



CITY OF LONG BEACH

C-3

DEPARTMENT OF CITY CLERK

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

May 15, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council Meeting of Tuesday, May 1, 2012

DISCUSSION

The Legistar minutes for the City Council Meeting of Tuesday, May 1, 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,

A handwritten signature in black ink, appearing to read "Larry Herrera".

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, except for Agenda Item No. 18, which was considered following the Consent Calendar, and Agenda Item No. 17, which was considered following Agenda Item No. 11.

ROLL CALL (5:03 PM)

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

Councilmembers Gabelich
Absent:

Also present: Patrick West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; 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 led by Birney Elementary Student Council.

Mayor Foster announced that Agenda Item No. 18 would be considered at the beginning of the Regular Agenda.

Lacey, spcaLA, presented a feline.

Proclamation recognizing May as Asian-Pacific Islander Heritage Month.

Ken Nakagawa spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Proclamation celebrating the 75th Anniversary of the Long Beach City Employees Federal Credit Union.

Charles Parkin spoke.

HEARINGS (5:15 PM)

1. 12-0329 Recommendation to receive supporting documentation into the record, conclude the hearing and uphold the decision of the Chief of Police and the Director of Financial Management to deny the business license application of Qi Pingan, dba Pine Ave Spa, 421 Pine Avenue. (District 1)

Qi Pingan, applicant, spoke; and submitted correspondence.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

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

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

Absent: 1 - Gabelich

2. 12-0330 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with conditions on the application of Casto Corporation, Inc., dba The Brit, 1744 E. Broadway, for Entertainment Without Dancing by Patrons. (District 2)

Vice Mayor Lowenthal spoke.

Norman Tyler spoke.

Tom Hertzog spoke.

Rob Monsel, The Brit manager, spoke.

Vice Mayor Lowenthal spoke.

Tom Hertzog spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Johnson, to approve recommendation to grant a One-Year Short-Term Permit, with conditions; and add the following two conditions requested by the Vice Mayor: [1] that the patio be closed at 11:00 p.m. to protect residents from noise and smoke; and [2] that if the Chief of Police or Fire Chief determines that the permittee has violated the terms of the permit, including the permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to the permittee's conditions and operations, the permittee will be asked to attend a meeting with involved departments to discuss those measures. The motion carried by the following vote:

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

Absent: 1 - Gabelich

PUBLIC COMMENT (5:51 PM)

Joe Sopo spoke regarding an issue over signs posted to slow residential traffic.

Patrick West, City Manager, spoke.

Larry Goodhue spoke regarding property sale.

Nicolaas Chomenko spoke regarding crime and dispensaries.

Mayor Foster spoke.

J. Tatum spoke regarding CAL GRIP Grant issues.

12-0370 Mary Anne Rose spoke; and distributed flyer for "Rebuilding Together."

This Agenda Item was received and filed.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Councilmember Andrews spoke.

CONSENT CALENDAR (6:17 PM)

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to approve Consent Calendar Items 3 - 9. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 2 - Lowenthal and Gabelich

3. 12-0331 Recommendation to approve the minutes for the City Council Meeting and City Council Special Meeting held Tuesday, April 17, 2012.
A motion was made to approve recommendation on the Consent Calendar.
4. 12-0307 Recommendation to refer to City Attorney damage claims received between April 9, 2012 and April 23, 2012.
A motion was made to approve recommendation on the Consent Calendar.
5. 12-0340 Recommendation to authorize City Manager to execute an agreement with the California Franchise Tax Board (FTB) for records obtained from the FTB Taxpayer Information System and Business Entity Tax System, at a cost of \$0, with a term of June 1, 2012 through December 31, 2014. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
6. 12-0336 Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and Ramsell Corporation (Ramsell), and contracts between the City of Long Beach and local pharmacies including, but not limited to, Bella Vida Pharmacy, Mom's Pharmacy, and Ralphs Pharmacies, for eligible HIV-positive individuals to receive medications under the Healthy

Way Program. (Citywide)

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

7. 12-0332 Recommendation to authorize City Manager to execute a 24-month extension, with an optional month-to-month holdover provision, with Williams Scotsman, Inc., for the Airport's temporary building units in the total amount of \$150,000 for a two year period. (District 5)

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

8. 12-0333 Recommendation to authorize City Manager to execute a permit with Mr. Bart K. Miller, an individual doing business as Southern California Kiteboarding, to operate a kitesurfing concession for a two year term. (District 3)

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

9. 12-0334 Recommendation to receive and file minutes for:
Civil Service Commission - April 4, 2012.
Planning Commission - March 15, 2012.

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

REGULAR AGENDA (6:17 PM)

10. 12-0342 Recommendation to request City Attorney to prepare a resolution declaring May 15, 2012 as "C-17 Day."

Mayor Foster spoke.

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

Yes: 5 - Lowenthal, DeLong, O'Donnell, Schipske and Andrews

Absent: 4 - Garcia, Johnson, Gabelich and Neal

11. 12-0347 Recommendation to, by motion of the City Council, direct City Manager to process an RFP for the purchase of an interactive budget software program for the City of Long Beach FY13 budget and to explore a possible partnership with Long Beach news media in hosting an online interactive budgeting tool.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

John Gross, Director of Financial Management, spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Larry Goodhue spoke.

Mayor Foster spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember Garcia, to approve recommendation to direct City Manager to proceed with the purchase of an interactive budget software program, in an amount less than \$15,000 for the software. The motion carried by the following vote:

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

Absent: 1 - Gabelich

12. 12-0348

Recommendation to, by motion of the City Council, direct City Manager to assist the City Council in developing a policy for dealing with revenues realized above projections from on-going revenue sources (i.e., property taxes, sales taxes, oil properties, etc.) so that general fund services are funded appropriately, debt is retired and infrastructure replaced and repaired.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Larry Goodhue spoke.

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

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

Absent: 1 - Gabelich

13. 12-0346

Recommendation to receive and file the Parks, Recreation and Marine Revenue Collection Audit Report; and request City Manager to review the recommendations, develop strategies for implementation, and update the City Auditor as to the status of the recommendations within six months from the date of receipt and filing of this report.

Patrick West, City Manager, spoke.

Laura L. Doud, City Auditor, spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Larry Goodhue spoke.

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

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

Absent: 1 - Gabelich

14. 12-0335

Recommendation to approve a first amendment to the Fiscal Year 2011-2012 Action Plan incorporating the second allocation of the Emergency Solutions Grant program, and authorize City Manager to execute all necessary documents with the U.S. Department of Housing and Urban Development and other entities necessary to receive Emergency Solutions Grant funds; and enter into new, and amend existing, Emergency Solutions Grant contracts to allocate the second provision of Emergency Solutions Grant for eligible activities. (Citywide)

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

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

Absent: 1 - Gabelich

15. 12-0337 Recommendation to authorize City Manager to execute a Memorandum of Understanding between the Department of Parks, Recreation and Marine and the Harbor Department with regard to the placement of dredge material from the Alamitos Bay Marina rebuild project into Slip 1 in the Middle Harbor of the Port of Long Beach. (Districts 2,3)

Larry Goodhue spoke.

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

Yes: 7 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 2 - Garcia and Gabelich

16. 12-0345 Recommendation to authorize City Manager to amend Contract No. 31687 with Bellingham Marine Industries, Inc., for an additional \$3,632,150 for expenditures associated with Phase 2A of the Alamitos Bay Marina rebuild project; execute all documents necessary to complete Basin 1 - Phase 2A, the demolition and dredging of Basin 1 in the Alamitos Bay Marina, for a revised contract amount of \$22,403,997; and increase appropriations by \$3,895,898 in the Marina Fund (TF 403) in the Department of Parks, Recreation and Marine (PR). (District 3)

Councilmember O'Donnell spoke.

Larry Goodhue spoke.

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

Yes: 7 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 2 - Garcia and Gabelich

17. 12-0341 Recommendation to authorize City Manager to execute an agreement and related documents, with 6th & Pine Development, LLC, a California Limited Liability Company, for use of up to 500 parking spaces within lots or structures located within the City of Long Beach for a term of twelve years. (Citywide)

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Kraig Kojian, Downtown Long Beach Associates President and CEO, spoke.

John Molina spoke.

Larry Goodhue spoke.

Mayor Foster spoke.

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

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

Absent: 1 - Gabelich

18. 12-0338

Recommendation to authorize City Manager to sign the petition relating to City-owned properties located within the district to reestablish the Downtown Long Beach Property and Business Improvement District. (Districts 1,2)

Councilmember Garcia recused himself upon the advice of the City Attorney on the basis of property ownership within 500 feet of the district boundaries.

Councilwoman Schipske recused herself upon the advice of the City Attorney on the basis of a property interest within the district boundaries.

John Sangmeister spoke.

Christopher Larson spoke.

Joe Gannon spoke.

Sandra Windel spoke.

David Martin spoke.

Jim Anderson spoke.

Larry Goodhue spoke.

Stuart Sexton spoke.

Peter Johnson spoke.

Henry Walker spoke.

Don Darnauer spoke.

David Cannon spoke.

Pat Ferris Appleby spoke.

Kraig Kojian, Downtown Long Beach Associates President and CEO, spoke.

Vice Mayor Lowenthal spoke.

Councilmember DeLong spoke.

Charles Parkin, Assistant City Attorney, spoke.

Councilmember Johnson spoke.

Councilman Andrews spoke.

Councilmember Neal spoke.

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

Yes: 6 - Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Neal

Abstentions: 2 - Garcia and Schipske

Absent: 1 - Gabelich

19. 12-0339 Recommendation to authorize City Manager to allocate Public, Education, and Government (PEG) fee revenue equally among the three

categories of cable access providers, each receiving one-third of the total available; and increase appropriations in the General Services Fund (IS 385) and the Department of Technology Services (TS) by \$874,960. (Citywide)

Councilmember O'Donnell spoke.

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

Yes: 7 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 2 - Garcia and Gabelich

ORDINANCE (5:15 PM)

20. 12-0312 Recommendation to authorize City Manager to create a Golf Advisory Committee, with a maximum of nine members, that reports to the City Manager through the Department of Parks, Recreation and Marine; and adopt ordinance repealing Chapter 2.42 of the Long Beach Municipal Code, related to the Municipal Golf Commission read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

A motion was made by Councilman Andrews, seconded by Councilwoman Schipske, 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 - Lowenthal, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 3 - Garcia, DeLong and Gabelich

NEW BUSINESS (8:22 PM)

21. Affidavit of Service for the special meeting held Tuesday, May 1, 2012.

22. 12-0359 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, April 27, 2012.

This Agenda Item was received and filed.

23. 12-0360 eComments received for the City Council meeting of Tuesday, May 1, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (8:22 PM)

Mayor Foster requested that the meeting be adjourned in memory of Indira Hale Tucker.

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

Councilmember O'Donnell made community announcements.

Mayor Foster made community announcements.

PUBLIC (8:30 PM)

Karen Reaside spoke regarding CAL GRIP.

ADJOURNMENT (8:32 PM)

At 8:32 PM, Mayor Foster adjourned the meeting in memory of Indira Hale Tucker.

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