

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. 3 and 8, which were considered following the Consent Calendar vote.

ROLL CALL (5:27 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.

Invocation: Moment of Silence.

Pledge of Allegiance: Robert Garcia, Councilmember, First District.

Lacy, spcaLA, presented a canine.

Proclamation presented for Black History Month.

Mayor Foster presented the proclamation.

Proclamation presented to Malcolm McAllister - "Olympic Boxing Hopeful"

Councilman Andrews spoke.

Councilmember Johnson spoke.

Presentation by Long Beach Public Library Foundation for the Campaign for Grade-Level Reading. - Moved to the meeting of March 6, 2012.

HEARING (5:42 PM)

[see media](#)

1. [12-0136](#) Recommendation to receive supporting documentation into the record regarding the issuance of Long Beach Bond Finance Authority Refunding Bonds, adopt resolution approving proceedings by the Long Beach Bond Finance Authority for the issuance of refunding revenue bonds in an amount not to exceed \$118,000,000 related to the Aquarium of the Pacific, and approving related documents and actions. (District 2)

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0017. The motion carried by the following vote:

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

Enactment No: RES-12-0017

Robert Shannon, City Attorney, reported that the City Council voted 9-0 in closed session to authorize the City Attorney to file a petition with the California Supreme Court to hear the matter that was decided in the Court of Appeal for the case entitled Long Beach Police Officers Association vs. City of Long Beach, Los Angeles Times Communications LLC.

PUBLIC COMMENT (5:47 PM)

Larry Goodhue spoke and provided a PowerPoint presentation.

CONSENT CALENDAR (5:51 PM)

Passed The Consent Calendar

A motion was made by Councilwoman Schipske, seconded by Vice Mayor Lowenthal, to approve Consent Calendar Items 2 - 11, except for Items 3 and 8. The motion carried by the following vote:

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

Absent: 2 - DeLong and Johnson

2. [12-0155](#) Recommendation to authorize City Attorney to submit two Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$61,096.25 and also 2) separate authority to pay \$9,640 in compliance with the Appeals Board Order for Douglas Robbins.

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

[see media](#)

3. [12-0137](#) Recommendation to authorize City Attorney to pay the sum of \$33,368.07 in full settlement of claim of Verizon California, Claim No. C11-0842.

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

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

Absent: 1 - DeLong

4. [12-0138](#) Recommendation to approve the minutes for the City Council meeting held Tuesday, February 7, 2012.

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

5. [12-0139](#) Recommendation to refer to City Attorney damage claims received between February 6, 2012 and February 13, 2012.

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

6. [12-0156](#) Recommendation to adopt the additions to the Development Services Department, Neighborhood Services Bureau, Records Retention Schedule.

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

7. [12-0157](#) 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-12-0018 on the Consent Calendar.

Enactment No: RES-12-0018

[see media](#)

8. [12-0158](#) Recommendation to approve the destruction of records for the

Department of Development Services, Neighborhood Services Bureau as shown in Exhibit A; and adopt resolution.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Johnson, that the item be laid over to the meeting of Tuesday, March 6, 2012. The motion carried by the following vote:

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

Absent: 1 - DeLong

9. [12-0145](#) Recommendation to approve and adopt the Long Beach Unit Annual Plan (July 1, 2012 - June 30, 2013). (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
10. [12-0140](#) Recommendation to authorize City Manager to execute an agreement and all necessary documents with the Long Beach Public Transportation Company for the purpose of initiating a trial Belmont Shore Employee Rider Pass Program to provide valid transit access to all eligible persons employed by Belmont Shore businesses on all established Long Beach Transit bus service routes between May 25, 2012 and September 3, 2012. (District 3)
A motion was made to approve recommendation on the Consent Calendar.
11. [12-0141](#) Recommendation to receive and file minutes for:
Civil Service Commission - January 18, 2012.
Planning Commission - January 19, 2012.
A motion was made to approve recommendation on the Consent Calendar.

REGULAR AGENDA (5:54 PM)

[see media](#)

12. [12-0142](#) Recommendation to receive and file the Fiscal Year 2012 First Quarter Budget Performance Report, including a report on Redevelopment Agency (RDA) services proposed to be continued, and direct City Manager to provide those RDA services and related costs to help ensure City and community needs are met. (Citywide)

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Larry Goodhue spoke.

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

[see media](#)

13. [12-0143](#)

Recommendation to receive and file the Investment Report for Quarter Ending December 31, 2011. (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 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - Garcia

[see media](#)

14. [12-0144](#)

Recommendation to authorize City Manager to execute a new Schedule I, Transaction Based Storage Service Agreement, as part of the long-term Master Services Contract between the City and the Southern California Gas Company for natural gas storage capacity rights. (Citywide)

A motion was made by Councilwoman Schipske, 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

[see media](#)

15. [12-0148](#)

Recommendation to receive and file the application of Berlin Bistro LLC, dba Berlin Bistro, for an original Alcoholic Beverage Control License, at 420 East 4th Street. (District 1)

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

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

[see media](#)

16. [12-0149](#)

Recommendation to receive and file the application of Darlene Doung, dba Grand Paradise Restaurant, for an original Alcoholic Beverage Control License, at 1350 East Anaheim Street. (District 6)

Councilman Andrews spoke.

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

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

[see media](#)

17. [12-0150](#)

Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Berlin by Portfolio Coffee House located, at 420 E. 4th Street. (District 1)

Councilmember Garcia spoke.

Councilmember johnson spoke.

A motion was made by Councilmember Garcia, 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

[see media](#)

18. [12-0151](#)

Recommendation to authorize an increase to Contract No. 32403 with AIS Construction Company for the restoration and improvements of Colorado Lagoon in the amount of \$3,376,350, to allow the removal of an additional 34,000 cubic yards of dredge sediment to ensure compliance with regulatory requirements. (District 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

[see media](#)

19. [12-0152](#)

Recommendation to authorize City Manager to execute an agreement with RecycleRewards for the purpose of implementing a recycling incentive program, for a term of three years with two one-year renewal options at the discretion of the City Manager. (Citywide)

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

A motion was made by Vice Mayor Lowenthal, 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

ORDINANCE (6:15 PM)

[see media](#)

20. [11-1156](#)

Recommendation to declare urgency ordinance amending the Long Beach Municipal Code by adding Chapter 5.89 prohibiting the establishment and operation of medical marijuana dispensaries within the City of Long Beach; and by repealing Chapter 5.87 relating to medical marijuana collectives; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-12-0004) (Citywide)

Robert Shannon, City Attorney, spoke; and distributed two revisions to the revised ordinance adopted at the February 14, 2012 City Council meeting.

Councilmember Neal spoke.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

A motion was made by Councilmember Garcia, seconded by Councilmember DeLong, to declare emergency Ordinance No. ORD-12-0004, with the amendments presented by the City Attorney, read and adopted as read. The motion carried by the following vote:

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

No: 2 - Schipske and Gabelich

Enactment No: ORD-12-0004

NEW BUSINESS (6:26 PM)

[see media](#)

21. [12-0159](#)

Recommendation to respectfully request City Manager to work with

Director of Government Affairs to engage the Attorney General of the State of California and the County of Los Angeles to better understand the impact of the landmark Federal/State Mortgage Settlement to Long Beach residents and neighborhoods, seek opportunities to mitigate the impacts of the foreclosure crisis in Long Beach as a part of this settlement, and to report back to the City Council within 45 days.

Councilmember Neal spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

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

Yes: 6 - Garcia, Lowenthal, Schipske, Johnson, Gabelich and Neal

Absent: 3 - DeLong, O'Donnell and Andrews

22. Affidavit of Service for the special meeting held Tuesday, February 21, 2012.

23. [12-0162](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, February 17, 2012.

This Agenda Item was received and filed.

24. [12-0165](#) eComments received for the City Council meeting of Tuesday, February 21, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (6:45 PM)

Vice Mayor Lowenthal requested that the meeting be adjourned in memory of Shirley Autrey.

Councilwoman Gabelich made community announcements.

Councilmember Neal made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Johnson made community announcements.

Vice Mayor Lowenthal made community announcements.

ADJOURNMENT (6:51 PM)

At 6:51 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Shirley Autrey.

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