

Dr. Robert Garcia, 1st District
Dr. Suja Lowenthal, Vice Mayor, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, R.N.P./J.D., 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 No. 4, which was considered following the Consent Calendar vote.

ROLL CALL (5:05 PM)

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

Councilmembers DeLong
Absent:

Also present: Patrick West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Assistant City Attorney; Michael Mais, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Vice Mayor Lowenthal presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: The Flying Banana Bunnies Troop from Campfire USA.

Lacy, spcaLA, presented a canine.

Certificate of Recognition for Stephen M. Ruggiero, Bronze Star recipient.

Councilwoman Schipske spoke.

Sean Strawbridge, Managing Director of Trade Relations and Port Operations, Port of Long Beach, spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Commander Ruggiero spoke.

Certificate of Recognition presented to Senior Quilting Class.

Councilman Andrews spoke.

Prime Time for Business Presentation - BAJA SONORA

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

HEARING (5:49 PM)

[see media](#)

1. [12-0218](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit on the application of 525 East Broadway Corporation, dba Bliss 525, 525 E. Broadway, for Entertainment With Dancing by Patrons. (District 2)

Evan Braude spoke.

Nancy Downs, applicant, spoke.

Henry Williams spoke.

Karen Rescide spoke.

Phil Appleby spoke.

Connie Rokley Winfrey spoke.

Joe Mars spoke.

Julie Nemichek spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation to grant a One-Year Short-Term Permit, with a modification to the hours of operation to end at 2:00 AM rather than 1:30 AM. The motion carried by the following vote:

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

Absent: 1 - DeLong

PUBLIC COMMENT (6:12 PM)

[12-0249](#) Brian D'Andrea spoke regarding Villages at Cabrillo; and submitted a packet of information.

This Handout was received and filed.

Councilmember Johnson spoke.

[12-0250](#) Larry Goodhue spoke; submitted information; and presented slides concerning the marina.

This Handout was received and filed.

[12-0251](#) Summer Hanson spoke regarding Children's Day; and submitted flyers for the event.

This Handout was received and filed.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Jim Oberst spoke regarding Children's Day.

CONSENT CALENDAR (6:26 PM)

Larry Goodhue spoke regarding Agenda Item No. 3.

Passed The Consent Calendar

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve Consent Calendar Items 2 - 12, except for Agenda Item 4. The motion carried by the following vote:

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

Absent: 1 - DeLong

2. [12-0238](#) Recommendation to respectfully request City Council to adopt resolution in opposition to any cuts, repeal and/or reduction of services provided by SB 1785 – Hayden Law.

A motion was made to approve recommendation and adopt Resolution No. RES-12-0025 on the Consent Calendar.

Enactment No: RES-12-0025

3. [12-0235](#) Recommendation to authorize City Attorney to pay sum of \$500,000 in full settlement of lawsuit entitled *Melissa Hernandez v. City of Long Beach, et al.*, Case No. NC053502; and to pay sum of \$7,500 in full settlement of lawsuit entitled *Sprout v. City of Long Beach, et al.*

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

[see media](#)

4. [12-0237](#) Recommendation to adopt resolution setting forth the City of Long Beach's commitment to obesity prevention. (Citywide)

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Christina Cardenas spoke.

A motion was made by Councilmember Garcia, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0026. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-12-0026

5. [12-0219](#) Recommendation to approve the minutes for the City Council meeting and the City Council Special Budget meeting of Tuesday, March 6, 2012.
A motion was made to approve recommendation on the Consent Calendar.
6. [12-0220](#) Recommendation to refer to City Attorney damage claims received between March 5, 2012 and March 12, 2012.
A motion was made to approve recommendation on the Consent Calendar.
7. [12-0236](#) Recommendation to request City Attorney to prepare an amendment to the Salary Resolution for Fiscal Year 2012.
A motion was made to approve recommendation on the Consent Calendar.
8. [12-0225](#) Recommendation to adopt Specifications No. PA-02312 and authorize City Manager to execute a contract and all related documents with Dataskill, Inc., of San Diego, CA (not an MBE, WBE or SBE), for the purchase of software maintenance for Lotus Domino and Lotus Notes Passport Advantage, in the total amount not to exceed \$122,898 for a period of one year. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
9. [12-0226](#) Recommendation to approve Memorandum of Understanding between the City of Long Beach and Long Beach Transit for providing gas service to a compressed natural gas bus refueling facility at Long Beach Transit's Jackson Transit Center, located at 6860 Cherry Avenue; and increase appropriation in the Gas Fund by \$100,000 to cover the cost of materials. (District 9)

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

10. [12-0221](#) Recommendation to receive and file the report, "Elevation Changes in the City of Long Beach, May 2011 through October 2011." (Citywide)

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

11. [12-0222](#) Recommendation to authorize City Manager to execute an agreement and any related documents with the Trustees of the California State University, on behalf of California State University, Long Beach, to facilitate internship opportunities at the Long Beach Senior Center, located at 1150 East 4th Street, for California State University, Long Beach, Department of Family and Consumer Sciences students, commencing upon full execution of the agreement, and expiring on December 31, 2014. (District 2)

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

12. [12-0223](#) Recommendation to receive and file minutes for:
Civil Service Commission - February 29, 2012.
Planning Commission - February 16, 2012.

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

REGULAR AGENDA (6:36 PM)

[see media](#)

13. [12-0224](#) Recommendation to adopt resolution approving the Annual and Five-Year Reports for the Transportation Improvement Fee, the Parks and Recreation Facilities Fee, the Fire Facilities Impact Fee, and the Police Facilities Impact Fee. (Citywide)

Councilwoman Gabelich spoke.

A motion was made by Councilmember Garcia, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-12-0027. The motion carried by the following vote:

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

Absent: 2 - DeLong and Neal

Enactment No: RES-12-0027

[see media](#)

14. [12-0227](#) Recommendation to authorize City Manager to execute a First Amendment to the Natural Gas Services Agreement with Shell Energy North America (SENA) providing administrative functions related to the delivery of natural gas to the City of Long Beach's natural gas pipeline system for an additional three-year term with no other change in terms. (Citywide)

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

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

Absent: 2 - DeLong and Neal

[see media](#)

15. [12-0228](#) Recommendation to authorize City Manager to execute an Use Agreement with the Los Angeles County Flood Control District for the use of LACFCD property in Long Beach for a 40-year term. (Districts 8,9)

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

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

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

Absent: 1 - DeLong

[see media](#)

16. [12-0229](#) Recommendation to receive and file the application of BA Group, Incorporated, dba Agaves, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 200 Pine Avenue Suite A, with conditions. (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: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

[see media](#)

17. [12-0230](#) Recommendation to receive and file the application of Quen Ma, dba World Market, for a premise-to-premise transfer of an Alcoholic Beverage Control (ABC) License, at 1030 East Pacific Coast Highway, submit a Public Notice of Protest to ABC, and direct City Manager to withdraw the protest if a Conditional Use Permit is granted by the Planning Commission and passes without an appeal. (District 6)

Councilman Andrews spoke.

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

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

Absent: 1 - DeLong

[see media](#)

18. [12-0231](#) Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for a Sixth Amendment to Management Agreement No. 21667 with SMG, formerly known as Spectacor Management Group, for management of the Long Beach Convention and Entertainment Center, located at 300 East Ocean Boulevard; to authorize SMG to enter into contracts beyond the term of the Agreement with the prior approval of the City Manager; and

Authorize City Manager, or designee, to execute any and all documents necessary to assume or assign the obligations of SMG under certain contracts executed by SMG in connection with its management of the Long Beach Convention and Entertainment Center. (District 2)

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

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

Absent: 1 - DeLong

[see media](#)

19. [12-0232](#) Recommendation to adopt resolution authorizing City Manager, or his designee, to submit an application to Caltrans for an Environmental Justice Transportation Planning Grant;

Authorize City Manager, or his designee, to accept a grant from Caltrans for \$250,000 for Environmental Justice Transportation Planning Grant

funds and execute all documents necessary to accept the funds; and

Increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) by \$250,000. (District 9)

Councilmember Neal spoke.

A motion was made by Councilmember Neal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-12-0028. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-12-0028

[see media](#)

20. [12-0233](#)

Recommendation to adopt resolution authorizing City Manager, or his designee, to submit an application to Caltrans for a Community-Based Transportation Planning Grant;

Authorize City Manager, or his designee, to accept a grant from Caltrans for \$300,000 for Community-Based Transportation Planning Grant funds and execute all documents necessary to accept the funds; and

Increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$300,000. (District 7)

Councilmember Johnson spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Jack Smith spoke.

John Tylefie spoke.

Woodrow Nichols spoke.

Caleb Walker, representing the youth at the Villages at Cabrillo, spoke.

Martha Herrera spoke.

Angelo Logan spoke.

Joe Vival spoke.

Brian Ulazewski spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Councilman Andrews, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0029. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-12-0029

ORDINANCE (7:02 PM)

21. [12-0215](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 1.21.060 of Chapter 1.21 relating to a pilot ballot rotation system for the June 2012 election only read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Larry Herrera, City Clerk, spoke.

Charles Parkin, Assistant City Attorney, spoke.

Councilman Andrews spoke.

A motion was made by Councilman Andrews, seconded by Councilmember Johnson, 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: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

NEW BUSINESS (7:05 PM)

[see media](#)

22. [12-0243](#) Recommendation to, by motion, request City Manager to disclose response rates of the Fire Department since cuts in services were enacted.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

Patrick West, City Manager, spoke.

Mike Garcia, Deputy Chief, Long Beach Fire Department, spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Patrick West, City Manager, spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke.

Rex Prichard, Long Beach Firefighters' Association, spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember Neal, to approve recommendation to return to City Council to disclose the response times since cuts in services were enacted, with the report broken out by station and with information concerning pre-cut response times to allow for comparison. The motion carried by the following vote:

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

Absent: 1 - DeLong

[see media](#)

23. [12-0242](#)

Recommendation to refer to the Planning Commission for recommendation of a zone change for the City-owned property on the southeast corner of 49th Street and Long Beach Boulevard (4800 - 4870 Long Beach Boulevard) to Park zone and conduct the appropriate outreach to the surrounding neighborhood to receive public input.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Dabier Snell spoke.

Rafael Palomo spoke.

Mike Donelon spoke.

Brandon Reyes spoke.

Mr. Snell spoke.

Councilmember Garcia spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

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

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

Absent: 1 - DeLong

24. [12-0241](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, March 16, 2012.

This Agenda Item was received and filed.

25. [12-0252](#) eComments received for the City Council meeting of Tuesday, March 20, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:47 PM)

Vice Mayor Lowenthal requested that the meeting be adjourned in memory of Pat Reep.

Councilman Andrews made community announcements.

Councilmember Neal made community announcements.

Councilmember Garcia made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Johnson made community announcements.

Vice Mayor Lowenthal made community announcements.

ADJOURNMENT (7:56 PM)

At 7:56 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Pat Reep.

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