



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-5

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July 21, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council minutes for the meeting held Tuesday, July 7, 2009

DISCUSSION

The Legistar minutes for the City Council meeting held Tuesday, July 7, 2009 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 G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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



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

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINTUES

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 for this meeting were considered in the order presented, with the exception of Agenda Item No. 24, which was considered following the ceremonial presentations; Agenda Item No. 15, which was considered following the Hearings; and Agenda Item No. 13, which was withdrawn.

ROLL CALL (5:00 PM)

Councilmembers Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews,
Present: Reyes Uranga, Gabelich and Lerch

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: Tonia Reyes Uranga, Councilmember, Seventh District.

Julie Pruitt, spcaLA, presented a feline.

Mayor Foster announced that Agenda Item Nos. 24 and 15 would considered out of order, and that Agenda Item No. 13 had been withdrawn.

Proclamation recognizing July as Recreation and Parks Month.

Phil Hester, Director of Parks, Recreation and Marine, spoke.

Drew Satariano, Chair of the Parks and Recreation Commission, spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Vice Mayor Lerch spoke.

Proclamation for Affordable Housing Week.

09-0713 Patrick Brown, Chair of Long Beach Housing Development Company, spoke and submitted a brochure concerning affordable housing.

This Handout was received and filed.

Councilmember Reyes Uranga spoke.

Councilman Andrews spoke.

Presentation from Signal Hill Petroleum on Long Beach Geophysical Survey.

09-0714 Dave Slater, Executive Vice President and Chief Operating Officer for Signal Hill petroleum, spoke and provided a PowerPoint presentation.

This Handout was received and filed.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

HEARINGS (5:37 PM)

1. 09-0661 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Entertainment Permit, with conditions, on the application of Save The Queen, LLC, dba The Queen Mary, 1126 Queens Highway, for Entertainment With Dancing by Patrons. (District 2)

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember DeLong, to approve recommendation to grant a permanent Entertainment Permit, with conditions recommended by staff. The motion carried by the following vote:

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

2. 09-0662 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Entertainment Permit, with conditions, on the application of Wokcano Long Beach, Inc., 199 The Promenade North, for Entertainment With Dancing by Patrons at an existing restaurant. (District 2)

Christopher Larsen spoke.

Mike Murchison spoke.

Ben Rockwell spoke.

Councilmember S. Lowenthal spoke.

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

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

3. 09-0663 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Entertainment Permit, with conditions, on the application of LJB Bishop Enterprises, Inc., dba Shore Ultra Lounge, 6400 E. Pacific Coast Highway, for Entertainment With Dancing by Patrons at an existing bar/tavern/lounge. (District 3)

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

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

PUBLIC COMMENT (6:15 PM)

Bill Orton spoke a word of thanks from Senator Roderick Wright.

Councilwoman Gabelich spoke and introduced a group of young men from DeMolay.

Kendall Rainwater spoke regarding "no parking" signs for Pacific Place.

Councilmember Reyes Uranga spoke.

Dennis Dunn spoke regarding placement of Merry-Go-Round on Pine.

Mike Ruhle spoke regarding police statistics.

Gary Shelton spoke regarding homeless programs.

Tom Stout spoke regarding Clarissa Manuel passing.

CONSENT CALENDAR (6:39 PM)

Passed The Consent Calendar

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve Consent Calendar Items 4 - 11, except for Items 4 and 8. The motion carried by the following vote:

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

4. 09-0683 Recommendation to authorize City Manager to execute a second amendment to Agreement No. 30635 with the firm of Meyers, Nave, Riback, Silver & Wilson, in the matter entitled Michael Kenneth Paul Edwards vs. City of Long Beach, Case No. CV05-8990 GS (PLAx) and Davis Faris, et al vs. City of Long Beach, Case No. SACV07-954 JVS (ANx).

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

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

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

5. 09-0664 Recommendation to approve the City Council minutes for the meetings

held Tuesday, June 16, 2009 and Tuesday, June 23, 2009.

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

6. 09-0665 Recommendation to refer to City Attorney damage claims received between June 15, 2009 and June 29, 2009.

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

7. 09-0666 Recommendation to authorize City Manager to terminate the loan agreement between the City of Long Beach and Loft Developments, Inc. related to the Insurance Exchange Building at 201 East Broadway. (District 2)

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

8. 09-0667 Recommendation to authorize City Manager to execute a permit with Robert McCullough, an individual dba Kitesurfari, to operate a kitesurfing and stand-up paddle surfing concession for a two-year term, with one two-year renewal option, at the discretion of the City Manager or his designee. (District 3)

Mike Ruhle spoke.

Phil Hester, Director of Parks, Recreation and Marine, spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

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

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

9. 09-0668 Recommendation to authorize City Manager to accept an easement deed for alley widening and a corner cut at 2355 Long Beach Boulevard. (District 6)

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

10. 09-0669 Recommendation to determine that the granting of Facility/Pipeline Permit Supplement No. S-8-09 under existing Facility/Pipeline Permit

No. P-164-88, to ARCO Terminal Services Corporation, will not be contrary to the public interest; and authorize City Manager to issue said permit in accordance with Section 15.44.060, Permit-Issuance, of the Long Beach Municipal Code. (District 7)

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

11. 09-0670

Recommendation to approve minutes for the meetings of:
Civil Service Commission - June 10 and 17, 2009.
Parks and Recreation Commission - May 21, 2009.
Planning Commission - February 19, March 5 and 19, April 2 and 16,
and May 7 and 21, 2009.
Water Commission - May 21 and June 4, 2009.

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

REGULAR AGENDA (6:53 PM)

12. 09-0680

Recommendation to request City Manager to study the fees charged by the City when property owners install solar panels, and to report back to City Council within 45 days on the feasibility of lowering the fees to better encourage solar panel installation.

Councilmember Garcia spoke.

Councilmember O'Donnell spoke.

Gabriel Weeks spoke.

Pat Redgate spoke.

Ryan Wiggins spoke.

Laura Franke spoke.

Meredith Gothlyn spoke.

Ben Rockwell spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke

Councilmember S. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Vice Mayor Lerch spoke.

Councilmember Garcia spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

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

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

13. 09-0671

Recommendation to adopt resolution authorizing City Manager to execute an agreement with the Conservation Corps of Long Beach; and

Authorize City Manager to execute an agreement with the Conservation Corps of Long Beach to provide training in job skills and environmental education to young men and women in public conservation work, from May 1, 2009 to May 1, 2014, on a cost reimbursement basis in an estimated annual amount not to exceed \$600,000 with the option of adding expenditures up to 15 percent (or \$90,000) above the annual contract amount, if necessary and if funds are available. (Citywide)

This Resolution was withdrawn.

14. 09-0672

Recommendation to adopt resolution authorizing City Manager to execute a contract and any amendments thereto with Denardi Machinery, Inc., dba D3 Equipment, for the purchase of four Case 590SM backhoes on the same terms and conditions afforded to the City of San Diego in the total amount not to exceed \$383,346, plus a 10 percent contingency (or \$38,335), if necessary and if funds are available. (Citywide)

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0065. The motion carried by the following vote:

Yes: 8 - Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

Enactment No: RES-09-0065

15. 09-0673 Recommendation to adopt resolution authorizing City Manager to execute amendments to certain documents restructuring the 2007 Natural Gas Purchase Revenue Bonds issued by the Long Beach Bond Finance Authority to acquire a 30-year supply of natural gas for ratepayers of Long Beach Gas and Oil. (Citywide)

Motion: Approve recommendation.
Moved by DeLong, seconded by O'Donnell.

Mike Ruhle spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Ben Rockwell spoke.

Pat West, City Manager, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

A substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to approve recommendation, without authorizing the use of funds, as referenced in the staff report, for the relocation of the Service Yard; and adopt Resolution No. RES-09-0064. The motion carried by the following vote:

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-09-0064

16. 09-0674 Recommendation to authorize City Manager to execute a Cooperative Agreement with the Port of Long Beach and the Gateway Cities Council of Governments for a Truck-Impacted Intersection Project at the intersection of Santa Fe Avenue and Anaheim Street. (District 1)

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

Yes: 8 - Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

17. 09-0675

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; approve a discretionary permit to excavate areas in certain City streets, which have been reconstructed within the previous 60 months, all in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 8,9)

Councilwoman Gabelich spoke.

Vice Mayor Lerch spoke.

Councilwoman Gabelich spoke.

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

Yes: 8 - Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

18. 09-0676

Recommendation to award contract and authorize City Manager to sign all documents necessary to execute an agreement in the amount of \$104,695, with Alta Planning + Design for the Metro Blue Line Bicycle and Pedestrian Access Plan project, and to execute any amendments thereto; and increase appropriations in the General Capital Projects Fund (CP201) in the Department of Public Works (PW) in the amount of \$84,600. (Districts 1,2,6,7)

A motion was made by Councilmember Garcia, seconded by Councilmember Reyes Uranga, to approve recommendation, with the addition of the Del Amo station. The motion carried by the following vote:

Yes: 8 - Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

19. 09-0677

Recommendation to authorize City Manager to execute a contract with Verizon Business Network Services, Inc. (Verizon) to provide local

telephone and data communications services in an annual amount not to exceed \$1,470,700 for a period of three years, with options for two additional periods of one year each; and

Adopt resolution to participate in State of California Integrated Information Network Agreement (CALNET II), Master Services Agreement No. DTS 06E1392 and No. DTS 06E1393 with Verizon. (Citywide)

A motion was made by Councilman Andrews, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-09-0066. The motion carried by the following vote:

Yes: 8 - Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

Enactment No: RES-09-0066

20. 09-0678

Recommendation to authorize City Manager to execute a contract with SBC Global Services, Inc., dba AT&T Global Services (AT&T), to provide long distance calling, Internet, and other telecommunications services covered under CALNET II MSA 1 and MSA 2 in an annual amount not to exceed \$118,000 for a period of three years with options for two additional periods of one year each; and

Adopt resolution amending Resolution No. RES-08-0101 adopted by the City Council on September 2, 2008 to participate in State of California Integrated Information Network Agreement (CALNET II), Master Services Agreement No. DTS 06E1390 (MSA 1) and No. DTS 06E1391 (MSA 2) with SBC Global Services, Inc., dba AT&T Global Services, for the purchase of telecommunications equipment, software and services, and to increase the amount by \$118,000 to \$213,000 per year. (Citywide)

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-09-0067. The motion carried by the following vote:

Yes: 7 - Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - DeLong and Reyes Uranga

Enactment No: RES-09-0067

ORDINANCES (7:33 PM)

21. 09-0132

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 21.21.302 relating to noticing requirements for hearings read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Gary Frahm spoke and submitted correspondence from Gene Goldman, attorney.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Vice Mayor Lerch spoke.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

A substitute motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to approve the introduction of the ordinance with an amendment, as drafted by the attorney for the Bixby Hill community Association, to exempt Bixby Hill common development from compliance with expanded noticing requirements. The motion failed by the following vote:

Yes: 3 - Garcia, S. Lowenthal and DeLong

No: 6 - O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

A motion was made by Councilwoman Gabelich, seconded by Vice Mayor Lerch, 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: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

22. 09-0679

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 5.59 relating to the regulation of mortgage modification consultants read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Sonya Redusco spoke.

Delores Ramos-Weeks spoke.

Luz Vasquez-Ramos spoke and submitted charts regarding foreclosure rates.

Mary Reboken spoke.

Councilman Andrews spoke.

A motion was made by Councilman Andrews, seconded by Councilmember O'Donnell, 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, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

23. 09-0652

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 2.84.030 relating to local preference, read and adopted as read. (Citywide)

A motion was made by Councilmember Reyes Uranga, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-09-0015. The motion carried by the following vote:

Yes: 8 - Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - DeLong

Enactment No: ORD-09-0015

NEW BUSINESS (5:34 PM)

24. 09-0568

Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following reappointments: Citizen Police Complaint Commission (four reappointments); Harbor Commission (one reappointment); Planning Commission (one reappointment); and Water Commission (one reappointment).

Councilwoman Schipske spoke.

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

Yes: 9 - Garcia, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

25. Affidavit of Service for the special meeting held Tuesday, July 7, 2009.

ANNOUNCEMENTS (7:56 PM)

Mayor Foster requested that the meeting be adjourned in memory of Clarissa Manuel.

Councilman Andrews made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Garcia made community announcements.

ADJOURNMENT (8:03 PM)

At 8:03 PM, Mayor Foster adjourned the meeting in memory of Clarissa Manuel.

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