

Robert Garcia, 1st District
Suja Lowenthal, Vice Mayor, 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
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

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.

ROLL CALL (5:48 PM)

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

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

Vice Mayor Lowenthal presiding.

Invocation: Moment of Silence.

Flag Salute: Gerrie Schipske, Councilwoman, Fifth District.

Recognition of Chrissy Strong Marshall Kickball Tournament.

Councilmember O'Donnell spoke.

Joe Levy, Long Beach Police Department, spoke.

Vice Mayor Lowenthal spoke.

Proclamation for Black History Month February 2011.

Vice Mayor Lowenthal spoke.

Students from Cabrillo High School spoke.

Councilmember Johnson joined the meeting.

Students from Lakewood High School spoke.

Student from Jordan High School spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilmember Neal spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal and Councilmembers Andrews and Neal presented proclamations to the students.

HEARINGS: (6:02 PM)

[see media](#)

1. [11-0110](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, deny the appeal of Gloria Calixto and uphold the decision of the Planning Commission to deny a Conditional Use Permit to establish a teen counseling center (18 years and under) to include tutoring, substance abuse and general counseling services in an existing legal nonconforming commercial building located at 420 Grand Avenue within the R-3-T residential zone. (District 3)

Suzanne Frick, Assistant City Manager, spoke.

Amy Bodek, Director of Development Services, spoke.

Derek Burnham, Current Planning Officer, spoke.

Ilbert Philips, attorney representing Gloria Calixto, spoke.

Dr. Leo, President, Filipino American Association, spoke.

Ben Rockwell spoke.

Dianne Sundstrom spoke.

Jennifer Perez spoke.

Jessica Bermudez spoke.

Craig Starnes spoke.

Ms. Brown spoke.

Councilmember DeLong spoke.

John Hobbs spoke.

Mike Mais, Assistant City Attorney, spoke.

Barbara Brady spoke.

Bette McKinney spoke.

Ibert Philips, attorney representing Gloria Calixto, spoke.

Gary Woodruff spoke.

Paul Forman spoke.

Larry Troxel spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Amy Bodek, Director of Development Services, spoke.

Councilmember Johnson spoke.

Amy Bodek, Director of Development Services, spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, approve recommendation to deny the appeal of Gloria Calixto and uphold the decision of the Planning Commission to deny a Conditional Use Permit to establish a teen counseling center. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Mayor Foster assumed the Chair.

[see media](#)

2. [11-0111](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with conditions on the application of S.C. Fish Grille Ltd., dba Khoury's Restaurant, 110 N. Marina Drive, for Entertainment with Dancing by Patrons. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation to grant a One-Year Short-Term Permit with conditions. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

PUBLIC COMMENT (6:42 PM)

[11-0189](#) David Zink spoke and submitted information regarding a letter to City Attorney regarding Pack v. City of Long Beach.

This Handout was received and filed.

CONSENT CALENDAR (6:45 PM)

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Vice Mayor Lowenthal, to approve Consent Calendar Items 3-4. The motion carried by the following vote:

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

Absent: 1 - Johnson

3. [11-0127](#) Recommendation to refer to City Attorney damage claims received between January 24, 2011 and January 31, 2011.

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

4. [11-0126](#) Recommendation to receive and file minutes for: Civil Service Commission - January 19, 2011.

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

REGULAR AGENDA (6:45 PM)

[see media](#)

5. [11-0130](#) Recommendation to receive and approve the following Commission/Board/Committee new appointments and reappointment to Non-Charter Commissions.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

6. [11-0123](#) Recommendation to authorize City Manager to execute agreements with the Law Offices of Michael M. Peters and Colantuono and Levin, Professional Corporation, pertaining to matters involving Civil Service Disciplinary Hearings.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

7. [11-0131](#) Recommendation to receive and file the Proposition H Audit Report for the fiscal year ending September 30, 2010.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

8. [11-0112](#) Recommendation to adopt resolution making certain findings regarding the construction of certain public improvement projects with North Long Beach Redevelopment Project Area Funds. (Districts 8,9)

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-11-0014. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Enactment No: RES-11-0014

[see media](#)

9. [11-0113](#) Recommendation to authorize City Manager to notify the Los Angeles County Auditor-Controller that the City of Long Beach and its Redevelopment Agency (Agency) intends to fund the FY11 Supplemental Educational Revenue Augmentation Fund (SERAF) payment required by Section 33690.5(a) of the California Health and Safety Code using the Agency's tax increment revenue in the amount of \$6,076,852. (Citywide)

Councilmember O'Donnell spoke.

Amy Bodek, Director of Development Services, spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

10. [11-0114](#) Recommendation to approve the amendment to the Fiscal Year 2010 - 2011 Action Plan incorporating the Neighborhood Stabilization Program 3 (NSP3); authorize City Manager to execute all necessary documents with the United States Department of Housing and Urban Development (HUD) to receive NSP3 funds in the amount of \$1,567,935, and all documents for the City related to acceptance of the grant award, NSP3 purchase/sale agreements, loan documents and all related documents for NSP3 funded transactions; and increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Development Services (DS) by \$1,567,935. (Citywide)

Amy Bodek, Director of Development Services, spoke.

Lorette Healy spoke.

Councilmember Johnson spoke.

Amy Bodek, Director of Development Service, spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

11. [11-0115](#) Recommendation to approve the Fiscal Year 2011 first quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

12. [11-0117](#) Recommendation to authorize City Manager to submit applications for Airport Improvement Program Grant(s) for Fiscal Year 2011 to the Federal Aviation Administration (FAA) for funding of the following projects: Phase 3 Improvements to the Air Carrier Ramp, Rehabilitation of Access to Taxiways E and F, and Airfield Geometry Study; and to accept such grant(s), execute grant documents, and amend grant documents and grant amounts from the FAA for entitlement and discretionary funds. (District 5)

Mario Rodriguez, Director of Long Beach Airport, spoke.

Councilmember O'Donnell spoke.

Mario Rodriguez, Director of Long Beach Airport, spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

13. [11-0118](#) Recommendation to authorize City Manager to execute any and all documents necessary for a Facility Sharing Agreement between the City of Long Beach as Unit Operator of the West Wilmington oil operations and Occidental Petroleum Long Beach, Inc., as owner of the Pico oil operations; and authorize City Manager to execute any and all documents necessary for a pipeline agreement between the City of Long Beach, as a municipal corporation, and Occidental Petroleum Long Beach, Inc., as owner of the Pico oil operations. (Districts 1,2)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

14. [11-0095](#) Recommendation to adopt Plans and Specifications No. R-6857 for Shoreline Drive Advance Traffic Control System, award the project to, and authorize City Manager to execute all documents necessary to enter into a contract with FlatIron Electric Group, Incorporated, in an estimated amount of \$2,556,618, plus a 25 percent contingency of \$639,155, for a total of \$3,195,773, and to execute any necessary amendments thereto. (District 2)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

ORDINANCES (6:57 PM)

[see media](#)

15. [11-0124](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Subsection 2.03.060.C, relating to committees 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 Johnson, seconded by Councilmember Garcia, 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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

16. [11-0125](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 2.03.076, relating to fiscal impact statement for agenda items authored by a councilmember 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 Johnson, seconded by Councilwoman Schipske, 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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

17. 11-0116 Recommendation to declare ordinance amending Long Beach Municipal Code Sections 14.36.010, 14.36.020, and 14.36.050, all relating to

house numbers on curbs read the first time and laid over to the next regular meeting of City Council for final reading. (Citywide)

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

**A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, to refer to the Public Safety Committee
The motion carried by the following vote:**

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

18. [11-0119](#)

Recommendation to declare ordinance amending Chapter 10.50 of the Long Beach Municipal Code, relating to bicycle registration read the first time and laid over to the next regular meeting of the City Council for final reading;

Direct City Manager to cease the City's current bicycle licensing/registration practices and enforcement related to licensing; and

Request City Manager to initiate a public information campaign directing residents to the National Bike Registry, or other online registry service, for voluntary bicycle registration. (Citywide)

Patrick West, City Manager, spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

Ronnie Sanland spoke.

Darryl Armstrong spoke.

Mike Clemsons spoke.

Sarah Wint spoke.

Jerome Perdrasky spoke.

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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

NEW BUSINESS (7:09 PM)

[see media](#)

19. [11-0179](#) Recommendation to adopt resolution declaring Friday, February 4, 2011 as "Go Red For Women Day."

A motion was made by Councilwoman Gabelich, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0015. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Enactment No: RES-11-0015

[see media](#)

20. [11-0177](#) Recommendation to receive and file report on State Legislation Committee trip to Sacramento, January 24, 2011.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

21. [11-0178](#) Recommendation to receive and file report on State Legislation Committee trip to Sacramento, January 24, 2011.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

22. [11-0180](#) Recommendation to receive and file report on State Legislation Committee trip to Sacramento, January 24, 2011.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

23. [11-0181](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, February 4, 2011.

This Agenda Item was received and filed.

24. Affidavits of Service for the special meetings held Tuesday, February 8, 2011.

ANNOUNCEMENTS (7:15 PM)

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember Garcia made community announcements.

Councilmember O'Donnell requested that the meeting be adjourned in memory of Dave Garcia, North Division Police Department.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

ADJOURNMENT (7:25 PM)

At 7:25 PM, Mayor Foster adjourned the meeting in memory of Dave Garcia.

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