



# CITY OF LONG BEACH

C-4

DEPARTMENT OF CITY CLERK

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

July 19, 2011

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Approve the minutes for the City Council Meeting of Tuesday, July 5, 2011

**DISCUSSION**

The Legistar minutes for the City Council Meeting of Tuesday, July 5, 2011, 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,

Handwritten signature of Larry G. Herrera in black ink.

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, 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

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## 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 (5:06 PM)

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

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Heather Mahood, Chief Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gary DeLong, Councilmember, Third District.

Julie Pruitt, spcaLA, presented a canine.

Proclamation declaring July as "Parks Make Life Better" month.

Mayor Foster presented the proclamation.

Proclamation honoring the Water Department's 100th Anniversary.

Vice Mayor Lowenthal spoke.

### PUBLIC COMMENT (5:25 PM)

Shannon Bell spoke regarding excessive force by Long Beach Police Department.

Larry Goodhue spoke regarding a variety of issues.

**CONSENT CALENDAR (5:34 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve Consent Calendar Items 1 - 10. The motion carried by the following vote:**

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

1. 11-0634 Recommendation to authorize agreement between the City of Long Beach and the law firm of Atkinson Andelson Loya Ruud & Romo to assist the City Attorney in connection with Public Works construction.  
**A motion was made to approve recommendation on the Consent Calendar.**
2. 11-0635 Recommendation to approve the minutes for the City Council meetings held June 14 and 21, 2011, and the City Council Study Session held Tuesday, June 21, 2011.  
**A motion was made to approve recommendation on the Consent Calendar.**
3. 11-0636 Recommendation to refer to City Attorney damage claims received between June 13, 2011 and June 27, 2011.  
**A motion was made to approve recommendation on the Consent Calendar.**
4. 11-0637 Recommendation to approve the destruction of records for Long Beach Police Department as shown in Exhibit A; and adopt resolution.  
**A motion was made to approve recommendation and adopt Resolution No. RES-11-0068 on the Consent Calendar.**  
**Enactment No:** RES-11-0068
5. 11-0496 Recommendation to authorize City Manager to execute an agreement with Southern California Marine Association to prepare for, produce, and dismantle the 43rd Annual International Sail and Power Boat Show in the water and on the adjoining land area of Rainbow Harbor.  
(District 2)

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

6. 11-0638 Recommendation to authorize City Manager to accept non-monetary donations of planning, labor, and materials for ongoing improvements and third-party maintenance of Cressa Park, located at 19th Street and DeForest Avenue; and execute a right-of-entry permit and any related documents with Wrigley Area Neighborhood Alliance, Inc., for a period of five years, with one, five-year renewal option at the discretion of the City Manager, or his designee, as approved and recommended by the Parks and Recreation Commission at its meeting on May 19, 2011. (District 7)

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

7. 11-0639 Recommendation to authorize City Manager to execute an Indemnity and Hold Harmless Agreement and any related documents with the Long Beach Area Council of the Boy Scouts of America, to allow the City of Long Beach to use the swimming pool at the Will J Reid Scout Camp, located at 4747 Daisy Avenue, beginning on July 9, 2011 and ending on August 27, 2011. (District 8)

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

8. 11-0640 Recommendation to authorize City Manager to execute a waiver of federal receipt of the City of Long Beach's thirteenth year allocation of \$24,033 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)

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

9. 11-0641 Recommendation to adopt resolution approving the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force Joint Powers Agreement (LA-Impact JPA), thus authorizing the City's membership in the LA Impact Authority; and authorize City Manager to execute the JPA Agreement. (Citywide)

**A motion was made to approve recommendation and adopt Resolution No. RES-11-0069 on the Consent Calendar.**

**Enactment No:** RES-11-0069

10. 11-0642 Recommendation to receive and file minutes for:  
Civil Service Commission - June 8 and 15, 2011.  
Cultural Heritage Commission - April 11, 2011.

Parks and Recreation Commission - May 19, 2011.  
Water Commission - May 19, 2011.

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

**REGULAR AGENDA (5:35 PM)**

11. 11-0643      ~~Recommendation to receive and approve the following-  
Commission/Board/Committee reappointments and new appointments to  
non-charter commissions.~~

**This Appointment was withdrawn.**

12. 11-0652      Recommendation to receive and file a report on travel to Baltimore for  
the U.S. Conference of Mayors annual meeting, June 17 - 20, 2011.

Mayor Foster spoke.

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

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

13. 11-0644      Recommendation to request City Manager to draft a comprehensive  
Violence Prevention Plan and report back to City Council for approval  
within 90 days.

Councilmember Garcia spoke.

Councilmember Neal spoke.

Councilmember DeLong spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Karen Reaside spoke.

Lydia Hollie spoke.

Claudette Powers spoke.

Jerline Tatum spoke and submitted information regarding the Long Beach GRIP Project.

Steve Barber spoke.

Thadic Blakey spoke.

Jessica Quintana spoke.

Margo Cohutt spoke.

Alma Campos spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember Neal spoke.

**A motion was made by Councilmember Garcia, seconded by Councilmember Johnson, to approve recommendation to request City Manager to draft a comprehensive Violence Prevention Plan; provide status reports on plan preparation progress; and involve the Health and Human Services and the Parks, Recreation and Marine Departments, and the community in the plan preparation. The motion carried by the following vote:**

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

14. 11-0653

Recommendation to request City Manager to create a system for Long Beach residents to opt-out of receiving Yellow Pages; request City Attorney to draft any necessary additions to the Long Beach Municipal Code; and report back to City Council within 60 days.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

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

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

**No:** 1 - Schipske

15. 11-0646

Recommendation to receive and discuss redistricting of City Council districts and provide direction to staff on the redistricting option released for public comment. (Citywide)

Tom Modica, Government Affairs Officer, spoke.

Claudette Powers spoke.

Jenise McConnell spoke.

Kelly Wilson spoke.

Laurie Angel spoke.

Bernadette Graves spoke.

Ward Shaw spoke.

Nancy Lattimer spoke.

Councilmember Johnson spoke.

Brett Dunn spoke.

Joan Greenwood spoke.

John Oppenheim spoke.

John Delatorre spoke.

Emilio Uranga spoke.

Bob Joy spoke.

Tonya Reyes Uranga spoke.

Pat Murphy spoke.

Mike Reynolds spoke.

Stacey McDaniel spoke.

Jim Meyer spoke.

Victorina Sprout spoke.

Rick Ivy spoke.

Diane Thomas spoke.

Jeannie Pierce spoke.

Dierdra Smith spoke.

Roy Robbins spoke.

Alan Zimmerman spoke.

Jeff Kellogg spoke.

Gerald Maggino spoke.

Joe Weinstein spoke.

Steve Beatty spoke.

Mike Kowal spoke.

Christina Belarro Benting spoke.

Joe Sopo spoke.

Jerry Montgomery spoke.

Thor Carlson spoke.

Jamie Mecus spoke.



Mayor Foster spoke.

Councilmember DeLong spoke.

Motion: Approve the City Council Proposed Redistricting Plan, with the following changes: [1] exclude the previously proposed new areas of Bixby Knolls (Area C on the City Council Proposed Plan); and [2] include in the 7th District the area going west on Bixby Road from Atlantic Avenue to Pacific Avenue, then north on Pacific Avenue to San Antonio Drive, then south-west on San Antonio Drive to Del Mar Avenue, then south on Del Mar Avenue to the current 7th District boundary at the 405 Freeway, and all areas south of the above description to the 7th District boundary.

Moved by DeLong, seconded by Lowenthal.

Councilwoman Gabelich spoke.

Motion: Substitute motion to approve the City Council Proposed Redistricting Plan, with the following changes: [1] exclude the previously proposed new areas of Bixby Knolls (Area C on the City Council Proposed Plan); and [2] include in the 7th District the area going west on Bixby Road from Atlantic Avenue to Long Beach Boulevard, then south on Long Beach Boulevard to 36th Street, then west on 36th Street to Pine Avenue, then north on Pine Avenue to 37th Street, then west on 37th Street to Country Club Drive, then north on Country Club Drive to Los Cerritos Park Place, and all areas south of the above description to the 7th District boundary.

Moved by Gabelich, seconded by Neal.

Councilmember Johnson spoke and presented a PowerPoint presentation.

Tom Modica, Government Affairs officer, spoke.

Councilwoman Schipske spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember Neal spoke.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

**A second substitute motion was made by Councilmember Johnson, seconded by Vice Mayor Lowenthal, to approve the City Council Proposed Redistricting Plan, with the following changes: [1] exclude the previously proposed new areas of Bixby Knolls (Area C on the City Council Proposed Plan); and [2] include in the 7th District the area going west on Bixby Road from Atlantic Avenue to the Blue Line right-of-way, and all areas south of the above description to the 7th District boundary. The motion carried by the following vote:**

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

**No:** 2 - Schipske and Gabelich

Mayor Foster declared a short recess.

16. 11-0647

Recommendation to authorize City Manager to execute contracts and any amendments thereto with: Oracle America, Inc., of Redwood Shores, CA (not an MBE, WBE, SBE or local), for the purchase and maintenance of a utility customer information system (CIS) and related systems to replace the current utility billing system in a total amount not to exceed \$1,999,089 including tax; EP2M, LLC, of Flanders, New Jersey (not an MBE, WBE, SBE, or local), for the implementation and support of the utility CIS and related systems in a total amount not to exceed \$10,916,231 including tax; and Tele-Works, Inc., of Blacksburg, VA (not an MBE, WBE, SBE, or local), for the purchase of an interactive voice response system in a total amount not to exceed \$117,600 including tax; and

Authorize City Manager to execute a lease-purchase agreement and related financing documents under the Master Lease Agreement with Banc of America Public Capital Corporation in an amount not to exceed \$3,030,000, payable over a seven-year period, for partial financing of the Gas Fund portion of the project expense. (Citywide)

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilmember O'Donnell, seconded by Vice Mayor Lowenthal, 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

17. 11-0648 Recommendation to receive and file the application of Cut Raw, LLC, dba Naples Sushi, for an original Alcoholic Beverage Control License, at 5662 East 2nd Street. (District 3)

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

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

**Absent:** 1 - Gabelich

18. 11-0649 Recommendation to adopt Plans and Specifications No. R-6785 for the improvement of Walnut Avenue between 3rd Street and 10th Street, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with EBS General Engineering, Inc., in the amount of \$945,112, plus a 10 percent contingency of \$94,511, for a total of \$1,039,623, and to execute any necessary amendments thereto. (District 2)

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, 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

19. 11-0654 Recommendation to authorize City Manager to accept grant funding in the amount of \$3,300,000 from the State Water Resources Control Board, and \$690,997 from the State Coastal Conservancy, for the Colorado Lagoon Restoration Project; adopt resolution approving the receipt of grant funds; execute all documents necessary to allow for the dredging, treatment and disposal of sediments from Colorado Lagoon;

Increase appropriations in the Tidelands Operations Fund (TF 401) in the Department of Public Works (PW) by \$3,990,997; and

Execute an amendment to Agreement No. 30773 with Moffatt & Nichol Engineers to increase the contract amount by \$91,100 for a total amount not to exceed \$1,442,700 for additional construction support services and post-construction sediment sampling, and any amendments necessary to extend the term, amend the scope of work, or adjust the fee schedule of hourly rates for inflation in the extended term. (District 3)

Dave Perazzi spoke.

Councilmember DeLong spoke.

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0070. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

**Enactment No:** RES-11-0070

20. 11-0650

Recommendation to adopt resolution establishing a policy facilitating the placement of neighborhood marker signs. (Citywide)

Councilman Andrews spoke.

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0071. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

**Enactment No:** RES-11-0071

21. 11-0651

Recommendation to authorize City Manager to execute on-call agreements with Environ Architecture, Inc., Gillis & Panichapan Architects, Inc., Gonzalez Goodale Architects, Heery International, Inc., and Westgroup Designs, Inc., for as-needed space planning services in an aggregate total amount not to exceed \$700,000 of contract authority for a three-year term, and to execute any necessary amendments to the

agreements, relative to extending the terms for up to one additional one-year term, changing the contract dollar amounts, authorizing additional services, if required, within the provisions of the agreements, and adjusting the fee schedules for inflation, all provided that the aggregate total amount of contract authority is not exceeded. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, 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

#### **ORDINANCE (8:59 PM)**

22. 11-0617 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 5.87.015.L relating to the definition of "Park" and "Public Park" to include all City owned, operated or leased parks, read and adopted as read. (Citywide)

**A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-11-0013. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

**Enactment No:** ORD-11-0013

#### **NEW BUSINESS (9:00 PM)**

23. 11-0645 Recommendation to adopt resolution requesting that the Board of Harbor Commissioners approve the FY 2011 transfer of \$16,920,700 based on five percent of FY 2011 estimated gross operating revenue, with a true-up adjustment as necessary to reflect the final gross revenue amount upon issuance of the Harbor Department's FY 2011 audited financial statements, from the Harbor Revenue Fund (HR) to the Tidelands Operating Fund (TF) as of October 1, 2011. (Citywide)

Larry Goodhue spoke.

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-11-0072. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

**Enactment No:** RES-11-0072

24. Affidavit of Service for the special meeting held Tuesday, July 5, 2011.

25. 11-0656 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, July 1, 2011.

**This Agenda Item was received and filed.**

26. 11-0682 eComments received for the City Council meeting of Tuesday, July 5, 2011.

**This Agenda Item was received and filed.**

#### **ANNOUNCEMENTS (9:03 PM)**

Mayor Foster requested that the meeting be adjourned in memory of Joseph (Joey) Summers and Jean Harris.

Councilmember Johnson made community announcements.

Councilman Andrews made community announcements.

Councilwoman Schipske requested that the meeting be adjourned in memory of Harley David Rubenstein; expressed condolences to the Harris family; and made community announcements.

Vice Mayor Lowenthal expressed her condolences to the Harris family and to the Chansy and Sang families; and made community announcements.

Councilmember Neal made community announcements.

Councilmember Garcia offered condolences.

Councilmember O'Donnell made community announcements.

#### **ADJOURNMENT (9:15 PM)**

At 9:15 PM, Mayor Foster adjourned the meeting in memory of Joseph (Joey) Summers, Jean Harris, Harley David Rubenstein, Phet and Eric Chansy, Holly Hamm and Monica Sara Sang.

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