

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



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

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINTUES

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 (5:04 PM)

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

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Patrick O'Donnell, Councilmember Fourth District.

Julie Pruitt, spcaLA, presented a canine.

Mayor Foster announced that Agenda Item Nos. H-1 and NB-23 have been withdrawn.

Certificate of Recognition for the Ninety-Nines, Inc.

Councilwoman Schipske spoke.

HEARING:

1. 11-0683 ~~Recommendation to receive supporting documentation into the record, conclude the public hearing, deny the appeal of Pacific Castle/Rod Astarabadi and uphold the decision of the Planning Commission denying a Local Coastal Development Permit and Tentative Parcel Map to~~

~~subdivide an existing one lot, 18.2 acre shopping center, commonly known as Long Beach Market Place, into two lots (17 acres and 1.2 acres) at 6411 East Pacific Coast Highway within Subarea 18 of PD-1 (SEADIP). (District 3)~~

This Public Hearing was withdrawn.

PUBLIC COMMENT (5:13 PM)

Judy Mitchell, South Coast Air Quality Management District Governing Board Member, spoke regarding the April 5th resolution for zero emissions study in the EIR for the ICTF expansion.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Pamela Richards spoke regarding business license restrictions for plumbers.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Larry Goodhue spoke regarding a variety of issues.

Patricia Benoit made comments from the Long Beach Homeless Coalition members and participants.

[11-0720](#)

Francis Emily Dawson Harris spoke regarding the 21st Anniversary of the ADA; and submitted written comments.

This Handout was received and filed.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

CONSENT CALENDAR (5:33 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve Consent Calendar Items 2 - 15. The motion carried by the following vote:

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

Absent: 1 - Garcia

2. [11-0684](#) 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 (1) \$138,577.50 for Stipulations with Request for Award, and (2) to pay \$115.96 per week, subject to cost of living adjustments, for a Life Pension thereafter for the claim of Donald Kehoe, in compliance with the Appeals Board Order.
A motion was made to approve recommendation on the Consent Calendar.
3. [11-0707](#) Recommendation to authorize City Attorney to pay the sum of \$25,000 in full settlement of lawsuit entitled *Burleigh Durrell Chester v City of Long Beach, et al.*, Case No. CV09-04543 VBF PJXx; and to pay sum of \$8,000 in full settlement of lawsuit entitled *George Pellin v City of Long Beach, et al.*, Claim No. C11-0134.
A motion was made to approve recommendation on the Consent Calendar.
4. [11-0685](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, July 5, 2011.
A motion was made to approve recommendation on the Consent Calendar.
5. [11-0686](#) Recommendation to refer to City Attorney damage claims received between July 1, 2011 and July 11, 2011.
A motion was made to approve recommendation on the Consent Calendar.
6. [11-0687](#) Recommendation to approve the destruction of records for the Department of Development Services as shown in Exhibit A; and adopt resolution.
A motion was made to approve recommendation and adopt Resolution No. RES-11-0078 on the Consent Calendar.
Enactment No: RES-11-0078
7. [11-0688](#) Recommendation to adopt resolution directing the Los Angeles County Auditor-Controller to include on the 2011-12 Secured Tax Roll, certain levies made pursuant to the provisions of the Long Beach Municipal Code for weed and debris removal, administrative citations, securing of buildings, and vacant buildings in the amount of \$222,675. (Citywide)
A motion was made to approve recommendation and adopt Resolution No. RES-11-0079 on the Consent Calendar.

Enactment No: RES-11-0079

8. [11-0689](#) Recommendation to authorize City Manager to execute all documents with the State of California to receive \$132,920 in Workforce Investment Act funds to operate the California New Start/Prison-to-Employment program; and to execute any needed subsequent amendments. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
9. [11-0690](#) Recommendation to authorize City Manager to execute all necessary documents with Administrative Services Co-Op to operate a Job Access and Reverse Commute program in the amount of \$87,500; and to execute any needed subsequent amendments. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
10. [11-0702](#) Recommendation to authorize City Manager to execute all documents with the County of Los Angeles to receive funds totaling \$245,000 to operate a Summer Youth Employment Program that will assist approximately 165 youth ages 16-24; increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Human Resources by \$245,000; and execute any needed subsequent amendments. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
11. [11-0703](#) Recommendation to authorize City Manager to execute all documents with the State of California to receive a \$100,000 grant in Workforce Investment Act 15 percent funds for the High Concentration of Eligible Youth Additional Assistance project; execute all documents with various initiative partners in an amount totaling \$17,500; and execute any needed subsequent amendments. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
12. [11-0691](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at La Creperie Café located at 130 N. Pine Avenue. (District 2)
A motion was made to approve recommendation on the Consent Calendar.
13. [11-0692](#) Recommendation to adopt resolution accepting street right-of-way dedications shown on Parcels Map Numbers 23137 and 24543 located at 1856 and 1883 Cherry Avenue; and authorize City Manager to

execute a quitclaim of a temporary construction easement upon completion of the street widening. (District 4)

A motion was made to approve recommendation and adopt Resolution No. RES-11-0080 on the Consent Calendar.

Enactment No: RES-11-0080

14. [11-0693](#) Recommendation to determine that the granting of Facility/Pipeline Permit No. P-240-11 to Oil Operators, Inc., and Facility/Pipeline Permit No. P-241-11 to Tidelands Oil Productions, will not be contrary to the public interest; and authorize City Manager to issue said permits in accordance with Section 15.44.060, Permit Issuance, of the Long Beach Municipal Code. (District 1)

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

15. [11-0704](#) Recommendation to receive and file minutes for:
Water Commission - June 2, 2011.

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

REGULAR AGENDA (5:34 PM)

[see media](#)

16. [11-0694](#) Recommendation to approve the Fiscal Year 2012 Action Plan for the expenditure of Community Development Block Grant, Home Investment Partnership Grant, and Emergency Shelter Grant Funds. (Citywide)

Palin Sott spoke.

Judy Roth spoke.

Anna Tota spoke.

Corete Ramos spoke.

Martha Long spoke.

Karen Reaside spoke.

John Taeleifi spoke.

Jan Ward spoke.

Maria Lopez spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

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

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

No: 1 - Andrews

[see media](#)

17. [11-0695](#)

Recommendation to adopt resolution authorizing City Manager to execute an annual contract with Haaker Equipment Company of La Verne, CA (SBE), for furnishing and delivering Elgin Pelican street sweeper parts without advertising for bids, in an amount not to exceed \$225,000, 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)

Joe Weinstein spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0081. The motion carried by the following vote:

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

Absent: 1 - Andrews

Enactment No: RES-11-0081

[see media](#)

18. [11-0696](#)

Recommendation to authorize City Manager, or designee, to execute all documents necessary for the Third Amendment to Lease No. 7013 between the City of Long Beach and the Long Beach Yacht Club, a nonprofit public benefit corporation, to eliminate preferences for marina slips. (District 3)

Councilmember DeLong, being a club member, recused himself.

Larry Goodhue spoke.

Councilwoman Gabelich spoke.

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

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

Abstentions: 1 - DeLong

Absent: 1 - Andrews

[see media](#)

19. [11-0697](#)

Recommendation to receive and file the application of Serenity Corporation Two, Incorporated, dba Long Beach Port Restaurant Bar and Billiard, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 145 West Broadway, with conditions. (District 2)

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

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

Absent: 2 - DeLong and Andrews

ORDINANCES (6:31 PM)

[see media](#)

20. [11-0698](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 14.20.050, 14.20.060, 14.20.080 and 14.20.210 all relating to newsracks read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

A motion was made by Councilmember O'Donnell, seconded by Vice Mayor Lowenthal, 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, O'Donnell, Schipske, Johnson, Gabelich and Neal

Absent: 2 - DeLong and Andrews

[see media](#)

21. [11-0705](#)

Recommendation to declare ordinance amending Section 1.20.010 of the Long Beach Municipal Code relating to the boundaries of the City's nine council districts read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Tom Modica, Government Affairs Officer, spoke.

Councilmember Johnson spoke.

Laurie Angel spoke.

Brian Runn spoke.

Maria Norvell spoke.

Joan Greenwood spoke.

Tonnett Cavernous spoke.

Gerald Migglia spoke.

Joe Weinstein spoke.

Augusta Williams spoke.

Diane Thomas spoke.

Larry Goodhue spoke.

Will Chick spoke.

John Sullivan spoke.

Mike Kohl spoke.

Jeannie Williams spoke.

Dennis Shaeffer spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

A substitute motion was made by Councilwoman Gabelich, seconded by Councilwoman Schipske, to approve the City Council Proposed Redistricting Plan, with the following changes: [1] exclude the previously proposed new areas of Bixby Knolls (Area C on the City Council Proposed Plan); and [2] include in the 7th District the area going west on Bixby Road from Atlantic Avenue to Long Beach Boulevard, then south on Long Beach Boulevard to 36th Street, then west on 36th Street to Pine Avenue, then north on Pine Avenue to 37th Street, then west on 37th Street to Country Club Drive, then north on Country Club Drive to Los Cerritos Park Place, and all areas south of the above description to the 7th District boundary. The motion failed by the following vote:

Yes: 2 - Schipske and Gabelich

No: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Neal

A motion was made by Councilmember Johnson, seconded by Councilmember DeLong, 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, Andrews, Johnson and Neal

No: 2 - Schipske and Gabelich

NEW BUSINESS (7:23 PM)

[see media](#)

22. [11-0710](#)

Recommendation to request City Manager to provide a separate Study Session to the City Council on the Uplands Oil Fund and the Tidelands Oil Revenue Fund, including a review for the past 10 years of the budgeted and actual revenues, the budgeted per barrel price and the actual average per barrel price, expenditures and liabilities for the funds, and the impact in budgeted and one-time revenues to the General Fund and Tidelands Operating Fund; and request a quarterly update on the status of the oil revenues.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Motion: Approve recommendation.
Moved by Schipske, seconded by Gabelich.

Councilmember DeLong spoke.

Motion: Substitute motion to receive a memo with the information relative to topics outlined in the recommendation.
Moved by DeLong, seconded by Lowenthal.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Larry Goodhue spoke.

A second substitute motion was made by Councilmember Garcia, seconded by Councilmember O'Donnell, to hold a study session as part of the FY 2012 budget process, subsequent to August 1, 2011. The motion carried by the following vote:

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

- 23.** 11-0711 Recommendation to request City Council to postpone the mandatory plastic bag ban for large retailers for a period of one month; and request City Manager to bring recommendations for requirements of plastic multi-use bags.

This Agenda Item was withdrawn.

- 24.** [11-0709](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, July 15, 2011.

This Agenda Item was received and filed.

- 25.** [11-0719](#) eComments received for the City Council meeting of Tuesday, July 19, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:34 PM)

Councilwoman Gabelich made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember Neal made community announcements.

Councilmember O'Donnell made community announcements.

Councilwoman Schipske made community announcements.

ADJOURNMENT (7:39 PM)

At 7:39 PM, Mayor Foster adjourned the meeting.

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