



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

# C-3

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March 15, 2011

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Approve the minutes for the City Council Meeting of Tuesday, March 1, 2011

## DISCUSSION

The Legistar minutes for the City Council Meeting of Tuesday, March 1, 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,

A handwritten signature in black ink, appearing to read "Larry Herrera".

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

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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 the order presented, except for Agenda Item Nos. 1, 6 and 11, which were considered following the Consent Calendar vote.

### ROLL CALL (5:00 PM)

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

**Councilmembers** Garcia and DeLong  
**Absent:**

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

Mayor Foster presiding.

Mayor Foster announced that Councilmembers DeLong and Garcia would be absent.

Invocation: Moment of Silence.

Flag Salute: Long Beach Campfire USA.

Mayor Foster announced that Agenda Item No. 26 had been withdrawn and continued to the meeting of March 22, 2011.

Proclamation for Campfire USA 101 Birthday.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Julie Pruitt, spcaLA, presented a canine.

**PUBLIC COMMENT (5:08 PM)**

Vernon Geiger spoke regarding towing RFP.

Patrick West, City Manager, spoke.

Councilmember O'Donnell spoke.

Larry Goodhue spoke regarding public process agreement.

**CONSENT CALENDAR (5:15 PM)**

Passed The Consent Calendar

**A motion was made by Councilman Andrews, seconded by Councilwoman Schipske, to approve Consent Calendar Items 1 - 14, except for Items 1, 6 and 11. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and DeLong

1. 11-0197 Recommendation to receive and file report on travel to Sacramento for legislative business, February 14, 2011.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

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

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

**Absent:** 2 - Garcia and DeLong

2. 11-0192 Recommendation to authorize City Attorney to pay the sum of \$110,000

in full settlement of lawsuit entitled Slavin v. City of Long Beach, et al; and to pay sum of \$37,000 in full settlement of lawsuit entitled Edward D. Sullivan and Valerie A. Sullivan v. City of Long Beach, et al.

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

3. 11-0196 Recommendation to approve the minutes for the City Council meetings and City Council Study Sessions held Tuesday, February 8 and 15, 2011.

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

4. 11-0221 Recommendation to refer to City Attorney damage claims received between February 7, 2011 and February 18, 2011.

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

5. 11-0194 Recommendation to approve the destruction of records for Long Beach Police Department Internal Affairs as shown in Exhibit A; and adopt resolution.

**A motion was made to approve recommendation and adopt Resolution No. RES-11-0031 on the Consent Calendar.**

**Enactment No:** RES-11-0031

6. 11-0198 Recommendation to adopt resolution approving the application for grant funds through the California Department of Forestry and Fire Protection urban forestry grant program entitled "Leading Edge Urban Greening," as provided through Propositions 40 and 84. (Citywide)

Councilwoman Gabelich spoke.

Suzanne Frick, Assistant City Manager, spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

**A motion was made by Councilmember O'Donnell, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0034. The motion carried by the following vote:**

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

**No:** 1 - Gabelich

**Absent:** 2 - Garcia and DeLong

**Enactment No:** RES-11-0034

7. 11-0199 Recommendation to adopt resolution approving the application for grant funds through the California Department of Forestry and Fire Protection urban forestry grant program entitled "Green Trees for the Golden State," as provided through Propositions 40 and 84. (Citywide)

**A motion was made to approve recommendation and adopt Resolution No. RES-11-0032 on the Consent Calendar.**

**Enactment No:** RES-11-0032

8. 11-0200 Recommendation to authorize City Manager to execute an agreement with Fred Hall Associates/American Sportfishing Association, LLC, to utilize dock space in Rainbow Marina for in-water vessel displays, as part of the 65th Annual Fred Hall Show. (District 2)

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

9. 11-0201 Recommendation to authorize City Manager to accept an in-kind donation of planning, labor, and materials, equivalent to approximately \$9,000, for the installation of infield and sideline turf at Heartwell Park, Ball Field Number 12; and to execute a right-of-entry permit and any related documents associated with these proposed improvements with Lakewood Village Little League, as recommended by the Parks and Recreation Commission at its meeting on January 20, 2011. (District 5)

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

10. 11-0202 Recommendation to authorize City Manager to accept a non-monetary donation of planning, labor, and materials, equivalent to approximately \$12,000, for the installation of a batting cage and baseball netting at Heartwell Park, Area 3, Baseball Field Number 6, located at 5801 East Parkcrest Street; and to execute a right-of-entry permit and any related documents associated with this proposed project with East Long Beach Pony Baseball, as recommended by the Parks and Recreation Commission at its meeting on January 20, 2011. (District 5)

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

11. 11-0203 Recommendation to authorize City Manager to execute all necessary documents to receive and expend funding from the Office of the State Chief Information Officer, California 9-1-1 Emergency Communications Office; and increase appropriations in the General Fund (GP) and in the Police Department (PD) by \$106,262. (Citywide)
- Councilwoman Gabelich spoke.
- Patrick West, City Manager, spoke.
- A motion was made by Councilwoman Gabelich, seconded by Councilmember Johnson, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal
- Absent:** 2 - Garcia and DeLong
12. 11-0204 Recommendation to authorize City Manager to execute any and all documents necessary for a License Agreement between the City of Long Beach and Signal Hill Petroleum (SHP), Inc., a California corporation, for use of City-owned land located at the corner of 2nd Street and Shopkeeper Road, to allow access to oil operations at the adjacent property; and increase appropriations in the General Fund (GP) in the Department of Public Works (PW) by \$12,000. (District 3)
- A motion was made to approve recommendation on the Consent Calendar.**
13. 11-0205 Recommendation to adopt resolution authorizing the application for the CalRecycle Local Government Waste and Tire Cleanup Amnesty Event Grant; and authorize City Manager or designee to accept the grant funds, and execute all documents necessary to implement the purposes of the grant. (Citywide)
- A motion was made to approve recommendation and adopt Resolution No. RES-11-0033 on the Consent Calendar.**
- Enactment No:** RES-11-0033
14. 11-0195 Recommendation to receive and file the minutes for:  
Civil Service Commission - February 2 and 9, 2011.  
Redevelopment Agency Board - January 20, 2011.
- A motion was made to approve recommendation on the Consent Calendar.**
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**REGULAR AGENDA (5:29 PM)**

- 15. 11-0218** Recommendation to request City Manager to evaluate the cost vs. benefits of installing video cameras on our street sweeping vehicles.
- Councilwoman Schipske spoke.
- Michael Conway, Director of Public Works, spoke.
- Councilmember O'Donnell spoke.
- Councilwoman Schipske spoke.
- Vice Mayor Lowenthal spoke.
- Councilman Andrews spoke.
- Christopher Ward spoke.
- Mike Kisido spoke.
- A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal
- Absent:** 2 - Garcia and DeLong
- 16. 11-0222** Recommendation to request City Manager to conduct community meetings to discuss ways that residents can become involved in making Long Beach a more livable, mobile and desirable place to live.
- Vice Mayor Lowenthal spoke.
- Councilmember Neal spoke.
- Councilmember Johnson spoke.
- Councilwoman Gabelich spoke.
- Vice Mayor Lowenthal spoke.
- Councilmember O'Donnell spoke.
- Patrick West, City Manager, spoke.
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**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, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 2 - Garcia and DeLong

17. 11-0206 Recommendation to receive and file the Fiscal Year 2011 First Quarter Budget Performance Report. (Citywide)

Councilmember Johnson spoke.

Patrick West, City Manager, spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

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

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

**Absent:** 2 - Garcia and DeLong

18. 11-0209 Recommendation to authorize City Manager to execute contracts and all related documents with Empire Cabling, Inc., of Moorpark, CA (not an MBE, WBE or SBE), in an amount not to exceed \$127,000; NE Systems, Inc., of Santa Clarita, CA (not an MBE, WBE or SBE), in an amount not to exceed \$217,000; and MRV Communications Boston Division, Inc., of Chelmsford, MA (not an MBE, WBE or SBE), in an amount not to exceed \$30,000, for a combined total amount not to exceed \$374,000 annually, to provide network infrastructure equipment, software licenses, and technical support services for a one-year term with an option to renew for one additional one-year term, at the discretion of the City Manager. (Citywide)

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

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

**Absent:** 2 - Garcia and DeLong



19. 11-0210 Recommendation to authorize City Manager to execute the Third Amendment to Agreement No. 30954 with C&S Companies, in an amount not to exceed \$400,000, for Phase Two of the Residential Sound Attenuation Program and to extend the term for up to one additional year for Phase Two of the Program; and

Authorize the construction of home improvements in Phase Two of the Residential Sound Attenuation Program to be performed utilizing Job Order Contracting (JOC). (Districts 4,5)

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

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

**Absent:** 2 - Garcia and DeLong

20. 11-0211 Recommendation to authorize City Manager to execute all documents pertaining to the Sixth Amendment to the Lease Agreement between the City of Long Beach and Thums Long Beach Company for leased land within the City of Long Beach to correct Exhibit "C" to the Fifth Amendment and to adjust the rent and insurance provisions. (Districts 1,2,3)

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

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

**Absent:** 2 - Garcia and DeLong

21. 11-0212 Recommendation to authorize City Manager to amend Contract No. 30889 with Bellingham Marine Industries, Inc., for an additional \$135,000 for unanticipated costs of the Alamitos Bay Marina rebuild project, related to eelgrass mitigation and mercury disposal issues. (District 3)

Vice Mayor Lowenthal spoke.

Larry Goodhue spoke.

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

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

**Absent:** 2 - Garcia and DeLong

22. 11-0213 Recommendation to receive and file the application of Michael Robert Dene, dba Michaels Pizzeria, for an original Alcoholic Beverage Control License, at 5616 East 2nd Street, with conditions. (District 3)

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

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

**Absent:** 2 - Garcia and DeLong

23. 11-0214 Recommendation to adopt Plans and Specifications No. R-6747 for the Appian Way Bridge repainting project; award the project to, and authorize City Manager to execute the contract with Techno Coatings, Inc., in the amount of \$572,800, plus a 10 percent contingency amount of \$57,280, if necessary, for a total amount of \$630,080 and any amendments thereto; and

Increase appropriations in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) by \$852,101. The source of funds is the Federal Highway Bridge Repair and Replacement Program (HBRRP). (District 3)

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

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

**Absent:** 2 - Garcia and DeLong

24. 11-0215 Recommendation to adopt Plans and Specifications No. R-6800 for Paramount Boulevard from Candlewood Street to Artesia Boulevard, Phase I (Candlewood to 56th); 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 \$334,237, plus a 10 percent contingency of \$33,424, for a total of \$367,661, and to execute any necessary amendments thereto; and

Increase appropriations by \$431,173, in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for

construction and construction inspection costs related to this project. Funding for this project is from Federal Highway Administration Demonstration Funds. (Districts 8,9)

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

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

**Absent:** 2 - Garcia and DeLong

25. 11-0216

Recommendation to adopt Plans and Specifications No. R-6855 for Paramount Boulevard, from Candlewood Street to Artesia Boulevard, Phase II (56th to Artesia); award the project to, and authorize City Manager to execute all documents necessary to enter into a contract with R. J. Noble Company, in an estimated amount of \$1,034,787, plus a 10 percent contingency of \$103,479, for a total of \$1,138,266, and to execute any necessary amendments thereto; and

Increase appropriations by \$852,942, in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (Districts 8,9)

Eileen Oiland spoke.

Councilmember Neal spoke.

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

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

**Absent:** 2 - Garcia and DeLong

26. 11-0217

Recommendation to find that excavations are immediately required for the general health, safety, and welfare of the City and cannot be delayed; that alternatives to excavating, such as alternative routing, or construction methods, such as boring or excavation of the parkway, are not possible; approve a discretionary permit to excavate areas in certain City streets that have been reconstructed within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 7,8,9)

**This Agenda Item was withdrawn.**

27. 11-0193 Recommendation to authorize City Manager to execute a lease-purchase agreement and related financing documents with Banc of America Public Capital Corp for the financing of personal computers, computer related equipment, and servers in an amount not to exceed \$1,313,300 including interest, payable over a four-year period.  
(Citywide)

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

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

**Absent:** 2 - Garcia and DeLong

**ANNOUNCEMENTS (6:10 PM)**

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements.

Councilmember Johnson made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Neal made community announcements.

Councilwoman Gabelich made community announcements.

Vice Mayor Lowenthal made community announcements.

**ADJOURNMENT (6:20 PM)**

At 6:20 PM. Vice Mayor Lowenthal adjourned the meeting.

adb