

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 the order presented, except for Agenda Item Nos. 15, 16 and 17, which were considered following the presentations.

ROLL CALL (5:06 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; Charles Parkin, Assistant City Attorney; Michael Mais, 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: Councilmember James Johnson, Seventh District.

Mayor Foster announced that Agenda Item Nos. 15, 16 and 17 would be considered following the presentations, and that the Prime Time for Business has been postponed.

Presentation by the Aquarium of the Pacific -- Meet the Penguins.

Vice Mayor Lowenthal spoke.

Certificate of Recognition for Oil Operators Inc. Companies.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

HEARING (5:36 PM)

[see media](#)

1. [12-0371](#) 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 Serenity Corporation Two, Inc., dba Long Beach Port Restaurant Bar and Billiard, 145 West Broadway, for Entertainment With Dancing by Patrons and Pool Hall. (District 2)

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. The motion carried by the following vote:

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

Absent: 2 - Garcia and Schipske

PUBLIC COMMENT (5:39 PM)

Gordana Kajer spoke a word of thanks.

Ben Rockwell thanked the staff for immediate action regarding access near the American Hotel; and spoke regarding the Farmer's and Merchants Bank.

Jane Nadeau spoke a word of thanks to Councilwoman Gabelich for her service to the community.

Councilwoman Gabelich spoke.

Mary Matthiesen, Friends of El Dorado Park, spoke regarding a dog park project.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Nicolaas Chomenko spoke regarding medical marijuana issues in his neighborhood.

[12-0422](#) Debra Ashby, South Coast Air Quality Management District, made announcements; and distributed flyers.

This Handout was received and filed.

Councilmember Johnson spoke.

CONSENT CALENDAR (5:56 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve Consent Calendar Items 2 - 6. The motion carried by the following vote:

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

2. [12-0383](#) Recommendation to authorize City Attorney to pay the sum of \$15,000 in full settlement of lawsuit entitled *Timothy Wheat and Jayne Wheat v. City of Long Beach, et al.* Case No. NC053256.

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

3. [12-0373](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, May 1, 2012.

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

4. [12-0374](#) Recommendation to refer to City Attorney damage claims received between April 30, 2012 and May 7, 2012.

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

5. [12-0382](#) Recommendation to adopt resolution authorizing City Manager to execute a contract with RCA Investments, dba Long Beach BMW Motorcycles, of Long Beach, CA (Local; not an MBE, WBE or SBE), for the purchase of five replacement BMW police-certified motorcycles, per quote dated March 20, 2012, on the same terms and conditions afforded to the Los Angeles County Sheriff's Department (LASD) under reference SO. No. RFB-IS-12200055, in an amount not to exceed \$136,400, including tax and fees. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-12-0044 on the Consent Calendar.

Enactment No: RES-12-0044

6. [12-0372](#) Recommendation to authorize City Manager to execute all documents necessary to issue a Fitness Provider Permit to Melina Christidis, an individual doing business as Melina Fitness, for the provision and operation of an outdoor fitness program at Bluff Park, for a term of two years, with three, one-year renewal options at the discretion of the City

Manager or his designee. (District 3)

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

REGULAR AGENDA (5:56 PM)

[see media](#)

7. [12-0386](#) Recommendation to, by motion of the City Council, request City Attorney to revise the City code concerning licenses and permits and regulations for door-to-door solicitors and the placement of handbills on private property, to include provisions requiring: 1) display of a license and permit and identification by commercial solicitors; 2) requirements that handbills contain contact information for the person or organization responsible for the distribution of same; 3) allowing residents to post a "No Trespassing" or "No Solicitation" sign which prohibits all door-to-door solicitation whether commercial or non-commercial and prohibits the placement of handbills, flyers or other materials at a residence displaying such signs or signs with similar wording; and 4) establishing a "No Soliciting" registry that puts commercial solicitors on notice they may not solicit at residences who have indicated they do not want to be solicited.

Councilwoman Schipske spoke; and submitted information.

Motion: Approve recommendation to refer to the City Attorney and request review and report back to City Council on provisions concerning licenses and permits and regulations for door-to-door solicitors.
Moved by Schipske, seconded by Lowenthal.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilman Andrews spoke.

Ben Rockwell spoke.

Ken Osborn spoke.

Councilmember O'Donnell spoke.

Charles Parkin, Assistant City Attorney, spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

A substitute motion was made by Councilwoman Gabelich, seconded by Councilmember DeLong, to refer to the Housing and Neighborhoods Committee for review and discussion with the business community that would be affected. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

[see media](#)

8. [12-0375](#) Recommendation to adopt Specifications No. PA-02112 authorizing City Manager to execute contracts with Galls, an Aramark Company, LLC, a Long Beach-based business (Local; not an MBE, WBE or SBE) and Quartermaster, Inc., of Cerritos, CA (not an MBE, WBE or SBE), to furnish, service and deliver uniforms and accessories to the Long Beach Fire Department (LBFD), in a total annual amount not to exceed \$210,000, 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)

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

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

Absent: 2 - Lowenthal and DeLong

[see media](#)

9. [12-0381](#) Recommendation to adopt Specifications No. PA-02912 and award a contract to Ferguson Enterprises, Inc. of Long Beach, CA (Local; not an MBE, WBE or SBE), for furnishing and delivering PE pipe and fittings, in an annual amount not to exceed \$240,000, 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)

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

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 3 - Lowenthal, DeLong and Gabelich

[see media](#)

10. [12-0376](#)

Recommendation to adopt resolution authorizing City Manager to accept \$1.5 million in grant funds from the California State Coastal Conservancy for the DeForest Park Wetlands Restoration project; and execute any documents necessary for the administration of the project. (Districts 8,9)

A motion was made by Councilmember O'Donnell, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-12-0045. The motion carried by the following vote:

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 3 - Lowenthal, DeLong and Gabelich

Enactment No: RES-12-0045

[see media](#)

11. [12-0377](#)

Recommendation to authorize City Manager to execute First Amendments to Agreement Nos. 31742 with the City of Cerritos, 31708 with the City of Los Alamitos, 31707 with the City of Seal Beach, and 31714 with the City of Signal Hill, and any related documents to extend the provision of services by the City of Long Beach's Animal Care Services Bureau through June 30, 2014; establish a Compensation Schedule for Fiscal Year 2013 (FY 13); and provide for an adjustment to the Compensation Schedule to match the percent change in the Consumer Price Index in Fiscal Year 2014 (FY 14). (Citywide)

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

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 3 - Lowenthal, DeLong and Gabelich

[see media](#)

12. [12-0378](#)

Recommendation to receive and file the application of Blazin Wings, Incorporated, dba Buffalo Wild Wings, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 6314 East Pacific Coast Highway, with conditions. (District 3)

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

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 3 - Lowenthal, DeLong and Gabelich

[see media](#)

13. [12-0379](#)

Recommendation to authorize City Manager to execute all documents necessary with Advanced Systems Group for the purchase of a server disk storage system, and execute related lease financing documents with Banc of America Public Capital Corporation in an amount not to exceed \$284,000 over a five-year period, or approximately \$56,800 annually. (Citywide)

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

Yes: 6 - Garcia, O'Donnell, Schipske, Andrews, Johnson and Neal

Absent: 3 - Lowenthal, DeLong and Gabelich

ORDINANCE (6:29 PM)

[see media](#)

14. [12-0343](#)

Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 5.71 related to Publicly Accessible Exterior Pay Telephones, read and adopted as read. (Citywide)

Ben Rockwell spoke.

Chatty, Nasdon Communications and Stars and Stripes Communications, spoke.

Steve Littlejohn, owner of Littlejohn Communications, Inc., spoke.

Rafael Groswirt, Alliance Payphone owner, spoke.

Councilmember Garcia spoke.

Angela Reynolds, Deputy Director of Development, Development Services Department, spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember Neal spoke.

A motion was made by Councilmember Garcia, seconded by Councilmember Neal, to approve recommendation and adopt Ordinance No. ORD-12-0010. The motion carried by the following vote:

Yes: 5 - Garcia, Andrews, Johnson, Gabelich and Neal

Absent: 4 - Lowenthal, DeLong, O'Donnell and Schipske

Enactment No: ORD-12-0010

NEW BUSINESS (5:21 PM)

[see media](#)

15. [12-0410](#)

Recommendation to request City Council to receive and file a report on the Fifth Annual Community Baby Shower.

Councilwoman Schipske spoke.

Pam Shaw, Nursing Services Officer, Department of Health and Human Services, spoke.

Mayor Foster spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, 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

[see media](#)

16. [12-0409](#)

Recommendation to, by motion of the City Council, request to receive and file the 2012 National EMS Week presentation.

Councilwoman Schipske 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 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Garcia

[see media](#)

17. [12-0342](#) Recommendation to adopt resolution declaring May 15, 2012 "C-17 Day," and supporting the procurement of additional C-17 aircraft.

Reginald Harrison, Deputy City Manager, spoke.

Bob Ciesla, Vice President of the C-17 Program at The Boeing Company, spoke.

Mayor Foster spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-12-0043. The motion carried by the following vote:

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

Absent: 1 - Garcia

Enactment No: RES-12-0043

18. [12-0390](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, May 11, 2012.

This Agenda Item was received and filed.

19. 12-0416 eComments received for the City Council meeting of Tuesday, May 15, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (6:49 PM)

Councilmember Johnson made community announcements.

Councilman Andrews made community announcements.

Councilmember Garcia made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Neal made community announcements.

Councilman Andrews made an additional comment.

Mayor Foster spoke.

ADJOURNMENT (6:56 PM)

At 6:56 PM, Mayor foster adjourned the meeting.

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