



CITY OF LONG BEACH

C-2

DEPARTMENT OF CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

June 7, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the Minutes for the City Council Meetings held Tuesday, May 17 and 24, 2011, and the City Council Study Session held Tuesday, May 24, 2011.

DISCUSSION

The Legistar minutes for the City Council Meetings held Tuesday, May 17 and 24, 2011, and the City Council Study Session held Tuesday, May 24, 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,

Handwritten signature of Larry G. Herrera in black ink.

LARRY G. 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. 30, which was considered following the Presentations and prior to the Hearings; and Agenda Item Nos. 22, 19, and 20, and Public Comment, which were considered following Agenda Item No. 1 and prior to Agenda Item No. 2.

ROLL CALL (5:06 PM)

Councilmembers Garcia, Lowenthal, Schipske, Andrews, Johnson and Neal
Present:

Councilmembers DeLong, O'Donnell and Gabelich
Absent:

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gerrie Schipske, Councilwoman, Fifth District.

Mayor Foster announced that Councilmembers DeLong, O'Donnell, and Gabelich would not be in attendance.

Julie Pruitt, spcaLA, presented a canine.

Proclamation for National Public Works Week May 15-21, 2011.

Michael Conway, Director of Public Works, spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Certificate Recognizing May as Perinatal Depression Awareness Month.

Councilwoman Schipske spoke.

Andrea Gunn spoke.

Councilwoman Schipske spoke.

Pam Shaw, Health Dept. spoke.

Proclamation for C-17 Day.

Mayor Foster spoke.

Bob Ciesla, C-17 Program Manager, The Boeing Company, spoke.

Mayor Foster spoke.

HEARINGS (5:29 PM)

1. 11-0483 Recommendation to receive supporting documentation into the record, conclude the public hearing, adopt resolution making findings and approving the addendum to Los Angeles County's Final Environmental Impact Report (FEIR) dated November 16, 2010; and

Amy Bodek, Director of Development Services, spoke.

Jill Griffiths, Planning Officer, spoke.

Matthew Maddox, Rincon Consultants, Inc., spoke.

Amy Burton, Deputy City Attorney, spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Michael Mais, Assistant City Attorney, spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

Vice Mayor Lowenthal spoke.

Steven Joseph, Save the Plastic Bag Coalition, spoke.

Bill Hyatt spoke; and submitted correspondence.

Kathy Brown spoke.

Dale Whitney spoke.

Gabrielle Weeks spoke; and submitted correspondence on behalf of Los Cerritos Wetlands Land Trust.

Roger England spoke.

Kirsten James, Heal the Bay, spoke.

David Williams spoke.

Shameis Ien spoke.

Charles Moore spoke.

Robert Bailey spoke.

Angela Howe spoke.

Bill Hickman spoke.

Craig Cadwallader spoke; and submitted correspondence.

Dorothy Kenamy spoke.

Sheri McCarthy spoke.

Joe Wineberg spoke.

Sarah Suiket spoke.

Stephanie Barter spoke.

Andrew Berrera spoke.

Sona spoke.

Councilmember Johnson spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-11-0058. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

Enactment No: RES-11-0058

11-0484

Declare ordinance amending the Long Beach Municipal Code by adding Chapter 8.62 relating to regulating the use of plastic carryout bags and recyclable paper bags, and promoting the use of reusable bags in the City of Long Beach 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 Vice Mayor Lowenthal, 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: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

2. 11-0458

Recommendation to receive supporting documents into the record, conclude the public hearing, and declare ordinance amending the Zoning Regulations of the Long Beach Municipal Code, Title 21, relating to Wireless Telecommunications Facilities read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Amy Bodek, Director of Development Services, spoke.

Councilmember Neal spoke.

Michael Mais, Assistant City Attorney, spoke.

Amy Bodek, Director of Development Services, spoke.

Kristie James, ATT, spoke.

Michael Mais, Assistant City Attorney, spoke.

Amy Bodek, Director of Development Services, spoke.

Bridgit Pleasant, ATT consultant and Long Beach resident, spoke.

Amy Bodek, Director of Development Services, spoke.

Sonya Wilhaper, ATT, spoke; and submitted correspondence.

Mayor Foster spoke.

Charles Brown spoke.

Scott Longherst spoke.

Mayor Foster spoke.

Amy Bodek, Director of Development Services, spoke.

Tim Miller, T-Mobile consultant, spoke.

Mike Romberg spoke; and submitted photos.

Amy Bodek, Director of Development Services, spoke.

Paul O'Boyle spoke.

Amy Bodek, Director of Development Services, spoke.

Bridgit Pleasant, ATT consultant and Long Beach resident, spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Motion: Approve recommendation, with the following amendments to remove Sections 21.56.050.C, 21.56.100.D1A, 21.56.060.A, and 21.56.100.G; and to modify Sections 21.56.130.F3 and 21.56.060. Moved by Neal, seconded by Johnson.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Michael Mais, Assistant City Attorney, spoke.

Mayor Foster spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, that the item be laid over one week to the meeting of Tuesday, May 24, 2011. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

Mayor Foster spoke and suspended the meeting for a five minute recess.

PUBLIC COMMENT (7:49 PM)

11-0513 John Cross spoke; and submitted information regarding a petition on the ICTF BNSF Railway Yard project.

This Agenda Item was received and filed.

Councilmember Johnson spoke.

11-0521 Bernice Banares spoke regarding railyards; and submitted correspondence on behalf of the Teachers Association of Long Beach (TALB).

This Agenda Item was received and filed.

11-0531 Charles Monson spoke; and submitted a public records request regarding medical marijuana raids.

This Agenda Item was received and filed.

Claudia Escobedo Wheeler spoke regarding disposal container for needles.

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Garcia spoke.

CONSENT CALENDAR (9:10 PM)

Passed The Consent Calendar

A motion was made by Councilman Andrews, seconded by Councilmember Neal, to approve Consent Calendar Items 3 - 16. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

3. 11-0459 Recommendation to authorize City Attorney to pay sum of \$7,500 in full settlement of lawsuit entitled Estella T. Wimberly v. City of Long Beach, et al.
A motion was made to approve recommendation on the Consent Calendar.
4. 11-0488 Recommendation to authorize City Attorney to pay sum of \$15,000 in full settlement of lawsuit entitled Daly v. City of Long Beach, et al.
A motion was made to approve recommendation on the Consent Calendar.
5. 11-0460 Recommendation to approve the minutes for the City Council meeting held Tuesday, May 3, 2011.
A motion was made to approve recommendation on the Consent Calendar.
6. 11-0461 Recommendation to refer to City Attorney damage claims received between May 2, 2011 and May 9, 2011.
A motion was made to approve recommendation on the Consent Calendar.
7. 11-0462 Recommendation to approve the destruction of records for the Department of Development Services, Code Enforcement as shown in Exhibit A; and adopt resolution.
A motion was made to approve recommendation and adopt Resolution No. RES-11-0059 on the Consent Calendar.

Enactment No: RES-11-0059

8. 11-0470 Recommendation to receive and file the Registered Lobbyist 1st Quarter Report for the period of January 1, 2011 - March 31, 2011.
A motion was made to approve recommendation on the Consent Calendar.
9. 11-0485 Recommendation to adopt the revisions to the Public Works, Engineering Records Retention Schedule (as shown in Attachment I), and rescind all previously applicable Records Retention Titles for Public Works, Engineering.
A motion was made to approve recommendation on the Consent Calendar.
10. 11-0463 Recommendation to approve Community Development Advisory Commission funding recommendations for the Neighborhood Partners Program Fiscal Year 2011 to support ten neighborhood beautification and improvement projects in the amount of \$43,144. (Districts 1,2,4,6,8)
A motion was made to approve recommendation on the Consent Calendar.
11. 11-0464 Recommendation to receive and file the Comprehensive Annual Financial Report (CAFR) and Separately Issued Financial Statements for the Fiscal Year Ended September 30, 2010. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
12. 11-0465 Recommendation to authorize City Manager to execute all necessary agreements, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Proposition 10 Commission - First 5 LA in an amount not to exceed \$172,964 to augment the Long Beach Department of Health and Human Services Black Infant Health program for the period of July 1, 2011 - June 30, 2012. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
13. 11-0466 Recommendation to authorize City Manager to execute any and all documents necessary to amend the original "Condock I Conveyance" to relocate surface and use rights associated with oil production and injection located in the City of Los Angeles to facilitate the construction of a Port of Los Angeles rail yard project, and grant reciprocal rights-of-entry during construction between the City of Long Beach, City

of Los Angeles acting by and through its Board of Harbor Commissioners and the California State Lands Commission. (Citywide)

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

14. 11-0467 Recommendation to authorize City Manager to increase existing Purchase Order No. BPEN10000008 with the Los Angeles County Sanitation Districts by \$125,000, for a total amount not to exceed \$150,000, with one option to renew for three additional years for costs associated with the disposal of incinerator ash from the Southeast Resource Recovery Facility (SERRF) at the Puente Hills Landfill (Puente Hills). (Citywide)

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

15. 11-0468 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at the Beachwood BBQ and Brewing at 210 East Third Street. (District 2)

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

16. 11-0469 Recommendation to authorize City Manager to electronically apply for and implement the 2010/2011 CalRecycle Beverage Container Recycling City/County Payment Program grant. (Citywide)

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

REGULAR AGENDA (7:12 PM)

17. 11-0486 Recommendation to receive and file report on travel to Silicon Valley for the Big Ten Mayors meeting, May 2, 2011.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

18. 11-0471 Recommendation to approve and authorize the transfer of property terminating at the old Pacific Electric rail right-of-way on Eagle Street east of Myrtle Avenue from the City of Long Beach Public Works Department to the City of Long Beach Parks, Recreation and Marine Department.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

- 19. 11-0472** Recommendation to request Planning Commission to undertake a study relating to a potential zone change in PD-25 (Atlantic Avenue Planned Development District) in order to facilitate the establishment of crematoriums as a permitted, conditional, or accessory use in that Zone.

Councilman Andrews spoke.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

- 20. 11-0487** Recommendation to request Housing and Neighborhoods Committee, and Parks and Recreation Commission to consider naming the future park at 3rd Street and The Promenade "Harvey Milk Promenade Park," and report back to the City Council with a recommendation.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Chris Robeson spoke.

Eric Kenny spoke.

Ron Silvester spoke.

Mike Hernandez spoke.

Jim Down spoke.

Kari Jerreau spoke.

Kim Chan spoke.

Herlinda Cholico spoke.

Jean Pierce spoke.

John McGinnis spoke.

Joan Montoya spoke.

Alex Suiter spoke.

Marisol Gold spoke.

Grand spoke.

Angela Suiter spoke.

Councilmember Garcia spoke.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

21. 11-0473

Recommendation to authorize City Manager to execute any and all documents necessary for the conveyance of the property described in Exhibit "A" to the City of Long Beach from the Redevelopment Agency of the City of Long Beach for the purpose of constructing roadway improvements to Cherry Avenue between 19th Street and Pacific Coast Highway. (District 4)

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

22. 11-0474 Recommendation to authorize City Manager to execute a three-party Exclusive Negotiating Agreement with the Redevelopment Agency and P3 International, LLC, for the development of the southeast corner of Ocean Boulevard and South Pine Avenue. (District 2)

Gary Haytrick spoke.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

23. 11-0475 Recommendation to authorize City Manager to execute a First Amendment to the Agreement to Negotiate Exclusively with City Ventures, LLC, for the development of the 3rd Street and Pacific Avenue project. (District 1)

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

24. 11-0476 Recommendation to authorize City Manager to execute a three-party Exclusive Negotiation Agreement with the Redevelopment Agency and Wilmac Enterprises, Inc., for the northwest corner of Pacific Coast Highway and Martin Luther King Jr. Boulevard. (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: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

25. 11-0477 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the California Emergency Management Agency for the Gang Reduction, Intervention and Prevention Program in the amount of \$369,309 for two years; authorize a required in-kind match of \$369,309; and increase

appropriations in the Community Development Grants Fund (SR 150) in the Department of Development Services (DV) by \$369,309. (Districts 1,6,7,9)

Councilman Andrews spoke.

Councilmember Johnson spoke.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

26. 11-0478 Recommendation to authorize City Manager to execute all documents necessary for the Fourth Amendment to Design-Build Contract No. 28388 between the City of Long Beach and ARB Structures, Inc., for the completion of construction of the Phase I parking structure at the Long Beach Airport. (District 5)

Patrick West, City Manager, spoke.

Councilmember Johnson spoke.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

27. 11-0479 Recommendation to authorize City Manager to execute all necessary documents to amend Contract No. 31822 with EFS West for design and construction of the Phase II portion of the Shoreline Marina Fuel Dock and Underground Storage Tank (UST) Improvement Project, increase the contract price by an estimated amount of \$1,606,407, and execute all documents necessary for the implementation and administration of the Project; and

Increase appropriations in the Marina Fund (TF 403) in the Department of Parks, Recreation and Marine (PRM), by \$1,839,815 for construction and construction support costs related to this Project. (District 2)

Councilmember Johnson spoke.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

28. 11-0480 Recommendation to authorize City Manager to execute agreements with SIGMAnet and PAETEC, and related financing documents with Banc of America Public Capital Corporation, for telecommunications equipment and licenses in an approximate amount of \$852,000, including interest, payable over a four-year period, or \$213,000 annually. (Citywide)

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

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

NEW BUSINESS (5:27 PM)

29. 11-0491 Recommendation to refer to the Parks and Recreation Commission, and the Housing and Neighborhood Committee a request to name the dog park to be opened at 3401 Golden Avenue in the Wrigley Heights community the "Wrigley Heights Dog Park."

Councilmember Johnson spoke.

A motion was made by Councilmember Johnson, seconded by Councilmember Garcia, to approve recommendation and refer to the Housing and Neighborhoods Committee. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

A motion was made by Councilmember Johnson, seconded by Councilmember Garcia, to approve recommendation and refer to the Parks and Recreation Commission. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, Andrews, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Gabelich

30. 11-0429 Recommendation to adopt resolution declaring May 17, 2011 "C-17"

Day," and supporting the procurement of additional C-17 Aircraft.

A motion was made by Councilwoman Schipske, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-11-0057. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, Schipske, Johnson and Neal

Absent: 4 - DeLong, O'Donnell, Andrews and Gabelich

Enactment No: RES-11-0057

- 31. 11-0503** Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, May 13, 2011.

This Agenda Item was received and filed.

- 32. 11-0514** e-Comments received for the City Council meeting of Tuesday, May 17, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS (9:21 PM)

Councilmember Johnson made community announcements.

Councilman Andrews made community announcements.

Councilmember Garcia made community announcements.

Councilmember Neal requested that the meeting be adjourned in memory of Bill Baker; and made community announcements.

Vice Mayor Lowenthal requested that the meeting be adjourned in memory of Bill Baker; and made community announcements.

ADJOURNMENT (9:28 PM)

At 9:28 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Bill Baker.

cah

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

ROLL CALL (3:36 PM)

Councilmembers Garcia, DeLong, Schipske, Johnson, Gabelich and Neal
Present:

Councilmembers Lowenthal, O'Donnell and Andrews
Absent:

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

Mayor Foster presiding.

SPECIAL MEETING

- 11-0511 Recommendation to hold a study session to receive a presentation on:
 - Infrastructure Funding

This Agenda Item was received and filed.

Patrick West, City Manager, spoke.

Michael Conway, Director of Public Works, spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember Garcia spoke.

Mark Christoffel, Deputy Director of Public Works/City Engineer, spoke.

Councilmember Neal spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

SECOND ROLL CALL (4:13 PM)

Councilmembers Garcia, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal
Present:

Councilmembers Lowenthal and O'Donnell
Absent:

Councilman Andrews joined the meeting.

Councilwoman Schipske spoke.

ADJOURNMENT (4:15 PM)

At 4:15 PM, Mayor Foster adjourned the meeting.

cah

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. 20, which was considered following the Consent Calendar vote.

ROLL CALL (5:21 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; Heather Mahood, Chief Assistant City Attorney; Michael Mais, Assistant City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Dee Andrews, Councilman, Sixth District.

Mayor Foster introduced the guests from Huaihua City, Hunan Province, China.

CONTINUED HEARING (5:24 PM)

19. 11-0458 Recommendation to receive supporting documents into the record, conclude the public hearing, and declare ordinance amending the Zoning Regulations of the Long Beach Municipal Code, Title 21, relating to Wireless Telecommunications Facilities read the first time and laid over to the next regular meeting of the City Council for final reading.
(Citywide)

Suzanne Frick, Assistant City Manager, indicated a memorandum had

been submitted to Councilmembers, which addressed issues raised by the City Councilmembers at the previous meeting.

Michael Mais, Assistant City Attorney, spoke.

Christi James, representative for AT&T, spoke.

Bluff Heights Neighborhood Association representative spoke.

Mike Romberg spoke; and submitted pictures and a petition.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to declare ordinance, as amended, 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

PUBLIC COMMENT (5:35 PM)

Mario Codero spoke a parting word and thanked the Councilmembers for allowing him to serve the City of Long Beach.

Mayor Foster spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

11-0534 John Malveaux spoke regarding Juneteenth event; and submitted a flyer for a concert on June 19th.

This Agenda Item was received and filed.

Larry Goodhue spoke regarding public safety liability.

Tom Moxley spoke regarding the BNSF intermodal terminal.

Brett Gallo spoke regarding the BNSF intermodal terminal.

Trini Jimenez spoke regarding the BNSF intermodal terminal.

11-0532 Vern Geiger spoke; and submitted information regarding towing operation, history of efficiency and profitability.

This Agenda Item was received and filed.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

11-0533 Charles Monson spoke; and submitted a California Public Records Request regarding the December 2009 medical marijuana raids.

This Agenda Item was received and filed.

CONSENT CALENDAR (6:01 PM)

Gary Shelton spoke regarding Agenda Item No. 5.

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 6. the motion carried by the following vote:

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

Absent: 2 - Garcia and Neal

1. 11-0504 Recommendation to receive and file the Independent Accountant's Report on Agreed-Upon Procedures Applied to the Appropriations Limit Worksheet of the City of Long Beach, California for the year ended September 30, 2010.

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

2. 11-0492 Recommendation to approve the minutes for the City Council meeting and City Council Study Session held Tuesday, May 10, 2011.
A motion was made to approve recommendation on the Consent Calendar.
3. 11-0493 Recommendation to refer to City Attorney damage claims received between May 9, 2011 and May 16, 2011.
A motion was made to approve recommendation on the Consent Calendar.
4. 11-0494 Recommendation to authorize City Manager to amend the contract amounts with Life Assist, Inc., of Rancho Cordova, CA, under Contract No. 31836; Bound Tree Medical, LLC, of Dublin, OH, under Contract No. 31837; and Mozena Medical Supplies & Equipment, of Long Beach, CA, under Contract No. 31838 from Specifications No. PA-01710, in a combined additional amount of \$90,000 annually, bringing the total annual combined contract amount not to exceed \$340,000, for the purchase of emergency medical supplies. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
5. 11-0495 Recommendation to authorize City Manager to execute all necessary documents with Bowman Systems, LLC, to provide HUD compliant Servicepoint computer software for the continuance of the Homeless Management Information System (HMIS) in an amount not to exceed \$70,000 annually, contingent upon annual funding renewal from Department of Housing and Urban Development (HUD) for a three-year period. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
6. 11-0498 Recommendation to receive and file minutes for:
Civil Service Commission - April 27, 2011 and May 4, 2011.
Planning Commission - April 21, 2011.
A motion was made to approve recommendation on the Consent Calendar.

REGULAR AGENDA (6:08 PM)

7. 11-0505 Recommendation to receive and file a report on the renovation of the Palace Hotel for transitional foster care youth housing.

Councilmember O'Donnell spoke.

Megan Garcia, Senior at Millikan High School, provided the PowerPoint presentation.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Councilmember O'Donnell, 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

8. 11-0508 Recommendation to request City Manager to work with appropriate staff to review potential sites for BMX/Mountain Track facilities at parks citywide and report back to City Council.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Larry Goodhue spoke.

Laurie Angel spoke.

Councilmember Johnson spoke.

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

Absent: 1 - Andrews

9. 11-0506 Recommendation to receive and file the Queen Mary Capital Improvements Audit Phase III.

Laura L. Doud, City Auditor, spoke.

Mayor Foster 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, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - O'Donnell

- 10. 11-0510** Recommendation that City Council receive and file the correspondence dated May 9, 2011, from the Los Angeles County Registrar-Recorder/ County Clerk regarding the submittal of district boundaries for the City of Long Beach, the Long Beach Unified School District, and the Long Beach Community College District; and maintain a redistricting completion deadline of August 31, 2011. (Citywide)

Mike Kohl spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Gablelich spoke.

A motion was made by Councilmember DeLong, 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

Absent: 1 - O'Donnell

- 11. 11-0509** Recommendation to make a determination whether redistricting is required based on the population data provided by the Planning Commission; and provide direction to staff on policy for redistricting. (Citywide)

A second substitute motion motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and direct City staff to manage redistricting based on communities of interest, compactness, and respect for commercial corridors that join communities, respect for parks and monuments, and give a strong preference for targeting a preference of zero to 5%. The motion failed by the following vote:

Yes: 3 - Lowenthal, DeLong and Johnson

No: 6 - Garcia, O'Donnell, Schipske, Andrews, Gabelich and Neal

A substitute motion was made by Councilmember Johnson, seconded by Vice Mayor Lowenthal, to approve recommendation and direct City staff to manage redistricting based on communities of interest, compactness, and respect for commercial corridors that join communities; and return to City Council with information based on these variations. The motion failed by the following vote:

Yes: 3 - Lowenthal, DeLong and Johnson

No: 6 - Garcia, O'Donnell, Schipske, Andrews, Gabelich and Neal

Tom Modica, Director of Government Affairs, spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Tom Modica, Director of Government Affairs, spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Mike Kohl spoke.

Gary Shelton spoke.

John Cross spoke.

Stacey McDaniel spoke.

Larry Goodhue spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember Neal, seconded by Councilwoman Gabelich, to approve recommendation and direct City staff to manage redistricting to near a 5% variance for those over/under 5%; to retain district lines as close as possible to their current positions; to move lines to accommodate population and not for parks or monuments; and request that the agenda item be laid over to the meeting of Tuesday, June 7, 2011. The motion carried by the following vote:

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

- 12. 11-0499** Recommendation to receive and file Investment Report for Quarter Ending March 31, 2011. (Citywide)

Councilwoman Schipske spoke.

A motion was made by Councilmember O'Donnell, 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

- 13. 11-0500** Recommendation to adopt resolution approving the issuance from time

to time by the Board of Water Commissioners, on behalf of the City of Long Beach, Subordinate Sewer Revenue Obligations issued pursuant to the terms of a credit agreement and related documents which provide for a Revolving Line of Credit in an amount not to exceed \$20,000,000 outstanding at any time. (Citywide)

Councilmember Johnson spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-11-0060. 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-11-0060

14. 11-0501

Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the County of Los Angeles to receive and expend Department of Homeland Security grant funding for the 2010 State Homeland Security Grant Program; and increase appropriations by \$388,650 in the General Grants Fund (SR 120) in the Fire Department (FD). (Citywide)

A motion was made by Councilman Andrews, 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

15. 11-0502

Recommendation to authorize City Manager to execute any and all documents necessary for the First Amendment to Lease No. 27641 with Shoreline Yacht Club of Long Beach, a California not-for-profit corporation, as successor-in-interest to Shoreline Management, LLC, for City-owned property located at 386 Shoreline Drive South, to extend the term through March 1, 2037. (District 2)

A motion was made by Councilmember Garcia, 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

16. 11-0507 Recommendation to declare ordinance establishing a small, very small and local small business enterprise program for certain City contracts, and making a determination related thereto 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 DeLong, 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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

17. 11-0484 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 8.62 relating to regulating the use of plastic carryout bags and recyclable paper bags, and promoting the use of reusable bags, read and adopted as read. (Citywide)

Larry Goodhue spoke.

Laurie Angel spoke.

Kirsten James spoke.

Gabrielle Weeks spoke.

Bill Hickman spoke.

Shamus Innes spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation and adopt Ordinance No. ORD-11-0009. The motion carried by the following vote:

Yes: 5 - Garcia, Lowenthal, DeLong, Johnson and Neal

No: 3 - O'Donnell, Schipske and Gabelich

Absent: 1 - Andrews

Enactment No: ORD-11-0009

- 18. 11-0458** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Table 31-1 of Chapter 21.31, Tables 32-1 and 32-1A of Chapter 21.32, Table 33-2 of Chapter 21.33, Table 34-1 of Chapter 21.34, Table 35-1 of Chapter 21.35, and Table 36-1 of Chapter 21.36; by adding Chapter 21.56; and by repealing Sections 21.45.115 and 21.52.210; all relating to Wireless Telecommunications Facilities, read and adopted as read. (Citywide)

This Ordinance was withdrawn.

NEW BUSINESS (6:05 PM)

19. Agenda Item No. 19 is listed under Continued Hearing.

- 20. 11-0482** Recommendation to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following appointments and reappointments: Civil Service Commission (1 appointment); Parks and Recreation Commission (1 appointment); and Redevelopment Agency Board (3 reappointments).

Mayor Foster spoke.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation, and amend the starting date for Mr. Drummond to July 1, 2011. The motion carried by the following vote:

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

21. Affidavits of Service for the special meetings held Tuesday, May 24, 2011.

22. 11-0512 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, May 20, 2011.

This Agenda Item was received and filed.

23. 11-0535 e-Comments received for the City Council meeting of Tuesday, May 24, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS (8:02 PM)

Mayor Foster requested that the meeting be adjourned in memory of Hank Zavaleta.

Councilmember Johnson made community announcements.

Councilwoman Gabelich made community announcements.

Councilwoman Schipske made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Neal made community announcements.

ADJOURNMENT (8:07 PM)

At 8:07 PM, Mayor Foster adjourned the meeting in memory of Hank Zavaleta.

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