



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

**C-4**

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

July 3, 2012

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Approve the Minutes for the City Council Meetings held Tuesday, June 12 and 19, 2012 and the Budget Meeting held Tuesday, June 19, 2012.

## DISCUSSION

The Legistar minutes for the City Council meetings held Tuesday, June 12 and 19, 2012 and the Budget meeting held Tuesday, June 19, 2012, 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 C. HERRERA  
CITY CLERK

Prepared by: Nancy Muth

LGH:nem  
Attachment

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

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## 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 order, except for Agenda Item Nos. 26, 22 and 14, which were considered in that order following the presentations and prior to the Hearings.

### ROLL CALL (5:34 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; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Steven Neal, Councilmember, Ninth District.

Mayor Foster announced that Agenda Item No. 14 would be laid over one week, Agenda Item No. 26 would be moved up, and that Councilmember DeLong would be absent.

Proclamation presented to Signal Hill Petroleum for supporting Partners of Parks "Movies in the Park."

George Chapjian, Director of Parks, Recreation and Marine, spoke.

Debra Russell, Signal Hill Petroleum, spoke; and presented a check to the City.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

Mayor Foster spoke; and presented the proclamation.

Certificates of Recognition presented to ACT-SO Program awardees.

Naomi Rainey, National Association for the Advancement of Colored People, spoke.

Davian Freeman spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

12-0516          Summer Night Lights provided a presentation; and distributed information.

**This Agenda Item was received and filed.**

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

### HEARINGS (6:38 PM)

1. 12-0432 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 Broadlind Lounge, LLC, dba The Basement, 149 Linden Avenue No. B-100, for Entertainment With Dancing by Patrons. (District 2)

Jim Najah spoke.

Charles Golanus spoke.

Valdez Huntsman spoke.

Vice Mayor Lowenthal spoke.

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Johnson, to approve recommendation and grant a One-Year Short-Term Permit, with conditions. The motion carried by the following vote:**

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

**No:** 1 - Andrews

**Absent:** 1 - DeLong

2. 12-0433 Recommendation to receive supporting documentation into the record, conclude the hearing, find that the area to be vacated is not needed for present or prospective public use, and adopt resolution ordering the vacation of a portion of Pier C Street, formerly known as Seventh Street North and Seventh Street South. (District 1)

**A motion was made by Councilmember Garcia, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-12-0048. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, O'Donnell, Schipske, Gabelich and Neal

**Absent:** 3 - DeLong, Andrews and Johnson

**Enactment No:** RES-12-0048

**PUBLIC COMMENT (6:52 PM)**

Nicolaas Chomenko spoke regarding medical marijuana collective issues.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

**CONSENT CALENDAR (6:59 PM)**

Passed The Consent Calendar

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Neal, to approve Consent Calendar Items 3 - 10. The motion carried by the following vote:**

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

**Absent:** 1 - DeLong

3. 12-0428 Recommendation to approve the minutes for the City Council meetings of Tuesday, May 15 and 22, 2012.  
**A motion was made to approve recommendation on the Consent Calendar.**
4. 12-0457 Recommendation to refer to City Attorney damage claims received between May 14, 2012 and June 4, 2012.  
**A motion was made to approve recommendation on the Consent Calendar.**
5. 12-0430 Recommendation to receive and approve changes to the Conflict of Interest Code of Long Beach Transit.  
**A motion was made to approve recommendation on the Consent Calendar.**
6. 12-0460 Recommendation to adopt the following resolutions:

1. Resolution giving notice of: [a] a Special Municipal Election to be held in the City of Long Beach Tuesday, the 6th day of November, 2012 for the purpose of submitting a ballot proposition to a vote of the qualified electors of the City; and [b] the Exhibit Ordinance;

**A motion was made to approve recommendation and adopt Resolution No. RES-12-0049 on the Consent Calendar.**

**Enactment No:** RES-12-0049

12-0461 2. Resolution requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of a Citywide Special Municipal Election with the Statewide General Election to be held Tuesday, November 6, 2012, and determining and declaring that the City will pay to the County reasonable and actual expenses incurred by the County on account of the consolidation of this Election; and

**A motion was made to approve recommendation and adopt Resolution No. RES-12-0050 on the Consent Calendar.**

**Enactment No:** RES-12-0050

12-0463 3. Resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, November 6, 2012.

**A motion was made to approve recommendation and adopt Resolution No. RES-12-0051 on the Consent Calendar.**

**Enactment No:** RES-12-0051

7. 12-0435 Recommendation to authorize City Manager to accept \$15,000 in grant funds from California Council for the Humanities, (Cal Humanities) for the California Reads Searching for Democracy program; increase appropriations in the Special Revenue Fund (SR120) in the Department of Library Services (LS) by \$15,000; and execute any documents necessary for the administration of this project. (Citywide)

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

8. 12-0437 Recommendation to authorize City Manager to execute a waiver of federal receipt of the City of Long Beach's fourteenth year allocation of \$19,011 in Juvenile Accountability Block Grant program funds to the County of Los Angeles, for the Juvenile Offender Intervention Network Program, to divert first-time serious juvenile offenders from the court system through an intensive, one-year program. (Citywide)

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

9. 12-0438 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Agaves Restaurant, located at 200 Pine Avenue, Suite A. (District 2)

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

10. 12-0429 Recommendation to receive and file minutes for:  
Civil Service Commission - May 2, 2012.  
Planning Commission - May 3, 2012.

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

**REGULAR AGENDA (7:00 PM)**

11. 12-0448 Recommendation to receive and approve the following Commission/Board/Committee appointments and reappointments to Non-Charter Commissions.

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

**Absent:** 1 - DeLong

Vice Mayor Lowenthal assumed the chair.

12. 12-0454 Recommendation to, by motion of the City Council, request City Manager to work with the Long Beach Chamber of Commerce to schedule a public forum at which local business can participate and provide input to the City Council on what can be done to ease the regulatory burden and to spur job growth.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

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

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

**Absent:** 1 - DeLong

- 13. 12-0455** Recommendation to, by motion of the City Council, request City Manager to report on whether or not the City has applied for AB 678 revenue; the amounts received and expected to be received; and how this revenue will be used to bring staffing to an appropriate level.

Councilwoman Schipske spoke.

John Gross, Director of Financial Management, spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember Garcia, that the item be received and filed. The motion carried by the following vote:**

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

**Absent:** 1 - DeLong

- 14. 12-0458** Recommendation to, by motion of the City Council, request City



Manager to report to the City Council within 90 days on the feasibility of waiving the business license tax and/or the 16% surcharge folded into business licenses for independent contractors for at least FY 2013.

**A motion was made by Councilwoman Schipske, seconded by Councilmember Johnson, that the item be laid over to the City Council meeting of Tuesday, June 19, 2012. The motion carried by the following vote:**

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

**Absent:** 1 - DeLong

15. 12-0068 Recommendation to determine that the application for an original Alcoholic Beverage Control License of Ernest Ray Henson and Christine Tasche, dba Wilmore, at 3848 Atlantic Avenue serves the public convenience and necessity, and request City Clerk to transmit a letter to the ABC indicating such determination. (District 8)

Councilwoman Gabelich spoke.

**A motion was made by Councilwoman Gabelich, 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

16. 12-0439 Recommendation to authorize City Manager to execute any and all documents necessary for the assignment of a \$950,000 City loan from Mental Health America of Los Angeles to Sara's Apartments, L.P., and the transfer of ownership of Sara's Apartments, located at 240 West 7th Street, from Mental Health America of Los Angeles to Sara's Apartments, L.P. (District 1)

**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, Schipske, Andrews, Johnson, Gabelich and Neal

**No:** 1 - O'Donnell

**Absent:** 1 - DeLong

17. 12-0440 Recommendation to authorize City Manager to execute any and all

documents with Long Beach Community College District to provide economic development counseling and educational services through its Small Business Development Center with an estimated total funding amount not to exceed \$115,000 per year for an initial term from July 1, 2012 through June 30, 2013, with two one-year extensions thereafter, at the option of the City Manager and the continued availability of funds. (District 1)

Jesse Torrez spoke.

Mike Daniel spoke.

**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

**18. 12-0434**

Recommendation to authorize City Manager to enter into a Subrecipient Agreement with The Long Beach Housing Development Company for the administration and use of HOME funds. (Citywide)

**A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, 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

**19. 12-0441**

Recommendation to authorize City Manager to execute any and all necessary documents with The California Endowment to accept a grant award in the amount of \$403,918 for a period of two years for the preparation of a Violence Prevention Plan;

Authorize City Manager to execute any and all necessary documents for the implementation and administration of the Violence Prevention Plan program; and

Increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Development Services (DV) by \$403,918. (Citywide)

Councilmember Garcia spoke.

Councilmember Johnson spoke.

**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

**20. 12-0442**

Recommendation to authorize City Manager to execute any and all agreements necessary between the City of Long Beach, as Unit Operator of the West Wilmington oil operations, and the Alameda Corridor Transportation Authority, providing for payment of all relocation costs for oil facilities impacted by the Schuyler Heim Bridge Project. (District 1)

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

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

**Absent:** 2 - DeLong and Andrews

**21. 12-0443**

Recommendation to adopt resolution authorizing City Manager to negotiate and execute Customer Natural Gas Transportation/Service Agreements and future amendments between the City of Long Beach and Gas Rate Schedule 5 (Compressed Natural Gas), Schedule 7 (Cogeneration), and Schedule 9 (Transportation) customers for contract periods not to exceed five years. (Citywide)

**A motion was made by Councilmember Garcia, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-12-0052. The motion carried by the following vote:**

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

**Absent:** 2 - DeLong and Andrews

**Enactment No:** RES-12-0052

**22. 12-0444**

Recommendation to authorize City Manager to approve the installation of a memorial on the corner of Termino Avenue and Olympic Plaza in honor of Mark Llewellyn Bixby. (District 3)

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson 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, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - DeLong

- 23. 12-0446** Recommendation to adopt Plans and Specifications No. R-6898 for the Spring Street Median Improvements between Temple Avenue and the Airport Tunnel; and award the project to and authorize City Manager to execute all documents necessary to enter into a contract with All American Asphalt, in an estimated amount of \$557,557, plus a 10 percent contingency of \$55,756, for a total of \$613,313, and any necessary amendments thereto. (District 5)

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

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

**Absent:** 2 - DeLong and Andrews

- 24. 12-0447** Recommendation to adopt Plans and Specifications No. R-6922 for an Annual Contract for Cape Sealing and Associated Minor Improvements, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with Palp, Inc., dba Excel Paving Company, in an estimated amount not to exceed \$500,000 for a one-year term, with an option to renew for two additional one-year terms for \$500,000 each year, and any necessary amendments thereto relative to the scope of work and to extend the contract term. (Citywide)

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

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

**Absent:** 2 - DeLong and Andrews

**ORDINANCE (7:40 PM)**

25. 12-0391 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 21.51.235 and deleting Table 51-2, all relating to home occupations, read and adopted as read. (Citywide)

**A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve recommendation and adopt Ordinance No. ORD-12-0011. The motion carried by the following vote:**

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

**Absent:** 2 - DeLong and Andrews

**Enactment No:** ORD-12-0011

**NEW BUSINESS (6:29 PM)**

26. 12-0477 Recommendation to request City Council to receive and file the recognition of Deon Reid as an Outstanding Student Athlete.

Councilman Andrews spoke.

Mayor Foster spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember Johnson, 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

27. Affidavit of Service for the special meeting held Tuesday, June 12, 2012.

28. 12-0476 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, June 8, 2012.

**This Agenda Item was received and filed.**

29. 12-0517 eComments received for the City Council meeting of Tuesday, June 12, 2012.

**This Agenda Item was received and filed.**

**ANNOUNCEMENTS (7:40 PM)**

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Vice Mayor Lowenthal made community announcements.

**ADJOURNMENT (7:50 PM)**

At 7:50 PM, Vice Mayor Lowenthal adjourned the meeting.

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**CITY OF LONG BEACH  
CITY COUNCIL SPECIAL MEETING  
MINUTES**

**TUESDAY, JUNE 19, 2012  
333 W. OCEAN BOULEVARD  
COUNCIL CHAMBER, 3:30 PM**

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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

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**FINISHED AGENDA & DRAFT MINUTES**

**ROLL CALL (3:38 PM)**

**Councilmembers** Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and  
**Present:** Neal

**Councilmembers** Garcia and Andrews  
**Absent:**

Also present: Patrick 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.

**SPECIAL MEETING (3:38 PM)**

1. 12-0515 Recommendation to hold a Budget Meeting to receive a presentation on Potential Government Reform Ideas and Trends.

**This Agenda Item was received and filed.**

Patrick West, City Manager, spoke.

Jerry Newfarmer, President and CEO of Management Partners, spoke; and provided a PowerPoint presentation.

Cathy Standiford, Partner at Management Partners, spoke; and continued the PowerPoint presentation.

Jerry Newfarmer, President and CEO of Management Partners, spoke; and continued the PowerPoint presentation.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

**PUBLIC (4:46 PM)**

Larry Goodhue spoke.

Janet Schabow, ILWU, spoke.

**ADJOURNMENT (4:50 PM)**

At 4:50 PM, Mayor Foster adjourned the meeting.

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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

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## 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 order, except for Agenda Item Nos. 16 and 31, which were considered prior to Agenda Item No. 15.

### ROLL CALL (5:10 PM)

**Councilmembers** Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and

**Present:** Neal

**Councilmembers** Garcia and Andrews

**Absent:**

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Vice Mayor Suja Lowenthal, Councilmember, Second District.

Mayor Foster announced that Agenda Item Nos. 32 and 16 would be considered together, and that Agenda Item No. 31 would be considered at the beginning of the Regular Agenda; and that Councilmembers Garcia and Andrews would be absent this evening.

Pet adoption: Robert, spcaLA, presented a canine.

Proclamation presented to Cal Heights Neighborhoods Association as the 2012 USA Neighborhood of the Year Award recipient.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

Proclamation presented for 75th Anniversary of Boy Scout Troop No. 65.

Councilwoman Schipske spoke.

Prime Time for Business presentation by Orozco's Auto Service.

Councilmember Johnson spoke.

Servando Orozco spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

#### **HEARING (5:43 PM)**

1. 12-0478      Recommendation to receive supporting documentation into the record, conclude the hearing and adopt resolution amending the General Plan from Land Use District (LUD) 11 - Open Space and Parks to Land Use District (LUD) 7 - Mixed Use for a 25-acre parcel at 3860 North Lakewood Boulevard. (District 5)

Councilwoman Schipske spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0053. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Andrews

**Enactment No:** RES-12-0053

**PUBLIC COMMENT (5:46 PM)**

Larry Goodhue spoke regarding marina issues.

Madeleine Johnson spoke regarding high school graduations and City parking fees.

**CONSENT CALENDAR (5:51 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve Consent Calendar Items 2 - 14. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Andrews

2. 12-0479 Recommendation to refer to City Attorney damage claims received between June 4, 2012 and June 11, 2012.  
**A motion was made to approve recommendation on the Consent Calendar.**
3. 12-0480 Recommendation to approve the destruction of records for the Department of Development Services as shown in Exhibit A; and adopt resolution.  
**A motion was made to approve recommendation and adopt Resolution No. RES-12-0054 on the Consent Calendar.**  
**Enactment No:** RES-12-0054
4. 12-0481 Recommendation to approve the destruction of records for the Long Beach Police Department as shown in Exhibit A; and adopt resolution.  
**A motion was made to approve recommendation and adopt Resolution No. RES-12-0055 on the Consent Calendar.**  
**Enactment No:** RES-12-0055
5. 12-0510 Recommendation to direct City Clerk to notify all City departments and advisory bodies that have previously adopted conflict of interest codes of the biennial review requirements for such conflict of interest codes; and  
  
Require all departments and advisory bodies that have previously adopted conflict of interest codes to review such conflict of interest codes and report to the City Council any amendments, or report that no

amendments are necessary, no later than October 1, 2012.

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

6. 12-0513 Recommendation to adopt resolution declaring the results of the City of Long Beach General Municipal Election held Tuesday, June 5, 2012.

**A motion was made to approve recommendation and adopt Resolution No. RES-12-0056 on the Consent Calendar.**

**Enactment No:** RES-12-0056

7. 12-0482 Recommendation to adopt Specifications No. PA-00512 and award a contract to Ascent Elevator Services, of Cerritos, CA (SBE), for furnishing and delivering elevator maintenance and repair, in an annual amount not to exceed \$130,000, for the 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.**

8. 12-0483 Recommendation to authorize City Manager, or designee, to execute a second amendment to the current agreement between the City of Long Beach and Los Angeles County restating the original amount of \$50,000, and including an additional allocation of \$88,575, for a combined total of \$138,575, to continue the public health infrastructure building and enhancement project for the period of September 30, 2011 through September 29, 2012. (Citywide)

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

9. 12-0436 Recommendation to authorize City Manager to execute the Sixteenth Amendment to Lease No. 22897 with Jan and Michael Todd, for a period of three months, from October 1, 2012 through December 31, 2012, for the sale of Christmas trees, using a portion of the former Pacific Electric right-of-way property located between 7th Street and Ximeno Avenue. (District 3)

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

10. 12-0484 Recommendation to authorize City Manager to execute a Memorandum of Agreement (MOA) with the Los Angeles County Flood Control District (LACFCD) to establish the operations, maintenance, and general obligations for each party relating to the City-owned Low Flow Diversion (LFD) devices that are installed within LACFCD Storm Water Pump Plant

Facilities. (District 3)

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

11. 12-0485 Recommendation to authorize City Manager to execute a Memorandum of Agreement (MOA) with the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (Authority) for the preparation of the Coyote Creek Metals Total Maximum Daily Load Implementation Plan, monitoring program and special studies for a term of 10 years, at an estimated annual cost of \$15,000. (Districts 4,5)  
**A motion was made to approve recommendation on the Consent Calendar.**
12. 12-0486 Recommendation to request City Manager, or designee, to accept an easement deed for street and sidewalk purposes at 350 East Columbia Street. (District 6)  
**A motion was made to approve recommendation on the Consent Calendar.**
13. 12-0487 Recommendation to authorize City Manager to execute a Memorandum of Agreement (MOA) with the Southern California Stormwater Monitoring Coalition (SMC), for a term of five years, to upgrade and reprioritize the research needs agenda and expand web capabilities to make Stormwater Monitoring Coalition products available for use in complying with United States Environmental Protection Agency (US EPA) Total Maximum Daily Loads (TMDL) requirements. (Citywide)  
**A motion was made to approve recommendation on the Consent Calendar.**
14. 12-0499 Recommendation to receive and file minutes for:  
Civil Service Commission - May 16, 2012.  
**A motion was made to approve recommendation on the Consent Calendar.**

**UNFINISHED BUSINESS (5:52 PM)**

32. 12-0458 Recommendation to, by motion of the City Council, request City Manager to report to the City Council within 90 days on the feasibility of waiving the business license tax and/or the 16% surcharge folded into business licenses for independent contractors for at least FY 2013.

Councilwoman Schipske spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, that Agenda Item No. 32 be withdrawn. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Andrews

**REGULAR AGENDA (5:53 PM)**

- 15. 12-0514** Recommendation to receive and approve the following Commission/Board/Committee appointments and reappointments to Non-Charter Commissions.

Mayor Foster spoke.

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

**Yes:** 6 - Lowenthal, DeLong, O'Donnell, Schipske, Johnson and Neal

**Absent:** 3 - Garcia, Andrews and Gabelich

- 16. 12-0431** Recommendation to request City Manager to determine the feasibility of eliminating individual business license fees for real estate agents in the City of Long Beach and replacing this fee with a reduced "per employee" fee to the broker, and report back to the City Council within the next 30 days.

Councilwoman Schipske recused herself and retired from the Chamber.

Councilmember DeLong spoke.

Richard Orozco spoke.

Phil Jones spoke.

Jeff MacIntosh spoke.

Brian Littlefield spoke.

Phil Hawkins spoke.

Mike Potia spoke.

Larry Goodhue spoke.

Karen Keyes spoke.

Councilmember DeLong 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:** 6 - Lowenthal, DeLong, O'Donnell, Johnson, Gabelich and Neal

**Abstentions:** 1 - Schipske

**Absent:** 2 - Garcia and Andrews

17. 12-0511 Recommendation to receive and file a presentation from the Southern California Association of Governments (SCAG) and the Air Quality Management District (AQMD) about the planned demonstration and deployment of zero emissions goods movement in the Regional Transportation Plan.

Councilmember Neal spoke.

Annie Nam, Southern California Association of Governments, spoke; and provided a PowerPoint presentation.

Matt Myasato, Ph.D., Air Quality Management District, spoke; and continued the PowerPoint presentation.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Larry Goodhue spoke.

Patrick Roddie spoke.

Jesse Marquez spoke.

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

**Yes:** 6 - Lowenthal, DeLong, Schipske, Johnson, Gabelich and Neal

**Absent:** 3 - Garcia, O'Donnell and Andrews

- 18. 12-0512** Recommendation to respectfully request City Attorney to determine whether existing City ordinances can be amended or a new ordinance created to regulate the aesthetics of utility cables or wires in residential neighborhoods, and report back to the City Council within 60 days.

Vice Mayor Lowenthal spoke; and distributed photographs.

Councilmember O'Donnell spoke.

Emily Stevens, Rose Park Neighborhood Association representative, spoke.

Mike Murray, Verizon representative, spoke.

Mona Eichler spoke; and submitted tree trimming information.

Councilwoman Schipske spoke.

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

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

**Absent:** 2 - Garcia and Andrews

- 19. 12-0488** Recommendation to adopt resolution requesting that the Board of Harbor Commissioners approve the FY 2012 estimated transfer of \$16,825,000 based on five percent of FY 2012 estimated gross operating revenue, with a true-up adjustment as necessary to reflect the final gross revenue amount upon issuance of the Harbor Department's FY 2012 audited financial statements, from the Harbor Revenue Fund (HR) to the Tidelands Operating Fund (TF). (Citywide)

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Larry Goodhue spoke.



**A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-12-0058. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Andrews

**Enactment No:** RES-12-0058

- 20. 12-0489** Recommendation to adopt resolution authorizing City Manager to execute documents in connection with the replacement of the letter of credit that provides support for the City of Long Beach Gas and Oil (LBGO) Department's Subordinate Revenue Commercial Paper Notes Series A and Series B (Taxable) at an annual cost not to exceed \$85,000. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-12-0059. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Andrews

**Enactment No:** RES-12-0059

- 21. 12-0498** Recommendation to adopt Specifications RFP No. PR12-030 and award a contract to The Los Cerritos Wetland Stewardship, Inc., a Long Beach-based small business, (SBE and Local), for maintenance and management of environmentally sensitive areas, in an annual amount not to exceed \$297,000, 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 by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Andrews

- 22. 12-0490** Recommendation to adopt Specifications No. PA-03112 and award a contract to Abhe & Svoboda, Inc., of Prior Lake, MN (not an MBE, WBE

or SBE), for bridge painting in the amount not to exceed \$181,645, at the discretion of the City Manager. (District 8)

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Neal, that the item be laid over to the City Council meeting of Tuesday, July 3, 2012. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Andrews

**23. 11-1156**

Recommendation to receive and file a report reviewing the status of Ordinance No. ORD-12-0004 (Chapter 5.89) of the Long Beach Municipal Code (LBMC), as enacted by the City Council on February 14, 2012, the operations and activities of the medical marijuana collectives that were provided a six-month exemption, and enforcement against non-exempted marijuana collectives and cultivations sites within the City of Long Beach. (Citywide)

**A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to call for the question. The motion carried by the following vote:**

**Yes:** 6 - Lowenthal, DeLong, O'Donnell, Schipske, Johnson and Gabelich

**No:** 1 - Neal

**Absent:** 2 - Garcia and Andrews

Mayor Foster spoke.

Robert Shannon, City Attorney, spoke.

Jim McDonnell, Chief of Police, spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Jim McDonnell, Chief of Police, spoke.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Jim McDonnell, Chief of Police, spoke.

Councilwoman Gabelich spoke.

Jim McDonnell, Chief of Police, spoke.

Councilwoman Schipske spoke.

Richard Doyle, Los Angeles County District Attorney's office, spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Schipske spoke.

Jim McDonnell, Chief of Police, spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

David Zinc spoke.

Bill Napier spoke.

Carl Kemp spoke.

Mayor Foster spoke.

Gina Non spoke.

Dr. Dennis Noell spoke.

Richard Eastman spoke.

Madeliene Johnson spoke.

Unidentified man spoke.

Casey McFall spoke.

Mayor Foster spoke.

Larry Goodhue spoke.

Unidentified man spoke.

Nicholaas Chomenko spoke.

Steve Baker spoke.

Jeff Abrams spoke.

Adam, Green Room Collective, spoke.

Councilwoman Gabelich spoke.

**A motion was made by Vice Mayor Lowenthal, seconded by Councilwoman Schipske, to approve recommendation to receive and file report. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Andrews

- 24. 12-0491** Recommendation to authorize City Manager to execute contracts totaling \$429,425, with qualified service providers to operate Pacific Gateway Workforce Investment Act Youth Academy projects, for the period of June 29, 2012 through June 30, 2013. (Citywide)

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

**Yes:** 6 - Lowenthal, DeLong, O'Donnell, Schipske, Johnson and Gabelich

**Absent:** 3 - Garcia, Andrews and Neal

- 25. 12-0492** Recommendation to authorize City Manager to purchase excess workers' compensation insurance for the period of July 1, 2012 through July 1, 2013, through Marsh USA, Inc., for a total premium not to exceed \$368,000. (Citywide)

Councilwoman Schipske spoke.

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

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

**Absent:** 2 - Garcia and Andrews

26. 12-0493      Recommendation to authorize City Manager to purchase "all risk" property insurance for City buildings, contents, and vehicles through the Alliant Insurance Service's Public Entity Property Insurance Program, for a total premium not to exceed \$663,000 for the period of July 1, 2012 through July 1, 2013. (Citywide)
- A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal
- Absent:** 2 - Garcia and Andrews
27. 12-0494      Recommendation to authorize City Manager to purchase difference in conditions (earthquake insurance), covering City Hall and the Convention Center, for the period of July 1, 2012 through July 1, 2013, through Alliant Insurance Services, Inc., for a total premium not to exceed \$250,000. (Citywide)
- A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal
- Absent:** 2 - Garcia and Andrews
28. 12-0495      Recommendation to authorize City Manager to purchase through, Marsh USA, Inc., the following policies: excess municipal liability insurance for the period of July 1, 2012 through July 1, 2013, for a total premium not to exceed \$575,000; airport liability insurance for the period of June 30, 2012 through June 30, 2013, for a total premium not to exceed \$55,000; and aircraft liability and hull insurance for police helicopters for the period of June 30, 2012 through June 30, 2013, for a total premium not to exceed \$50,000. The total cost of all renewal premiums will not exceed \$680,000 for the period of July 1, 2012 through July 1, 2013. (Citywide)
- A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Gabelich and Neal
- Absent:** 2 - Garcia and Andrews

29. 12-0496 Recommendation to receive and file the application of Luna Rosa Tequila, LLC, dba Luna Rosa Tequila, for an original Alcoholic Beverage Control License, at 1328 West 16th Street. (District 1)

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

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

**Absent:** 2 - Garcia and Andrews

30. 12-0497 Recommendation to receive and file the application of Cyclo, LLC, dba La Lune Palace Restaurant, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 2801 East Spring Street, with conditions. (District 5)

Councilmember O'Donnell spoke.

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

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

**Absent:** 2 - Garcia and Andrews

31. 12-0445 Recommendation to adopt Resolution of Intention to form the Downtown Long Beach Property and Business Improvement District; set date of hearing for Tuesday, August 7, 2012 at 5:00 p.m.; receive petitions; and authorize City Manager to sign in favor and return the City's Ballot, and designate the Administrative Board. (Districts 1,2)

Councilwoman Schipske recused herself and had retired from the Chamber.

John Sigmeister spoke.

George Rendell spoke.

David Cannon spoke.

Stuart Sexton spoke.

Laura Catabona spoke.

Jim Anderson spoke.

John Thomas spoke.

Larry Goodhue spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0057. The motion carried by the following vote:**

**Yes:** 6 - Lowenthal, DeLong, O'Donnell, Johnson, Gabelich and Neal

**Abstentions:** 1 - Schipske

**Absent:** 2 - Garcia and Andrews

**Enactment No:** RES-12-0057

**NEW BUSINESS (8:34 PM)**

32. Agenda Item No. 32 is listed under Unfinished Business (page 5).

33. 12-0518 Recommendation to respectfully request City Manager to assist the Long Beach Heritage Museum in finding storage for their collections in service to past, present and future residents of Long Beach; and request City Manager to also work with Long Beach Heritage Museum to find space where pieces of their collection could be put on display for the public.

Vice Mayor Lowenthal spoke.

Councilmember DeLong spoke.

Dennis Dunn spoke.

Marshall Humphrey spoke.

David Clement spoke.

Dan Halverson spoke.

John Thomas spoke.

Patrick West, City Manager, spoke.

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

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

**Absent:** 2 - Garcia and Andrews

34. Affidavit of Service for special meeting held Tuesday, June 19, 2012.

35. 12-0519 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, June 15, 2012.

**This Agenda Item was received and filed.**

36. 12-0520 eComments received for the City Council meeting of Tuesday, June 19, 2012.

**This Agenda Item was received and filed.**

#### **ANNOUNCEMENTS (8:46 PM)**

Councilmember Neal made community announcements.

Councilwoman Gabelich made community announcements.

Councilwoman Schipske made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Johnson made community announcements.

#### **ADJOURNMENT (8:54 PM)**

At 8:54 PM, Mayor Foster adjourned the meeting.

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