Manager to work with the SLC to pursue the enactment of legislation necessary to allow the State to transfer to City as Trustee, all right, title, and interest in the Public Trust Parcels as provided for in the Exchange Agreement. (Districts 2,3)

Michael Conway, Director of Public Works, spoke; and provided a PowerPoint presentation.

Vice Mayor Lowenthal spoke.

Gary Shelton spoke; and submitted correspondence.

Bob Maguglin, Director of Public Relations, Long Beach Convention and Visitors Bureau, spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

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

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

Absent: 1 - Garcia

[see media](#)

24. [11-0613](#)

Recommendation to authorize City Manager to execute agreements with PAETEC to provide local and long distance telephone services in an annual amount not to exceed \$230,000 for a period of three years. (Citywide)

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

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

Absent: 1 - Garcia

[see media](#)

25. [11-0614](#)

Recommendation to authorize City Manager to execute an agreement and all related documents with Solnovo, Inc., to provide personal computer (PC) replacement/installation services in an amount not to exceed \$195,000 for a period of one year, with the option to extend for two additional one-year periods, at the discretion of the City Manager. (Citywide)

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

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

Absent: 1 - Garcia

ORDINANCE (7:45 PM)

[see media](#)

26. [11-0617](#)

Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 5.87 "Medical Marijuana Collective" by amending Subsection 5.87.015.L relating to the definition of "Park" and "Public Park," read for 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 Johnson, seconded by Councilman Andrews, 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 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

No: 1 - Gabelich

Absent: 1 - Garcia

NEW BUSINESS (7:46 PM)

[see media](#)

27. [11-0622](#) Recommendation to receive and approve a new appointment to fill the Mayor's alternate position on the Los Angeles County Sanitation Board.

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

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

Absent: 1 - Garcia

28. Affidavits of Service for the special meetings held Tuesday, June 21, 2011.

29. [11-0627](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, June 17, 2011.

This Agenda Item was received and filed.

30. [11-0631](#) eComment received for the City Council meeting of Tuesday, June 21, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:47 PM)

Vice Mayor Lowenthal made community announcements.

Councilwoman Schipske requested that the meeting be adjourned in memory of Michael Allen Parker; and made community announcements.

Councilmember Neal made community announcements.

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Johnson requested that the meeting be adjourned in memory of Kim Powers; and made community announcements.

ADJOURNMENT (7:58 PM)

At 7:58 PM, Mayor Foster adjourned the meeting in memory of Michael Allen Parker and Kim Powers.

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