



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-4

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January 18, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the Minutes for the City Council Meeting Held Tuesday, January 4, 2011

DISCUSSION

The Legistar minutes for the City Council Meeting held Tuesday, January 4, 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 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.

ROLL CALL (5:06 PM)

Councilmembers Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Present:

Councilmembers Lowenthal, DeLong and O'Donnell

Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Merianne Nakagawa, Legislative Bureau Manager; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Rae Gabelich, Councilwoman, Eighth District.

Mayor Foster announced that Vice Mayor Lowenthal and Councilmembers DeLong and O'Donnell would be absent.

Proclamation declaring January as National Mentoring Month.

Councilman Andrews spoke.

PUBLIC COMMENT (5:12 PM)

Harvey Cochran spoke regarding homeless issues.

Gilda Ortiz spoke regarding bicycle ride and police action.

Jerome Podgajski spoke regarding December 23rd bicycle ride.

Jordan Ezell spoke regarding police shooting in Long Beach.

Taylor Radig spoke regarding police shooting in Long Beach.

Mayor Foster spoke.

11-0033 Floyd Seymour spoke regarding the skate park at McBride Park; and submitted written correspondence.

This Handout was received and filed.

Patrick West, City Manager, spoke.

Jessica Williams spoke regarding December 23rd organized bicycle ride.

Patrick West, City Manager, spoke.

Jim McDonnell, Chief of Police, spoke.

CONSENT CALENDAR (5:40 PM)

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Councilwoman Schipske, to approve Consent Calendar Items 1 - 16. The motion carried by the following vote:

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

1. 11-0007 Recommendation to receive and file travel report on attendance at the 2010 International Gay and Lesbian Leadership Conference in Washington D.C., December 1 - 8, 2010.

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

2. 11-0008 Recommendation to receive and file report on travel to Washington D.C. for the 2010 International Gay and Lesbian Leadership Conference, December 2 - 5, 2010.

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

3. 10-1067 Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee that the portion of Whaley Park, in which the cherry tree grove was planted, be named "Cherry Tree Peace Grove," and include a recognition of Soka Gokkai International Long Beach's 50 years of working in the communities.

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

4. 10-1253 Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee that a community garden be created at the undeveloped Molina Park, located at 1640 W. 20th Street, and that the site be renamed to "Mary Molina Community Garden."

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

5. 11-0009 Recommendation to authorize City Attorney to accept the sum of \$300,000 in full settlement of a dispute between the City of Long Beach and Big League Dreams USA, LLC.

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

6. 11-0010 Recommendation to authorize City Attorney to pay the sum of \$15,000 in full settlement of lawsuit entitled *Po v. City of Long Beach, et al*, Case No. CV10-1701 JFW (Ex).

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

7. 11-0011 Recommendation to approve the minutes for the City Council meetings of Tuesday, December 7 and 14, 2010, and the Study Session of Tuesday, December 7, 2010.

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

8. 11-0012 Recommendation to refer to City Attorney damage claims received between December 6, 2010 and December 27, 2010.

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

9. 11-0013 Recommendation to approve the destruction of records for the Health

and Human Services Department as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-11-0001 on the Consent Calendar.

Enactment No: RES-11-0001

- 10. 11-0001** Recommendation to adopt Specifications No. PA-00111 to award a contract to Nafis International, Inc., dba Orange Mirror and Glass, of Orange, CA (MBE, SBE), for furnishing, delivering and installing window glass, in the annual amount not to exceed \$110,000, 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 to approve recommendation on the Consent Calendar.**
- 11. 11-0002** Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the Los Angeles Emergency Food and Shelter Program to accept funding, in an amount not to exceed \$21,000, for a period of one year, January through December, 2011. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
- 12. 11-0003** Recommendation to authorize City Manager to execute all documents with the United Way of Greater Los Angeles to receive a Capacity Building grant from the Los Angeles Workforce Funder Collaborative totaling \$50,000 and to execute any needed subsequent amendments; and increase appropriations 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.**
- 13. 11-0004** Recommendation to authorize City Manager to execute all documents with the Los Angeles County Metropolitan Transportation Authority to receive \$65,625 to operate a Job Access and Reverse Commute program and execute any needed subsequent amendments; and increase appropriations 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.**
- 14. 11-0005** Recommendation to authorize City Manager to execute all documents with the State of California to receive \$138,816 in Workforce Investment

Act funds to operate the California New Start/Prison-to-Employment program and to execute any needed subsequent amendments; and increase appropriations 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.

15. 11-0006 Recommendation to authorize City Manager to execute an agreement and any subsequent amendments with the Housing Authority of the County of Los Angeles to provide supplemental law enforcement services for the Carmelitos Housing Development for a period of 17 months, with three, one-year extensions, for an estimated annual reimbursement of \$316,800. (District 8)

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

16. 11-0014 Recommendation to receive and file minutes for:
Civil Service Commission - December 1 and 8, 2010.
Parks and Recreation Commission - November 18, 2010.
Planning Commission - November 4, 2010.

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

REGULAR AGENDA (5:40 PM)

17. 11-0027 Recommendation to request City Clerk to develop, with public input, recommendations for creating and implementing an open government policy initiative, including but not limited to:

- An official open government policy and open government steering committee
- Placing completed contracts on-line
- On-line public comment

The report and recommendations should return to Council within 90 days and include projected costs of implementation.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Harvey Cochran spoke.

A motion was made by Councilmember Garcia, seconded by Councilwoman Schipske, to approve recommendation, minus the requirement for an open government steering committee. The motion carried by the following vote:

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

- 18. 11-0028** Recommendation that City Council, recognizing the need of full disclosure and transparency, shall refer this matter to the City Manager for a cost estimate of implementing those features not currently on the City website as noted.

Councilwoman Schipske spoke.

Curtis Tani, Director of Technology Services, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Harvey Cochran spoke.

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

- 19. 10-1292** Recommendation to adopt Specifications No. PRM10-011 authorizing City Manager to execute contracts and any amendments thereto with RJM Design Group, Inc., of San Juan Capistrano, CA; MIG, Inc., of Fullerton, CA; Richard Fisher Associates, of Santa Ana, CA; Jon D. Cicchetti, of Long Beach, CA; and Cummings Curley and Associates, Inc., of Long Beach, CA, for as-needed landscape architectural services in a total amount not to exceed \$875,000 annually, for a period of one year, with the option to renew for one additional one-year period, at the discretion of the City Manager. (Citywide)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

20. 11-0026

Recommendation to authorize City Manager to execute all documents allowing the Police Department to participate in the Federal 1122 Public Safety Procurement and Air Card Program, in a total amount not to exceed \$115,000 annually, for a period of two years, with the option to renew for two additional two-year periods, at the discretion of the City Manager. (Citywide)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

21. 11-0015

Recommendation to adopt Resolution of Consideration to alter the services authorized to be funded by Improvement Area B of the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park - Commercial Area); and set the date for a public hearing for Tuesday, January 18, 2011 at 5:00 p.m. (District 5)

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-11-0002. The motion carried by the following vote:

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

Enactment No: RES-11-0002

22. 11-0016

Recommendation to adopt resolution declaring the intention to establish Community Facilities District No. 2011-1 (Douglas Park - North of Cover Street Area - Services Levy); initiate proceedings to levy special taxes; approve boundaries and rate and method of apportionment of special taxes; establish voting procedure; and set the date for a public hearing for Tuesday, January 18, 2011 at 5:00 p.m. (District 5)

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-11-0003. The motion carried by the following vote:

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

Enactment No: RES-11-0003

23. 11-0017

Recommendation to authorize City Manager to execute contracts with various One-Stop Career Center Service Providers in support of strategies that provide training and employment services to residents in the amount totaling \$945,000; and to execute any needed subsequent amendments. (Citywide)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

24. 11-0018

Recommendation to authorize City Manager to execute a non-exclusive right-of-entry permit to KZO Education, Inc., to enter City-owned property commonly known as Jack Dunster Marine Biological Reserve for the purpose of engaging in a native Olympia Oyster restoration project, commencing January 1, 2011 through December 31, 2016. (District 3)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

25. 11-0019

Recommendation to authorize City Manager to execute a right-of-entry permit with Wrigley Area Neighborhood Alliance, a non-profit organization, to allow access to construct a playground at the 21st to Hill Mini Park, near the Los Angeles River between 21st Street and Hill Avenue, on a date to be determined. (District 7)

Councilmember Johnson spoke.

Maria Norvell, Wrigley Area Neighborhood Alliance President, spoke.

Joan Greenwood spoke.

Young girl named Brianna spoke.

Young boy named Hugo Garcia spoke.

Hugo Garcia (father) spoke.

Mayor Foster spoke.

Jill Hill spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

- 26. 11-0020** Recommendation to receive and file the application of TKLB LLC, dba (No Active DBA), for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 6575 East Pacific Coast Highway, with conditions. (District 3)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

- 27. 11-0021** Recommendation to receive and file the application of FB Foods of Long Beach LLC, dba Fatburger, for an original Alcoholic Beverage Control License, at 6780 Cherry Avenue. (District 9)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

- 28. 11-0022** Recommendation to authorize City Manager to execute any and all

documents necessary for a license agreement between the City of Long Beach and Los Cerritos Wetlands Authority (LCWA), a California joint powers authority, for use of City-owned land located at the corner of 2nd Street and Shopkeeper Road, to allow access to LCWA-owned property and to conduct necessary environmental studies, including periodic bird counts. (District 3)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

29. 11-0023

Recommendation to adopt Plans and Specifications No. R-6741 for new traffic control signal installation at the intersection of Atlantic Avenue and 15th Street; award the project; and authorize City Manager to execute all documents necessary to enter into a contract with Freeway Electric, Incorporation, in an estimated amount of \$121,920, plus a 25 percent contingency of \$30,480, and to execute any necessary amendments thereto. (District 6)

Councilman Andrews spoke.

Lynn Francis spoke.

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

30. 11-0024

Recommendation to adopt Plans and Specifications No. R-6866; award an as-needed contract to Elite Bobcat Services, Inc., in an amount not to exceed \$4,000,000 annually for the annual contract for concrete repairs and related improvements; and authorize City Manager to execute the contract and any necessary amendments thereto. (Citywide)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

31. 11-0025 Recommendation to authorize City Manager to execute agreements for as-needed certified materials testing and inspection, and construction management services for Public Works infrastructure and facility projects with Kleinfelder West Inc., Ninyo and Moore Corp., Group Delta Consultants Inc., Psomas Corp., Twining Inc., Totum Corp., Ghirardelli Associates Inc., and Willdan Engineering, in an aggregate amount not to exceed \$8,000,000 over a three-year term; and to execute subsequent amendments to the agreements, relative to extending the term for up to two additional one-year terms, and authorize additional services, if required, within the provisions of the agreements, all without exceeding the three-year aggregate amount. (Citywide)

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

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

Councilwoman Schipske spoke regarding the hard work of the Public Works Department during the recent rain storms.

ORDINANCES (6:22 PM)

32. 10-1280 Recommendation to declare an interim ordinance amending Ordinance Nos. ORD-10-0015 and ORD-10-0020 extending the temporary limitation on the issuance of discretionary permits for the installation, modification or relocation of wireless facilities within Residential and Institutional use zones, respectively; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-10-0038) (Citywide)

A motion was made by Councilwoman Schipske, seconded by Councilmember Garcia, to declare Emergency Ordinance No. ORD-10-0038, read and adopted as read. The motion carried by the following vote:

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

Enactment No: ORD-10-0038

33. 10-1344 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 18.24 relating to a Foreclosure Registry Program, read and adopted as read. (Citywide)

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to approve recommendation and adopt Ordinance No. ORD-11-0001. The motion carried by the following vote:

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, DeLong and O'Donnell

Enactment No: ORD-11-0001

NEW BUSINESS (6:23 PM)

- 34. 11-0029** Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Thursday, December 30, 2010.

This Agenda Item was received and filed.

ANNOUNCEMENTS (6:23 PM)

Mayor Foster announced that the State of the City event is next Tuesday; and mentioned the need for continued donations for the food drive.

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

Councilmember Garcia made community announcements.

PUBLIC (6:28 PM)

Gilda Williams spoke regarding the December 23rd bicycle ride.

Steve Lang spoke as a first-time meeting attendee, commending the City Council for its efforts.

Ronnie Sandlin spoke regarding the need to clarify bicycle regulations.

Chris Ray spoke regarding an incident near 10th Street.

ADJOURNMENT (6:34 PM)

At 6:34 PM, Mayor Foster adjourned the meeting.

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