



CITY OF LONG BEACH

C-3

DEPARTMENT OF CITY CLERK

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August 21, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the Minutes for the City Council Meeting Held Tuesday, August 7, 2012

DISCUSSION

The Legistar minutes for the City Council Meeting held Tuesday, August 7, 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,

LARRY G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

Dr. Robert Garcia, Vice Mayor, 1st District
Dr. Suja Lowenthal, 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
Al Austin, 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, except for Agenda Item No. 9 was considered following the Consent Calendar vote; Agenda Item No. 18 was considered following Agenda Item No. 11; Agenda Item No. 22 was considered prior to Agenda Item No. 21; and Agenda Item No. 1 was tabled after the hearing was closed and taken up again to announce the results of the votes approximately 2 hours and 15 minutes later following Agenda Item No. 16.

ROLL CALL (5:13 PM)

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

Councilmembers Neal
Absent:

Mayor Foster presiding.

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

Invocation: Moment of Silence.

Pledge of Allegiance: Patrick O'Donnell, Councilmember, Fourth District.

Mayor Foster announced that Agenda Item No. 22 would be considered prior to Agenda Item No. 21, and that Councilmember Neal would be joining the meeting around 7:00 PM.

Julie Pruitt, spcaLA, presented a canine.

HEARINGS (5:17 PM)

1. 12-0637 Recommendation to receive supporting documentation into the record, conclude the hearing to consider the re-establishment of the Downtown Long Beach Property and Business Improvement District (DLB-PBID); direct City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council during the August 7, 2012 City Council meeting; and, if a majority of ballots received are in favor of the re-establishment of the DLB-PBID, adopt resolution to re-establish the DLB-PBID for an additional 10 years, effective January 1, 2013 through December 31, 2022. (Districts 1,2)

John Sagmeister spoke.

Joe Gannon spoke.

Sandra Rendell spoke.

Peter Johnson spoke.

Anne Crofett spoke.

Gary Shelton spoke.

Mayor Foster indicated that Vice Mayor Garcia and Councilwoman Schipske have recused themselves.

Michael Bos spoke.

Tony Sheshani spoke.

Joanne Freeman spoke.

Mr. Shimacco spoke.

Councilmember DeLong spoke.

Jeffrey DuChateau spoke.

Deborah Winter spoke.

Don Darnauer spoke.

Jim Anderson spoke.

Luis Capal spoke.

Mayor Foster closed the hearing and instructed the City Clerk to proceed with counting the ballots and to report back to the City Council.

Larry Herrera, City Clerk, reported the votes for the PBID.

Councilmember Lowenthal spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0072. The motion carried by the following vote:

Yes: 6 - Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Austin

Abstentions: 2 - Garcia and Schipske

Absent: 1 - Neal

Enactment No: RES-12-0072

Pursuant to the direction of the City Attorney, based on Councilmember Neal's absence during the public testimony for this hearing, his vote was not counted.

2. 12-0638 Recommendation to receive supporting documentation into the record, conclude the hearing, consider the applicant's appeal, and either:

(1) Uphold the decision of the Planning Commission to deny a Conditional Use Permit request for the sale of beer and wine for off-site consumption (Type 20 license) at an existing convenience store located at 1821 Martin Luther King Jr. Avenue within the Single Family Residential zone; or

(2) Approve the Conditional Use Permit request for the sale of beer and wine for off-site consumption (Type 20 license) at an existing convenience store located at 1821 Martin Luther King Jr. Avenue within the Single Family Residential zone. (District 6)

Distributed at the meeting: Correspondence from Laura Garcia and a PowerPoint presentation from Councilman Andrews.

Jon Rambo, appellant, spoke.

Palin Sot, applicant, spoke.

Tony Gibson spoke.

Lydia Hollie spoke.

Nina Younger spoke.

Che Parker spoke.

James Rad spoke.

Carina Carbahol spoke.

Michael Ferrera spoke.

Michael Magana spoke.

David Mason spoke.

Shirley Broussard spoke.

Councilman Andrews spoke.

John Edmonds provided a PowerPoint presentation.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

Councilmember DeLong spoke.

Councilman Andrews spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Vice Mayor Garcia spoke.

A motion was made by Councilman Andrews, seconded by Councilmember Johnson, to approve recommendation to approve the Conditional Use Permit request for the sale of beer and wine for off-site consumption (Type 20 license) at an existing convenience store located at 1821 Martin Luther King Jr. Avenue within the Single Family Residential zone, with the conditions proposed by the Planning Commission. The motion carried by the following vote:

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

No: 1 - Austin

Absent: 1 - Neal

Pursuant to the direction of the City Attorney, based on Councilmember Neal's absence during the public testimony for this hearing, his vote was not counted.

SECOND ROLL CALL (6:43 PM)

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

Councilmember Neal joined the meeting.

3. 12-0600 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.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-12-0070. The motion carried by the following vote:

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

Enactment No: RES-12-0070

4. 12-0639 Recommendation to receive supporting documentation, including the petitions, into the record, conclude the hearing, and request City Attorney to prepare an amendment to the Long Beach Municipal Code, to establish Preferential Parking District "AB" as recommended by the City Traffic Engineer. (District 3)

Janice Fairbon spoke.

Basil Abudai spoke.

Christian Sanchez Barts spoke.

Michael Brushey spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

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, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal

PUBLIC COMMENT (7:06 PM)

Richard Seebach spoke regarding crime in Belmont Shore.

Hattie Ruth Bass spoke a word of thanks to the Mayor, Vice Mayor and Councilman Andrews.

Jeremy Coltharp spoke regarding a medical cannabis initiative to regulate and tax medical cannabis dispensaries.

Councilmember Lowenthal spoke.

Sandra Christmas spoke regarding health permits.

Shirley Broussard spoke regarding homeless issues.

CONSENT CALENDAR (7:21 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Vice Mayor Garcia, to approve Consent Calendar Items 5 - 10, except for Item 9. The motion carried by the following vote:

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

Absent: 1 - O'Donnell

5. 12-0655 Recommendation to receive and file report from Councilmember O'Donnell on travel to San Diego to participate in the Independent Cities Association's seminar on July 13, 2012.
A motion was made to approve recommendation on the Consent Calendar.
6. 12-0640 Recommendation to approve the minutes for the City Council meetings of Tuesday, July 17 and 24, 2012, and City Council Budget meeting held

Tuesday, July 24, 2012.

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

7. 12-0641 Recommendation to refer to City Attorney damage claims received between July 16, 2012 and July 30, 2012.

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

8. 12-0642 Recommendation to adopt resolution certifying the 2011-2012 Local Development Report and its conformance with the State-mandated Congestion Management Program. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-12-0071 on the Consent Calendar.

Enactment No: RES-12-0071

9. 12-0650 Recommendation to refer the Proposed Capital Improvement Program for Fiscal Year 2013 to the Planning Commission for review of its consistency with the General Plan. (Citywide)

Councilman Austin spoke.

A motion was made by Councilman Austin, seconded by Councilmember DeLong, to approve recommendation and refer the proposed Capital Improvement Program for Fiscal Year 2013 to the Planning Commission for review of its consistency with the General Plan. The motion carried by the following vote:

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

10. 12-0643 Recommendation to receive and file minutes for:
Civil Service Commission - June 20, 2012.
Planning Commission - June 21, 2012.

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

UNFINISHED BUSINESS (7:24 PM)

11. 12-0620 Recommendation to authorize City Manager to execute all documents necessary for the First Amendment to Lease No. 29995 between CityPlace Long Beach, LLC; CityPlace Long Beach TIC 1, LLC; CityPlace Long Beach TIC 2, LLC, all Delaware limited liability companies, as tenants in common (Landlord), and the City of Long

Beach (Tenant) for the relocation of City-leased office space to 295 East Third Street, Suite No. A-100, for the offices of certain veterans' organizations; and

Authorize City Manager to execute all documents necessary to amend Sublease No. 30276 with the Arthur L. Peterson Post No. 27, Inc., The American Legion, Department of California; Sublease No. 30277 with Long Beach Chapter No. 17, Disabled American Veterans, Inc.; and Sublease No. 30278 with the Fleet Reserve Association, Branch 43, (collectively, Subtenants), for the sublease of City-leased office space at 295 East Third Street, Suite No. A-100. (District 1)

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

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

REGULAR AGENDA (7:25 PM)

12. 12-0653 Recommendation to receive a presentation from Public Works regarding the results from the first year of implementation of the City's Residential Street Maintenance Policy.
- Councilmember Johnson spoke.
- Michael Conway, Director of Public Works, provided a staff report.
- Councilmember Johnson spoke.
- Vice Mayor Garcia spoke.
- Councilmember O'Donnell spoke.
- Councilwoman Schipske spoke.
- Councilmember Johnson spoke.
- A motion was made by Councilmember Johnson, seconded by Councilmember Lowenthal, to approve recommendation. The motion carried by the following vote:**
- Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal
13. 12-0654 Recommendation to respectfully request City Attorney to draft a resolution in support of the Middle Class Scholarship Act on behalf of the

City of Long Beach.

Councilmember O'Donnell spoke and distributed correspondence.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Councilmember Lowenthal spoke.

Vice Mayor Garcia spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Nikki Tennet, representing California State Assemblymember Bonnie Lowenthal, 54th District, spoke.

Brenda Novella spoke.

Victoria Chung spoke.

Jeremy Roseman, representing California State Assembly Speaker John Perez, 46th District, spoke.

A motion was made by Councilmember O'Donnell, seconded by Vice Mayor Garcia, to approve recommendation to request City Manager to draft a letter to the State Legislature in support of the Middle Class Scholarship Act. The motion carried by the following vote:

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

14. 12-0644

Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the California Emergency Management Agency for the Gang Reduction, Intervention, and Prevention Program in the amount of \$250,000 for two years;

Authorize a required in-kind match of \$250,000; and

Increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Development Services (DV) by \$250,000. (Districts 1,6,7,9)

Corina Rowe spoke.

Councilmember Neal spoke.

Councilman Austin spoke.

Councilman Andrews spoke.

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

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

15. 12-0645

Recommendation to adopt Specifications RFP No. FM11-005 and award contracts to Comprehensive Housing Services, Inc. (CHS), of Fullerton, CA (WBE, SBE); TSG Enterprises, Inc., dba The Solis Group, of Pasadena, CA (WBE, MBE); Padilla and Associates, Inc., of Santa Ana, CA (WBE); and Perceptive Enterprises, Inc., of Los Angeles, CA (SBE, MBE), for as-needed professional labor compliancy monitoring services, in a total combined annual amount not to exceed \$400,000, 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 Vice Mayor 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, Austin and Neal

16. 12-0647

Recommendation to adopt Specifications No. PA-02012 Rebid and award contracts to CelPlan Technologies, Inc., of Reston, VA (not an MBE, WBE, SBE or Local); Siemens Industry, Inc., of Cypress, CA (not an MBE, WBE, SBE or Local); and Pacific Services, Inc., of San Clemente, CA (WBE, SBE), for furnishing and delivering video surveillance cameras and related system components, in a total annual amount not to exceed \$175,000, for the 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 Vice Mayor Garcia, to approve recommendation. The motion carried by the following vote:

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

17. 12-0618 Recommendation to adopt resolution for paying and reporting the value of the Employer Paid Member Contributions (EPMC) to the California Public Employees' Retirement System for the City Auditor, City Attorney, City Prosecutor and City Clerk. (Citywide)
- Councilmember O'Donnell spoke.
- A motion was made by Councilmember O'Donnell, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-12-0073. The motion carried by the following vote:**
- Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal
- Enactment No:** RES-12-0073
18. 12-0648 Recommendation to receive and file the application of Rosemary Dorita Cullinan, dba The Peninsula Cafe, for an original Alcoholic Beverage Control License, at 76-1/2 62nd Place. (District 3)
- A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation. The motion carried by the following vote:**
- Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal
19. 12-0649 Recommendation to authorize City Manager to execute a new agreement between the Long Beach Police Department and the Long Beach Unified School District to staff School Resource Officers (SROs), for the period of September 1, 2012 through June 30, 2013, in an amount not to exceed \$808,200, with a net cost to the City's General Fund of \$206,500. (Citywide)
- Councilman Andrews spoke.
- A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation. The motion carried by the following vote:**
- Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal
20. 12-0651 Recommendation to adopt Plans and Specifications No. R-6859 for Installing and Modifying Traffic Control Signals at Various Intersections, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with California Professional

Engineering in an estimated amount of \$578,741, plus a 15 percent contingency of \$86,811, for a total of \$665,552, and to execute any necessary amendments thereto. (District 5,8,9)

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

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

BUDGET HEARING (8:17 PM)

21. 12-0652 Recommendation to receive and discuss an overview of the proposed Fiscal Year 2013 Budget. (Citywide)

Distributed at the meeting: The Mayor's Budget recommendation and a PowerPoint overview of the budget by the City Manager.

Mayor Foster spoke and outlined his recommendation regarding the budget.

Patrick West, City Manager, spoke; and provided a PowerPoint presentation.

Tom Modica, Director of Government Affairs, spoke regarding the interactive budget tool available to the public.

Mayor Foster spoke; and provided a slide presentation.

Vice Mayor Garcia spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilman Austin spoke.

Councilmember Johnson spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Vice Mayor Garcia spoke.

Mayor Foster spoke.

Steve James, President, Long Beach Police Officers' Association, spoke.

Dennis Dunn spoke.

James Farley, Vice President, Long Beach Firefighter's Association, spoke.

A motion was made by Councilmember Johnson, seconded by Councilmember Lowenthal, to approve recommendation to receive and file. The motion carried by the following vote:

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

Absent: 1 - Andrews

NEW BUSINESS (8:15 PM)

22. 12-0657 Recommendation to request approval of a one-time waiver for the restriction of alcohol sales at Rose Park for the Rose Park Neighborhood Association sponsoring the 2nd Annual Bluegrass Festival on August 19, 2012.

Councilmember Lowenthal spoke.

Emily Steven spoke.

Councilmember Garcia spoke.

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

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

Absent: 1 - Andrews

23. Affidavit of Service for the special meeting held Tuesday, August 7, 2012.

24. 12-0658 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 3, 2012.

This Agenda Item was received and filed.

25. 12-0678 eComments received for the City Council meeting of Tuesday, August 7, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (10:05 PM)

Councilmember Lowenthal made community announcements.

Vice Mayor Garcia made community announcements; and requested that the meeting be adjourned in memory of George Anthony Buaiz.

Councilwoman Schipske made community announcements; and requested that the meeting be adjourned in memory of Norma Louise Gray Mayfield.

Councilmember O'Donnell made community announcements; and requested that the meeting be adjourned in memory of George Longaberger.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

Councilman Austin made community announcements.

ADJOURNMENT (10:20 PM)

At 10:20 PM, Mayor Foster adjourned the meeting in memory of George Anthony Buaiz, Norma Louise Gray Mayfield and George Longaberger.

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