



CITY OF LONG BEACH

C-4

DEPARTMENT OF CITY CLERK

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April 19, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the Minutes for the City Council Meeting Held Tuesday, April 5, 2011

DISCUSSION

The Legistar minutes for the City Council Meeting held Tuesday, April 5, 2011, 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 O. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

Robert Garcia, 1st District
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 & 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 were considered in the order presented, with the exception of Agenda Item No. 3, which was considered following the Consent Calendar vote; Agenda Item No. 19, which was considered following Agenda Item No. 16; and Agenda Item No. 30, which was considered following Agenda Item No. 26.

ROLL CALL (5:08 PM)

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

Councilmembers Neal
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; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: James Johnson, Councilmember, Seventh District.

Mayor Foster announced that Agenda Item No. 4 was withdrawn, and that Councilmember Neal would not be in attendance.

Proclamation for Heroic Efforts.

Mayor Foster presented the proclamations.

Proclamation declaring April National Library Month.

11-0359 Distributed at the meeting: Brochure of Library Month events and PowerPoint presentation.

This Agenda Item was received and filed.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Councilman Andrews spoke.

Proclamation declaring April National Donate Life Month.

Vice Mayor Lowenthal spoke.

PUBLIC COMMENT (5:31 PM)

Bill Orton, representing Senator Roderick Wright, 25th District, spoke regarding redevelopment and the State budget.

Mayor Foster spoke.

John Deats spoke regarding the seismic nodal study.

Councilwoman Gabelich spoke.

Larry Goodhue spoke regarding a variety of issues.

Larry Boland spoke regarding check and balance system.

Hughes Middle School Green Team spoke regarding E-Waste drive.

Councilwoman Gabelich spoke.

CONSENT CALENDAR (5:48 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilmember Johnson, to approve Consent Calendar Items 1 - 16, except for Items 3 and 4. The motion carried by the following vote:

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

Absent: 1 - Neal

1. 11-0106 Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee to rename the community center at Cesar E. Chavez Park "The Jenny Oropeza Community Center."
A motion was made to approve recommendation on the Consent Calendar.
2. 11-0107 Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee to name the new park at 14th Street and Magnolia Avenue "Seaside Park."
A motion was made to approve recommendation on the Consent Calendar.
3. 11-0256 Recommendation to adopt resolution recognizing various provisions of the Long Beach Municipal Code that regulate illegal garage conversions as the "Aviles Law."

Councilman Andrews spoke.
A motion was made by Councilman Andrews, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0044. The motion carried by the following vote:
Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Gabelich
Absent: 1 - Neal

Enactment No: RES-11-0044
4. 11-0319 Recommendation to adopt resolution in support of Healthy School Zones in the City of Long Beach.

This Agenda Item was withdrawn.
5. 11-0320 Recommendation to adopt resolution recommending to the Intermodal Container Transfer Facility (ICTF) Joint Powers Authority that it include a

zero emission goods movement system option in the environmental impact report for the proposed ICTF Modernization and Expansion Project. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-11-0040 on the Consent Calendar.

Enactment No: RES-11-0040

6. 11-0300 Recommendation to approve the minutes for the City Council meetings of March 15 and 22, 2011.

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

7. 11-0301 Recommendation to refer to City Attorney damage claims received between March 14, 2011 and March 28, 2011.

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

8. 11-0317 Recommendation to approve the destruction of records for the Department of Development Services as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-11-0041 on the Consent Calendar.

Enactment No: RES-11-0041

9. 11-0302 Recommendation to approve the destruction of records for the Department of Library Services as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-11-0042 on the Consent Calendar.

Enactment No: RES-11-0042

10. 11-0303 Recommendation to approve the destruction of records for the Long Beach Police Department, Records and Technology Division as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-11-0043 on the Consent Calendar.

Enactment No: RES-11-0043

11. 11-0318 Recommendation to receive and approve changes to the Conflict of Interest Code of the City of Long Beach Development Services Department and Long Beach Transit.

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

12. 11-0304 Recommendation to authorize Department of Development Services to process a refund in the amount of \$33,989 to Interior Architects for the property located at 3880 Kilroy Airport Way. (District 5)

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

13. 11-0306 Recommendation to request City Attorney to prepare and authorize City Manager to execute an amendment to Contract No. 31544, extending the term to May 31, 2011 and increasing the previously authorized amount of \$2,141,677 by \$58,323, for a new total of \$2,200,000, for the relocation of natural gas pipelines. (Citywide)

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

14. 11-0307 Recommendation to authorize City Manager to execute an agreement with the Long Beach Unified School District for food preparation for the 2011 Summer Food Service Program; execute sponsor/site agreements with the agencies listed on Attachment A; and execute any future documents, including amendments, necessary to accept funds, implement, and administer the 2011 Summer Food Service Program. (Districts 1,2,4,6,7,8,9, portions of Signal Hill)

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

15. 11-0308 Recommendation to authorize City Manager to execute a contract with Fleming Environmental Inc., in an amount not to exceed \$150,000 to provide parts, repair and maintenance services for the City's fuel sites and underground storage tank systems, and increase the current spending authority from \$95,000 to \$150,000. (Citywide)

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

16. 11-0309 Recommendation to receive and file minutes for:
Civil Service Commission - March 9 and 16, 2011.
Cultural Heritage Commission - January 10, 2011.
Parks and Recreation Commission - February 17, 2011.
Planning Commission - March 3, 2011.
Water Commission - February 17, 2011.

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

UNFINISHED BUSINESS (5:55 PM)

17. 11-0030 Recommendation to City Council to concur in recommendation of the Budget Oversight Committee to support and approve the creation of a Revenue Smoothing Fund.
- Councilmember Johnson spoke.
- Councilmember O'Donnell spoke.
- Councilmember Garcia spoke.
- Councilwoman Gabelich spoke.
- Councilmember DeLong spoke.
- Pat West, City Manager, spoke.
- Mayor Foster spoke.
- Councilwoman Schipske spoke.
- Councilwoman Gabelich spoke.
- Motion: Substitute motion to receive and file item and wait for report from City Manager.
Moved by Gabelich, motion failed due to lack of second.
- Mayor Foster spoke.
- A motion was made by Councilmember Johnson, seconded by Councilmember DeLong, to approve recommendation to request City Manager, consistent with GASB 54 and a comprehensive review and potential restructuring of our reserves, to prepare a mechanism for smoothing revenues between fiscal years for City Council consideration. The motion carried by the following vote:**
- Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Gabelich
- Absent:** 1 - Neal
18. 11-0134 Recommendation to City Council to concur in recommendation of the Budget Oversight Committee that the City Council go on record with the State Legislatures to fully support the Little Hoover Commission's recommendations regarding public pension obligations; and urge the Legislatures to implement them on our behalf, as well as the State.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Kristen Arilla spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation that the City Council send a message to the Governor and State Legislature that we urge them to evaluate each of the recommendations of the Little Hoover Commission, as well as the Governor's 12 Point Plan for Pension Reform, in order to determine the potential benefits associated with each of them. The motion carried by the following vote:

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

Absent: 1 - Neal

19. 11-0264

Recommendation to City Council to concur in recommendation of the Budget Oversight Committee to request City staff to determine the benefits that may be realized by Long Beach residents as a result of contracting out the City's street sweeping operations.

Councilmember DeLong spoke.

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

Councilmember Johnson spoke.

Suzanne Frick, Assistant City Manager, spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Laura L. Doud, City Auditor, spoke.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Russell Montooth spoke.

Chris Ward spoke.

Eric Bailey spoke.

Gary Shelton spoke.

Janet Schabow, ILWU representative, spoke.

Larry Boland spoke.

Larry Loynes spoke.

Jason, parking enforcement employee, spoke.

Paris Gilder spoke.

Regina Savage spoke.

Tommy Azunian, Athens Services, spoke.

Sandra Findley spoke.

Councilmember DeLong spoke.

A second substitute motion was made by Councilmember Johnson, seconded by Vice Mayor Lowenthal, to request that management: [1] begin evaluation of street sweeping operations, and request that management allow employees to participate in the evaluation in order to find efficiencies in all operational areas; [2] mandate that potential contractors be required to provide health insurance for employees; [3] issue a street sweeping Request for Information (RFI) rather than issue a Request for Proposal (RFP) on the same; and [4] return and present its report to the Mayor and City Council prior to conducting any Proposition L analysis. The motion failed by the following vote:

Yes: 3 - Lowenthal, DeLong and Johnson

No: 5 - Garcia, O'Donnell, Schipske, Andrews and Gabelich

Absent: 1 - Neal

A substitute motion was made by Councilmember Garcia, seconded by Councilwoman Schipske, to direct the City Manager to work with employees and to conduct a review of street sweeping operations and report back to City Council. The motion carried by the following vote:

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

Absent: 1 - Neal

Mayor Foster spoke.

REGULAR AGENDA (7:36 PM)

- 20. 11-0321** Recommendation to request City Manager to work with the Arts Council for Long Beach to determine the costs and appropriate steps for creating a Long Beach Public Art Smartphone Application, "See Long Beach," and report back to City Council within 30 days with a recommendation.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Cameron Asanti, Arts Council, spoke.

Councilmember Garcia spoke.

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

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

Absent: 1 - Neal

- 21. 11-0323** Recommendation to request City Manager to explore options for further implementation of waterless or ultra low-flow urinals throughout public facilities in the City of Long Beach.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

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

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

Absent: 1 - Neal

- 22. 11-0324** Recommendation to receive and file report on 2011 Solar Grand Prix.

Councilwoman Schipske spoke.

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

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

Absent: 1 - Neal

23. 11-0310 Recommendation that City Council review and adopt the proposed City of Long Beach Open Government Policy, which includes provisions for the continuance of existing open government actions currently implemented by the City Clerk Department and certain advisory bodies, as well as the reporting of transparency, participation, collaboration, and flagship initiatives of City departments on an annual and biennial basis.
- Councilmember Garcia spoke.
- Larry Herrera, City Clerk, spoke.
- Councilmember O'Donnell spoke.
- Councilmember Garcia spoke.
- Larry Herrera, City Clerk, spoke.
- Councilman Andrews spoke.
- Councilmember Johnson spoke.
- Vice Mayor Lowenthal spoke.
- A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation, with one change that the biennial report would be produced by the City Clerk Department. The motion carried by the following vote:**
- Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Gabelich
- Absent:** 1 - Neal
24. 11-0311 Recommendation to adopt resolution making application to and requesting the Local Agency Formation Commission of Los Angeles County to initiate annexation/detachment proceedings for certain boundary adjustments between the cities of Long Beach, Seal Beach and Los Alamitos, and Los Angeles and Orange counties.
(Districts 3,5)
- Councilmember O'Donnell spoke.
- Councilmember DeLong spoke.
- Councilwoman Schipske spoke.

Councilmember DeLong spoke.

A motion was made by Councilmember O'Donnell, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0045, with the omission of the parcel known as Area 6. The motion carried by the following vote:

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

Absent: 1 - Neal

Enactment No: RES-11-0045

25. 11-0312

Recommendation to adopt resolution approving the proposed Fiscal Year 2010-2011 Harbor Department salary resolution. (Citywide)

Councilmember DeLong spoke.

Stacey Lewis of the Harbor Department.

Councilmember Johnson spoke.

Motion: That the item be laid over for further review.
Moved by Johnson, motion failed due to lack of second.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Kristen Arilla spoke.

Larry Boland spoke.

Mayor Foster spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Johnson, that the item be laid over one week to the meeting of Tuesday, April 12, 2011. The motion carried by the following vote:

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

Absent: 1 - Neal

26. 11-0313

Recommendation to adopt amended salary resolution for Fiscal Year 2011. (Citywide)

Councilmember Johnson spoke.

Robert Shannon, City Attorney, spoke and suggested a study session.

Councilwoman Gabelich spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Johnson, that the item be laid over one week to the meeting of Tuesday, April 12, 2011. The motion carried by the following vote:

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

Absent: 1 - Neal

27. 11-0158

Recommendation to authorize City Manager to: 1) amend the City's Deferred Compensation Plan to conform to recent legislative and regulatory changes; 2) amend the Administrative Service Agreement with International City Management Association-Retirement Corporation (ICMA-RC) to extend the term for five years and enable implementation of recent changes; and 3) enter into a Consulting Service Agreement with Hyas Group, LLC, to continue providing investment advisory services to the City's Deferred Compensation Plan at an annual amount not to exceed \$90,000 with an initial term of one year, with an option to extend the term for up to two separate, consecutive one-year periods. (Citywide)

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

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

Absent: 1 - Neal

28. 11-0314

Recommendation to receive and file the application of Harold Abraham Alonzo, dba Galeanas Grill, for an original Alcoholic Beverage Control License, at 70 Atlantic 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: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Gabelich

Absent: 1 - Neal

29. 11-0315 Recommendation to authorize City Manager to execute a quitclaim deed to Los Angeles County for a pedestrian bridge crossing the Coyote Creek in the vicinity of Woodson Street, and to execute and enter all necessary documents to assign \$150,000 of Federal Surface Transportation Program-Local funds (STP-L) to Los Angeles County as the City's contribution toward the removal of this bridge structure. (District 5)

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

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

Absent: 1 - Neal

30. 11-0316 Recommendation to adopt resolution which amends the resolution approving the compensation fixed by the Board of Water Commissioners of the City for officers and employees in the Water Department. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, that the item be laid over one week to the meeting of Tuesday, April 12, 2011. The motion carried by the following vote:

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

Absent: 1 - Neal

NEW BUSINESS (8:40 PM)

31. 11-0338 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, April 1, 2011.

This Agenda Item was received and filed.

32. Affidavit of Service for the special meeting held Tuesday, April 5, 2011.

ANNOUNCEMENTS (8:40 PM)

Mayor Foster spoke regarding the Wyland water conservation challenge.

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements; and requested that the meeting be adjourned in memory of Ken Larkey and Erma Kemp.

Vice Mayor Lowenthal made community announcements.

Councilmember Johnson made community announcements.

PUBLIC (8:47 PM)

Larry Boland spoke regarding the street sweeping issue.

ADJOURNMENT (8:50 PM)

At 8:50 PM, Mayor Foster adjourned the meeting in memory of Ken Larkey and Erma Kemp.

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