



CITY OF LONG BEACH

C-5

DEPARTMENT OF CITY CLERK

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

May 22, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meeting of Tuesday, May 8, 2012

DISCUSSION

The Legistar minutes for the City Council meeting of Tuesday, May 8, 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.

ROLL CALL (5:19 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; Michael Mais, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Mayor Foster announced that Agenda Item No. 7 had been withdrawn and that the Summer Night Lights presentation was postponed.

Invocation: Moment of Silence.

Pledge of Allegiance: Councilman Dee Andrews, Sixth District.

Proclamation recognizing 65th Anniversary of California Heights Parent Participation Nursery School.

Councilmember Johnson spoke.

Steve Carney spoke.

Councilmember Johnson read the proclamation.

Presentation by St. Mary's Medical Center.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

PUBLIC COMMENT (5:31 PM)

12-0387 Larry Goodhue spoke regarding public health; and submitted information.

This Handout was received and filed.

Nicholaas Chomenko spoke regarding medical marijuana dispensaries.

12-0388 Rodney Love spoke regarding the Green Room Collective; and submitted correspondence.

This Handout was received and filed.

Annette Brown spoke regarding Long Beach Green Room collective.

12-0389 Ben Rockwell spoke regarding the Americans with Disabilities Act; and submitted photographs.

This Handout was received and filed.

CONSENT CALENDAR (5:45 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 3. The motion carried by the following vote:

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

1. 12-0349 Recommendation to refer to City Attorney damage claims received between April 23, 2012 and April 30, 2012.

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

2. 12-0352 Recommendation to adopt a Resolution of Intention to vacate a portion of Pier C Street, formerly known as Seventh Street North and Seventh

Street South, and set date of hearing on the vacation for Tuesday, June 12, 2012 at 5:00 p.m. (District 1)

A motion was made to approve recommendation and adopt Resolution No. RES-12-0042 on the Consent Calendar.

Enactment No: RES-12-0042

3. 12-0350 Recommendation to receive and file minutes for:
Planning Commission - April 5, 2012.

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

REGULAR AGENDA (5:46 PM)

4. 12-0351 Recommendation to request City Manager to report back at a City Council meeting in 90 days the feasibility, costs and approach to coordinating and integrating grant applications within the City, as well as provide an annual report to the City Council on outcomes, including the number and dollar amount of grants applied for, number and dollar amount of grants funded, number and dollar amount of grants secured, and the benefits for each of the City Council Districts.

Councilman Andrews spoke.

Councilmember DeLong spoke.

Suzanne Frick, Assistant City Manager, spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Ben Rockwell spoke.

Karen Reaside spoke.

P. Joseph Rosenwald spoke.

A motion was made by Councilman Andrews, 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

5. 12-0366

Recommendation to, by motion of the City Council, request City Manager to review the City's emergency operations plans prepared for planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies in both war and peacetime, and to engage members of the disabled community to make certain the needs of the disabled are included in these plans and that the City website is updated to provide all residents access to critical information necessary for emergency preparedness.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Ben Rockwell spoke.

P. Joseph Rosenwald spoke.

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, 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

6. 12-0367

Recommendation to, by motion of the City Council, adopt the following resolution supporting the "Homeowner Bill of Rights" and calling upon the City's banking partners and the Federal Housing and Finance Agency (FHFA) to suspend foreclosures and evictions until reforms to protect homeowners are put into place.

Councilwoman Schipske spoke; and distributed information.

Councilmember Neal spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Ben Rockwell spoke.

Henry Walker, Farmers & Merchants Bank, spoke.

Nada Toshnit spoke.

Diane Daly spoke.

P. Joseph Rosenwald spoke.

Thomas Dunahue spoke.

Erin Foley spoke.

Wayne Moshender spoke.

Sharon Cortell spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Motion: Substitute motion to approve recommendation.
Moved by Garcia, seconded by Gabelich.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke; and withdrew his substitute motion.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve recommendation to refer to the State Legislation Committee. The motion carried by the following vote:

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

7. 12-0365 Recommendation to request that a meeting of the Charter Amendment Committee be scheduled to consider a ballot measure for 2012 moving City elections to align with the State cycle of June/November.

This Agenda Item was withdrawn.

8. 12-0368 Recommendation to request City Manager to develop a process for individuals issued citations as bicyclists for minor traffic violations to attend Bicycle Safety Traffic School and have the citation dismissed; and

Request City Manager to bring the cost and funding source for the Bicycle Safety Traffic School back to City Council within 30 days.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Ben Rockwell spoke.

P. Joseph Rosenwald spoke.

A motion was made by Vice Mayor Lowenthal, 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

9. 12-0353 Recommendation to authorize City Manager to execute all documents and any needed subsequent amendments with the State of California to accept Workforce Investment Act (WIA) grants totaling \$6,350,176; and authorize City Manager, or his designee, to execute agreements and amendments with necessary WIA training provider vendors. (Citywide)

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

- 10. 12-0354** Recommendation to authorize City Manager to execute all documents with the City of Los Angeles to receive \$200,000 in Workforce Investment Act funds for a Health Sector Training Project; execute agreements with various initiative partner providers in an amount totaling \$192,000; increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Human Resources (HR) by \$192,000; and execute any subsequent amendments as necessary. (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

- 11. 12-0355** Recommendation to receive and file the application of Jeffery Michael Hill, dba Eagle Market, for an original Alcoholic Beverage Control License, at 2336 Pacific Avenue. (District 6)

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, that the item be laid over to the meeting of Tuesday, May 22, 2012. The motion carried by the following vote:

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

- 12. 12-0356** Recommendation to declare a portion of City-owned property located at 495 The Promenade North as surplus; authorize City Manager to execute any and all documents, including the Purchase and Sale Agreement (PSA) with The Retail on Promenade, LLC, a California limited liability company, for the sale of a portion of City-owned property at 495 The Promenade North in an amount of \$345,000 and authorize the close of escrow; and increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) by \$345,000. (District 1)

Councilmember Johnson spoke.

Ben Rockwell spoke.

Michael Conway, Director of Public Works, spoke.

Councilmember Garcia 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

13. 12-0357 Recommendation to authorize City Manager to execute all documents necessary for the Second Amendment to Lease No. 28350 between the City of Long Beach and The Bolder Group, Inc., a California corporation, for the continued operation of the City-owned facilities known as the Alamitos Bay Marina Fuel Dock and the Shoreline Marina Fuel Dock. (Districts 2,3)

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

14. 12-0358 Recommendation to authorize City Manager to execute the First Amendment to Lease No. 27760 between SST Properties, a California corporation (Landlord), and the City of Long Beach (Tenant), for office/warehouse space at 5580 Cherry Avenue for the Wireless Communications Division of the Department of Technology Services. (District 8)

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

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

Absent: 1 - Garcia

ORDINANCES (7:30 PM)

15. 12-0343 Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 5.71 related to Publicly Accessible Exterior Pay Telephones 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 Councilman Andrews, seconded by Councilmember Neal, 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: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

16. 12-0312 Recommendation to adopt ordinance repealing Chapter 2.42 of the Long Beach Municipal Code, relating to the Golf Commission, read and adopted as read. (Citywide)

A motion was made by Councilmember Johnson, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-12-0009. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: ORD-12-0009

NEW BUSINESS (7:31 PM)

17. Affidavit of Service for the special meeting held Tuesday, May 8, 2012.

18. 12-0384 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, May 4, 2012.

This Agenda Item was received and filed.

19. 12-0385 eComments received for the City Council meeting of Tuesday, May 8, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:31 PM)

Councilmember Garcia made community announcements.

Councilmember Johnson made community announcements.

Councilman Andrews made community announcements.

Councilmember Neal made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember O'Donnell made community announcements.

Vice Mayor Lowenthal made community announcements.

PUBLIC (7:44 PM)

Rafael Groswirt, Alliance Payphone owner, spoke concerning the pay telephone ordinance.

Vice Mayor Lowenthal spoke.

ADJOURNMENT (7:48 PM)

At 7:48 PM, Vice Mayor Lowenthal adjourned the meeting.

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