

Dr. Robert Garcia, 1st District
Dr. Suja Lowenthal, Vice Mayor, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

ROLL CALL (5:32 PM)

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

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 No. 11, which was considered following Agenda Item No. 13.

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; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Rae Gabelich, Councilwoman, Eighth District.

Mayor Foster introduced a delegation from Jiangsu Providence in China.

HEARINGS (5:35 PM)

[see media](#)

1. [11-0750](#) Recommendation to receive supporting documentation into the record, conclude the public hearing and declare ordinance amending the Downtown Shoreline Planned Development District (PD-6), incorporating the suggested modifications by the California Coastal Commission read the first time and laid over to the next regular meeting of the City Council for final reading; and

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

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

Enactment No: ORD-11-0017

[11-0751](#)

Adopt resolution amending the Local Coastal Program and forwarding the supporting material to the California Coastal Commission for approval and certification. (District 2)

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-11-0085. The motion carried by the following vote:

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

Enactment No: RES-11-0085

[see media](#)

2. [11-0752](#)

Recommendation to adopt resolution authorizing City Manager to accept up to \$9,970,000 in loan funds from the State of California, Department of Boating and Waterways; execute, implement, award, and administer the loan agreement, including the execution of any documents necessary for the implementation and administration of Phase 1 of the Alamitos Bay Marina rebuild; receive supporting documentation into the record, conclude the public hearing; and

Distributed at the meeting: A PowerPoint presentation entitled, Marina History.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Eric Petersen spoke.

Carl Kernbauer spoke.

Alfred Hernandez spoke.

Robert Vats spoke.

Larry Goodhue spoke.

John Callos spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0086. The motion carried by the following vote:

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

Enactment No: RES-11-0086

[see media
11-0753](#)

Adopt resolution amending the Master Fee and Charges Schedule; and increase appropriations in the Marina Fund (TF 403) in the Department of Parks, Recreation and Marine (PR) by \$9,970,000. (District 3)

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0087. The motion carried by the following vote:

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

Enactment No: RES-11-0087

PUBLIC COMMENT (6:05 PM)

Larry Goodhue spoke regarding a variety of issues and the marinas.

Kathy Ryan spoke regarding the budget.

Mayor Foster spoke.

Dennis Dunn spoke regarding a variety of issues, including charge for paper bag.

CONSENT CALENDAR (6:17 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilmember Garcia, to approve Consent Calendar Items 3 - 10. The motion carried by the following vote:

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

3. [11-0768](#) Recommendation to refer to City Attorney damage claims received between July 25, 2011 and August 1, 2011.
A motion was made to approve recommendation on the Consent Calendar.
4. [11-0754](#) Recommendation to authorize City Manager, or designee, to execute all documents, and any necessary amendments, between the City of Long Beach and the County of Los Angeles for an operational agreement to provide mental health interventions for individuals seeking services at the Multi-Service Center (MSC). (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
5. [11-0755](#) Recommendation to authorize City Manager, or designee, to execute the Fifth Amendment to Agreement No. 28384, and any subsequent amendments or necessary documents, between the Los Angeles County Department of Public Health and the City of Long Beach to accept funding in the amount of \$160,467 for the term of July 1, 2011 through June 30, 2012, to provide Community Outreach, Enrollment, Utilization and Retention (COEUR) services for the benefit of low-income families to gain affordable medical insurance. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
6. [11-0756](#) Recommendation to authorize City Manager, or designee, to execute any necessary amendments to the current agreements between the City of Long Beach and Los Angeles County, in a total amount of \$251,642, to provide Human Immunodeficiency Virus (HIV)/Acquired Immune Deficiency Syndrome (AIDS) Ambulatory/Outpatient Medical services for the period of March 1, 2011 through February 28, 2013. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
7. [11-0757](#) Recommendation to authorize City Manager, or designee, to execute an agreement, and all necessary amendments, between the City of Long Beach and the State of California Department of Public Health to provide Sexually Transmitted Disease Prevention and Control Program services in the amount of \$42,298 for the period of July 1, 2011 through June 30, 2013. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.

8. [11-0758](#) Recommendation to authorize City Manager to execute all documents with the City of Los Angeles to receive \$100,000 in support of strategies for layoff aversion and business outreach; execute all documents with initiative partners in an amount not to exceed \$90,000; execute any needed subsequent amendments; and increase appropriations by \$25,000 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.**
9. [11-0759](#) Recommendation to authorize City Manager to execute all necessary documents with the United States Department of Transportation and/or its designated pass-through agency, the State Department of Transportation, to receive a grant totaling \$230,789 in American Recovery and Reinvestment Act (ARRA) or other funds, to provide training and placement services in construction and other building trades; execute all necessary documents with subcontractors in an amount totaling \$100,000; and execute any needed subsequent amendments. (Citywide)
- A motion was made to approve recommendation on the Consent Calendar.**
- 10 [11-0769](#) Recommendation to receive and file minutes for:
Civil Service Commission - July 6, 2011.
Parks and Recreation Commission - June 16, 2011.
Planning Commission - July 7, 2011.
- A motion was made to approve recommendation on the Consent Calendar.**

REGULAR AGENDA (6:18 PM)

[see media](#)

11. [11-0770](#) Recommendation to request City Manager and Director of Financial Management to analyze the incentive proposals discussed in this agenda item as to potential impact and cost to the City; and recommend to the City Council a package of incentives that can potentially attract and retain more businesses in the City of Long Beach
- Councilwoman Schipske spoke; and distributed a chart entitled, Residential Business License Fee.
- Councilmember O'Donnell spoke.
- Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember Garcia spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Laurie Angel spoke.

Larry Goodhue spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation and refer to the Economic Development and Finance Committee. The motion carried by the following vote:

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

[see media](#)

12. [11-0747](#)

Recommendation to request City Attorney to prepare amendment to Long Beach Municipal Code Chapter 2.08, related to administration of the lobbyist registration program, with such amendments retroactive to July 1, 2011.

Mike Murchison spoke.

Gary Shelton spoke.

Councilmember DeLong spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Schipske spoke.

Motion: Approve recommendation, and request City Attorney to return with a revised ordinance that will also include the requirement that non-profits register, and waive the fees for non-profits.

Moved by DeLong, seconded by Lowenthal.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Motion: Substitute motion to receive and file.
Moved by Gabelich, seconded by DeLong.

Councilmember Garcia spoke.

Councilmember Neal spoke.

Councilmember DeLong

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

A second substitute motion was made by Councilwoman Schipske, seconded by Councilmember Garcia, to approve recommendation and refer to the Elections Oversight Committee for further review of the ordinance. The motion carried by the following vote:

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

[see media](#)

13. [11-0760](#)

Recommendation to adopt Specifications No. PA-02211 and award a contract to R & S Overhead Doors of South Bay, Inc., of Gardena, CA (not a MBE, WBE, SBE, or Local), for furnishing and delivering as-needed electric door and rolling gate maintenance service and parts, in an 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 Garcia, seconded by Councilmember DeLong, 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](#)

14. [11-0772](#)

Recommendation to adopt resolution authorizing City Manager to execute a contract with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner Western Star of Whittier, CA (not a MBE, WBE,

SBE or Local), for the purchase of three 2012 liquefied natural gas (LNG) powered, Autocar ACX64 New Way Cobra, rear-loader refuse trucks, per quote dated June 29, 2011, on same terms and conditions afforded to the City of Beverly Hills, CA, under Bid No. 11-24 and Purchase Order No. 11201404, in a total amount not to exceed \$734,865, inclusive of tax and fees. (Citywide)

Councilmember Johnson spoke.

A motion was made by Councilmember Garcia, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-11-0088. The motion carried by the following vote:

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

Enactment No: RES-11-0088

[see media](#)

15. [11-0761](#)

Recommendation to authorize City Manager, or designee, to submit a grant application, through the Long Beach Department of Health and Human Services, to the U.S. Department of Housing and Urban Development (HUD) for the 2011 Continuum of Care for Homeless Assistance Program and execute all necessary documents, subgrants and any amendments changing the amount of the award or extending the grant term upon receipt of HUD funding. The grant award amount will be between \$6.5 million and \$8 million, for a period of one to five years. (Citywide)

Councilman Andrews spoke.

A motion was made by Councilmember Garcia, 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](#)

16. [11-0762](#)

Recommendation to authorize City Manager to execute all documents with the U.S. Department of Labor and its pass-through fiscal agent, the City of Hawthorne on behalf of the South Bay Workforce Investment Board, to receive up to \$4,058,200 in Federal Workforce Investment Act/National Emergency Grant funds to operate a two-year Multi-Sector Workforce Partnership project; authorize City Manager, or his designee, to execute agreements and amendments with training providers and employers; increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Human Resources (HR) by

\$400,000; and execute any needed subsequent amendments.
(Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, 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](#)

17. [11-0763](#)

Recommendation to authorize City Manager to amend Contract No. 31687 with Bellingham Marine Industries, Inc., for an additional \$6,430,000 for expenditures associated with Phase 1B of the Alamitos Bay Marina rebuild project; and execute all documents necessary to complete the final design, engineering, and construction of Basin 4 in the Alamitos Bay Marina, for a revised contract amount not to exceed \$18,230,000. (District 3)

Motion: Approve recommendation, subject to obtaining necessary information from the contractor.

Moved by DeLong, seconded by Andrews.

Larry Goodhue spoke.

Tommy Falvia spoke.

A substitute motion was made by Councilmember O'Donnell, seconded by Councilwoman Gabelich, that the item be laid over one week to the meeting of Tuesday, August 16, 2011, pending receipt of required documentation from the contractor. The motion carried by the following vote:

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

No: 2 - Lowenthal and DeLong

[see media](#)

18. [11-0773](#)

Recommendation to adopt resolution authorizing City Manager to submit grant applications to receive \$450,000 from the Los Angeles County Fourth Supervisorial District Excess Funds for use on various projects by the Department of Parks, Recreation and Marine; increase appropriations in the Capital Projects Fund in the Department of Parks, Recreation and Marine by \$450,000; and execute any documents necessary for the implementation and administration of the projects.
(Citywide)

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-11-0089. The motion carried by the following vote:

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

Absent: 1 - Garcia

Enactment No: RES-11-0089

[see media](#)

19. [11-0771](#)

Recommendation to adopt resolution authorizing City Manager to execute all necessary documents to effect approval of a transfer of grant funds from the Hilltop Site Sports Complex project (site now known as California Gardens) to the proposed Chittick Field Sports Complex project, and amend any necessary applications with the County of Los Angeles. (Districts 6,7)

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

A motion was made by Councilman Andrews, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-11-0090. The motion carried by the following vote:

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

Absent: 1 - Garcia

Enactment No: RES-11-0090

[see media](#)

20. [11-0764](#)

Recommendation to receive and file the application of Catalina Channel Express, Incorporated, dba Aqualink II, for an original Alcoholic Beverage Control License, at 1046 Queens Highway. (District 2)

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, that the item be laid over two weeks to the meeting of Tuesday, August 23, 2011. The motion carried by the following vote:

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

Absent: 2 - Garcia and O'Donnell

[see media](#)

21. [11-0765](#) Recommendation to receive and file the application of Christian Gastelum, dba Birrieria Los Sitios Mexican Restaurant, for an original Alcoholic Beverage Control License, at 1035 East 4th Street. (District 2)

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

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

Absent: 1 - O'Donnell

[see media](#)

22. [11-0736](#) Recommendation to authorize City Manager to execute a Joint Revocable Permit with the Port of Long Beach and Port of Los Angeles for use of right-of-way property for the installation of a video camera surveillance system. (District 8)

Councilwoman Gabelich spoke.

Laouie Angel spoke.

A motion was made by Councilmember DeLong, 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

ORDINANCES (7:18 PM)

[see media](#)

23. [11-0767](#) Recommendation to declare ordinance determining the City of Long Beach will comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Redevelopment Agency of the City of Long Beach, California (Agency) read the first time and laid over to the next regular meeting of the City Council for the final reading; and

Approve the Remittance Agreement between the City of Long Beach (City) and the Agency, and authorize City Manager to execute on the City's behalf, the Remittance Agreement, and to execute and take all

necessary and appropriate actions to facilitate the Agency's participation in the Voluntary Alternative Redevelopment Program. (Citywide)

A motion was made by Councilmember Neal, seconded by Councilman Andrews, to declare emergency to exist. The motion carried by the following vote:

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

Kraig Kojian, Executive Director of Downtown Long Beach Associates, spoke.

Mayor Foster spoke.

Laurie Angel spoke.

Mayor Foster spoke.

John Thomas, Redevelopment Agency Boardmember, spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Garcia, for City of Long Beach to comply with the Voluntary Alternative Redevelopment Program; declare Emergency Ordinance No. ORD-11-0016, read and adopted as read and laid over to the next regular meeting of the City Council for final reading; and approve the Remittance Agreement. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: ORD-11-0016

[see media](#)

24. [11-0766](#)

Recommendation to declare ordinance eliminating the existing time limit on incurring bonded indebtedness for the Redevelopment Plan for the

West Long Beach Industrial (WLBI) Redevelopment Project read the first time and laid over to the next regular meeting of the City Council for final reading. (District 1)

A motion was made by Councilmember Garcia, 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: 8 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

Absent: 1 - DeLong

Enactment No: ORD-11-0018

NEW BUSINESS (7:30 PM)

[see media](#)

25. [11-0779](#)

Recommendation to refer the Proposed Capital Improvement Program for Fiscal Year 2012 to the Planning Commission for review of its consistency with the General Plan. (Citywide)

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

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

Absent: 1 - DeLong

26. Affidavit of Service for the special meetings held Tuesday, August 9, 2011.

27. [11-0798](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 5, 2011.

This Agenda Item was received and filed.

28. [11-0808](#)

eComments received for the City Council meeting of Tuesday, August 9, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:31 PM)

Mayor Foster requested that the meeting be adjourned in memory of Betty Seal.

Vice Mayor Lowenthal made community announcements.

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements.

Councilmember Garcia requested that the meeting be adjourned in memory of Paul Duncan; and made community announcements.

Councilmember Neal made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Johnson made community announcements.

Councilwoman Gabelich requested that the meeting be adjourned in memory of Mike Sanders and Patti Acosta.

ADJOURNMENT (7:41 PM)

At 7:41 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Betty Seal, Paul Duncan, Mike Sanders and Patti Acosta.

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