

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.

ROLL CALL (5:06 PM)

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

Councilmembers Absent: Lowenthal and Neal

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)

[see media](#)

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

[see media](#)

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

[see media](#)

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:

Councilmember Neal joined the meeting.

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)

[see media](#)

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.

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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)

[see media](#)

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

[see media](#)

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.

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