

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 order, except for Agenda Item Nos. 26, 22 and 14, which were considered in that order following the presentations and prior to the Hearings.

ROLL CALL (5:34 PM)

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

Councilmembers DeLong
Absent:

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.

Mayor Foster presiding.

Invocation: Moment of Silence.

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

Mayor Foster announced that Agenda Item No. 14 would be laid over one week, Agenda Item No. 26 would be moved up, and that Councilmember DeLong would be absent.

Proclamation presented to Signal Hill Petroleum for supporting Partners of Parks "Movies in the Park."

George Chapjian, Director of Parks, Recreation and Marine, spoke.

Debra Russell, Signal Hill Petroleum, spoke; and presented a check to the City.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

Mayor Foster spoke; and presented the proclamation.

Certificates of Recognition presented to ACT-SO Program awardees.

Naomi Rainey, National Association for the Advancement of Colored People, spoke.

Davian Freeman spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

[12-0516](#) Summer Night Lights provided a presentation; and distributed information.

This Agenda Item was received and filed.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

HEARINGS (6:38 PM)

[see media](#)

1. [12-0432](#) 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 Broadlind Lounge, LLC, dba The Basement, 149 Linden Avenue No. B-100, for Entertainment With Dancing by Patrons. (District 2)

Jim Najah spoke.

Charles Golanus spoke.

Valdez Huntsman spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Johnson, to approve recommendation and grant a One-Year Short-Term Permit, with conditions. The motion carried by the following vote:

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

No: 1 - Andrews

Absent: 1 - DeLong

[see media](#)

2. [12-0433](#) Recommendation to receive supporting documentation into the record, conclude the hearing, find that the area to be vacated is not needed for present or prospective public use, and adopt resolution ordering the vacation of a portion of Pier C Street, formerly known as Seventh Street North and Seventh Street South. (District 1)

A motion was made by Councilmember Garcia, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-12-0048. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, O'Donnell, Schipske, Gabelich and Neal

Absent: 3 - DeLong, Andrews and Johnson

Enactment No: RES-12-0048

PUBLIC COMMENT (6:52 PM)

Nicolaas Chomenko spoke regarding medical marijuana collective issues.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

CONSENT CALENDAR (6:59 PM)

Passed The Consent Calendar

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Neal, to approve Consent Calendar Items 3 - 10. The motion carried by the following vote:

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

Absent: 1 - DeLong

3. [12-0428](#) Recommendation to approve the minutes for the City Council meetings of Tuesday, May 15 and 22, 2012.

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

4. [12-0457](#) Recommendation to refer to City Attorney damage claims received between May 14, 2012 and June 4, 2012.

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

5. [12-0430](#) Recommendation to receive and approve changes to the Conflict of Interest Code of Long Beach Transit.

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

6. [12-0460](#) Recommendation to adopt the following resolutions:
1. Resolution giving notice of: [a] a Special Municipal Election to be held in the City of Long Beach Tuesday, the 6th day of November, 2012 for the purpose of submitting a ballot proposition to a vote of the qualified electors of the City; and [b] the Exhibit Ordinance;
A motion was made to approve recommendation and adopt Resolution No. RES-12-0049 on the Consent Calendar.
Enactment No: RES-12-0049
- [12-0461](#) 2. Resolution requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of a Citywide Special Municipal Election with the Statewide General Election to be held Tuesday, November 6, 2012, and determining and declaring that the City will pay to the County reasonable and actual expenses incurred by the County on account of the consolidation of this Election; and
A motion was made to approve recommendation and adopt Resolution No. RES-12-0050 on the Consent Calendar.
Enactment No: RES-12-0050
- [12-0463](#) 3. Resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, November 6, 2012.
A motion was made to approve recommendation and adopt Resolution No. RES-12-0051 on the Consent Calendar.
Enactment No: RES-12-0051
7. [12-0435](#) Recommendation to authorize City Manager to accept \$15,000 in grant funds from California Council for the Humanities, (Cal Humanities) for the California Reads Searching for Democracy program; increase appropriations in the Special Revenue Fund (SR120) in the Department of Library Services (LS) by \$15,000; and execute any documents necessary for the administration of this project. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
8. [12-0437](#) Recommendation to authorize City Manager to execute a waiver of federal receipt of the City of Long Beach's fourteenth year allocation of \$19,011 in Juvenile Accountability Block Grant program funds to the County of Los Angeles, for the Juvenile Offender Intervention Network Program, to divert first-time serious juvenile offenders from the court system through an intensive, one-year program. (Citywide)
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A motion was made to approve recommendation on the Consent Calendar.

9. [12-0438](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Agaves Restaurant, located at 200 Pine Avenue, Suite A. (District 2)

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

10. [12-0429](#) Recommendation to receive and file minutes for:
Civil Service Commission - May 2, 2012.
Planning Commission - May 3, 2012.

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

REGULAR AGENDA (7:00 PM)

[see media](#)

11. [12-0448](#) Recommendation to receive and approve the following Commission/Board/Committee appointments and reappointments to Non-Charter Commissions.

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

Absent: 1 - DeLong

Vice Mayor Lowenthal assumed the chair.

[see media](#)

12. [12-0454](#) Recommendation to, by motion of the City Council, request City Manager to work with the Long Beach Chamber of Commerce to schedule a public forum at which local business can participate and provide input to the City Council on what can be done to ease the regulatory burden and to spur job growth.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

A motion was made by Councilwoman Schipske, 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

[see media](#)

13. [12-0455](#)

Recommendation to, by motion of the City Council, request City Manager to report on whether or not the City has applied for AB 678 revenue; the amounts received and expected to be received; and how this revenue will be used to bring staffing to an appropriate level.

Councilwoman Schipske spoke.

John Gross, Director of Financial Management, spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember Garcia, that the item be received and filed. The motion carried by the following vote:

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

Absent: 1 - DeLong

14. 12-0458 Recommendation to, by motion of the City Council, request City Manager to report to the City Council within 90 days on the feasibility of waiving the business license tax and/or the 16% surcharge folded into business licenses for independent contractors for at least FY 2013.

A motion was made by Councilwoman Schipske, seconded by Councilmember Johnson, that the item be laid over to the City Council meeting of Tuesday, June 19, 2012. The motion carried by the following vote:

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

Absent: 1 - DeLong

[see media](#)

15. [12-0068](#) Recommendation to determine that the application for an original Alcoholic Beverage Control License of Ernest Ray Henson and Christine Tasche, dba Wilmore, at 3848 Atlantic Avenue serves the public convenience and necessity, and request City Clerk to transmit a letter to the ABC indicating such determination. (District 8)

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

Absent: 1 - DeLong

[see media](#)

16. [12-0439](#) Recommendation to authorize City Manager to execute any and all documents necessary for the assignment of a \$950,000 City loan from Mental Health America of Los Angeles to Sara's Apartments, L.P., and the transfer of ownership of Sara's Apartments, located at 240 West 7th Street, from Mental Health America of Los Angeles to Sara's Apartments, L.P. (District 1)

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

Yes: 7 - Garcia, Lowenthal, Schipske, Andrews, Johnson, Gabelich and Neal

No: 1 - O'Donnell

Absent: 1 - DeLong

[see media](#)

17. [12-0440](#)

Recommendation to authorize City Manager to execute any and all documents with Long Beach Community College District to provide economic development counseling and educational services through its Small Business Development Center with an estimated total funding amount not to exceed \$115,000 per year for an initial term from July 1, 2012 through June 30, 2013, with two one-year extensions thereafter, at the option of the City Manager and the continued availability of funds. (District 1)

Jesse Torrez spoke.

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

Absent: 1 - DeLong

[see media](#)

18. [12-0434](#)

Recommendation to authorize City Manager to enter into a Subrecipient Agreement with The Long Beach Housing Development Company for the administration and use of HOME funds. (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, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

[see media](#)

19. [12-0441](#)

Recommendation to authorize City Manager to execute any and all necessary documents with The California Endowment to accept a grant award in the amount of \$403,918 for a period of two years for the preparation of a Violence Prevention Plan;

Authorize City Manager to execute any and all necessary documents for the implementation and administration of the Violence Prevention Plan program; and

Increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Development Services (DV) by \$403,918. (Citywide)

Councilmember Garcia spoke.

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

Absent: 1 - DeLong

[see media](#)

20. [12-0442](#)

Recommendation to authorize City Manager to execute any and all agreements necessary between the City of Long Beach, as Unit Operator of the West Wilmington oil operations, and the Alameda Corridor Transportation Authority, providing for payment of all relocation costs for oil facilities impacted by the Schuyler Heim Bridge Project. (District 1)

A motion was made by Councilmember Garcia, 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

Absent: 2 - DeLong and Andrews

[see media](#)

21. [12-0443](#)

Recommendation to adopt resolution authorizing City Manager to negotiate and execute Customer Natural Gas Transportation/Service Agreements and future amendments between the City of Long Beach and Gas Rate Schedule 5 (Compressed Natural Gas), Schedule 7 (Cogeneration), and Schedule 9 (Transportation) customers for contract periods not to exceed five years. (Citywide)

A motion was made by Councilmember Garcia, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-12-0052. The motion carried by the following vote:

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

Absent: 2 - DeLong and Andrews

Enactment No: RES-12-0052

[see media](#)

22. [12-0444](#)

Recommendation to authorize City Manager to approve the installation of a memorial on the corner of Termino Avenue and Olympic Plaza in honor of Mark Llewellyn Bixby. (District 3)

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

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

Absent: 1 - DeLong

[see media](#)

23. [12-0446](#)

Recommendation to adopt Plans and Specifications No. R-6898 for the Spring Street Median Improvements between Temple Avenue and the Airport Tunnel; and 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 \$557,557, plus a 10 percent contingency of \$55,756, for a total of \$613,313, and any necessary amendments thereto. (District 5)

A motion was made by Councilmember Garcia, seconded by Councilwoman Schipske, to approve recommendation. 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](#)

24. [12-0447](#)

Recommendation to adopt Plans and Specifications No. R-6922 for an Annual Contract for Cape Sealing and Associated Minor Improvements, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with Palp, Inc., dba Excel Paving Company, in an estimated amount not to exceed \$500,000 for a one-year term, with an option to renew for two additional one-year terms for \$500,000 each year, and any necessary amendments thereto relative to the scope of work and to extend the contract term. (Citywide)

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

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

Absent: 2 - DeLong and Andrews

ORDINANCE (7:40 PM)

[see media](#)

25. [12-0391](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 21.51.235 and deleting Table 51-2, all relating to home occupations, read and adopted as read. (Citywide)

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve recommendation and adopt Ordinance No. ORD-12-0011. The motion carried by the following vote:

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

Absent: 2 - DeLong and Andrews

Enactment No: ORD-12-0011

NEW BUSINESS (6:29 PM)

[see media](#)

26. [12-0477](#)

Recommendation to request City Council to receive and file the recognition of Deon Reid as an Outstanding Student Athlete.

Councilman Andrews spoke.

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

Absent: 1 - DeLong

27. Affidavit of Service for the special meeting held Tuesday, June 12, 2012.

28. [12-0476](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, June 8, 2012.

This Agenda Item was received and filed.

29. [12-0517](#) eComments received for the City Council meeting of Tuesday, June 12, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:40 PM)

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Vice Mayor Lowenthal made community announcements.

ADJOURNMENT (7:50 PM)

At 7:50 PM, Vice Mayor Lowenthal adjourned the meeting.

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