

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 order presented, except for Agenda Item No. 17, which was considered following Agenda Item No. 6 and prior to Agenda Item No. 13.

ROLL CALL (5:40 PM)

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

Councilmembers O'Donnell
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Principal Deputy City Attorney; Michael Mais, Assistant City Attorney; Laura L. Doud, City Auditor; Merianne Nakagawa, Legislative Bureau Manager; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Dee Andrews, Councilman, Sixth District.

Mayor Foster announced that Agenda Item Nos. 2 and 6 were pulled from the Consent Calendar for discussion.

Proclamation presented for Domestic Violence Awareness Month.

[11-1065](#)

A flyer and purple ribbons were submitted to City Council regarding the Domestic Violence Awareness Day 2011.

This Handout was received and filed.

Mayor Foster spoke.

Councilman Andrews spoke.

Vice Mayor Lowenthal spoke.

Councilmember Garcia spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Presentation for spotlight on Voicewaves.

Antonio Ruis provided a PowerPoint presentation.

Councilmember Garcia spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Charles Parkin, Principal Deputy City Attorney, reported out from closed session that pursuant to California Government Code 54956.9(a) the City Council authorized the City Attorney to petition the Supreme Court for review of the case Ryan Pack and Anthony Gayle v. City of Long Beach, LASC Case No. NC055010.

HEARING (6:00 PM)

[see media](#)

1. [11-1004](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution confirming the Bixby Knolls Business Improvement Area Annual Report, continuing the levy of assessment for the period of October 1, 2011 through September 30, 2012; and authorize City Manager to extend the agreement with the Bixby Knolls Business Improvement Association for one year.
(Districts 7,8)

Blair Cohen, Bixby Knolls Business Improvement Area representative, spoke.

Councilwoman Gabelich spoke.

Councilmember Johnson spoke.

Mayor Foster spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-11-0114. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

Enactment No: RES-11-0114

PUBLIC COMMENT (6:08 PM)

Ray Vander Nat spoke regarding the Project Labor Agreement (PLA).

Jane Templin spoke regarding support for the airport PLA.

[11-1064](#) Larry Goodhue spoke regarding Basin 4; and submitted photographs.

This Handout was received and filed.

Ron Miller spoke regarding the PLA.

Andrew Mayorga spoke regarding the airport PLA.

Russ Nicholson spoke regarding the PLA.

[11-1063](#) Fred Garcia spoke regarding the Project Labor Agreement (PLA); and submitted correspondence from the Painters & Allied Trades District Council 36.

This Handout was received and filed.

Steve Belerra spoke regarding the PLA.

Billy Campana spoke regarding the PLA.

Dan Benter spoke regarding the PLA.

CONSENT CALENDAR (6:22 PM)

Passed The Consent Calendar

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve Consent Calendar Items 2 - 12, except for Items 2 and 6. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

[see media](#)

2. [11-1027](#)

Recommendation to adopt resolution adopting a Statement of Overriding Considerations relating to Ordinance No. ORD-11-0009 banning plastic carryout bags in the City of Long Beach. (Citywide)

Councilwoman Gabelich spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-11-0116. The motion carried by the following vote:

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

No: 1 - Gabelich

Absent: 1 - O'Donnell

Enactment No: RES-11-0116

3. [11-0931](#)

Recommendation to refer to City Attorney damage claims received between September 26, 2011 and October 3, 2011.

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

4. [11-1005](#)

Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and Kaiser Permanente South Bay Medical Center to accept funding in the amount of \$20,000 for the period from July 1, 2011 through June 30, 2012 to expand childhood obesity prevention programming. (Districts 8,9)

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

5. [11-1006](#)

Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and The Earl B. and Loraine H. Miller Foundation to accept funding in the amount of \$79,000 for the period from July 1, 2011 through June 30, 2012 to continue and expand childhood obesity

prevention health education programming. (Districts 8,9)

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

[see media](#)

6. [11-1007](#) Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and British Petroleum West Coast Products, LLC in the amount of \$325,000 for the Community Asthma and Air Quality Resource Education Program to address conditions caused or exacerbated by both indoor and outdoor air pollution throughout Long Beach, with a primary focus in West Long Beach. (Citywide)

Councilwoman Gabelich spoke.

Ron Arias, Director of Health and Human Services, spoke.

Councilmember Johnson spoke.

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

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

Absent: 2 - Garcia and O'Donnell

7. [11-1008](#) Recommendation to authorize City Manager, or designee, to execute a first amendment to the current agreement between the City of Long Beach and Los Angeles County in the amount of \$50,000 to continue the public health infrastructure building and enhancement project for the period of September 30, 2011 through September 28, 2012. (Citywide)

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

8. [11-0859](#) Recommendation to adopt resolution, which commits the City of Long Beach to a policy of nondiscrimination and equal employment in all hiring activities; and refer the proposed three-year Equal Employment Opportunity Program Plan 2010-2012 to the Personnel and Civil Service Committee for review. (Citywide)

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to approve recommendation on the Consent Calendar and adopt Resolution No. RES-11-0115. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

A motion was made by Councilwoman Schipske, seconded by Councilwoman Gabelich, to refer the proposed three-year Equal Employment Opportunity Program Plan 2010-2012 to the Personnel and Civil Service Committee for review. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

Enactment No: RES-11-0115

9. [11-1009](#) Recommendation to authorize City Manager to execute a new License Agreement with Southern California Edison for the City's use of Southern California Edison-owned right-of-way, which is currently being used as the North Long Beach Community Garden, for a period of five years. (District 9)

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

10. [11-1010](#) Recommendation to authorize Police Department to receive \$104,000 of appropriation in unspent UASI 08 grant funds from the Harbor Department; and increase appropriations in the General Grants Fund (SR 120) and in the Police Department (PD) by \$104,000. (Citywide)

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

11. [11-1011](#) Recommendation to determine that the granting of Facility/Pipeline Permit Supplement No. S-3-11, under existing Facility/Pipeline Permit No. P-239-11 to The Boeing Company, will not be contrary to the public interest; and authorize City Manager to issue said permit supplement in accordance with Section 15.44.060, Permit Issuance, of the Long Beach Municipal Code. (District 5)

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

12. [11-1018](#) Recommendation to receive and file minutes for:
Civil Service Commission - September 7, 2011.
Cultural Heritage Commission - August 8, 2011.
Planning Commission - August 18, 2011.

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

REGULAR AGENDA (6:31 PM)

[see media](#)

13. [11-1028](#)

Recommendation to request City Manager to develop an adaptive reuse incentive program and ordinance that recognizes the economic, environmental and cultural value of preserving older and/or historic landmark buildings in consultation with the Cultural Heritage Commission, the Planning Commission and the historic preservation community.

Request that the program include, but not be limited to, the following elements drawing on adaptive reuse ordinances in Los Angeles, Santa Monica and Pasadena:

- A fair, clear and predictable approval process that stresses collaboration between the various approval entities including building, Fire, planning and Public Works.
- Regulatory changes to provide incentives for adaptive reuse, including the potential for density, corridors/neighborhoods of focus, by-right and parking waivers.
- Flexibility in building and fire codes that mandate health and safety protections while ensuring that requirements do not render projects infeasible
- Application of the historic building code as appropriate.
- Develop a handbook and online resource describing the program to potential developers.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

John Thomas spoke.

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

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

Absent: 1 - O'Donnell

[see media](#)

14. [11-1029](#) Recommendation to respectfully request the opportunity to update the Mayor, the City Council and the public on the progress of a working group's efforts to secure office space inside the new Los Angeles County Courthouse in support of victims of domestic violence with cooperation from local domestic violence victims' advocate groups, City Prosecutor Doug Haubert and the Long Beach Police Department.

Vice Mayor Lowenthal spoke.

Doug Haubert, City Prosecutor, spoke.

Christina de la Motte, Interval House, spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Vice Mayor Lowenthal spoke.

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

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

Absent: 2 - DeLong and O'Donnell

[see media](#)

15. [11-1023](#) Recommendation to authorize City Manager to execute all documents necessary with Williams Scotsman, Inc., of Santa Fe Springs, CA (not an MBE, WBE, or SBE), for the purchase of five modular trailers, and execute related lease financing documents with Banc of America Public Capital Corporation for a total amount not to exceed \$320,000. (Districts 4,5)

Councilmember Johnson spoke.

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

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

Absent: 3 - Garcia, DeLong and O'Donnell

[see media](#)

16. [11-1012](#) Recommendation to authorize City Manager to allow the Long Beach

Gas and Oil Department (LBGO) to partner with Southern California Edison Company (SCE) in offering energy rebates to their joint customers through the Energy Upgrade California Program. (Citywide)

Wes Harding spoke.

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

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

Absent: 2 - DeLong and O'Donnell

[see media](#)

17. [11-1013](#)

Recommendation to receive and file the application of Forty Niner Shops, Incorporated, dba Outpost Grill, for an original Alcoholic Beverage Control License, at 1250 North Bellflower Boulevard Building OP. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation. 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](#)

18. [11-1014](#)

Recommendation to receive and file the application of Sparkys Cheesesteaks, dba Philly's Best, for an original Alcoholic Beverage Control License, at 1998 Ximeno Avenue Suite B. (District 4)

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

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

Absent: 3 - DeLong, O'Donnell and Gabelich

[see media](#)

19. [11-1015](#)

Recommendation to authorize City Manager to execute an agreement, any subsequent amendments thereto, and any related necessary documents to provide law enforcement and security services to Long Beach Community College District for a period of three years, with the first year's estimated reimbursement of \$2,846,268; and increase appropriations in the General Fund (GP) in the Police Department (PD) by \$195,327. (Districts 5,6)

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

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

Absent: 3 - Garcia, DeLong and O'Donnell

[see media](#)

20. [11-1016](#)

Recommendation to authorize City Manager, or designee, to execute a one-year agreement between the City of Long Beach and the Long Beach Public Transportation Company for the disbursement of transportation funds for Fiscal Year 2012. (Citywide)

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

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

Absent: 3 - Garcia, DeLong and O'Donnell

[see media](#)

21. [11-1017](#)

Recommendation to authorize City Manager to enter into an agreement with the Long Beach Community Action Partnership to operate Public Access television in Long Beach for a period of two years with the option to extend for two additional one year periods at the discretion of the City Manager; and increase appropriations in the General Services Fund (IS 385) and the Department of Technology Services (TS) by \$524,472. (Citywide)

Distributed at the meeting: Comments submitted by Karen Ashikeh LaMantia.

Curtis Tani, Director of Technology Services, spoke.

Derrick Simpson spoke.

Antonio Ruis spoke.

Liza Mitchell spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

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

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

Absent: 2 - DeLong and O'Donnell

NEW BUSINESS (7:15 PM)

22. Affidavit of Service for the special meeting held Tuesday, October 11, 2011.

23. 11-1066 e-Comments received for the City Council meeting of Tuesday, October 11, 2011.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:15 PM)

Councilman Andrews made community announcements.

Councilmember Johnson made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Neal made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Johnson requested that the meeting be adjourned in memory of Falelaluiula Brian.

ADJOURNMENT (7:24 PM)

At 7:24 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Falelaluiula Brian.

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