



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-6

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June 15, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council minutes for the meeting of Tuesday, June 1, 2010.

DISCUSSION

The Legistar minutes of the City Council meeting held Tuesday, June 1, 2010 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

Robert Garcia, 1st District
Suja Lowenthal, 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
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

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 for this meeting were considered in the order presented.

ROLL CALL (5:07 PM)

Councilmembers O'Donnell, Andrews, Reyes Uranga, Gabelich and Lerch
Present:

Councilmembers Garcia, Lowenthal, DeLong and Schipske
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Amy Burton, Deputy City Attorney; Larry Herrera, City Clerk; Carolyn Harris, City Clerk Specialist.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Councilman Dee Andrews, Sixth District.

SECOND ROLL CALL

Councilmembers Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga,
Present: Gabelich and Lerch

Councilmembers DeLong
Absent:

Councilmembers Garcia, Lowenthal and Schipske joined the meeting.

Mayor Foster announced that Agenda Item No. 1 was withdrawn.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Laura Farinella, Commander, Long Beach Police Department, spoke regarding an incident at Pan Am Park.

Councilwoman Schipske spoke.

Phil Hester, Director of Parks, Recreation and Marine, spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

Presentation from the Long Beach Grand Prix Association.

Mayor Foster spoke.

Jim Michaelian, President and CEO of Long Beach Grand Prix, spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember Lowenthal spoke.

Councilman Andrews spoke.

Mayor Foster spoke.

HEARINGS (5:35 PM)

1. 10-0564 ~~Recommendation to receive supporting documentation into the record, conclude the public hearing, deny the appeal of Cabe Toyota, and uphold the Planning Commission decision denying a Conditional Use Permit for a 1,089 square foot, double faced illuminated freeway sign with electronic message center, with a height of 60 feet from freeway grade located at 3377-3399 Long Beach Boulevard. (District 7)~~

This Public Hearing was withdrawn.

2. 10-0565 Recommendation to receive supporting documentation, including the petitions, into the record, conclude the public hearing, and request City Attorney to prepare an amendment to the Long Beach Municipal Code, to establish Preferential Parking District "AA" as recommended by the City Traffic Engineer. (District 5)

Distributed at the meeting: Correspondence from Ann and Robert Fields and Elizabeth Trapp.

Suzanne Frick, Assistant City Manager, spoke.

Dave Roseman, City Traffic Engineer, spoke.

Councilwoman Schipske spoke.

Kathy Soza spoke.

Jane Hansen spoke.

Cindy Whitesen spoke.

Harvey Cochran spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Councilmember Lowenthal spoke.

Phil Hester, Director of Parks, Recreation and Marine, spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Councilmember Lowenthal spoke.

Rudolph Casinas spoke.

Councilmember Lowenthal spoke.

Councilmember Lowenthal spoke.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes
Uranga, Gabelich and Lerch

Absent: 1 - DeLong

PUBLIC COMMENT (6:13 PM)

Harvey Cochran spoke regarding the Go Green Event.

Roger Southfield spoke regarding the medical marijuana collectives.

Councilmember Lowenthal spoke.

Vice Mayor Lerch spoke.

Alvin Isaacs, All Children World United, spoke regarding mentoring, tutoring and sports programs that empower schools.

CONSENT CALENDAR (6:20 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve Consent Calendar Items 3 - 11. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes
Uranga, Gabelich and Lerch

Absent: 1 - DeLong

3. 10-0566 Recommendation to approve the minutes for the City Council meetings held Tuesdays, May 11 and 18, 2010; and the City Council Budget Meeting held Tuesday, May 18, 2010.

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

4. 10-0567 Recommendation to refer to City Attorney damage claims received between May 10, 2010 and May 24, 2010.

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

5. 10-0568 Recommendation to adopt resolution and authorize City Manager to execute all necessary documents to amend Contract Agreement No. 30305 for the implementation and administration of the Clean Vessel Act of 1992 Pumpout Grant for maintenance, repair parts, and services for vessel pumpout and dump stations in the marinas, through the State Department of Boating and Waterways, in the amount not to exceed \$50,000. (Districts 2,3)
- A motion was made to approve recommendation and adopt Resolution No. RES-10-0056 on the Consent Calendar.**
- Enactment No: RES-10-0056**
6. 10-0465 Recommendation to receive and file the 2009 Parks and Recreation Commission Annual Report. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
7. 10-0569 Recommendation to receive and file the application of Isam Mawas and Samer Mawas, dba Minit Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1310 Pine Avenue, with existing conditions. (District 1)
- A motion was made to approve recommendation on the Consent Calendar.**
8. 10-0570 Recommendation to receive and file the application of Bobs Chevron Incorporated, dba Bobs Chevron & Carwash, for a fiduciary transfer of an Alcoholic Beverage Control License, at 700 Redondo Avenue, with existing conditions. (District 3)
- A motion was made to approve recommendation on the Consent Calendar.**
9. 10-0571 Recommendation to authorize City Manager to execute the agreement and any subsequent amendments, with an option for two one-year renewals, subject to fund availability, with the County of Los Angeles Probation Department to provide a full-time Deputy Probation Officer for gang crime suppression services in an amount of \$145,000 for a 12 month term. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
10. 10-0572 Recommendation to adopt Resolution of Intention to vacate the alley east of Temple Avenue and north of Fourteenth Street, and set a date for a public hearing on the vacation for Tuesday, July 6, 2010, at

5:00 p.m. (District 4)

A motion was made to approve recommendation and adopt Resolution No. RES-10-0057 on the Consent Calendar.

Enactment No: RES-10-0057

11. 10-0573 Recommendation to receive and file the minutes for:
Civil Service Commission - April 28 and May 12, 2010.
Cultural Heritage Commission - April 12, 2010.
Parks and Recreation Commission - April 15, 2010.
Planning Commission - April 1 and 15, 2010.

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

REGULAR AGENDA (6:21 PM)

12. 10-0583 Recommendation to suspend Council rule contained in Long Beach Municipal Code Section 2.03.020 (B) relating to the meeting schedule of the City Council in order to cancel the meeting of June 8, 2010 due to the General Municipal Election.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

13. 10-0586 Recommendation to request City Manager, City Attorney and City Prosecutor to review proposal for "Cost Recovery and Abatement of Criminal Nuisances" and report back to the City Council on a potential ordinance.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Councilmember Reyes Uranga spoke.

Patrick West, City Manager, spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lerch spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Lowenthal spoke.

Patrick West, City Manager, spoke.

Vice Mayor Lerch spoke.

Harvey Cochran spoke.

Laura Catabona spoke.

Jack Smith spoke.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

Verizon and City of Long Beach.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

15. 10-0574

Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for the Third Amendment to Office Lease (Contract No. 23828) with Behringer Harvard Downtown Plaza LP, a Delaware limited partnership, successor in interest to Pacifica Downtown Plaza, L.P., for office space at 211 East Ocean Boulevard, Suite 500, for the continued occupancy by the Long Beach Gas and Oil Department's Oil Properties, for an additional 20 month term, at a monthly base rent of \$27,664. (District 2)

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

16. 10-0575

Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for the Second Amendment to Office Lease (Contract No. 30534) with Behringer Harvard Downtown Plaza LP, a Delaware limited partnership, for office space at 211 East Ocean Boulevard, Suite 410, for occupancy by the Department of Parks, Recreation and Marine's Special Events and Filming Bureau, for an additional 26.5 month term, at the initial monthly base rent of \$5,402. (District 2)

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

17. 10-0577

Recommendation to adopt Specifications No. PA-2610 to award a contract to Harbor Diesel and Equipment, a Long Beach-based business, in an annual amount not to exceed \$160,000 for furnishing

and delivering Cummins brand vehicle parts and services, for the 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 Councilmember Lowenthal, to approve recommendation. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

18. 10-0544

Recommendation to receive and file the application of Norma Moradeperez, dba Brite Spot Coffee Shop, for an original Alcoholic Beverage Control License, at 412 West Pacific Coast Highway, with conditions. (District 1)

A motion was made by Councilmember Garcia, seconded by Councilmember O'Donnell, that the item be laid over to the City Council meeting of Tuesday, June 15, 2010. The motion carried by the following vote:

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

19. 10-0578

Recommendation to receive and file the application of El Tapatio Incorporated, dba K Pasta, for an original Alcoholic Beverage Control License, at 6218 East Pacific Coast Highway, with conditions. (District 3)

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

20. 10-0579

Recommendation to adopt Plans and Specifications No. R-6845 for The Toledo Undergrounding Project; award the project to and subject to the closing of the bond sale for City of Long Beach Assessment District No. 08-01; and authorize City Manager to execute a contract with the Hood Corporation in an amount not to exceed \$744,200, and execute any necessary amendments thereto. (District 3)

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

21. 10-0580

Recommendation to authorize City Manager to enter into an agreement with the Long Beach Community Foundation for a period of three years and commit Public, Education, and Government Funds reserved for Public Access television as a match to secure operational funding, up to \$200,000 a year, from the Knight Foundation's Community Information Challenge Grant. (Citywide)

Steve Scott, Customer Services Bureau Manager, spoke.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Jim Worsham spoke.

Mayor Foster spoke.

Charles Brown spoke.

Harvey Cochran spoke.

Matt Kaplan, CSULB, spoke.

Antonio Ruiz spoke.

Patricia Zade spoke.

Councilwoman Gabelich spoke.

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

Yes: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

ORDINANCES (7:18 PM)

- 22. 10-0548** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 5.72.130; and by repealing Section 14.04.070, both relating to permits read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)
- Councilmember Lowenthal spoke.
- Councilmember Garcia spoke.
- A motion was made by Councilwoman Gabelich, seconded by Councilmember 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:** 6 - Garcia, Lowenthal, Schipske, Andrews, Reyes Uranga and Gabelich
- Absent:** 3 - DeLong, O'Donnell and Lerch
- 23. 10-0582** Recommendation to declare ordinance amending Chapter 6.08 and Sections 6.12.110, 6.12.120, 6.12.130, 6.12.140 and 6.12.150 of the Long Beach Municipal Code relating to Dog and Cat Licensing and Rabies Control 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 Lowenthal, 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:** 6 - Garcia, Lowenthal, Schipske, Andrews, Reyes Uranga and Gabelich
- Absent:** 3 - DeLong, O'Donnell and Lerch
- 24. 10-0585** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 10.28.130.A relating to parking meter zones established read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)
- A motion was made by Councilman Andrews, seconded by Councilmember 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:** 6 - Garcia, Lowenthal, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 3 - DeLong, O'Donnell and Lerch

25. 10-0446 Recommendation to declare ordinance establishing a temporary moratorium on the approval of permits for the installation of wireless telecommunications facilities in the City adopting findings of urgency; and declaring that the ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-10-0015) (Citywide)

Councilwoman Schipske spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to declare urgency Ordinance No. ORD-10-0015, read and adopted as read. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 3 - DeLong, O'Donnell and Lerch

Enactment No: ORD-10-0015

NEW BUSINESS (7:22 PM)

26. 10-0589 Recommendation to receive and file report on travel to the Alliance to Save Energy conference in Washington, DC, May 10 - 12, 2010.

Mayor Foster spoke.

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

Yes: 6 - Garcia, Lowenthal, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 3 - DeLong, O'Donnell and Lerch

27. 10-0590 Recommendation to adopt minute order declaring a 120 day moratorium on the approval of applications to construct, modify or place wireless communication facilities within institutional zones in the City of Long Beach; request City Attorney, in cooperation with the Development Services Department, to prepare an interim zoning ordinance for notice and placement on the City Council agenda in accordance with Chapter 21.50. (Citywide)

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

Yes: 6 - Garcia, Lowenthal, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 3 - DeLong, O'Donnell and Lerch

28. 10-0591

Recommendation to request City Attorney to draft a resolution expressing support for the Guidance Center and calling upon the Southern California State and Federal Legislative Delegation to support efforts to preserve funding for services provided by the Guidance Center; and direct City Manager to communicate the City's desire to preserve funding for the Guidance Center to our legislative delegation.

Councilmember Reyes Uranga spoke.

Lorraine Lyou, Development Director, Guidance Center, spoke.

Mayor Foster spoke.

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

Yes: 6 - Garcia, Lowenthal, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 3 - DeLong, O'Donnell and Lerch

29. 10-0592

Recommendation to direct City Manager to provide a report on the cost/benefits of contracting out towing services to include an analysis of best practices from comparable cities.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Erik Sund, Business Relations Manager, spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

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

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

Absent: 2 - DeLong and Lerch

30. Affidavit of Service for the Special Meeting held Tuesday, June 1, 2010.

ANNOUNCEMENTS (7:35 PM)

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Lowenthal made community announcements.

Councilman Andrews requested that the meeting be adjourned in memory of Lillie Mae Wesley; and made community announcements.

Councilmember Reyes Uranga made community announcements.

ADJOURNMENT (7:43 PM)

At 7:43 PM, Mayor Foster adjourned the meeting in memory of Lillie Mae Wesley.

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