



# 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

May 3, 2011

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Approve the Minutes for the City Council Meetings Held Tuesday, April 12 and 19, 2011

DISCUSSION

The Legistar minutes for the City Council Meetings held Tuesday, April 12 and 19, 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,

LARRY C. HERRERA  
CITY CLERK

Prepared by: Nancy Muth

LGH:nem  
Attachment

Robert Garcia, 1st District  
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

### ROLL CALL (5:03 PM)

**Councilmembers** Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews and

**Present:** Johnson

**Councilmembers** Gabelich and Neal

**Absent:**

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, with the exception of Agenda Item No. 4, which was considered following the Consent Calendar vote; Agenda Item Nos. 21 and 26, which were considered following Agenda Item No. 15.

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

Vice Mayor Lowenthal presiding.

Invocation: Moment of Silence.

Flag Salute: Robert Garcia, Councilmember, First District.

Vice Mayor Lowenthal announced that Councilwoman Gabelich and Councilmember Neal would not be in attendance.

Julie Pruitt, spcaLA, presented a canine.

Proclamation for Denim Day.

Sharon Wee spoke.

Vice Mayor Lowenthal spoke.

Councilmember Johnson spoke.

Presentation for Autism Awareness Month.

Councilmember O'Donnell spoke.

Mike Murray spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

11-0391            Presentation from the Long Beach-Qingdao Association.  
Mary Barton spoke and submitted a brochure.

**This Handout was received and filed.**

**PUBLIC COMMENT (5:26 PM)**

11-0392            Bernice Banares spoke regarding proposed railyard expansion and  
submitted correspondence.

**This Handout was received and filed.**

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Kathy Ryan spoke regarding reopening the March 1 pension discussion.

Patrick West, City Manager, spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Larry Goodhue spoke regarding various items.

11-0393            Debra Ashby spoke regarding Clean Air Awards, Lawnmower Exchange

Program and Zero Emission Technology Forum; and submitted brochures.

**This Handout was received and filed.**

Constance Smith spoke regarding Neighborhood Stabilization Program 2.

Patrick West, City Manager, spoke.

Dawn Del Bello spoke regarding Children's Day USA.

Morgan Wyenn spoke regarding Intermodal Container Transfer Facility (ICTF) expansion.

Luis Cabrales spoke regarding Southern California International Gateway (SCIG) and Intermodal Container Transfer Facility (ICTF).

Summer Hansen spoke regarding Children's Day USA.

#### **CONSENT CALENDAR (5:56 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 11, except for Item 4. The motion carried by the following vote:**

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

**Absent:** 3 - Schipske, Gabelich and Neal

1. 11-0345 Recommendation to approve the minutes for the City Council Study Session held Tuesday, March 29, 2011.  
**A motion was made to approve recommendation on the Consent Calendar.**
2. 11-0346 Recommendation to refer to City Attorney damage claims received between March 28, 2011 and April 4, 2011.  
**A motion was made to approve recommendation on the Consent Calendar.**
3. 11-0326 Recommendation to adopt Specifications No. PA-00611 and award a contract to American Reprographics Company, of Los Angeles, CA (not an MBE, WBE, or SBE), for furnishing and delivering blueprinting and reprographic services in an amount not to exceed \$174,000, 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 to approve recommendation on the Consent Calendar.**

4. 11-0305 Recommendation to receive and file Separately Issued Financial Statements for the Harbor Department, Redevelopment Agency, and Long Beach Transit for the Fiscal Year ended September 30, 2010. (Citywide)

Councilmember Johnson spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

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

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

**Absent:** 2 - Gabelich and Neal

5. 11-0327 Recommendation to authorize City Manager to renew the agreements (MOU's) with the California Department of Justice and U.S. Customs and Border Protection for a period of one year, with an option to renew for two additional years with City Manager approval, to continue their contracts for law enforcement incineration of controlled substances at the Southeast Resource Recovery Facility (SERRF). (District 2)

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

6. 11-0328 Recommendation to adopt resolution ordering the summary vacation of portions of Second Street and Naples Plaza adjacent to 5855 Naples Plaza. (District 3)

**A motion was made to approve recommendation and adopt Resolution No. RES-11-0046 on the Consent Calendar.**

**Enactment No:** RES-11-0046

7. 11-0329 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Dale's Diner located at 4339 East Carson Street. (District 5)

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

8. 11-0330 Recommendation to request City Manager, or designee, to accept an

easement for sidewalk purposes and authorize payment in the amount of \$2,645 to the State of California for the easement. (District 5)

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

9. 11-0332 Recommendation to authorize City Manager to execute a contract extension with Leonardo Technologies, Inc. (LTI), for an additional program year and accept funds from LTI in the amount of \$22,500, to be used for promoting the U.S. Department of Energy's Clean Cities Program (Program) during the extended Program year ending October 31, 2011, execute all related documents; and increase appropriations in the Fleet Fund (IS 386) in the Department of Public Works (PW) by \$22,500. (Citywide)

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

10. 11-0334 Recommendation to authorize City Manager to execute all necessary documents and any subsequent amendments with the South Coast Air Quality Management District (SCAQMD), to accept grant funds in an aggregate of \$37,500 to fund staff assistance with the Heavy-Duty Natural Gas Drayage Truck Replacement Outreach and Education Program; and increase appropriations in the Fleet Fund (IS 386) in the Department of Public Works (PW) by \$37,500. (Citywide)

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

11. 11-0344 Recommendation to receive and file minutes for:  
Civil Service Commission - March 23, 2011.  
Water Commission - March 10, 2011.

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

**UNFINISHED BUSINESS (6:00 PM)**

23. 11-0312 Recommendation to adopt resolution approving the proposed Fiscal Year 2010-2011 Harbor Department salary resolution. (Citywide)

Councilmember Johnson spoke.

Christine Checelsky, Deputy City Attorney, spoke.

Kathy Ryan spoke.

Crystal Ingram spoke.

Councilmember Garcia spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-11-0047. The motion carried by the following vote:**

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

**Absent:** 2 - Gabelich and Neal

**Enactment No:** RES-11-0047

**24. 11-0313**

Recommendation to adopt amended salary resolution for Fiscal Year 2011. (Citywide)

**A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-11-0048. The motion carried by the following vote:**

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

**Absent:** 2 - Gabelich and Neal

**Enactment No:** RES-11-0048

**25. 11-0316**

Recommendation to adopt resolution which amends the resolution approving the compensation fixed by the Board of Water Commissioners of the City for officers and employees in the Water Department. (Citywide)

**A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-11-0049. The motion carried by the following vote:**

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

**Absent:** 2 - Gabelich and Neal

**Enactment No:** RES-11-0049

#### **REGULAR AGENDA (6:10 PM)**

**12. 11-0348**

Recommendation to refer the matter to the Planning Commission and Planning staff for a study and recommendation related to amending Chapter 21.41 of the Long Beach Municipal Code in order to facilitate

the use of automated parking in the City.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

Christopher Allen spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation to refer the matter to Planning staff for a study and recommendation related to amending Chapter 21.41 of the Long Beach Municipal Code in order to facilitate the use of automated parking in the City. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Andrews

**Absent:** 3 - Johnson, Gabelich and Neal

13. 11-0349

Recommendation to respectfully request City Manager to work with appropriate staff to present an oral report on the City's coordinated traffic and law enforcement preparations in anticipation of the West County Connector project's 7th Street Connector closure.

Patrick West, City Manager, spoke.

Councilmember O'Donnell spoke.

Kenneth Oh, Orange County Transportation Authority (OCTA) representative, spoke and presented a PowerPoint presentation.

David Roseman, City Traffic Engineer, continued with the PowerPoint presentation.

Robert Luna, Deputy Chief, continued with the PowerPoint presentation.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

Alex Crawford spoke.

Dennis Dunn spoke.

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

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

**Absent:** 2 - Gabelich and Neal

14. 11-0350

Recommendation to respectfully request City Manager to develop a recommendation to the City Attorney for a draft of an ordinance for permitting businesses to operate mobile food vending vehicles in the City of Long Beach; and

Respectfully request Planning Commission to undertake a study on the land use and zoning issues regarding amending Long Beach Municipal Code Section 21.53.106 to allow mobile food trucks to operate beyond construction sites, and within six (6) months recommend to the City Council regulations and conditions that should be required for any such business license, permit or other entitlement.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Jacqueline Larson spoke.

Matthew Gellers spoke.

Larry Goodhue spoke.

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

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

**Absent:** 2 - Gabelich and Neal

15. 11-0347

Recommendation to receive and file report titled "Review of the Viability of Alamitos Bay Marina Rehabilitation Project" (Rebuild Project); and request City Management to review the recommendations, develop strategies for implementation, and update the City Council and City

Auditor as to the status of the Rebuild Project within six months from the date of receipt and filing of this report.

Laura Doud, City Auditor, spoke.

Councilmember O'Donnell spoke.

George Chapjian, Director of Parks, Recreation and Marine, spoke.

Mark Sandoval, Marine Bureau Manager, spoke.

Councilmember Johnson spoke.

David Nakamoto, Acting Financial Management, spoke.

Laura Doud, City Auditor, spoke.

Mike Lesner spoke.

Larry Goodhue spoke.

Bud Lorbeer spoke.

John Calves spoke.

Jon Nahhas spoke and submitted correspondence.

Councilmember DeLong spoke.

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

16. 11-0336

Recommendation to adopt Specifications No. PA-00511 and award a contract to West Coast Sand & Gravel, Inc., of Buena Park, CA (not an MBE, WBE, SBE, or Local) for furnishing and delivering sand and gravel, in the annual amount not to exceed \$550,000, for a one-year term 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 Garcia, seconded by Councilmember DeLong, to approve recommendation. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

17. 11-0337 Recommendation to adopt Specifications No. PA-00811-B and award a contract to Tri-Pacific Supply, Inc., of Rocklin, CA (not an MBE, WBE, SBE, or Local) for furnishing and delivering domestic gas meters, in an annual amount not to exceed \$500,000, 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 Garcia, seconded by Councilmember DeLong, to approve recommendation. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

18. 11-0339 Recommendation to adopt resolution authorizing City Manager to execute all necessary documents with Allen Instruments and Supplies for the sole source purchase of five portable Trimble R8 GNSS Receivers, hardware and related software for subsidence monitoring activity at a cost of \$161,048, plus \$25,000 for any equipment repair, if necessary and if funds are available, over the next five years. (Citywide)

**A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-11-0050. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

**Enactment No:** RES-11-0050

19. 11-0340 Recommendation to authorize City Manager to accept a total of \$2,922,465 in grant funds, awarded by California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, for the construction of a new community center and community garden at Orizaba Park, and for the development of a new mini park at 851 Orange Avenue; increase appropriations by \$2,922,465 in the Capital Projects Fund (CP) in the Department of Parks, Recreation and Marine (PR); and execute any documents necessary for the administration of the projects. (Districts 1,4)

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

- 20. 11-0341** Recommendation to authorize City Manager to accept the following grant funds for the DeForest Wetlands project: \$1 million from the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, and \$2.5 million from the California Resources Agency River Parkways Grant Program; increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$3.5 million; and execute any documents necessary for the administration of the projects. (Districts 8,9)

Councilmember O'Donnell spoke.

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

- 21. 11-0342** Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Sophia Lorraine Sandoval, dba 4th Street Vine, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 2142 East 4th Street, with conditions. (District 2)

Vice Mayor Lowenthal spoke.

Suzanne Frick, Assistant City Attorney, spoke.

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

- 22. 11-0343** Recommendation to adopt Plans and Specifications No. R-6222 for

Appian Way between Park Avenue and Nieto Avenue, and Nieto Avenue between Appian Way and Colorado Street project, award the project to and authorize City Manager to execute the contract with Palp, Inc., dba Excel Paving Company, in the amount of \$596,252, plus a 15 percent contingency amount of \$89,438, if necessary, for a total amount of \$685,690, and any necessary amendments thereto except for an increase in the total authorization. (District 3)

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

#### **ORDINANCE (7:39 PM)**

26. 11-0387 Recommendation to declare ordinance amending the Long Beach Municipal Code relating to limitations on the number and location of smoking lounges permitted to operate in the City of Long Beach read the first time and laid over to the next regular meeting of the City Council for final reading.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

**A motion was made by Councilmember DeLong, seconded by Vice Mayor 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, DeLong, O'Donnell, Schipske and Johnson

**Absent:** 3 - Andrews, Gabelich and Neal

#### **NEW BUSINESS (7:51 PM)**

27. 11-0385 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, April 8, 2011.

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

**ANNOUNCEMENTS (7:53 PM)**

Councilmember O'Donnell made community announcements.

Councilmember Johnson made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember Garcia made community announcements.

**ADJOURNMENT (7:58 PM)**

At 7:58 PM, Vice Mayor Lowenthal adjourned the meeting.

adb

Robert Garcia, 1st District  
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, except for Agenda Item Nos. 17 and 24, which were considered following the ceremonial presentations.

### ROLL CALL (5:16 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; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Vice Mayor Suja Lowenthal, Councilmember, Second District.

Mayor Foster announced that Agenda Item No. 21 was withdrawn and Agenda Item No. 17 would be taken out of order; and introduced Ben Harvey, the new representative from Southern California Edison.

Ben Harvey, Southern California Edison representative, spoke.

Presentation of the Larry C. Larson Awards. (5:19 PM)

Awards were presented to the City Prosecutor Department, the Development Services Department, and the Parks, Recreation and Marine Department.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Proclamation Celebrating April 18 - 22 as Earth Week and April 29 as Arbor Day. (5:34 PM)

Mayor Foster spoke and presented the proclamation.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Recognition of Poly High School Boys Basketball Team CIF State Champions. (5:29 PM)

Councilman Andrews spoke.

Coach Montoya spoke..

#### **HEARINGS (6:23 PM)**

1. 11-0365 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 Panama Joe's, Inc., dba Panama Joe's Café, 5100 E. 2nd Street, for Entertainment With Dancing by Patrons. (District 3)

Robert Stratke spoke.

Councilmember DeLong spoke.

Greg Garvey spoke.

Ron Gardner spoke; submitted a petition; and read a neighbor's comments.

Kurt Borstein spoke; and submitted flyers from Panama Joe's.

Elizabeth Borstein spoke.

Fabius Risk, General Manager of Panama Joe's, spoke.

Ron Newman, applicant, spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

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

**Yes:** 5 - Garcia, Lowenthal, DeLong, O'Donnell and Johnson

**No:** 2 - Andrews and Gabelich

**Absent:** 2 - Schipske and Neal

2. 11-0366 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 McCarthy's Bar Group, Inc., dba Liquid Lounge, 3522 E. Anaheim Street, for Entertainment Without Dancing by Patrons. (District 4)

Councilmember O'Donnell spoke.

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

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

**Absent:** 2 - Schipske and Neal

**PUBLIC COMMENT (7:09 PM)**

- 11-0397 George Sabbaugh spoke regarding advertising for his restaurant; and submitted correspondence.

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

Gary Shelton spoke regarding the Pike land swap.

- 11-0398 Vern Geiger spoke regarding towing; and submitted a packet of information.

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

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Chris Ward spoke regarding the RFP process for towing.

Janet Schabow spoke regarding the towing employees.

Tom Stout spoke regarding in-lieu pension pick-up.

Councilwoman Gabelich spoke.

### **CONSENT CALENDAR (7:31 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 3 - 15. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Neal

3. 11-0368 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$143,296.25 with a life pension of \$123.69 per week thereafter, subject to cost-of-living increases, for the claim of Manuel Lopez; and \$59,110 for the claim of Frank Torres, in compliance with the Appeals Board Orders.

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

4. 11-0369 Recommendation to approve minutes for the City Council meeting of Tuesday, April 5, 2011.

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

5. 11-0370 Recommendation to refer to City Attorney damage claims received between April 4, 2011 and April 11, 2011.

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

6. 11-0371 Recommendation to authorize City Manager to execute any and all documents with the Long Beach-based Fair Housing Foundation to provide services to prevent housing discrimination and address impediments to Fair Housing Choice with an estimated total funding amount of \$85,000 per year for an initial term from April 1, 2011 through March 31, 2012, with two one-year extensions thereafter. (Citywide)

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

7. 11-0372 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Children and Families First - Proposition 10 Commission in an amount not to exceed \$197,083 for the period of July 1, 2011 through December 10, 2011 to continue the Long Beach-Wilmington Best Babies Collaborative Program, and execute service subcontracts and subsequent amendments with the listed agencies for outreach and health education. (Districts 1,6,7,9)

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

8. 11-0373 Recommendation to adopt recommendations of the Homeless Services Advisory Committee for allocation of Mayor's Fund for the Homeless funds in the total amount of \$50,000 to agencies in the amounts as outlined; authorize City Manager to execute all necessary documents with these community agencies for the provision of services for the homeless; and increase appropriations in the General Fund (GP) and the Department of Health and Human Services (HE) by \$50,000. (Citywide)

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

9. 11-0374 Recommendation to authorize City Manager to execute all documents with the State of California for Pacific Gateway to receive an additional \$182,123 in American Recovery and Reinvestment Act (ARRA) funds to augment the operation of its local Green Jobs Corps; to execute all documents with various initiative partners in an amount totaling \$103,000; to execute any needed subsequent amendments; and to increase appropriations by \$182,123 in the Community Development Grants Fund (SR 150) in the Human Resources Department (HR). (Citywide)

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

10. 11-0375 Recommendation to authorize City Manager to execute a one-year agreement with the County of Los Angeles, beginning July 1, 2010 and continuing through June 30, 2011, for an amount not to exceed \$500,000, to assist in the cost of removing debris deposited on City beaches and marinas emanating from the Los Angeles River. (District 2)
- A motion was made to approve recommendation on the Consent Calendar.**
11. 11-0376 Recommendation to increase appropriations for the California Emergency Management Agency Paul Coverdell Forensic Sciences Improvement Program grant in the General Grants Fund (SR) and in the Police Department (PD) by \$62,689. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
12. 11-0377 Recommendation to authorize City Manager to execute subdivision agreements for offsite improvements and find that all requirements of the final subdivision map that subdivides the northern quadrant of the Douglas Park area have been satisfied; and approve the final map for Tract No. 70937-1 located north of Cover Street and west of Lakewood Boulevard. (District 5)
- A motion was made to approve recommendation on the Consent Calendar.**
13. 11-0378 Recommendation to authorize City Manager to execute subdivision agreements for offsite improvements and find that all requirements of the final subdivision map that subdivides the northern quadrant of the Douglas Park area have been satisfied; and approve the final map for Tract No. 70937-2 located north of Cover Street and west of Lakewood Boulevard. (District 5)
- A motion was made to approve recommendation on the Consent Calendar.**
14. 11-0379 Recommendation to authorize City Manager to execute subdivision agreements for offsite improvements and find that all requirements of the final subdivision map that subdivides the northern quadrant of the Douglas Park area have been satisfied; and approve the final map for Tract No. 70937-4 located north of Cover Street and west of Lakewood Boulevard. (District 5)
- A motion was made to approve recommendation on the Consent Calendar.**

15. 11-0380 Recommendation to receive and file minutes for:  
Civil Service Commission - March 30, 2011.

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

**REGULAR AGENDA (5:39 PM)**

16. 11-0389 Recommendation to approve City of Long Beach participation in the Wyland Mayor's Challenge for Water Conservation.

Mayor Foster spoke.

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

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

**Absent:** 2 - Schipske and Neal

17. 11-0390 Recommendation to respectfully request City Manager to work with the City Attorney to create a Long Beach healthy food policy that promotes good nutrition and healthy environments within City facilities and at City-sponsored meetings/events (special events excluded). This policy should include standards that hold to the following:

- 100% of snacks and beverages sold in vending machines on City property where City programs operate shall meet specified nutrition standards.
- 100% of beverages and snack foods served at meetings/events led or coordinated by City staff or programs shall meet specified nutrition standards.
- Specified nutrition standards should be based on nationally recognized and accepted guidelines, similar to those used for foods and beverages sold in California schools (SB 12 and SB 965).
- The standards should include limits on sugar, fat, sodium and calories for snack foods, as well as the elimination of sugar-sweetened beverages, and limits on artificially sweetened beverages.

Councilmember Neal spoke.

Ron Arias, Director of Health and Human Services, provided a PowerPoint presentation.

Councilmember Neal spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Steve Baldwin spoke.

Jim Wershim spoke.

Chef Paul Buchanan spoke.

Steven Ahn spoke.

Cameron Pon spoke.

Jerico Williams spoke.

Wendy Lopez spoke.

David Leonard spoke.

Gloria Vargas spoke.

Jesus Estrada spoke.

Christina Cardenas spoke.

Tom Stout spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Garcia spoke.

Councilmember Neal spoke.

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

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**No:** 1 - O'Donnell

- 18. 11-0382** Recommendation to adopt Specifications No. FM11-015 authorizing City Manager to execute contracts and any amendments thereto with AppleOne Employment Services, a Long Beach-based business (MBE, WBE); and P.I.E. Management, L.L.C., of Anaheim Hills, CA (MBE), for temporary staffing services in a combined total amount not to exceed \$2,500,000 annually, 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 Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Neal

- 19. 11-0383** Recommendation to receive and file the application of Marisol Bautista Hernandez, dba Leos Mexican Food, for an original Alcoholic Beverage Control License, at 2000 East 7th Street. (District 2)

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

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

**Absent:** 2 - Schipske and Neal

- 20. 11-0384** Recommendation to receive and file the application of Boubouffe LLC, dba Boubouffe Grille, for an original Alcoholic Beverage Control License, at 5313 East 2nd Street Suite A. (District 3)

Councilmember DeLong spoke.

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

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

**Absent:** 2 - Schipske and Neal

21. 11-0217 Recommendation to find that excavations are immediately required for the general health, safety, and welfare of the City and cannot be delayed; that alternatives to excavating, such as alternative routing, or construction methods, such as boring or excavation of the parkway, are not possible; and approve a discretionary permit to excavate areas in certain City streets, that have been reconstructed within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 7,8,9)

**This Agenda Item was withdrawn.**

22. 11-0386 Recommendation to terminate Contract No. 31977 with Elite Bobcat Services, Inc., (EBS) for the annual contract for concrete repairs and related improvements; award a new contract as amended with the next lowest responsible bidder, Bitech Construction Co., Inc, in an amount not to exceed \$4,000,000 annually for the annual contract for concrete repairs and related improvements as described in Plans and Specifications No. R-6866; and authorize City Manager to execute the contract and any necessary amendments thereto. (Citywide)

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

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

**Absent:** 2 - Schipske and Neal

#### **ORDINANCE (7:39 PM)**

23. 11-0387 Recommendation to declare ordinance amending the Long Beach Municipal Code relating to limitations on the number and location of smoking lounges permitted to operate in the City of Long Beach, read and adopted as read.

Councilwoman Gabelich spoke.

Young Fan spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

**A motion was made by Vice Mayor Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-11-0008. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Neal

**Enactment No:** ORD-11-0008

**NEW BUSINESS (6:13 PM)**

**24. 11-0396** Recommendation to respectfully request City Council support for naming the bicycle and pedestrian path on the new Gerald Desmond Bridge after Mark Bixby;

Request City Manager communicate City Council's support to our local State legislative delegation, Caltrans District 7 and our State Legislation Committee; and

Request City Manager add this project to the Bicycle Master Plan as it is being updated.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

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

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

**Absent:** 1 - Schipske

**25. 11-0395** Supplemental Memorandum - Corrections and/or additions to the City

Council Agenda as of 12:00 noon, Friday, April 15, 2011.

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

26. Affidavit of Service for the special meeting held Tuesday, April 19, 2011.

**ANNOUNCEMENTS (7:43 PM)**

Councilman Andrews made community announcements.

Councilmember Johnson made community announcements.

Councilwoman Gabelich made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Garcia made community announcements.

**PUBLIC (7:51 PM)**

Senator Roderick Wright, 25th District, spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

11-0399            Ana Prado spoke regarding difficulties with permitting for remodeling home; and submitted correspondence.

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

Mayor Foster spoke.

Councilmember Johnson spoke.

**ADJOURNMENT (8:14 PM)**

At 8:14 PM, Mayor Foster adjourned the meeting.

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