

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

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 (5:00 PM)

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

Councilmembers Absent: Garcia, O'Donnell and Gabelich

Also present: Patrick West, City Manager; Reginald Harrison, Deputy City Manager; Charles Parkin, Principal Deputy City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Vice Mayor Lowenthal presiding.

Invocation: Moment of Silence.

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

Lacey Miller, spcaLA, presented a canine.

Presentation by Mental Health America.

Proclamation presented for National Mentoring Month.

Proclamation presented for "Year of the Ranchos" (Los Cerritos and Los Alamitos).

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

PUBLIC COMMENT (5:41 PM)

[12-0092](#) Lary Goodhue spoke regarding the decision for PCH + 2nd Street; and submitted information.

This Handout was received and filed.

SECOND ROLL CALL (5:42 PM)

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

Councilmembers Garcia and Gabelich
Absent:

Councilmember O'Donnell joined the meeting.

CONSENT CALENDAR (5:44 PM)

Larry Goodhue spoke regarding Agenda Item No. 5.

Stacy Hinkle spoke regarding Agenda Item No. 5.

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 6. The motion carried by the following vote:

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

Absent: 2 - Garcia and Gabelich

1. [12-0074](#) Recommendation to authorize City Attorney to pay the sum of \$6,000 in full settlement of lawsuit entitled *Southern California Edison Company v. City of Long Beach*, Case No. 11C00283.

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

2. [12-0058](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, January 10, 2012.

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

3. [12-0059](#) Recommendation to refer to City Attorney damage claims received between January 9, 2012 and January 13, 2012.

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

4. [12-0028](#) Recommendation to authorize City Manager to execute all necessary agreements with the State of California to receive \$140,113 in Assembly Bill 118 funds to implement the Alternative and Renewable Fuel and Vehicle Technology Program under the Regional Industry Clusters of Opportunity (RICO); execute an agreement with Economic Development Corporation of Los Angeles County (LAEDC) in the amount of \$60,000; increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Human Resources (HR) by \$140,113; and execute any needed subsequent amendments. (Citywide)

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

5. [12-0061](#) Recommendation to authorize City Manager to execute a permit with Stacy Hinkel, an individual doing business as Moving Forward Fitness, to use open space within City parks for group exercise classes consisting of stroller strides training for a term of two years, with three, one-year renewal options at the discretion of the City Manager or his designee. (District 3)

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

6. [12-0060](#) Recommendation to receive and file minutes for:
Civil Service Commission - December 7, 2011.
Cultural Heritage Commission - November 14, 2011.

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

Patrick West, City Manager, introduced Dennis Strachota, the new Budget and Performance Management Bureau Manager.

THIRD ROLL CALL (6:07 PM)

Councilmembers Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews,
Present: Johnson and Neal

Councilmembers Gabelich
Absent:

Councilmember Garcia joined the meeting during the discussion of Agenda Item No. 7.

REGULAR AGENDA (5:51 PM)

[see media](#)

7. [12-0073](#) Recommendation to request City Manager to prepare a "Port Impact Zone" plan to mitigate cumulative port-related impacts in Long Beach neighborhoods.

Councilmember Johnson spoke.

Maria Norvell spoke.

Joan Greenwood spoke.

Gary Shelton spoke.

Brian Ulaszewski spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

A motion was made by Councilmember Johnson, seconded by Vice Mayor Lowenthal, to approve recommendation and request City Manager to prepare an Air Quality Impact Plan, pulling together work completed by various agencies, to create a master plan that could be incorporated into key documents such as the mobility and land use elements of the General Plan and could be used in future discussion regarding how to improve air quality in the City and mitigate cumulative impacts to the air quality of Long Beach neighborhoods from port-related goods movement, nearby refineries, air traffic and the 710 freeway. The motion carried by the following vote:

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

Absent: 1 - Gabelich

[see media](#)

8. [12-0062](#)

Recommendation to authorize City Manager to amend and extend the Key Tenant Loan with Marina Pacifica, LLC, allowing for a 10-year extension without additional loan funding. (District 3)

Larry Goodhue spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

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

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

Absent: 1 - Gabelich

[see media](#)

9. [12-0034](#)

Recommendation to receive and file the Fiscal Year 2011 Year-End Budget Performance Report; and

Increase appropriation in the Housing Authority Fund (SR 151) by \$1.2 million and increase/decrease appropriations in the General Fund in multiple departments for various purposes to reflect final expenditures. (Citywide)

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

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

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

Absent: 1 - Gabelich

[see media](#)

10. [12-0063](#)

Recommendation to authorize City Manager to enter into a 25-year Location Agreement with Sales Center Development Concepts, LLC, and approving the retailer Office Depot. (Citywide)

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

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

Absent: 1 - Gabelich

[see media](#)

11. [11-1221](#)

Recommendation to adopt resolution authorizing City Manager to execute all documents allowing the City of Long Beach to participate in the Houston-Galveston Area Council Buy (HGACBuy) Program, for the cooperative purchase of Homeland Security-related goods and services, on an as-needed basis. (Citywide)

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-12-0013. The motion carried by the following vote:

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

Absent: 1 - Gabelich

Enactment No: RES-12-0013

[see media](#)

12. [12-0064](#) Recommendation to authorize City Manager to execute Voluntary Compliance Agreement and any necessary amendments thereto, with the United States Department of Housing and Urban Development (HUD) for Section 3 monitoring for compliance with the HUD Queensway Bay Restitution Plan in a total amount not to exceed \$3.7 million for a period of three years. (Citywide)

Nona Randois, Legal Aid Foundation of Los Angeles, spoke.

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

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

Absent: 1 - Gabelich

[see media](#)

13. [12-0065](#) Recommendation to adopt Specifications No. PA-00812 and award a contract to Ferguson Enterprises, Inc., a Long Beach-based business (not an MBE, WBE or SBE) for furnishing and delivering ball valves, in an annual amount not to exceed \$250,000, 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 Councilman Andrews, to approve recommendation. The motion carried by the following vote:

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

Absent: 1 - Gabelich

[see media](#)

14. [12-0066](#) Recommendation to adopt Specifications No. PA-00712 and award a contract to Independent Utility Supply, of Tracy, CA (not an MBE, WBE, SBE or Local) for furnishing and delivering Mueller products, in an annual amount not to exceed \$235,000, 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 Councilman Andrews, seconded by Councilmember Neal, to approve recommendation. The motion carried by the following vote:

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

Absent: 1 - Gabelich

[see media](#)

15. [12-0067](#) Recommendation to authorize City Manager to accept \$1,500,000 in grant funds from the California State Coastal Conservancy for the DeForest Wetlands project; increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) by \$1,500,000; and execute any documents necessary for the administration of the project. (Districts 8,9)

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

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

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

Absent: 1 - Gabelich

[see media](#)

16. [12-0029](#) Recommendation to authorize City Manager to execute any and all documents necessary for a lease with Long Beach Organic, Inc., a California nonprofit corporation, for the re-establishment of the Wild Oats Community Garden, located on the City-owned former Pacific Electric Right-of-Way property between 10th Street and Loma Avenue, as recommended by the Parks and Recreation Commission, for an initial term of three years, with two additional three-year renewal options at the discretion of the City Manager. (District 4)

Councilmember O'Donnell spoke.

Julie Bolton spoke.

Spenser Langdon spoke.

Joe Corso spoke.

PG Herman spoke.

Councilmember Garcia spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember Neal, to approve recommendation, provided that the lessee removes the encroaching palm trees and repairs the fence. The motion carried by the following vote:

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

Absent: 1 - Gabelich

[see media](#)

17. [12-0068](#)

Recommendation to receive and file the application of Ernest Ray Henson and Christine Tasche, dba Wilmore, for an original Alcoholic Beverage Control License, at 3848 Atlantic Avenue, and submit a public notice of protest. (District 8)

Councilmember Neal spoke.

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve recommendation to receive and file the application, submit a Public Notice of Protest to ABC, and direct the City Manager to withdraw the protest if the 10-day appeal period for the Conditional Use Permit passes without an appeal. The motion carried by the following vote:

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

Absent: 1 - Gabelich

[see media](#)

18. [12-0070](#)

Recommendation to authorize City Manager to execute agreements and all related documents with recommended firms, including three Long Beach businesses, to provide as-needed professional and technical services related to system analysis, system development, system implementation, project management, and technical support for information technology projects and systems in an aggregate amount not to exceed \$2,840,000 in total expenditures over a two-year period. (Citywide)

Councilwoman Schipske spoke.

Vice Mayor Lowenthal 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, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 1 - Gabelich

ORDINANCES (6:59 PM)

[see media](#)

19. [12-0044](#) Recommendation to declare ordinance amending Long Beach Municipal Code Section 2.83.020 requiring class action claims against the City to be verified by every member of the class read the first time and laid over to the next regular meeting of City Council for final reading. (Citywide)

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, 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: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Neal

Absent: 2 - Johnson and Gabelich

20. [11-1156](#) ~~Recommendation to declare urgency ordinance amending the Long Beach Municipal Code by adding Chapter 5.89 prohibiting the establishment and operation of medical marijuana dispensaries within the City of Long Beach; and by repealing Chapter 5.87 relating to medical marijuana collectives; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Citywide)~~

This Emergency Ordinance was withdrawn.

NEW BUSINESS (7:01 PM)

[see media](#)

21. [12-0079](#) Recommendation to request City Manager and appropriate staff to work with the Long Beach Police Department and the Long Beach Unified School District to identify potential ways to partner, share resources, and to ensure school assets are secure.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

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

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

Absent: 1 - Gabelich

[see media](#)

22. [12-0080](#)

Recommendation to authorize City Attorney to pay sum of \$210,000 in full settlement of lawsuit entitled *Alejandro Roon v. Long Beach Police Department, et al.*

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

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

Absent: 2 - DeLong and Gabelich

[see media](#)

23. [12-0081](#)

Recommendation to adopt resolution pursuant to the provisions of Long Beach Municipal Code Section 1.21.070, providing for the appointment of Dee Andrews to the Office of Councilmember, Sixth Council District

for the term of four years commencing on the third Tuesday of July, 2012; and the cancellation of election in Council District Six previously called by the City Council on November 8, 2011.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0014. The motion carried by the following vote:

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

Absent: 2 - DeLong and Gabelich

Enactment No: RES-12-0014

24. [12-0082](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, January 20, 2012.

This Agenda Item was received and filed.

25. [12-0093](#) eComments received for the City Council meeting of Tuesday, January 24, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:22 PM)

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Garcia made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson requested that the meeting be adjourned in memory of Charles Jerome Patterson; and made community announcements.

Vice Mayor Lowenthal made community announcements.

ADJOURNMENT (7:31 PM)

At 7:31 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Charles Jerome Patterson.

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