



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-5

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March 4, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council and the Study Session minutes for the meetings held Tuesday, February 19, 2008.

DISCUSSION

The Legistar minutes of the City Council and the Study Session for the meetings held Tuesday, February 19, 2008, 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 HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:39 PM)

Councilmembers O'Donnell, Schipske, Andrews and Lerch
Present:

Councilmembers B. Lowenthal, S. Lowenthal, DeLong, Reyes Uranga and Gabelich
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager;
Robert Shannon, City Attorney; Laura Doud, City Auditor; Larry Herrera, City Clerk;
Allison Bunma, City Clerk Analyst.

Mayor Foster presiding.

1. 08-0173 Recommendation to hold a study session regarding Sponsorship and Marketing Program.

This Agenda Item was received and filed.

Patrick West, City Manager, spoke.

Robert Swayze, Economic Development Bureau Manager, presented a PowerPoint presentation.

SECOND ROLL CALL (3:45 PM)

Councilmembers B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske,
Present: Andrews, Reyes Uranga, Gabelich and Lerch

B. Lowenthal joined the meeting. Gabelich joined the meeting. S. Lowenthal joined the meeting. DeLong joined the meeting. Reyes Uranga joined the meeting.

Randy Bernstein, President and CEO of Premier Partnerships, presented a PowerPoint presentation.

Patrick West, City Manager, spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilmember S. Lowenthal spoke.

Councilman Andrews spoke.

Patrick West, City Manager, spoke.

Vice Mayor B. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

PUBLIC (4:31 PM)

Harvey Cochran spoke.

ADJOURNMENT (4:35 PM)

At 4:35 P.M., Mayor Foster adjourned the meeting.

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 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 (5:06 PM)

Councilmembers B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske,
Present: Andrews, Reyes Uranga, Gabelich and Lerch

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager;
Heather Mahood, Chief Assistant City Attorney; Cristyl Meyers, Deputy City Attorney;
Laura Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Val Lerch, Councilmember, Ninth District.

08-0176 A presentation on Ninth District Highlights by Councilmember Val Lerch,
Ninth District.

Councilmember Lerch spoke.

This Ceremonial Item was presented.

PUBLIC COMMENT (5:22 PM)

Mike Kowal spoke regarding homeless services

Larry Goodhue spoke regarding Marine Stadium.

08-0175 Joe Sopo spoke regarding mentally ill homeless individuals and
submitted a flyer for a neighborhood meeting.

This Handout was received and filed.

Harvey Cochran spoke regarding his new show and community issues.

Danny Wilson spoke regarding black-balling of African American men in Long Beach.

Karl Sutton Miller spoke regarding lost pet bird.

CONSENT CALENDAR (5:38 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 1-15, except for Item 10. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

1. 08-0163 Recommendation to receive and file report on attendance at the Independent Cities Association Conference on February 8 - 10, 2008, in Santa Barbara, CA.
A motion was made to approve recommendation on the Consent Calendar.
2. 08-0164 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$32,375, and a separate authority to pay \$84,400 for the claim of Phyllis Knapp; and \$56,391.07 for the claim of Manuel Lopez in compliance with the Appeals Board Orders.
A motion was made to approve recommendation on the Consent Calendar.
3. 08-0159 Recommendation to authorize City Manager to execute an agreement with Davis Wright Tremaine LLP for legal services during the period of February 1, 2008 through January 31, 2010, up to a maximum amount of \$150,000 each year, and subject to appropriation of funds in the second year.
A motion was made to approve recommendation on the Consent Calendar.
4. 08-0168 Recommendation to authorize City Manager to execute an agreement with the firm of Grobstein, Horwath & Company, LLP, Certified Public Accountant, in the matter entitled Queen's Seaport Development, Inc., Case No. LA05-15175VZ.

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

5. 08-0165 Recommendation to approve the City Council minutes for the meeting of Tuesday, February 12, 2008.

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

6. 08-0172 Recommendation to refer to City Attorney damage claims received between February 7, 2008 and February 14, 2008.

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

7. 08-0158 Recommendation to receive and approve changes to the Conflict of Interest Code of the Department of Development Services (formerly Planning and Building).

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

8. 08-0145 Recommendation to authorize City Manager to execute an amendment to the agreement approved by the City Council on October 23, 2007 with Office Furniture Group, Inc., for the purchase of furniture and office components; and increase the contract by \$16,085, for a not to exceed cost of \$184,085. (District 5)

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

9. 08-0146 Recommendation to adopt resolution authorizing City Manager to execute a contract with Sanofi Pasteur, Inc., to provide communicable disease and travel vaccines for public health clinics on the same terms and conditions afforded under the Public Health Service (PHS) Section 340B Drug Pricing Program, in an amount not to exceed \$115,000 for a one-year period with option of renewing for two additional one-year periods, plus a 10 percent contingency for additional vaccines if necessary and if funds are available, at the discretion of the City Manager. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-08-0021 on the Consent Calendar.

Enactment No: RES-08-0021

10. 08-0147 Recommendation to authorize City Manager to execute a permit with Your Next Victory, Inc., to operate a beach exercise concession for a term of three years, with one three-year renewal option, at the discretion

of the City Manager or his designee. (District 3)

Larry Goodhue spoke.

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

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

- 11. 08-0148** Recommendation to receive and file the application of Tenner Chung, dba Big Johns Liquor Store, for a person-to-person transfer of an Alcoholic Beverage Control License, at 949 Daisy Avenue, with existing conditions. (District 1)
- A motion was made to approve recommendation on the Consent Calendar.**
- 12. 08-0149** Recommendation to receive and file the application of Yvette Erin Kim, dba Carniceria Sinaloa Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 601 Atlantic Avenue, with existing conditions. (District 1)
- A motion was made to approve recommendation on the Consent Calendar.**
- 13. 08-0150** Recommendation to receive and file the application of Warne Lo LLC, dba Hamburger Marys, for a person-to-person transfer of an Alcoholic Beverage Control License, at 740 East Broadway, with existing conditions. (District 2)
- A motion was made to approve recommendation on the Consent Calendar.**
- 14. 08-0151** Recommendation to receive and file the application of Jenny Insil Park, dba Lucky Dragon Buffet, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3240-44 East Pacific Coast Highway, with existing conditions. (District 4)
- A motion was made to approve recommendation on the Consent Calendar.**
- 15. 08-0166** Recommendation to receive and file minutes of:
Civil Service Commission - January 30, 2008 (amended) and
February 6, 2008.

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

REGULAR AGENDA (5:41 PM)

- 16. 08-0162** Recommendation to receive a presentation of a check to be given to the City of Long Beach on behalf of the Livingston Park Tot Lot.
- Mike Duree spoke and presented check for \$150,000 for the Tot Lot.
- Phil Hester, Director of Parks, Recreation and Marine, spoke.
- Councilmember DeLong spoke.
- This Agenda Item was received and filed.**
- 17. 08-0171** Recommendation to respectfully request City Attorney to draft an ordinance further restricting residency requirements of Penal Code Section 290 sex offenders from residing within 2,000 feet or, in case of Penal Code Section 290 sex offenders classified as high risk, 2,500 feet from any licensed child-care facility; and, if determine to be appropriate, limit the number of Penal Code Section 290 sex offenders residing at multi-family residential dwellings. Such ordinance is authorized pursuant to California Penal Code Section 3003.5 (c).
- Cristyl Meyers, Deputy City Attorney, spoke.
- Councilmember S. Lowenthal spoke.
- Margie Landress spoke.
- Emily Ragsdale spoke and submitted written correspondence.
- Mike Wilson spoke.
- Lisa Smith spoke.
- Lindsey Hicklan spoke.
- Harvey Cochran spoke.
- Joe Sopo spoke.
- Josh Westfall spoke.
- Helen Bush spoke.

Juno Mill spoke.

Annette Garcia spoke.

Henry Bush spoke.

Katherine Madden spoke.

Rachel Shin spoke.

Kate Carp spoke.

Councilmember Lerch spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Cristyl Meyers, Deputy City Attorney, spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Vice Mayor B. Lowenthal spoke.

Police Chief Anthony Batts spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

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

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

18. 08-0134 Recommendation to City Council to concur in the recommendation of the State Legislation Committee to receive and adopt the communications regarding the 2008 State Legislative Agenda.

Councilmember O'Donnell spoke.

Harvey Cochran spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember Lerch, to approve recommendation as amended on the floor. The motion carried by the following vote:

Yes: 6 - DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 3 - B. Lowenthal, S. Lowenthal and Reyes Uranga

19. 07-1179 Recommendation to City Council to concur in the recommendation of the Personnel and Civil Service Committee to: [1] adopt the "Authorities, Boards, Commissions, and Committees Handbook" dated February 19, 2008; [2] adopt the Personnel and Civil Service Committee practice of docketing agenda items relative to any Charter Commission nominee two weeks after the deliberations; and [3] request the Office of the Mayor to extend the validity of the Authorities, Boards, Commissions and Committees Application to two years from one year, for confirmation by the City Council.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Harvey Cochran spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation with the amendments as follows: that recommendation item [2] read - adopt the Personnel and Civil Service Committee (PCSC) practice of docketing agenda items relative to any Charter Commission nominee "one" week after PCSC deliberations, consistent with the proposed 12-day notice of agenda items; and that background checks and fingerprinting be completed before City Council appointment. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - B. Lowenthal and Reyes Uranga

Mayor Foster declared a five-minute recess.

20. 08-0154 Recommendation to review and approve the 2007 Annual Open Space and Recreation Element Report.

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

Yes: 6 - S. Lowenthal, DeLong, Schipske, Andrews, Gabelich and Lerch

Absent: 3 - B. Lowenthal, O'Donnell and Reyes Uranga

21. 08-0152 Recommendation to receive and file the Fiscal Year 2008 First Quarter Budget Performance Report. (Citywide)

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

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

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

22. 08-0153 Recommendation to receive and file the Investment Report for Quarter Ending December 31, 2007. (Citywide)

Councilwoman Gabelich spoke.

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

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 1 - Reyes Uranga

23. 08-0155

Recommendation to adopt Resolution of Consideration to alter the facilities authorized to be financed by Community Facilities District No. 5 (Long Beach Towne Center), and set date of public hearing for Tuesday, March 4, 2008 at 5:00 p.m. (District 5)

Harvey Cochran spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilwoman Schipske, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Resolution No. RES-08-0022. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-08-0022

24. 08-0156

Recommendation to adopt Specifications No. PA-02807 and award a contract to Carmenita Ford Truck Sales, Inc., for two crew trucks with custom beds in the amount of \$332,443 including tax, plus the option to purchase two additional units, and a 10 percent contingency if necessary and if funds are available, at the discretion of the City Manager. (Citywide)

Harvey Cochran spoke.

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

25. 08-0157 Recommendation to adopt Plans and Specifications No. R-6746 for the installation of Metro Blue Line Chain Link Fence with "Wave" Top Rail from 6th Street to Willow Street on Long Beach Boulevard; and authorize City Manager to execute a contract with FenceCorp, Inc., the lowest responsible bidder, in an estimated amount of \$397,310 plus a 15 percent contingency amount, if necessary. (Districts 1,6)

Harvey Cochran spoke.

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

ORDINANCE (7:39 PM)

26. 08-0123 Recommendation to declare ordinance adding Chapter 5.81 to the Long Beach Municipal Code regarding Tobacco Retail Permit, read and adopted as read. (Citywide)

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation and adopt Ordinance No. ORD-08-0003. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: ORD-08-0003

NEW BUSINESS (7:40 PM)

27. Affidavits of Service for the special meetings held Tuesday, February 19, 2008.

ANNOUNCEMENTS (7:40 PM)

Mayor Foster requested that the meeting be adjourned in memory of Jim Silknitter and Frank Castillo.

Councilwoman Schipske made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Reyes Uranga spoke regarding Frank Castillo

Councilwoman S. Lowenthal made community announcements.

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

PUBLIC (7:50 PM)

Harvey cochran spoke.

ADJOURNMENT (7:51 PM)

At 7:51 P.M., Mayor Foster adjourned the meeting in memory of Jim Silknitter and Frank Castillo.

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