

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



Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda items can be taken out of order during the meeting. Please consult the time stamps to determine the order in which business was addressed.

Agenda Items were considered in the order presented.

ROLL CALL (5:51 PM)

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

Councilmembers O'Donnell
Absent:

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

Invocation: Moment of Silence.

Flag Salute: Councilmember Robert Garcia, First District.

Mayor Foster announced that Agenda Item Nos. 1 and 27 have been withdrawn.

Recognition of Willmore City Heritage Association for Neighborhood of the Year award.

Councilmember Garcia spoke.

Mayor Foster spoke.

CONTINUED HEARING (5:59 PM)

[see media](#)

28. [10-0781](#) Recommendation to receive supporting documents into the record, conclude the hearing, and declare ordinance amending the Downtown Shoreline Planned Development District (PD-6) read for the first time and

laid over to the next regular meeting of the City Council for final reading;
and

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

John Callos spoke.

Harvey Cochran spoke.

John Callos spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke

Mayor Foster spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

Enactment No: ORD-10-0024

[see media](#)
[10-0782](#)

Adopt resolution submitting the amendment of the Local Coastal Program to the California Coastal Commission for consideration and approval. (District 2)

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0086. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

Enactment No: RES-10-0086

HEARINGS (6:17 PM)

1. 10-0840 Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution making certain findings for an Owner Participation Agreement with Lester Box, Inc., for the development of 1463 Cota Avenue. (District 1)

This Resolution was withdrawn.

[see media](#)

2. [10-0841](#) 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 DDRC Pike Entertainment, LLC, dba KDB Long Beach, 10 Aquarium Way, for Entertainment with Dancing by Patrons, Bowling Alley and Pool Hall. (District 2)

Harvey Cochran spoke.

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

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

Absent: 1 - O'Donnell

PUBLIC COMMENT (6:21 PM)

Harvey Cochran spoke on a variety of issues.

Mayor Foster spoke.

Janet Schabow spoke regarding school crossing guards.

Sadiyah Gibson-Ali spoke regarding donations and a foundation for poor people to receive a proper burial.

Kathy Ryan spoke regarding transparency in labor negotiations.

JoAnn Freeman spoke regarding budget cuts affecting the Martin Luther King and the Daisy Lane parades.

CONSENT CALENDAR (6:38 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve Consent Calendar Items 3 - 17, except for Item 4. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

3. [09-0945](#) Recommendation to City Council to concur in recommendation of the Charter Amendment Committee to refer to the Budget Oversight Committee for a broader conversation about the City's operating reserves the topic of creating a "Rainy Day" reserve in the City's budget.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation and refer to the Budget Oversight Committee for a broader conversation about the City's operating reserves the topic of creating a "Rainy Day" reserve in the City's budget. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

4. [see media](#)
[10-0775](#) Recommendation to City Council to concur in recommendation of the Charter Amendment Committee to forward to the Elections Oversight Committee for review and consideration the topic of conducting City elections in concurrence with statewide elections, with the discussion to include Instant Run-Off Voting (IRV).

Councilwoman Gabelich spoke.

Harvey Cochran spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation and refer to the Elections Oversight Committee for review and consideration the topic of conducting City elections in concurrence with statewide elections, with the discussion to include Instant Run-Off Voting (IRV). The motion carried by the following vote:

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

Absent: 1 - O'Donnell

5. [10-0776](#) Recommendation to City Council to concur in recommendation of the Charter Amendment Committee to refer to the City Council for a study session the topic of pension reform to amend the City Charter to require any future pension increase to be approved by the City Electorate to include a sunset clause for 15 years and a meet and confer with employee organizations.
A motion was made to approve recommendation on the Consent Calendar.
6. [10-0779](#) Recommendation to City Council to concur in recommendation of the Charter Amendment Committee to forward to the City Council for a study session the topic of creating a parcel tax dedicated to funding the City's library system.
A motion was made to approve recommendation on the Consent Calendar.
7. [10-0842](#) Recommendation to approve the minutes for the City Council Special Meetings of Tuesday, July 27, 2010.
A motion was made to approve recommendation on the Consent Calendar.
8. [10-0843](#) Recommendation to refer to City Attorney damage claims received between July 26, 2010 through August 2, 2010.
A motion was made to approve recommendation on the Consent Calendar.
9. [10-0844](#) Recommendation to adopt resolution certifying the 2009-2010 Local Development Report and its conformance with the State-mandated Congestion Management Program. (Citywide)
A motion was made to approve recommendation and adopt Resolution No. RES-10-0087 on the Consent Calendar.
Enactment No: RES-10-0087
10. [10-0845](#) Recommendation to adopt resolution authorizing City Manager to execute a contract with Hagemeyer North America, Inc., of Torrance, California (not an MBE, WBE, or SBE), for the purchase of Personal Protective Equipment (PPE) pursuant to the U.S. Communities Government Purchasing Alliance, on the same terms and conditions afforded to the County of Fairfax, Virginia, in an amount not to exceed \$75,000 including tax, to be funded by Homeland Security Grant

UASI-08. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-10-0088 on the Consent Calendar.

Enactment No: RES-10-0088

11. [10-0846](#)

Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the United States Department of Health and Human Services Administration on Aging to accept funding in the amount of \$100,000, effective July 1, 2010 through June 30, 2011 for the development of a Regional Senior Services Collaboration; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$100,000. (Citywide)

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

12. [10-0847](#)

Recommendation to authorize City Manager, or designee, to execute all necessary documents and amendments between the City of Long Beach and the State of California Department of Health Services for the provision of immunization services in the amount of \$349,660 for the period of July 1, 2010 to June 30, 2011. (Citywide)

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

13. [10-0848](#)

Recommendation to authorize City Manager to execute the Second Amendment to the Agreement with Occidental Long Beach, Inc. to develop the oil reserves from State Lease PRC 186 to define the priority of the use of equipment and facilities and define the payment of well fees. (Districts 1,2,3)

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

14. [10-0849](#)

Recommendation to receive and file the application of Jay Song, dba Falcon Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1501 East Broadway, with existing conditions. (District 2)

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

15. [10-0850](#)

Recommendation to receive and file the application of Baja Mex Restaurant LLC, dba Brite Spot, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3721 East Anaheim Street, with existing conditions. (District 4)

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

16. [10-0851](#)

Recommendation to refer the Proposed Capital Improvement Program for Fiscal Year 2011 to the Planning Commission for review of its consistency with the General Plan. (Citywide)

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

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

Absent: 1 - O'Donnell

17. [10-0852](#)

Recommendation to receive and file minutes for:
Civil Service Commission - July 21, 2010.
Parks and Recreation Commission - June 17, 2010.

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

REGULAR AGENDA (6:42 PM)

[see media](#)

18. [10-0853](#)

Recommendation to authorize City Manager to execute all documents necessary for a lease with California State University, Long Beach, for the operation of Blair Field, located at 4700 Deukmejian Drive, for an initial term of 11 years, with the option to extend the lease for four additional periods of 11 years each. (District 3)

Councilwoman Gabelich spoke.

Phil Hester, Director of Parks, Recreation and Marine, spoke.

Councilmember Johnson spoke.

Harvey Cochran spoke.

Vic Ceglas, Athletic Director, Long Beach State University, spoke.

A motion was made by Councilmember DeLong, 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

[see media](#)

19. [10-0811](#)

Recommendation to adopt resolution authorizing Long Beach Bond Finance Authority to issue 2010 Refunding bonds in an amount not to exceed \$34,000,000 to prepay the 1997 Civic Center Lease thus refunding the outstanding Long Beach Bond Finance Authority Lease Revenue and Refunding Bonds (Civic Center) 1997 Series A, and pay cost of issuance for the Series 2010 bonds. (District 2)

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-10-0089. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

Enactment No: RES-10-0089

[see media](#)

20. [10-0854](#)

Recommendation to receive supporting documentation into the record regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing, and adopt resolution approving the issuance of revenue bonds by the California Statewide Community Development Authority (CSCDA) to benefit Long Beach Senior Artist Colony, LP, in an amount not to exceed \$30,000,000. (District 1)

A motion was made by Councilmember Garcia, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-10-0090. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

Enactment No: RES-10-0090

[see media](#)

21. [10-0855](#)

Recommendation to authorize City Manager, or designee, to execute all necessary documents including subsequent grant renewals, through the Long Beach Department of Health and Human Services, with the U.S. Department of Housing and Urban Development (HUD) for the transfer of a 2009 Continuum of Care for Homeless Assistance Program grant from the Los Angeles Homeless Services Authority to the City of Long Beach. The HUD grant award is in the amount of \$350,396 and is for a

term of one year (May 1, 2010 to April 30, 2011). (Citywide)

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

[see media](#)

22. [10-0856](#)

Recommendation to adopt resolution authorizing City Manager to execute an agreement and any amendments thereto with Brüel & Kjaer EMS Inc., a Delaware corporation, without advertising for bids for the Long Beach Airport Noise and Operations Monitoring System (ANOMS) in an amount not to exceed \$813,000;

Authorize City Manager to execute any and all documents necessary for a Noise Office Services Agreement with Brüel & Kjaer EMS Inc., a Delaware corporation, for the maintenance, upgrade and support of the Long Beach Airport ANOMS for a period of approximately one year (with two additional one-year renewal options) at the initial annual base rate of approximately \$213,464 plus a \$50,000 contingency for additional services in an amount not to exceed \$813,000 for the proposed three-year total term; and

Authorize City Manager to execute subsequent amendments to the Agreement to extend the term of such agreement, increase the maximum authorized amount, authorize additional services, if required, within the provisions of the agreement and adjust the fee schedules for inflation. (District 5)

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-10-0091. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

Enactment No: RES-10-0091

[see media](#)

23. [10-0857](#)

Recommendation to authorize City Manager to execute all documents necessary for an agreement with Richard J. Mendoza, Inc., a California

corporation, doing business as Mendoza & Associates, for consulting services for construction management of the Phase 1 Terminal Improvements at the Long Beach Airport for an initial 42-month term in an amount not to exceed \$3,500,000; and execute any amendments to extend the term for up to one additional year and authorize additional services within the provisions of the contract. (District 5)

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, 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

[see media](#)

24. [10-0858](#)

Recommendation to adopt Plans and Specifications No. R-6805 for the mechanical, electrical, and plumbing renovations for the Spring Street and Lakewood Boulevard tunnels at the Long Beach Airport; authorize City Manager to execute a contract with Delmac Construction & Development, Inc., of Los Angeles, CA, in an estimated amount of \$1,013,000, plus a 10 percent contingency amount of \$101,300, if necessary, for a total amount of \$1,114,300; and increase appropriations in the Gas Tax Street Improvement Fund (SR 181) in the Airport Department (AP) by \$1,025,156. (District 5)

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, 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

[see media](#)

25. [10-0859](#)

Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Pro Auto Wash Incorporated, dba Belmont Auto Spa, for an original Alcoholic Beverage Control License, at 3525 East Anaheim Street, with conditions. (District 4)

Councilwoman Gabelich spoke.

Ben Rockwell spoke.

Harvey Cochran spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation to determine that the application serves the public convenience and necessity, and receive and file the application, with conditions. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

ORDINANCES (7:01 PM)

[see media](#)

26. [10-0750](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 15.48.020 relating to undergrounding of utilities, read and adopted as read. (District 3)
- A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-10-0023. The motion carried by the following vote:**
- Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal
- Absent:** 1 - O'Donnell
- Enactment No:** ORD-10-0023
27. [10-0781](#) Recommendation to declare ordinance amending and restating the Downtown Shoreline Planned Development District (PD-6), read and adopted as read. (District 2)
- This Ordinance was withdrawn.**
- Enactment No:** ORD-10-0024

NEW BUSINESS (7:01 PM)

28. Agenda Item No. 28 is listed under Continued Hearing.

[see media](#)

29. [10-0886](#) Recommendation to receive and confirm Mayor's designation of argument writers for City Measures submitted to voters for the Consolidated Special Municipal Election to be held on Tuesday,

November 2, 2010.

Mayor Foster spoke and submitted the names of the argument writers.

Larry Herrera, City Clerk, 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

30. [10-0888](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 6, 2010

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:07 PM)

Councilmember Garcia made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

Councilmember Johnson made community announcements.

Councilmember Neal made community announcements.

Councilwoman Gabelich made community announcements.

PUBLIC (7:14 PM)

Ben Rockwell spoke regarding problems with some new curb ramps.

ADJOURNMENT (7:16 PM)

At 7:16 PM, Mayor Foster adjourned the meeting.

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