

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, except for Agenda Item Nos. 3 and 19, which were considered in that order following the Consent Calendar vote.

ROLL CALL (5:02 PM)

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

Councilmembers Johnson
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Laura L. Doud, City Auditor; Merianne Nakagawa, Legislative Bureau Manager; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Rae Gabelich, Councilwoman, Eighth District.

Mayor Foster announced that Councilmember Johnson would be absent tonight; and that Agenda Item No. 19 would be considered at the beginning of the Regular Agenda.

Julie Pruitt, spcaLA, presented a canine.

Certificate of Congratulations was presented to the Long Beach Pony Baseball League.

Councilwoman Schipske spoke.

Proclamation was presented for the 100th Anniversary of Women's Suffrage.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Presentation by the Historical Society for the 16th Annual Historical Cemetery Tour.

Councilwoman Gabelich spoke.

Evan Braude spoke regarding the event.

Julie Bartolotto spoke.

Councilwoman Schipske spoke.

HEARINGS (5:29 PM)

[see media](#)

1. [11-1030](#) 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 Wokcano Long Beach, Inc., dba Wokcano, 199 The Promenade North, for Entertainment With Dancing by Patrons at an existing restaurant. (District 2)
A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation for a One-Year Short-Term Permit, with conditions. The motion carried by the following vote:
Yes: 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal
Absent: 1 - Johnson

[see media](#)

2. [11-1031](#) 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 Casto Corporation, Inc., dba The Brit, 1744 E. Broadway, for Entertainment Without Dancing by Patrons. (District 2)

Tom Hertzog spoke.

Ruby Archibald spoke.

Norman Tyler spoke.

Tammara Gray spoke.

Reg Lapin spoke.

Larry Goodhue spoke.

Myra Williams spoke; and submitted a petition.

Vice Mayor Lowenthal spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, that the hearing be postponed for two months and the owners encouraged to apply for Occasional Event Permits as needed, with the conditions as outlined for the Permit for Entertainment. The motion carried by the following vote:

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

Absent: 1 - Johnson

PUBLIC COMMENT (5:46 PM)

Chris Robson spoke regarding Occupy Long Beach

Larry Goodhue spoke regarding Basin 4 in the Marina.

Molly Haupt spoke regarding Occupy Long Beach.

Tammara Phillips spoke regarding Occupy Long Beach.

Jonah Quest spoke regarding Occupy Long Beach and certain sidewalks needing repair.

P. Joseph Rosenwald spoke regarding portable toilets in Lincoln Park and (FACTS) Families to Amend California's Three Strikes law.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

Kirsten Larsen spoke regarding Rebuilding Together event in Long Beach on October 22, 2011.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

CONSENT CALENDAR (6:16 PM)

Larry Goodhue spoke.

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve Consent Calendar Items 3 - 10, except for Agenda Item No. 3. The motion carried by the following vote:

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

Absent: 2 - Andrews and Johnson

[see media](#)

3. [11-0968](#) Recommendation to City Council to concur in recommendation of the Elections Oversight Committee to authorize City Clerk to procure voting system technology that will allow persons with disabilities to vote privately and independently, at City Hall, during the 29 day early voting

window period for the April 2012 Primary Nominating and June 2012 General Municipal elections.

Councilmember Garcia spoke.

Francis Emily Dawson Harris 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, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal

Absent: 1 - Johnson

4. [11-1034](#) Recommendation to authorize City Manager to execute a settlement agreement and all other necessary documents to settle a dispute between the City and Indel Engineering dba Marina Shipyard.
A motion was made to approve recommendation on the Consent Calendar.
5. [11-1048](#) Recommendation to authorize City Attorney to pay sums of \$8,500 and \$12,500 in full settlement of lawsuit entitled *Ramon Edward Guedea, and as Guardian Ad Litem of Alicia Gabriela Guedea v. City of Long Beach, et al.*; to pay the sum of \$5,999 in full settlement of lawsuit entitled *Ochoa v. City of Long Beach*, Case No. 10C04386; and to pay sum of \$10,000 in full settlement of lawsuit entitled SCE v. COLB.
A motion was made to approve recommendation on the Consent Calendar.
6. [11-1032](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, October 4, 2011.
A motion was made to approve recommendation on the Consent Calendar.
7. [11-1033](#) Recommendation to refer to City Attorney damage claims received between October 3, 2011 and October 10, 2011.
A motion was made to approve recommendation on the Consent Calendar.
8. [11-1035](#) Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2011 to September 30, 2012 for the Fourth Street Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and set date of hearing for Tuesday, November 8, 2011 at 5:00 p.m. (District 2)

A motion was made to approve recommendation and adopt Resolution No. RES-11-0117 on the Consent Calendar.

Enactment No: RES-11-0117

9. [11-1036](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Blackbird Cafe located at 3403/3405 Orange Avenue. (District 7)

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

10. [11-1037](#) Recommendation to re-appoint Deputy Director of Public Works/City Engineer Mark Christoffels as the appointed Member to the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority, and Storm Water Officer Anthony Arevalo as the authorized Alternate Member; and authorize City Manager to designate in writing a representative if neither the Member nor Alternate Member is available. (Citywide)

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

REGULAR AGENDA (6:23 PM)

[see media](#)

11. [11-1052](#) Recommendation to respectfully request City Manager to present a report on the last 5 years of contracts in the Department of Public Works to the City Council within 21 days, including, but not limited to the following data:

- Total number of public works contracts, including total dollar amounts annually
- Total number and percentage of minority-owned businesses receiving public works contracts
- Total number and percentage of women-owned businesses receiving public works contracts
- Total number and percentage of local businesses receiving public works contracts
- Any available data on local jobs created through public works contracts
- Any notable trends related to the procurement of contracts with local, minority, and women-owned businesses

Councilmember Neal spoke.

Mayor Foster spoke.

Eric Sund, Business Relations Manager, spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Larry Goodhue spoke.

Vice Mayor Lowenthal spoke.

Joseph Rosenwald spoke.

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

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

Absent: 1 - Johnson

[see media](#)

12. [11-1038](#)

Recommendation to authorize City Manager to transfer a City loan with Sports Legends, Inc., dba Legends Restaurant, to Shore Restaurant Group, LLC. (District 3)

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

Absent: 1 - Johnson

[see media](#)

13. [11-1039](#)

Recommendation to authorize City Manager to execute all necessary documents with the Southern California Association of Governments (SCAG) relating to a grant awarded to the Department of Development Services for professional planning services to prepare a new development code for Long Beach Boulevard and related environmental documents. (Districts 1,6,7)

Councilman Andrews spoke.

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

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

Absent: 1 - Johnson

[see media](#)

14. [11-1040](#)

Recommendation to authorize City Manager to make payment for property and boiler and machinery insurance for the Southeast Resource Recovery Facility for the period of October 20, 2011 through October 20, 2012, for a premium not to exceed \$855,000, payable to Covanta Holding Corporation. (District 2)

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, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal

Absent: 1 - Johnson

[see media](#)

15. [11-1041](#)

Recommendation to authorize City Manager to execute International Swap and Derivatives Association (ISDA) Agreements with several energy market risk management product providers to allow various physical and financial natural gas transactions to protect against natural gas price spikes for customers of Long Beach Gas and Oil. (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, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal

Absent: 1 - Johnson

[see media](#)

16. [11-1042](#)

Recommendation to authorize City Manager to execute a lease and all necessary documents with Long Beach Local, Inc., for the establishment of an urban farm and sustainable produce stand on municipally-owned land, encompassing approximately 0.6 acres of undeveloped open space within the California Gardens project, located near 2712 California Avenue, as approved and recommended by the Parks and Recreation Commission, for a term of two years, with one, one-year renewal option at the discretion of the City Manager.

(District 7)

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

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

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

Absent: 1 - Johnson

[see media](#)

17. [11-0996](#)

Recommendation to approve the Downtown Long Beach Property and Business Improvement District Annual Report for the period of January 1, 2012 through December 31, 2012, automatically extending the Agreement for Funding with the Downtown Long Beach Associates for one year; and authorize payment of \$460,860 in City property assessments from the Civic Center Fund (IS 380) in the Department of Public Works (PW). (Districts 1,2)

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, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal

Absent: 1 - Johnson

[see media](#)

18. [11-1044](#)

Recommendation to facilitate the design of the Chittick Field project, move existing appropriations in the Open Space Bond by decreasing appropriations in the Capital Projects Fund (CP 201) in the Department of Citywide Activities (XC) by \$700,000; and increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) by \$700,000. (District 6)

Councilman Andrews spoke.

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

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

Absent: 1 - Johnson

NEW BUSINESS (6:23 PM)

[see media](#)

19. [11-1059](#)

Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following appointment: Civil Service Commission (1 appointment).

Councilwoman Schipske 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, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Neal

Absent: 2 - Garcia and Johnson

20. Affidavit of Service for special meeting held Tuesday, October 18, 2011.

21. [11-1067](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, October 14, 2011.

This Agenda Item was received and filed.

22. 11-1070

eComments received for the City Council meeting of Tuesday, October 18, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS (6:44 PM)

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember Neal made community announcements.

Councilmember Garcia made community announcements.

Councilwoman Schipske spoke regarding the video sound.

Councilwoman Gabelich made additional announcements.

Councilmember O'Donnell made community announcements.

PUBLIC (6:52 PM)

Joseph Rosenwald spoke regarding the Rosie the Riveter event.

ADJOURNMENT (6:53 PM)

At 6:53 PM, Mayor Foster adjourned the meeting.

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