

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 & 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. 17 and 24, which were considered following the ceremonial presentations.

ROLL CALL (5:16 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; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Vice Mayor Suja Lowenthal, Councilmember, Second District.

Mayor Foster announced that Agenda Item No. 21 was withdrawn and Agenda Item No. 17 would be taken out of order; and introduced Ben Harvey, the new representative from Southern California Edison.

Ben Harvey, Southern California Edison representative, spoke.

Presentation of the Larry C. Larson Awards. (5:19 PM)

Awards were presented to the City Prosecutor Department, the Development Services Department, and the Parks, Recreation and Marine Department.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Proclamation Celebrating April 18 - 22 as Earth Week and April 29 as Arbor Day. (5:34 PM)

Mayor Foster spoke and presented the proclamation.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Recognition of Poly High School Boys Basketball Team CIF State Champions. (5:29 PM)

Councilman Andrews spoke.

Coach Montoya spoke.

HEARINGS (6:23 PM)

[see media](#)

1. [11-0365](#) 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 Panama Joe's, Inc., dba Panama Joe's Café, 5100 E. 2nd Street, for Entertainment With Dancing by Patrons. (District 3)

Robert Stratke spoke.

Councilmember DeLong spoke.

Greg Garvey spoke.

Ron Gardner spoke; submitted a petition; and read a neighbor's comments.

Kurt Borstein spoke; and submitted flyers from Panama Joe's.

Elizabeth Borstein spoke.

Fabius Risk, General Manager of Panama Joe's, spoke.

Ron Newman, applicant, spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

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

Yes: 5 - Garcia, Lowenthal, DeLong, O'Donnell and Johnson

No: 2 - Andrews and Gabelich

Absent: 2 - Schipske and Neal

[see media](#)

2. [11-0366](#)

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 McCarthy's Bar Group, Inc., dba Liquid Lounge, 3522 E. Anaheim Street, for Entertainment Without Dancing by Patrons. (District 4)

Councilmember O'Donnell spoke.

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

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Gabelich

Absent: 2 - Schipske and Neal

PUBLIC COMMENT (7:09 PM)

[11-0397](#)

George Sabbaugh spoke regarding advertising for his restaurant; and submitted correspondence.

This Agenda Item was received and filed.

Gary Shelton spoke regarding the Pike land swap.

[11-0398](#)

Vern Geiger spoke regarding towing; and submitted a packet of information.

This Agenda Item was received and filed.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Chris Ward spoke regarding the RFP process for towing.

Janet Schabow spoke regarding the towing employees.

Tom Stout spoke regarding in-lieu pension pick-up.

Councilwoman Gabelich spoke.

CONSENT CALENDAR (7:31 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 3 - 15. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Gabelich

Absent: 2 - Schipske and Neal

3. [11-0368](#) Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$143,296.25 with a life pension of \$123.69 per week thereafter, subject to cost-of-living increases, for the claim of Manuel Lopez; and \$59,110 for the claim of Frank Torres, in compliance with the Appeals Board Orders.
A motion was made to approve recommendation on the Consent Calendar.
4. [11-0369](#) Recommendation to approve minutes for the City Council meeting of Tuesday, April 5, 2011.
A motion was made to approve recommendation on the Consent Calendar.
5. [11-0370](#) Recommendation to refer to City Attorney damage claims received between April 4, 2011 and April 11, 2011.
A motion was made to approve recommendation on the Consent Calendar.

6. [11-0371](#) Recommendation to authorize City Manager to execute any and all documents with the Long Beach-based Fair Housing Foundation to provide services to prevent housing discrimination and address impediments to Fair Housing Choice with an estimated total funding amount of \$85,000 per year for an initial term from April 1, 2011 through March 31, 2012, with two one-year extensions thereafter. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
7. [11-0372](#) Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Children and Families First - Proposition 10 Commission in an amount not to exceed \$197,083 for the period of July 1, 2011 through December 10, 2011 to continue the Long Beach-Wilmington Best Babies Collaborative Program, and execute service subcontracts and subsequent amendments with the listed agencies for outreach and health education. (Districts 1,6,7,9)
A motion was made to approve recommendation on the Consent Calendar.
8. [11-0373](#) Recommendation to adopt recommendations of the Homeless Services Advisory Committee for allocation of Mayor's Fund for the Homeless funds in the total amount of \$50,000 to agencies in the amounts as outlined; authorize City Manager to execute all necessary documents with these community agencies for the provision of services for the homeless; and increase appropriations in the General Fund (GP) and the Department of Health and Human Services (HE) by \$50,000. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
9. [11-0374](#) Recommendation to authorize City Manager to execute all documents with the State of California for Pacific Gateway to receive an additional \$182,123 in American Recovery and Reinvestment Act (ARRA) funds to augment the operation of its local Green Jobs Corps; to execute all documents with various initiative partners in an amount totaling \$103,000; to execute any needed subsequent amendments; and to increase appropriations by \$182,123 in the Community Development Grants Fund (SR 150) in the Human Resources Department (HR). (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
10. [11-0375](#) Recommendation to authorize City Manager to execute a one-year agreement with the County of Los Angeles, beginning July 1, 2010 and continuing through June 30, 2011, for an amount not to exceed
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\$500,000, to assist in the cost of removing debris deposited on City beaches and marinas emanating from the Los Angeles River.
(District 2)

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

11. [11-0376](#) Recommendation to increase appropriations for the California Emergency Management Agency Paul Coverdell Forensic Sciences Improvement Program grant in the General Grants Fund (SR) and in the Police Department (PD) by \$62,689. (Citywide)

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

12. [11-0377](#) Recommendation to authorize City Manager to execute subdivision agreements for offsite improvements and find that all requirements of the final subdivision map that subdivides the northern quadrant of the Douglas Park area have been satisfied; and approve the final map for Tract No. 70937-1 located north of Cover Street and west of Lakewood Boulevard. (District 5)

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

13. [11-0378](#) Recommendation to authorize City Manager to execute subdivision agreements for offsite improvements and find that all requirements of the final subdivision map that subdivides the northern quadrant of the Douglas Park area have been satisfied; and approve the final map for Tract No. 70937-2 located north of Cover Street and west of Lakewood Boulevard. (District 5)

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

14. [11-0379](#) Recommendation to authorize City Manager to execute subdivision agreements for offsite improvements and find that all requirements of the final subdivision map that subdivides the northern quadrant of the Douglas Park area have been satisfied; and approve the final map for Tract No. 70937-4 located north of Cover Street and west of Lakewood Boulevard. (District 5)

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

15. [11-0380](#) Recommendation to receive and file minutes for:
Civil Service Commission - March 30, 2011.

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

REGULAR AGENDA (5:39 PM)

[see media](#)

16. [11-0389](#) Recommendation to approve City of Long Beach participation in the Wyland Mayor's Challenge for Water Conservation.

Mayor Foster spoke.

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

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Gabelich

Absent: 2 - Schipske and Neal

[see media](#)

17. [11-0390](#) Recommendation to respectfully request City Manager to work with the City Attorney to create a Long Beach healthy food policy that promotes good nutrition and healthy environments within City facilities and at City-sponsored meetings/events (special events excluded). This policy should include standards that hold to the following:

- 100% of snacks and beverages sold in vending machines on City property where City programs operate shall meet specified nutrition standards.
- 100% of beverages and snack foods served at meetings/events led or coordinated by City staff or programs shall meet specified nutrition standards.
- Specified nutrition standards should be based on nationally recognized and accepted guidelines, similar to those used for foods and beverages sold in California schools (SB 12 and SB 965).
- The standards should include limits on sugar, fat, sodium and calories for snack foods, as well as the elimination of sugar-sweetened beverages, and limits on artificially sweetened beverages.

Councilmember Neal spoke.

Ron Arias, Director of Health and Human Services, provided a PowerPoint presentation.

Councilmember Neal spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Steve Baldwin spoke.

Jim Wershim spoke.

Chef Paul Buchanan spoke.

Steven Ahn spoke.

Cameron Pon spoke.

Jerico Williams spoke.

Wendy Lopez spoke.

David Leonard spoke.

Gloria Vargas spoke.

Jesus Estrada spoke.

Christina Cardenas spoke.

Tom Stout spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember Neal spoke.

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

Yes: 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

No: 1 - O'Donnell

[see media](#)

18. [11-0382](#) Recommendation to adopt Specifications No. FM11-015 authorizing City Manager to execute contracts and any amendments thereto with AppleOne Employment Services, a Long Beach-based business (MBE, WBE); and P.I.E. Management, L.L.C., of Anaheim Hills, CA (MBE), for temporary staffing services in a combined total amount not to exceed \$2,500,000 annually, for a period of one-year, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

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

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Gabelich

Absent: 2 - Schipske and Neal

[see media](#)

19. [11-0383](#) Recommendation to receive and file the application of Marisol Bautista Hernandez, dba Leos Mexican Food, for an original Alcoholic Beverage Control License, at 2000 East 7th Street. (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: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Gabelich

Absent: 2 - Schipske and Neal

[see media](#)

20. [11-0384](#) Recommendation to receive and file the application of Boubouffe LLC, dba Boubouffe Grille, for an original Alcoholic Beverage Control License, at 5313 East 2nd Street Suite A. (District 3)

Councilmember DeLong spoke.

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

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Gabelich

Absent: 2 - Schipske and Neal

21. 11-0217 Recommendation to find that excavations are immediately required for the general health, safety, and welfare of the City and cannot be delayed; that alternatives to excavating, such as alternative routing, or construction methods, such as boring or excavation of the parkway, are not possible; and approve a discretionary permit to excavate areas in certain City streets, that have been reconstructed within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 7,8,9)

This Agenda Item was withdrawn.

[see media](#)

22. [11-0386](#) Recommendation to terminate Contract No. 31977 with Elite Bobcat Services, Inc., (EBS) for the annual contract for concrete repairs and related improvements; award a new contract as amended with the next lowest responsible bidder, Bitech Construction Co., Inc, in an amount not to exceed \$4,000,000 annually for the annual contract for concrete repairs and related improvements as described in Plans and Specifications No. R-6866; and authorize City Manager to execute the contract and any necessary amendments thereto. (Citywide)

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

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Gabelich

Absent: 2 - Schipske and Neal

ORDINANCE (7:39 PM)

[see media](#)

23. [11-0387](#) Recommendation to declare ordinance amending the Long Beach Municipal Code relating to limitations on the number and location of smoking lounges permitted to operate in the City of Long Beach, read and adopted as read.

Councilwoman Gabelich spoke.

Young Fan spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-11-0008. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Gabelich

Absent: 2 - Schipske and Neal

Enactment No: ORD-11-0008

NEW BUSINESS (6:13 PM)

[see media](#)

24. [11-0396](#)

Recommendation to respectfully request City Council support for naming the bicycle and pedestrian path on the new Gerald Desmond Bridge after Mark Bixby;

Request City Manager communicate City Council's support to our local State legislative delegation, Caltrans District 7 and our State Legislation Committee; and

Request City Manager add this project to the Bicycle Master Plan as it is being updated.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

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

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

Absent: 1 - Schipske

25. [11-0395](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, April 15, 2011.

This Agenda Item was received and filed.

26. Affidavit of Service for the special meeting held Tuesday, April 19, 2011.

ANNOUNCEMENTS (7:43 PM)

Councilman Andrews made community announcements.

Councilmember Johnson made community announcements.

Councilwoman Gabelich made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Garcia made community announcements.

PUBLIC (7:51 PM)

Senator Roderick Wright, 25th District, spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

[11-0399](#) Ana Prado spoke regarding difficulties with permitting for remodeling home; and submitted correspondence.

This Agenda Item was received and filed.

Mayor Foster spoke.

Councilmember Johnson spoke.

ADJOURNMENT (8:14 PM)

At 8:14 PM, Mayor Foster adjourned the meeting.

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