



CITY OF LONG BEACH

C-6

DEPARTMENT OF CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

July 24, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meetings of Tuesday, July 3 and 10, 2012, and City Council Budget meeting of Tuesday, July 3, 2012.

DISCUSSION

The Legistar minutes for the City Council meetings of Tuesday, July 3 and 10, 2012, and City Council Budget meeting of Tuesday, July 3, 2012 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 G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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 & 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.

ROLL CALL (5:35 PM)

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

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Patrick O'Donnell, Councilmember, Fourth District.

Mayor Foster announced that the recognition of the Montford Point Marines was being rescheduled.

Peer Review recognition presentation for Office of the City Auditor.

Laura L. Doud, City Auditor, spoke.

Councilmember Johnson spoke.

Councilman Andrews spoke.

Proclamation presented to recognize Fresh Start Sober Living.

Councilman Andrews spoke.

PUBLIC COMMENT (5:47 PM)

Shirley Broussard prayed for the Mayor's family; and spoke regarding homeless issues.

Nicholaas Chomenko spoke regarding municipal corruption.

Larry Boland spoke regarding firefighter overtime.

CONSENT CALENDAR (5:56 PM)

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to approve Consent Calendar Items 1 - 14, except for Item 1. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

1. 12-0546 Recommendation to receive and file a report on travel to Orlando, Florida for the U.S. Conference of Mayors annual meeting.

Mayor Foster spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

2. 12-0521 Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$56,142.50 for the claim of John Wade, in compliance with the Appeals Board Order.

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

3. 12-0522 Recommendation to authorize City Attorney to pay the sum of \$20,000 in full settlement of lawsuit entitled *McKinley v The City of Long Beach, et al.*, Case No. TC025579.

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

4. 12-0523 Recommendation to approve minutes for the City Council meetings held

Tuesday, June 12 and 19, 2012 and the Budget meeting held Tuesday, June 19, 2012.

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

5. 12-0524 Recommendation to refer to City Attorney damage claims received between June 11, 2012 and June 25, 2012.

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

6. 12-0525 Recommendation to receive and file the Comprehensive Annual Financial Report (CAFR) and Separately Issued Financial Statements for the Fiscal Year Ended September 30, 2011. (Citywide)

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

7. 12-0527 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Children and Families First - Proposition 10 Commission in an amount not to exceed \$394,168 for the period of July 1, 2012 through June 30, 2013 to continue the Long Beach-Wilmington Best Babies Collaborative Program, and execute service subcontracts and subsequent amendments with the listed agencies for outreach and health education. (Districts 1,6,7,9)

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

8. 12-0526 Recommendation to authorize City Manager, or designee, to execute all necessary documents between the State of California Water Resources Control Board and the City of Long Beach to provide Beach Water Quality Monitoring and Public Notification from April 1, 2012 through October 31, 2012. (Citywide)

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

9. 12-0528 Recommendation to authorize City Manager to execute all necessary agreements with the County of Los Angeles Department of Public Health in the amount of \$130,000 annually for five years to provide Community Prevention and Wellness Services under the Community Transformation Grant (CTG) program, administer and execute all necessary documents to accept and expend all grant funds in connection herewith, take all other actions necessary to implement the use of such funds; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by

\$130,000 for the period of June 2012 to September 2016. (Citywide)

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

10. 12-0530 Recommendation to authorize City Manager to execute all documents necessary to amend Agreements 26120 and 30225 for aeronautical-related businesses at the Long Beach Airport. (District 5)

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

11. 12-0531 Recommendation to authorize City Manager to execute all necessary documents to receive, accept and expend grant funding from the State of California Citizens Option for Public Safety Program funding from the County of Los Angeles Supplemental Law Enforcement Services Fund; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$47,899. (Citywide)

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

12. 12-0532 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal Bulletproof Vest Partnership Program grant; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$12,079. (Citywide)

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

13. 12-0533 Recommendation to authorize City Manager to apply for the California Department of Resource Recycling and Recovery (CalRecycle) FY2013 Used Oil Payment Program (OPP3), to accept the grant funds and execute all documents necessary to implement the program, utilizing the previously adopted ongoing Resolution No. RES-11-0076. (Citywide)

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

14. 12-0534 Recommendation to receive and file minutes for:
Civil Service Commission - June 6, 2012.
Planning Commission - May 17 and 24, 2012, and June 7, 2012.

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

UNFINISHED BUSINESS (5:58 PM)

15. 12-0490 Recommendation to adopt Specifications No. PA-03112 and award a contract to Abhe & Svoboda, Inc., of Prior Lake, MN (not an MBE, WBE or SBE), for bridge painting in the amount not to exceed \$181,645, at the discretion of the City Manager. (District 8)

Patrick West, City Manager, spoke.

Councilwoman Gabelich spoke.

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

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

Absent: 1 - Neal

REGULAR AGENDA (6:00 PM)

16. 12-0547 Recommendation to refer the "Paycheck Protection" initiative to the State Legislation Committee to consider a resolution of opposition by the Long Beach City Council.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

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

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

No: 1 - DeLong

17. 12-0549 Recommendation to receive presentation from City Management regarding Federal legislation that would require Long Beach residents to carry flood insurance.

Councilmember Johnson spoke.

Tom Modica, Director of Government Affairs, spoke.

Councilmember Neal spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

18. 12-0212

Recommendation to City Council to concur in recommendation of the Environmental Committee to receive and file an update on operations of the Southeast Resource Recovery Facility (SERRF).

Vice Mayor Lowenthal spoke.

Tom Modica, Director of Government Affairs, spoke.

Vice Mayor Lowenthal spoke.

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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

19. 11-0740

Recommendation to City Council to concur in recommendation of the Environmental Committee to receive and file the Airport Advisory Commission Technical Subcommittee Policy which would foster the City's efforts in support of Federal legislation, regulations and/or initiatives that promote a financially prudent transition towards safe "green" aircraft fuel while balancing the safety and financial concerns of the general aviation community for potential adoption by the Federal level.

Vice Mayor Lowenthal spoke.

J. C. Squires, Manager of Finance and Administration/CFO, Long Beach Airport, spoke.

Councilmember Johnson spoke.

Tom Modica, Director of Government Affairs, spoke.

Councilmember O'Donnell spoke.

Larry Boland spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

- 20. 12-0450** Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive and confirm the following appointments: Citizen Police Complaint Commission (2 appointments); and Planning Commission (1 appointment).

Councilwoman Schipske spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

- 21. 12-0466** Recommendation to City Council to concur in recommendation of the State Legislation Committee to support Senate Bill 1243 (Lowenthal), a bill to exempt bunker fuel from sales tax.

Councilmember O'Donnell spoke.

Tom Modica, Director of Government Affairs, spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Tom Modica, Director of Government Affairs, spoke.

Mayor Foster spoke.

Kelly Moore spoke.

Ron Consnan spoke.

Kenyata Woodworth spoke.

Peter Carrote spoke.

Councilmember O'Donnell spoke.

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

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

No: 1 - Schipske

Absent: 1 - DeLong

22. 12-0367

Recommendation to City Council to concur in recommendation of the State Legislation Committee to take no position on SB 1470 and SB 1471; a support position on SB 1472; and a support-if-amended position on SB 1473, a Homeowner Bill of Rights.

Councilmember O'Donnell spoke.

Tom Modica, Director of Government Affairs, spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

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

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

Absent: 2 - DeLong and Neal

23. 12-0535

Recommendation to adopt Plans and Specifications No. R-6882 for the Construction of Improvements to the Runway 7L-25R Runway Safety Area (RSA); award the project to and authorize City Manager to execute a contract with Palp, Inc., dba Excel Paving, in an estimated amount of

\$1,314,340 plus a 25 percent contingency amount of \$328,585, if necessary, and any necessary amendments thereto regarding term or scope of work. (District 5)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

24. 12-0536

Recommendation to authorize City Manager to accept a total of \$5,346,281 in grant funds awarded by California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, to be utilized as follows: \$2,833,281 for the construction of a new park at 7th Street and Martin Luther King, Jr. Avenue (Armory Park), and \$2,513,000 for the development of two soccer fields and a parkway trail north of Drake Park in the Drake/Chavez Greenbelt; increase appropriations by \$5,346,281 in the Capital Projects Fund (CP) in the Department of Parks, Recreation and Marine (PR); and execute any documents necessary for the administration of the projects. (District 1)

Councilmember Garcia spoke.

Councilmember Johnson spoke.

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

City Clerk announced that Agenda Item No. 33 had been withdrawn by Councilwoman Schipske.

25. 12-0537

Recommendation to receive and file the application of Avan, LLC, dba Monorom Cambodian Restaurant, for an original Alcoholic Beverage Control License, at 2150 East Anaheim Street. (District 4)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Robert Shannon, City Attorney, requested that the recommended action for all Agenda Items should contain pertinent identifying information to conform to the Brown Act.

26. 12-0538 Recommendation to receive and file the application of Eva Torres, dba Tacos Guadalajara, for an original Alcoholic Beverage Control License, at 2086 Pacific Avenue. (District 6)

Councilman Andrews spoke.

Annie Greenfeld spoke.

Sam Fortilla spoke.

Councilmember DeLong spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

A motion was made by Councilman Andrews, seconded by Vice Mayor Lowenthal, that a protest be filed with Department of Alcohol Beverage Control based on residences within 100 feet. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

27. 12-0539 Recommendation to receive and file the application of Yolanda Beatrice Menjivar, dba Playas El Salvador Restaurant, for an original Alcoholic Beverage Control License, at 1640 Orange Avenue. (District 6)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

28. 12-0540 Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for a Supplemental Agreement to Management Agreement No. 21667 with SMG, formerly known as Spectacor Management Group, for the completion of certain capital improvements to the Sports Arena and International City Theater at the Long Beach Convention and Entertainment Center (Center) located at 300 East Ocean Boulevard. (District 2)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

29. 12-0541 Recommendation to authorize City Manager to execute all documents necessary with Industrial Networking Solutions for the purchase of cellular Wi-Fi modems in an amount not to exceed \$393,900. (Citywide)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

30. 12-0542 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 \$1,148,962 including interest, payable over a four-year period. (Citywide)

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

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

NEW BUSINESS (7:09 PM)

31. 12-0573 Recommendation to request City Manager to immediately initiate a strategy to ensure that the following concerns are addressed in the planning process of the OCTA 405 project:
- Potential Traffic impacts for 405 freeway ramps including Lakewood Boulevard, Bellflower Boulevard, Woodruff Avenue, and Palo Verde Avenue.
 - Potential impacts to traffic for CA-22 and its connections to the 405 Freeway and CA-1.
 - Potential impacts for the 605 freeway Carson street ramp.
 - Address alteration of 405/605 interchange and its potential impact on future widening projects (north of Orange County).
 - Other pertinent concerns as raised by staff.

Councilmember O'Donnell spoke.

Michael Conway, Director of Public Works, spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Diana Lee Carey, City of Westminster, Traffic Commissioner, I-405
AdHoc Committee Chairman, spoke.

Councilwoman Schipske spoke.

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

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

Absent: 1 - Andrews

32. 12-0575

Recommendation to: 1) request City Attorney to draft an ordinance amending the Long Beach Municipal Code (Chapter 5.89) to extend the exemption for those collectives previously exempt until the California Supreme Court rules on Pack v. Long Beach, or unless said collectives are determined to be non-compliant; and 2) request City Manager to direct the police department to work with all appropriate local and state agencies to shut down and prosecute all non-exempt collectives.

Robert Shannon, City Attorney, announced that the County of Los Angeles had enacted a full ban on all medical marijuana dispensaries in the County and the Second Appellant Courts decision overruled that ban because it was against California state law; and requested a one week continuance of this matter.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Jim McDonnell, Chief of Police, spoke.

Vice Mayor Lowenthal spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Jeff Abrams spoke.

Juna Nam spoke.

Unidentified man spoke.

Bill Napier spoke.

Nicholaas Chomenko spoke.

Unidentified woman spoke.

Steve Baker spoke.

Unidentified man spoke.

Nick Marrow spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Neal, to approve recommendation, with the inclusion that the previously exempted collective be "currently in operation." The motion failed by the following vote:

Yes: 4 - Garcia, Lowenthal, Gabelich and Neal

No: 5 - DeLong, O'Donnell, Schipske, Andrews and Johnson

33. 12-0577

Recommendation to, by motion of the City Council, request City Attorney to draft a ballot measure that includes alternative 1 or alternative 2 in the discussion.

This Agenda Item was withdrawn.

34. 12-0576 Recommendation to request City Council to receive the certification of results concerning the sufficiency of an Initiative to Amend the Long Beach City Charter to change the dates of the Primary and General Municipal Elections; and request City Attorney to prepare the required resolutions for consolidation of the Initiative with the State General Election to be held on Tuesday, November 6, 2012.

Councilmember Garcia spoke.

Larry Herrera, City Clerk, spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

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

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

No: 1 - Gabelich

35. Affidavits of Service for the special meetings held Tuesday, July 3, 2012.

36. 12-0572 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, June 29, 2012.

This Agenda Item was received and filed.

37. 12-0578 eComments received for the City Council meeting of Tuesday, July 3, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (8:26 PM)

Mayor Foster acknowledged two appointees to the Citizens Police Complaint Commission.

Vice Mayor Lowenthal made community announcements.

Councilwoman Schipske requested that the meeting be adjourned in memory of Bernard Gleason; and made community announcements.

Councilmember Neal made community announcements.

Councilwoman Gabelich requested that the meeting be adjourned in memory of Thelma Robbins; and made community announcements.

Councilman Andrews requested that the meeting be adjourned in memory of Billie Simmrow; and made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Johnson recognized Jeff Price; and made community announcements.

Councilmember Garcia made community announcements.

ADJOURNMENT (8:43 PM)

At 8:43 PM, Mayor Foster adjourned the meeting in memory of Bernard Gleason, Thelma Robbins, and Billie Simmrow.

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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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:38 PM)

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

Councilmembers O'Donnell
Absent:

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

Mayor Foster presiding.

SPECIAL MEETING

1. 12-0548 Recommendation to hold a Budget Meeting to receive a presentation on Potential Government Reform Ideas and Trends -- Part II.

This Agenda Item was received and filed.

Patrick West, City Manager, spoke.

Jerry Newfarmer, President and CEO of Management Partners, spoke; and provided a PowerPoint presentation.

Cathy Staniford, Partner at Management Partners, spoke; and continued the PowerPoint presentation.

Jerry Newfarmer, President and CEO of Management Partners, spoke; and continued a PowerPoint presentation.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

PUBLIC (4:43 PM)

Larry Boland spoke.

Mayor Foster spoke.

Kathy Ryan spoke.

Mayor Foster spoke.

Janet Schabow, ILWU representative, spoke.

Rex Pritchard, Long Beach Fire Fighters' Association, spoke.

Tom Stout spoke.

ADJOURNMENT (4:54 PM)

At 4:54 PM, Mayor Foster adjourned the meeting.

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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 & 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.

ROLL CALL (5:45 PM)

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

Councilmembers DeLong
Absent:

Mayor Foster presiding.

Also present: Patrick West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Invocation: Moment of Silence.

Pledge of Allegiance: Rae Gabelich, Councilwoman, Eighth District.

Mayor Foster announced that Councilmember DeLong would be absent.

Robert, spcaLA, presented a canine.

Recognition Ceremony for Rae Gabelich, Councilwoman, Eighth District.

Senator Alan Lowenthal and Senator Bonnie Lowenthal spoke.

Evan Braude spoke.

Val Lerch spoke.

Yvette Shahinian, representative for Congresswoman Linda Sanchez spoke.

Connie Sziebl, representing County Supervisor Don Knabe, spoke.

Steve Goodling, Long Beach Convention and Visitors Bureau, spoke.

Tonia Reyes Uranga spoke.

Roberto Uranga, Long Beach City College Trustee, spoke.

Jeff Kellogg spoke.

Rex Pritchard, Long Beach Firefighters' Association, and Steve James, Long Beach Police Officers' Association, spoke.

Janet Schabow, ILWU, spoke.

Gayle Carter, Uptown Dog Park Committee, spoke.

Mike Kowal spoke.

Linda Sopo sang.

Councilwoman Gabelich spoke.

Paul Foreman spoke.

John Morris spoke.

Laurie Angel spoke.

Patrick West, City Manager, spoke.

Ron Arias, Director of Health and Human Resources, spoke.

Chris Garner, Director of Long Beach Gas and Oil, spoke.

Larry Herrera, City Clerk, spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

PUBLIC COMMENT (7:18 PM)

Jim Danno spoke regarding Jergins Pillar Project.

Mayor Foster spoke.

Councilmember Garcia spoke.

Francis Emily Dawson Harris spoke regarding a parking mobility program.

CONSENT CALENDAR (7:23 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 11, except for Item 5. The motion carried by the following vote:

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

Absent: 1 - DeLong

1. 12-0553 Recommendation to refer to City Attorney damage claims received between June 25, 2012 and July 2, 2012.
A motion was made to approve recommendation on the Consent Calendar.

2. 12-0554 Recommendation to refer to Hearing Officer the business license and pool table permit revocation appeal by Dorothy Shubin, dba 24 Hour Café, located at 1715 W. Anaheim Street, Long Beach, CA 90813. (District 1)
A motion was made to approve recommendation on the Consent Calendar.

3. 12-0552 Recommendation to refer to Hearing Officer the business license revocation appeal by Oceansider IV, LLC, located at 745 East 4th Street, Long Beach, CA 90802. (District 1)

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

4. 12-0555 Recommendation to refer to Hearing Officer the business license revocation appeal by Bentech, LLC, located at 3721 E. Anaheim Street, Long Beach, CA 90807. (District 4)

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

5. 12-0556 Recommendation to refer to Hearing Officer the business license revocation appeal by Augie Doggie Enterprises, LLC, located at 3401 Orange Avenue, Long Beach, CA 90807. (District 7)

Councilmember Johnson recused himself.

Councilwoman Gabelich requested that her vote be changed from No to Yes.

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

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

Abstentions: 1 - Johnson

Absent: 1 - DeLong

6. 12-0557 Recommendation to refer to Hearing Officer the business license revocation appeal by Key Disposal, Inc., located at 1141 S. Taylor Avenue, Montebello, CA 90640. (Citywide)

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

7. 12-0563 Recommendation to adopt resolution authorizing City Manager to execute all documents necessary to enter into an agreement with Mideo Systems, Inc., for the purchase of a comprehensive software upgrade for the Long Beach Police Department Crime Laboratory, in an amount not to exceed \$103,200. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-12-0060 on the Consent Calendar.

Enactment No: RES-12-0060

8. 12-0558 Recommendation to authorize City Manager to execute all documents with El Camino Community College District in the amount of \$200,000 in H-1B Visa funds for Pacific Gateway to deliver employment and training services in the advanced manufacturing sector; and to execute any needed subsequent amendments. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
9. 12-0559 Recommendation to authorize City Manager to execute all documents with the City of Los Angeles to receive \$100,000 in support of strategies for layoff aversion and business outreach; to execute all documents with initiative partners in an amount not to exceed \$90,000; and to execute any needed subsequent amendments. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
10. 12-0560 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the County of Los Angeles Real Estate Fraud Prosecution Program grant; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$100,000. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
11. 12-0579 Recommendation to adopt resolution and authorize City Manager to execute all necessary documents to receive and expend grant funding from the State of California Department of Alcoholic Beverage Control 2012 grant; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$45,000. (Citywide)
A motion was made to approve recommendation and adopt Resolution No. RES-12-0061 on the Consent Calendar.
Enactment No: RES-12-0061

REGULAR AGENDA (7:26 PM)

12. 12-0561 Recommendation to approve the 2013-2017 Five-Year Consolidated Plan and Fiscal Year 2013 Action Plan, and authorize City Manager to execute and submit all necessary documents related to their implementation to the U.S. Department of Housing and Urban Development for Community Development Block Grant, Home Investment Partnership Grant, and Emergency Solutions Grant Funds.

(Citywide)

Francis Emily Dawson Harris spoke.

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

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

Absent: 1 - DeLong

13. 12-0564

Recommendation to adopt resolution authorizing City Manager to execute a contract with Merrimac Energy Group (WBE and LSBE), a Long Beach-based business, for the purchase of unleaded and diesel fuel, on the same terms and conditions afforded to Saddleback Valley Unified School District, in an amount not to exceed \$5,500,000 including tax, for one year. (Citywide)

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember Garcia, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-12-0062. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-12-0062

14. 12-0566

Recommendation to authorize City Manager to execute contracts with various One-Stop Career Center service providers, in support of strategies that provide training and employment services to residents, in the amount totaling \$745,860; and to execute any needed subsequent amendments. (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, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

15. 12-0567 Recommendation to authorize City Manager to execute the First Amendment to the Facilities Sharing Agreement between the City of Long Beach, as Unit Operator of the West Wilmington oil operations, and Occidental Petroleum Long Beach, Inc., as owner of the Pico oil operations. (Districts 1,2)

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

Absent: 1 - DeLong

16. 12-0568 Recommendation to receive and file the application of Calashabu, LLC, dba California Shabu Shabu, for an original Alcoholic Beverage Control License, at 5242 East 2nd Street. (District 3)

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

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

Absent: 1 - DeLong

17. 12-0570 Recommendation to authorize City Manager to execute a Third Amendment to Contract No. 31471 with All American Asphalt for the annual contract for street improvements for an additional amount not to exceed \$3,000,000, for an aggregate amount not to exceed \$15,000,000. (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, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

NEW BUSINESS (7:36 PM)

18. 12-0585 Recommendation to authorize City Manager to execute an Indemnity and Hold Harmless Agreement and any related documents with the Long

Beach Area Council of the Boy Scouts of America, to allow the City of Long Beach to use the swimming pool at the Will J Reid Scout Camp, located at 4747 Daisy Avenue, beginning on July 14, 2012 and ending on August 23, 2012. (District 8)

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

Absent: 1 - DeLong

19. Affidavit of Service for the special meeting held Tuesday, July 10, 2012.

20. 12-0586 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, July 6, 2012.

This Agenda Item was received and filed.

21. 12-0587 eComments received for the City Council meeting of Tuesday, July 10, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:37 PM)

Councilwoman Schipske made community announcements.

Councilwoman Gabelich requested that the meeting be adjourned in memory of Harry Scholar and Rabbi David Kane; and made community announcements.

Councilman Andrews made community announcements.

Councilmember Neal made community announcements.

Vice Mayor Lowenthal requested that the meeting be adjourned in memory of Steven Beckman; and made community announcements.

Councilmember Johnson made community announcements.

Councilmember Garcia made community announcements.

ADJOURNMENT (7:49 PM)

At 7:49 PM, Mayor Foster adjourned the meeting in memory of Harry Scholar, Rabbi David Kane, and Steven Beckman.

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