



CITY OF LONG BEACH

C-2

DEPARTMENT OF CITY CLERK

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

February 7, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council Meetings of Tuesday, January 17, 2012 and January 24, 2012

DISCUSSION

The Legistar minutes for the City Council meetings of Tuesday, January 17, 2012 and January 24, 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,

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, 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 (5:06 PM)

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

Councilmembers Lowenthal and Neal
Absent:

Also present: Patrick West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Michael Mais, Assistant City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: James Johnson, Councilmember, Seventh District.

Lacey Miller, spcaLA, presented a canine.

Proclamation for Religious Freedom Day.

Councilwoman Schipske spoke.

Donald Shoemaker, Senior Pastor of Grace Community Church of Seal Beach, spoke.

HEARINGS (5:14 PM)

1. 12-0021 Recommendation to receive supporting documentation into the record,

conclude the hearing and grant the Permit with conditions on the application of Chong C. Lim, dba Max's Steiner, 2500 E. Anaheim Street, for Entertainment Without Dancing by Patrons. (District 4)

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation to grant the Permit with conditions. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Neal

2. 12-0022

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit on the application of Roxanne's, Inc., dba Roxanne's, 1115 E. Wardlow Road, for Entertainment Without Dancing by Patrons. (District 7)

Councilmember Johnson spoke.

Arlene Smith, resident, spoke in opposition to the Permit.

Robert Molino, owner of Roxanne's, spoke.

Councilmember Johnson spoke.

A motion was made by Councilmember Johnson, seconded by Councilmember Garcia, to approve recommendation to grant a One-Year Short-Term Permit. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Neal

3. 12-0023

Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution amending the Master Fee and Charges Schedule. (Citywide)

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Francis Emily Dawson Harris spoke.

Margaux Shaw spoke regarding a fee waiver of disconnect fees for

disabled.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-12-0005, as amended to not increase fees for the Additional Mechanical Plan Check Title 24 for Energy and the Express Plan Review fees. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and Neal

Enactment No: RES-12-0005

PUBLIC (5:33 PM)

12-0076 David Zink spoke regarding liberty and justice for all quote from Dr. Martin Luther King Jr.; and submitted correspondence.

This Handout was received and filed.

12-0077 Diana Lejins spoke regarding discrimination against disabilities; and submitted written comments.

This Handout was received and filed.

SECOND ROLL CALL (5:36 PM)

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

Councilmembers Lowenthal
Absent:

CONSENT CALENDAR (5:39 pm)

Passed The Consent Calendar

A motion was made by Councilmember Garcia, seconded by Councilwoman Schipske, to approve Consent Calendar Items 4 - 10. The motion carried by the following vote:

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

Absent: 3 - Lowenthal, DeLong and Johnson

4. 12-0024 Recommendation to refer to City Attorney damage claims received between December 30, 2011 and January 9, 2012.

This Agenda Item was approve recommendation.

5. 12-0025 Recommendation to approve the destruction of records for the Long Beach Police Department, Internal Affairs Division as shown in Exhibit A; and adopt resolution.
- A motion was made to approve recommendation and adopt Resolution No. RES-12-0006 on the Consent Calendar.**
- Enactment No: RES-12-0006**
6. 12-0026 Recommendation to adopt resolution authorizing City Manager to execute a contract with Simpler Systems, Inc., for licensing of the City's EZ FAMIS software system and software consulting services, for a one-year term in the annual amount not to exceed \$150,000 with two one-year options to renew the agreement, at the City Manager's discretion. (Citywide)
- A motion was made to approve recommendation and adopt Resolution No. RES-12-0007 on the Consent Calendar.**
- Enactment No: RES-12-0007**
7. 12-0027 Recommendation to authorize City Manager, or designee, to execute all necessary documents and amendments between the City of Long Beach and the California Department of Public Health for the provision of immunization services in the amount of \$461,486 for the period of July 1, 2011 to June 30, 2013. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
8. 12-0030 Recommendation to authorize City Manager to execute a rental agreement with Kristine D. Diehl for vacant City-owned property at the southeast corner of 8th Street and Raymond Avenue. (District 2)
- A motion was made to approve recommendation on the Consent Calendar.**
9. 12-0031 Recommendation to authorize City Manager to apply for and implement the 2011/2012 CalRecycle Beverage Container Recycling City/County Payment Program grant. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
10. 12-0032 Recommendation to adopt resolution authorizing the acquisition of tax-defaulted property, Assessor Parcel Number 7202-028-044, in the City of Long Beach from the County of Los Angeles; and authorize City

Manager to execute a Chapter 8 Agreement and any and all documents necessary for the acquisition of the tax-defaulted property. (District 7)

A motion was made to approve recommendation and adopt Resolution No. RES-12-0008 on the Consent Calendar.

Enactment No: RES-12-0008

UNFINISHED BUSINESS (5:40 PM)

25. 11-1156

Recommendation to declare 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, read the first time and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately. (Citywide)

Robert Shannon, City Attorney, spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Jim McDonnell, Chief of Police, spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember Garcia spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Jim McDonnell, Chief of Police, spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

A motion was made by Councilmember Neal, seconded by Councilwoman Gabelich, that the item be laid over to the meeting of Tuesday, February 14, 2012. The motion carried by the following vote:

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

No: 3 - O'Donnell, Schipske and Johnson

Absent: 1 - Lowenthal

REGULAR AGENDA (6:17 PM)

11. 12-0056 Recommendation that, since the City of Long Beach has been identified as a location of a high incidence of child prostitution and sex trafficking, a motion be approved directing City Manager to establish a task force comprised of the departments of: Police; Health and Human Services; and Parks, Recreation and Marine to identify how the City of Long Beach can participate in an aggressive strategy to combat child prostitution in our City. It is further recommended that this task force include representatives from the Long Beach Unified School District, the Chief of Police Women's Advisory Committee and the End Abuse Long Beach consortium.

This Agenda Item was withdrawn.

12. 12-0033 Recommendation to adopt resolution designating the City of Long Beach as the Successor Agency to the Redevelopment Agency of the City of Long Beach and transferring all housing functions and assets from the Redevelopment Agency of the City of Long Beach to the City of Long Beach, each effective as of February 1, 2012; and

Direct City Manager to establish a Community Improvement Commission and return to City Council with the implementation ordinances.
(Citywide)

Amy Bodek, Director of Development Services, spoke; and provided a PowerPoint presentation.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

Francis Emily Dawson Harris spoke.

Gary Shelton spoke.

Joe Weinstein spoke.

Councilwoman Gabelich spoke.

Motion: Substitute motion to separate the issues.
Moved by Gabelich, seconded by Neal.

Councilmember Garcia spoke.

Councilwoman Gabelich withdrew her substitute motion.

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-12-0009; and direct City Manager to provide recommendations on the establishment of a Community Improvement Commission. The motion carried by the following vote:

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

No: 1 - Schipske

Absent: 1 - Lowenthal

Enactment No: RES-12-0009

13. 11-1216

Recommendation to adopt Specifications No. G-285 authorizing City Manager to execute a contract and any amendments thereto with Moalej Builders, Inc., of Sherman Oaks, CA (SBE), for civil improvements at the Long Beach Gas and Oil Department main facility located at 2400 E. Spring Street, Long Beach, CA, in an amount not to exceed \$818,020. (District 5)

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

Yes: 7 - Garcia, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and O'Donnell

14. 12-0035

Recommendation to adopt Specifications RFP No. PD11-043 (RE-ISSUE) and award a contract to Helinet Aviation Services, LLC, of Van Nuys, CA (not a MBE, WBE, SBE or Local), for the purchase of an airborne to ground high definition video down link system for a total amount not to exceed \$808,961. (Citywide)

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

Yes: 7 - Garcia, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and O'Donnell

15. 12-0036

Recommendation to adopt resolution authorizing City Manager to execute a contract with LDV, Inc., of Burlington, WI (not a MBE, WBE, SBE or Local), for the purchase of one Mobile Maritime Emergency Operation Center (MMEOC), on same terms and conditions afforded to the Los Angeles County Sheriff's Department under Bid No. RFB-IS-10200542-1, in a total amount not to exceed \$706,027, inclusive of tax and fees. (Citywide)

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0010. The motion carried by the following vote:

Yes: 7 - Garcia, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and O'Donnell

Enactment No: RES-12-0010

16. 12-0037

Recommendation to adopt resolution authorizing City Manager to execute a contract with Moose Boats, Inc., of Petaluma, CA (not a MBE, WBE, SBE or Local), for the purchase of one 44-foot Tactical Emergency Response Vessel (TERV) in the amount of \$991,588 and one 35-foot critical incident response/patrol boat in the amount of \$565,951, under U.S. General Services Administration (GSA)

Cooperative Purchasing Program GSA Federal Supply Schedule 84
Contract No. GS-07F-0507M, in a total amount not to exceed
\$1,557,539, inclusive of tax and fees. (Citywide)

**A motion was made by Councilmember Garcia, seconded by
Councilman Andrews, to approve recommendation and adopt
Resolution No. RES-12-0011. The motion carried by the following
vote:**

Yes: 7 - Garcia, DeLong, Schipske, Andrews, Johnson, Gabelich and
Neal

Absent: 2 - Lowenthal and O'Donnell

Enactment No: RES-12-0011

17. 12-0038

Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and the California Community Foundation and Kaiser Foundation Hospitals to accept funding in the amount of \$1 million for the period from January 1, 2012 through October 1, 2015 to implement the Healthy Eating Active Living Zone Initiative: Coalition for a Healthy North Long Beach; execute subcontracts with the agencies listed below; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by \$100,000.
(District 9)

Councilmember Neal spoke.

Francis Emily Dawson Harris spoke.

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

Yes: 7 - Garcia, DeLong, Schipske, Andrews, Johnson, Gabelich and
Neal

Absent: 2 - Lowenthal and O'Donnell

18. 12-0039

Recommendation to receive and file the application of Viva Enterprises, Incorporated, (No Active dba), for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 230 East 3rd Street, with conditions. (District 2)

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

Yes: 7 - Garcia, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 2 - Lowenthal and O'Donnell

19. 12-0040

Recommendation to receive and file the application of Paknavin Corporation, dba Panvimarn Thai Cuisine, for an original Alcoholic Beverage Control License, at 4101 Bellflower Boulevard. (District 5)

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

Yes: 6 - Garcia, DeLong, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, O'Donnell and Schipske

20. 12-0041

Recommendation to receive and file the application of Austin Plong Physician Assistant Incorporated, dba Dragon Express, for an original Alcoholic Beverage Control License, at 1001 East Pacific Coast Highway, Suite 129. (District 6)

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

Yes: 6 - Garcia, DeLong, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, O'Donnell and Schipske

21. 12-0042

Recommendation to authorize City Manager to execute a Cooperative Agreement between Caltrans and the City of Long Beach, for the replacement of the Shoemaker Bridge from the I-710 to its terminus on the east side of the Los Angeles River. (District 1)

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

Yes: 6 - Garcia, DeLong, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, O'Donnell and Schipske

22. 12-0043

Recommendation to adopt resolution to participate in the Western States Contracting Alliance Participating Addenda with Sprint/Nextel (State of California Master Service Agreement No. 7-10-70-15), Verizon (State of California Master Service Agreement No. 7-10-70-16), and AT&T (State of California Master Service Agreement No. 7-11-70-17); and authorize City Manager to execute agreements with Sprint/Nextel, Verizon, and

AT&T to provide cellular broadband services and modems for three years in an aggregate amount not to exceed \$382,000 annually.
(Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-12-0012. The motion carried by the following vote:

Yes: 6 - Garcia, DeLong, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, O'Donnell and Schipske

Enactment No: RES-12-0012

ORDINANCES (7:26 PM)

23. 12-0003 Recommendation to declare ordinance amending and restating PD-30 (Downtown Plan), read and adopted as read.

Councilwoman Gabelich spoke.

A motion was made by Councilmember Garcia, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-12-0001. The motion carried by the following vote:

Yes: 6 - Garcia, DeLong, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, O'Donnell and Schipske

Enactment No: ORD-12-0001

24. 12-0004 Recommendation to declare ordinance amending and restating PD-29 (Long Beach Boulevard Planned Development District), read and adopted as read.

A motion was made by Councilmember Garcia, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-12-0002. The motion carried by the following vote:

Yes: 6 - Garcia, DeLong, Andrews, Johnson, Gabelich and Neal

Absent: 3 - Lowenthal, O'Donnell and Schipske

Enactment No: ORD-12-0002

NEW BUSINESS (7:27 PM)

25. Agenda Item No. 25 is listed under Unfinished Business.

26. 12-0071 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, January 13, 2012.

This Agenda Item was received and filed.

27. 12-0075 eComments received for the City Council meeting of Tuesday, January 17, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:17 PM)

Mayor Foster requested that the meeting be adjourned in memory of Bob Caldon and Darwin K. Williams.

Councilmember Garcia made community announcements.

Councilman Andrews made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

PUBLIC (7:35 PM)

12-0078 Felton Williams spoke regarding a resolution adopted by the Long Beach Unified School District opposing the Southern California International Gateway Facility EIR by the Port of Los Angeles; and submitted a copy for the record.

This Handout was received and filed.

ADJOURNMENT (7:37 PM)

At 7:37 PM, Mayor Foster adjourned the meeting in memory of Bob Caldon and Darwin K. Williams.

nem

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 (5:00 PM)

Councilmembers Lowenthal, DeLong, Schipske, Andrews, Johnson and Neal
Present:

Councilmembers Garcia, O'Donnell and Gabelich
Absent:

Also present: Patrick West, City Manager; Reginald Harrison, Deputy City Manager; Charles Parkin, Principal Deputy City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Vice Mayor Lowenthal presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Steven Neal, Councilmember, Ninth District.

Lacey Miller, spcaLA, presented a canine.

Presentation by Mental Health America.

Proclamation presented for National Mentoring Month.

Proclamation presented for "Year of the Ranchos" (Los Cerritos and Los Alamitos).

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

PUBLIC COMMENT (5:41 PM)

12-0092 Lary Goodhue spoke regarding the decision for PCH + 2nd Street; and submitted information.

This Handout was received and filed.

SECOND ROLL CALL (5:42 PM)

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

Councilmembers Garcia and Gabelich
Absent:

Councilmember O'Donnell joined the meeting.

CONSENT CALENDAR (5:44 PM)

Larry Goodhue spoke regarding Agenda Item No. 5.

Stacy Hinkle spoke regarding Agenda Item No. 5.

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 6. The motion carried by the following vote:

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

Absent: 2 - Garcia and Gabelich

1. 12-0074 Recommendation to authorize City Attorney to pay the sum of \$6,000 in full settlement of lawsuit entitled *Southern California Edison Company v. City of Long Beach*, Case No. 11C00283.

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

2. 12-0058 Recommendation to approve the minutes for the City Council meeting of Tuesday, January 10, 2012.

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

3. 12-0059 Recommendation to refer to City Attorney damage claims received between January 9, 2012 and January 13, 2012.

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

4. 12-0028 Recommendation to authorize City Manager to execute all necessary agreements with the State of California to receive \$140,113 in Assembly Bill 118 funds to implement the Alternative and Renewable Fuel and Vehicle Technology Program under the Regional Industry Clusters of Opportunity (RICO); execute an agreement with Economic Development Corporation of Los Angeles County (LAEDC) in the amount of \$60,000; increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Human Resources (HR) by \$140,113; and execute any needed subsequent amendments. (Citywide)

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

5. 12-0061 Recommendation to authorize City Manager to execute a permit with Stacy Hinkel, an individual doing business as Moving Forward Fitness, to use open space within City parks for group exercise classes consisting of stroller strides training 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.

6. 12-0060 Recommendation to receive and file minutes for:
Civil Service Commission - December 7, 2011.
Cultural Heritage Commission - November 14, 2011.

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

Patrick West, City Manager, introduced Dennis Strachota, the new Budget and Performance Management Bureau Manager.

THIRD ROLL CALL (6:07 PM)

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

Councilmembers Gabelich
Absent:

Councilmember Garcia joined the meeting during the discussion of Agenda Item No. 7.

REGULAR AGENDA (5:51 PM)

7. 12-0073 Recommendation to request City Manager to prepare a "Port Impact Zone" plan to mitigate cumulative port-related impacts in Long Beach neighborhoods.

Councilmember Johnson spoke.

Maria Norvell spoke.

Joan Greenwood spoke.

Gary Shelton spoke.

Brian Ulaszewski spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

A motion was made by Councilmember Johnson, seconded by Vice Mayor Lowenthal, to approve recommendation and request City Manager to prepare an Air Quality Impact Plan, pulling together work completed by various agencies, to create a master plan that could be incorporated into key documents such as the mobility and land use elements of the General Plan and could be used in future discussion regarding how to improve air quality in the City and mitigate cumulative impacts to the air quality of Long Beach neighborhoods from port-related goods movement, nearby refineries, air traffic and the 710 freeway. The motion carried by the following vote:

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

Absent: 1 - Gabelich

8. 12-0062 Recommendation to authorize City Manager to amend and extend the Key Tenant Loan with Marina Pacifica, LLC, allowing for a 10-year extension without additional loan funding. (District 3)

Larry Goodhue spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

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

Absent: 1 - Gabelich

9. 12-0034 Recommendation to receive and file the Fiscal Year 2011 Year-End Budget Performance Report; and

Increase appropriation in the Housing Authority Fund (SR 151) by \$1.2 million and increase/decrease appropriations in the General Fund in multiple departments for various purposes to reflect final expenditures. (Citywide)

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, 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

10. 12-0063

Recommendation to authorize City Manager to enter into a 25-year Location Agreement with Sales Center Development Concepts, LLC, and approving the retailer Office Depot. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, 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

11. 11-1221

Recommendation to adopt resolution authorizing City Manager to execute all documents allowing the City of Long Beach to participate in the Houston-Galveston Area Council Buy (HGACBuy) Program, for the cooperative purchase of Homeland Security-related goods and services, on an as-needed basis. (Citywide)

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-12-0013. The motion carried by the following vote:

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

Absent: 1 - Gabelich

Enactment No: RES-12-0013.

12. 12-0064

Recommendation to authorize City Manager to execute Voluntary Compliance Agreement and any necessary amendments thereto, with the United States Department of Housing and Urban Development (HUD) for Section 3 monitoring for compliance with the HUD Queensway Bay Restitution Plan in a total amount not to exceed

\$3.7 million for a period of three years. (Citywide)

Nona Randois, Legal Aid Foundation of Los Angeles, spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, 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

13. 12-0065 Recommendation to adopt Specifications No. PA-00812 and award a contract to Ferguson Enterprises, Inc., a Long Beach-based business (not an MBE, WBE or SBE) for furnishing and delivering ball valves, in an annual amount not to exceed \$250,000, 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 Councilmember O'Donnell, seconded by Councilman Andrews, 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

14. 12-0066 Recommendation to adopt Specifications No. PA-00712 and award a contract to Independent Utility Supply, of Tracy, CA (not an MBE, WBE, SBE or Local) for furnishing and delivering Mueller products, in an annual amount not to exceed \$235,000, 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 Neal, 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

15. 12-0067 Recommendation to authorize City Manager to accept \$1,500,000 in grant funds from the California State Coastal Conservancy for the DeForest Wetlands project; increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) by \$1,500,000; and execute any documents necessary for the

administration of the project. (Districts 8,9)

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember Neal, 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

16. 12-0029

Recommendation to authorize City Manager to execute any and all documents necessary for a lease with Long Beach Organic, Inc., a California nonprofit corporation, for the re-establishment of the Wild Oats Community Garden, located on the City-owned former Pacific Electric Right-of-Way property between 10th Street and Loma Avenue, as recommended by the Parks and Recreation Commission, for an initial term of three years, with two additional three-year renewal options at the discretion of the City Manager. (District 4)

Councilmember O'Donnell spoke.

Julie Bolton spoke.

Spenser Langdon spoke.

Joe Corso spoke.

PG Herman spoke.

Councilmember Garcia spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember Neal, to approve recommendation, provided that the lessee removes the encroaching palm trees and repairs the fence. The motion carried by the following vote:

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

Absent: 1 - Gabelich

17. 12-0068

Recommendation to receive and file the application of Ernest Ray

Henson and Christine Tasche, dba Wilmore, for an original Alcoholic Beverage Control License, at 3848 Atlantic Avenue, and submit a public notice of protest. (District 8)

Councilmember Neal spoke.

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve recommendation to receive and file the application, submit a Public Notice of Protest to ABC, and direct the City Manager to withdraw the protest if the 10-day appeal period for the Conditional Use Permit passes without an appeal. The motion carried by the following vote:

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

Absent: 1 - Gabelich

18. 12-0070

Recommendation to authorize City Manager to execute agreements and all related documents with recommended firms, including three Long Beach businesses, to provide as-needed professional and technical services related to system analysis, system development, system implementation, project management, and technical support for information technology projects and systems in an aggregate amount not to exceed \$2,840,000 in total expenditures over a two-year period. (Citywide)

Councilwoman Schipske spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Councilman Andrews, seconded by Councilmember Johnson, 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

ORDINANCES (6:59 PM)

19. 12-0044

Recommendation to declare ordinance amending Long Beach Municipal Code Section 2.83.020 requiring class action claims against the City to be verified by every member of the class read the first time and laid over to the next regular meeting of City Council for final reading. (Citywide)

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, 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: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Neal

Absent: 2 - Johnson and Gabelich

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. (Citywide)~~

This Emergency Ordinance was withdrawn.

NEW BUSINESS (7:01 PM)

21. 12-0079 Recommendation to request City Manager and appropriate staff to work with the Long Beach Police Department and the Long Beach Unified School District to identify potential ways to partner, share resources, and to ensure school assets are secure.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Patrick West, City Manager, spoke.

Vice Mayor Lowenthal spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, 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

22. 12-0080

Recommendation to authorize City Attorney to pay sum of \$210,000 in full settlement of lawsuit entitled *Alejandro Roon v. Long Beach Police Department, et al.*

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

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

Absent: 2 - DeLong and Gabelich

23. 12-0081

Recommendation to adopt resolution pursuant to the provisions of Long Beach Municipal Code Section 1.21.070, providing for the appointment of Dee Andrews to the Office of Councilmember, Sixth Council District for the term of four years commencing on the third Tuesday of July, 2012; and the cancellation of election in Council District Six previously called by the City Council on November 8, 2011.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Vice Mayor Lowenthal spoke.

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0014. The motion carried by the following vote:

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

Absent: 2 - DeLong and Gabelich

Enactment No: RES-12-0014

24. 12-0082 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, January 20, 2012.

This Agenda Item was received and filed.

25. 12-0093 eComments received for the City Council meeting of Tuesday, January 24, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:22 PM)

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Garcia made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson requested that the meeting be adjourned in memory of Charles Jerome Patterson; and made community announcements.

Vice Mayor Lowenthal made community announcements.

ADJOURNMENT (7:31 PM)

At 7:31 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Charles Jerome Patterson.

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