

November 19, 2019

C-1

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meeting of Tuesday, November 5, 2019.

DISCUSSION

The Legistar minutes for the City Council meeting of Tuesday, November 5, 2019 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 Office of the City Clerk 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,



MONIQUE DE LA GARZA
CITY CLERK

Prepared by: Pablo Rubio

MD:pr
Attachment

Vacant, 1st District
Jeannine Pearce, 2nd District
Suzie A. Price, 3rd District
Daryl Supernaw, 4th District



Thomas B. Modica, Acting City Manager
Monique De La Garza, City Clerk

Dr. Robert Garcia, Mayor

Stacy Mungo, 5th District
Dee Andrews, Vice Mayor, 6th District
Roberto Uranga, 7th District
Al Austin, 8th District
Rex Richardson, 9th District

Charles Parkin, 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.

The Agenda Items were considered in the following order: Presentations, Consent Calendar, Agenda Item Nos. 14, 13, Public Comment, Agenda Item Nos. 21, 20, 15, 16, 17, 18, 22, 19.

ROLL CALL (5:02 PM)

Councilmembers Pearce, Price, Supernaw, Mungo, Andrews, Uranga, Austin and
Present: Richardson

Also present: Thomas Modica, Acting City Manager; Rebecca Garner, Acting Assistant City Manager; Charles Parkin, City Attorney; Richard Anthony, Deputy City Attorney; Monique De La Garza, City Clerk; Jonathan Nagayama, City Clerk Specialist.

Mayor Garcia presiding.

Invocation: Moment of Silence to remember Maurice Poe Jr., Melvin Williams II, Ricardo Torres, Joseph Awaida, Raihan Dakhil, and Omar Awaida.

Pledge of Allegiance: Mayor Robert Garcia.

CONSENT CALENDAR (5:37 PM)

Passed the Consent Calendar.

A motion was made by Councilmember Uranga, seconded by Councilman Austin, to approve Consent Calendar Items 1 - 12. The motion carried by the following vote:

Yes: 7 - Pearce, Price, Supernaw, Mungo, Uranga, Austin and Richardson

Absent: 1 - Andrews

1. 19-1081 Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$150,000 in compliance with the Appeals Board Order for Jeffrey Meyer.

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

2. 19-1082 Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$60,000 in compliance with the Appeals Board Order for Christopher Smith.

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

3. 19-1083 Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$56,260 in compliance with the Appeals Board Order for Donald Wood.

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

4. 19-1084 Recommendation to approve the minutes for the City Council meetings of Tuesday, October 15 and October 22, 2019.

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

5. 19-1085 Recommendation to refer to City Attorney damage claims received between October 14, 2019 and October 28, 2019.

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

6. 19-1086 Recommendation to adopt Specifications No. RFP GO18-037 and award a contract to Clean Energy Fuels, Inc., of Newport Beach, CA, for the operation and maintenance of a compressed natural gas fueling station, and for the purchase of renewable compressed natural gas, for use in City vehicles and equipment, in an amount of \$370,000, with a 15 percent contingency in the amount of \$55,500, for a total annual amount not to exceed \$425,500, for a period of 10 years; and authorize City Manager, or designee, to execute all documents necessary to enter into the contract, including any necessary amendments. (Citywide)

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

7. 19-1087 Recommendation to authorize City Manager, or designee, to execute an amendment to Contract No. 34704, and any subsequent amendments, with the Public Health Institute, to accept and expend additional grant funding, in an amount not to exceed \$81,500, to participate in the California Accountable Communities for Health Initiative (CACHI), for the period of June 1, 2017 through December 31, 2019, with the option to extend the agreement for two additional one-year periods, at the discretion of the City Manager. (Citywide)

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

8. 19-1088 Recommendation to authorize City Manager, or designee, to execute Amendment No. 23 to Historical Site Lease No. 24291 with Rancho Los Alamitos Foundation to provide for the annual management fee of \$470,000, for lease year 2019-2020. (District 3)

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

9. 19-1089 Recommendation to adopt resolution authorizing City Manager, or designee, to execute all necessary documents to enter into an agreement with Hangar One Avionics, Inc., of Carlsbad, CA, for the purchase and installation of a helicopter radio, in the amount of \$225,000, with a 5 percent contingency in the amount of \$11,250, for a total contract amount not to exceed \$236,250; and

Increase appropriations in the General Fund Group in the Police Department by \$236,250, offset by Department of Justice Asset Forfeiture Funds received. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-19-0167 on the Consent Calendar.

Enactment No: RES-19-0167

10. 19-1090 Recommendation to authorize City Manager, or designee, to execute all necessary documents with the Department of Justice Equitable Sharing Program to file the annual equitable sharing report. (Citywide)

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

11. 19-1091 Recommendation to authorize City Manager, or designee, to grant Express Consent Agreements to various property owners, or their delegates, for the retransmission of public safety radio frequencies into buildings, where external public safety radio signals are unable to penetrate the buildings, at no cost to the City. (Citywide)

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

12. 19-1092 Recommendation to adopt resolution authorizing City Manager, or designee, to execute a Master Services Agreement, including any necessary amendments, with Telesoft, LLC, dba MDSL, of Phoenix,

AZ, to provide maintenance, upgrade and support of the City's desk phone inventory, mobile device inventory, and billing management system, in an amount of \$56,231, plus a contingency of \$3,000 for additional services, for a total annual amount not to exceed \$59,231, for a period of two years, with the option to renew for three additional one-year periods, with annual increases up to 5 percent, at the discretion of the City Manager; authorize a one-time upgrade to current software version hosted on Telesoft's server, in an amount not to exceed \$15,000, for the first year; and

Increase appropriations in the General Services Fund Group in the Technology and Innovation Department (TID) by \$39,000, offset by funds available. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-19-0168 on the Consent Calendar.

Enactment No: RES-19-0168

CEREMONIALS AND PRESENTATIONS (5:11 PM)

KEY TO THE CITY - CONGRESSMAN ALAN LOWENTHAL

Mayor Garcia spoke.

Congressman Alan Lowenthal spoke.

Vice Mayor Andrews spoke.

Councilmember Pearce spoke.

Councilmember Uranga spoke.

Councilman Austin spoke.

Councilmember Richardson spoke.

Councilwoman Mungo spoke.

Councilwoman Price spoke.

Councilmember Supernaw spoke.

Congressman Alan Lowenthal spoke.

HEARING (5:38 PM)

- 13. 19-1093** Recommendation to receive supporting documentation into the record, conclude the public hearing and approve an amendment to the conditions of the Entertainment without Dancing Permit issued to Relevant, Inc., dba Marina Wine, at 194 Marina Drive, Suite 101. (District 3)

Rebecca Garner, Acting Assistant City Manager, spoke.

Councilwoman Price spoke.

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

Yes: 8 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

PUBLIC COMMENT (5:44 PM)

James Neino spoke regarding the flavored tobacco ban.

Karen Angone spoke regarding Belmont Shores Mobile Estates space rent increase.

Wynn Sulc spoke regarding Belmont Shores Mobile Estates space rent increase.

Barbara McPherson spoke regarding Belmont Shores Mobile Estates space rent increase.

- 19-1134 Larry Goodhue spoke regarding various issues; and submitted correspondence.

This Handout was received and filed.

Stefan Borst-Censullo spoke regarding homelessness.

Tom Lockhart spoke regarding Belmont Shores Mobile Estates space rent increase.

Terri Quinlan spoke regarding Belmont Shores Mobile Estates space rent increase.

Donna Cantone spoke regarding the 4th Street meters.

Councilmember Pearce spoke.

REGULAR AGENDA (5:38 PM)

- 14. 19-1094** Recommendation to request City Attorney to prepare, and return to the City Council for its consideration, a resolution revising the ballot question for the Measure A Transactions and Use (Sales) Tax extension language. (Citywide)

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

Yes: 7 - Pearce, Price, Supernaw, Mungo, Uranga, Austin and Richardson

Absent: 1 - Andrews

- 15. 19-1095** Recommendation to authorize City Manager, or designee, to execute all documents necessary to amend Contract No. 34946, with Axon Enterprises, Inc., of Scottsdale, AZ, for the purchase of body worn camera equipment, accessories, software, support and digital video storage, to increase the annual amount by \$772,728, with a 10 percent contingency in the amount of \$77,273, for a total amount not to exceed \$850,001, and extend the term for an additional one year, with the option to renew for four additional one-year periods, at the discretion of the City Manager; and

Authorize a one-time purchase of body worn camera equipment and accessories in the amount of \$605,694, with a 10 percent contingency of \$60,569, for a total not to exceed amount of \$666,264. (Citywide)

Naida Tushnet spoke.

Councilmember Pearce spoke.

Thomas Modica, Acting City Manager, spoke.

Councilmember Uranga spoke.

Councilwoman Price spoke.

Councilmember Pearce spoke.

Thomas Modica, Acting City Manager, spoke.

Councilmember Supernaw spoke.

Thomas Modica, Acting City Manager, spoke.

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

Yes: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Austin

Absent: 1 - Richardson

ORDINANCES (8:30 PM)

- 16. 19-1096** Recommendation to declare ordinance approving, confirming, and ratifying Ordinance No. HD-2314 of the Board of Harbor Commissioners of the City of Long Beach, which authorizes the execution and delivery by the Executive Director of an Agreement and Master Agreement, both with the City of Los Angeles, as well as documents referenced therein, and making certain findings and determinations relating thereto, read the first time and laid over to the next regular meeting of the City Council for final reading;

Accept the finding that the Agreement and Master Agreement are subsequent approvals contemplated and with the scope of the Final

Environmental Impact Report for the Pier B On-Dock Rail Support Project ("FEIR"), certified as complete by the Board of Harbor Commissioners on January 22, 2018; and

Approve First Amendment to Tenancy in Common Agreement HD-7917 between the Port of Long Beach and the Port of Los Angeles, Agreement Between the City of Long Beach and the City of Los Angeles, and four (4) Quitclaim Deeds between the Port of Long Beach and the Port of Los Angeles.

Myrna Yoshihiro spoke.

A motion was made by Councilmember Pearce, seconded by Councilmember Uranga, 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: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Austin

Absent: 1 - Richardson

A motion was made by Councilmember Pearce, seconded by Councilmember Supernaw, to reconsider the vote for Agenda Item No. 16. The motion carried by the following vote:

Yes: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Austin

Absent: 1 - Richardson

A motion was made by Councilmember Pearce, seconded by Councilmember Uranga, 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: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Austin

Absent: 1 - Richardson

Municipal Code by amending Sections 21.15.660, 21.15.1070, 21.15.1090, 21.15.1620, 21.21.402, 21.25.806, 21.27.130, 21.31.215.G, 21.31.225, 21.31.235.C, Table 31-7, 21.32.220, Table 32-1, Table 32-2, Table 32-2A, 21.33.140, 21.34.225, Table 34-2, Table 41-1C, Table 51.276-1, 21.42.040.F, 21.43.020, Table 43-1, 21.44.140.D.3, and 21.44.600.I; by adding Sections 21.15.165, 21.15.195, 21.15.196, 21.15.197, 21.15.3151, 21.33.130.E, 21.45.115.5, 21.45.133, 21.45.134, and 21.52.280; and by repealing Sections 21.31.260 and 21.52.286, all related to zoning code regulations, read and adopted as read. (Citywide)

A motion was made by Vice Mayor Andrews, seconded by Councilmember Pearce, to approve recommendation and adopt Ordinance No. ORD-19-0028. The motion carried by the following vote:

Yes: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Austin

Absent: 1 - Richardson

Enactment No: ORD-19-0028

NEW BUSINESS (6:11 PM)

- 18. 19-1103** Recommendation to increase appropriations in the Special Advertising and Promotion Fund Group in the City Manager Department by \$500, offset by the Sixth Council District one-time District Priority Funds transferred from the Citywide Activities Department to provide a contribution to Jack and Jill of America, Incorporated, Long Beach Chapter for their Far West Region Southern Area Work Day Conference reception; and

Decrease appropriations in the Special Advertising and Promotion Fund Group in the Citywide Activities Department by \$500 to offset a transfer to the City Manager Department.

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

Yes: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Austin

Absent: 1 - Richardson

19. 19-1104 Recommendation to increase appropriations in the Special Advertising and Promotion Fund Group in the City Manager Department by \$552.50, offset by the Sixth Council District one-time District Priority Funds transferred from the Citywide Activities Department to provide a contribution to California Families in Focus a non-profit organization, for support of their Gran Bailaton event, which is an exercise program being hosted in the Sixth District; and

Decrease appropriations in the Special Advertising and Promotion Fund Group in the Citywide Activities Department by \$552.50 to offset a transfer to the City Manager Department.

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

Yes: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Austin

Absent: 1 - Richardson

20. 19-1105 Recommendation to request City Attorney to draft an urgency ordinance for review at the November 12, 2019 City Council meeting, to prohibit no-fault notices and no-fault evictions through December 31, 2019.

Councilmember Richardson spoke.

Councilmember Uranga spoke.

Stefan Borst-Censullo spoke.

Victor Sanchez spoke.

Norma Galinido spoke.

Marlene Alvarado spoke.

Clarissa Hernandez spoke.

Marvin K. Deramus spoke.

Karen Reside spoke.

Naida Tushnet spoke.

Cara McGraw spoke.

Gretchen Swanson spoke.

Alex Flores spoke.

Brenda Velasquez spoke.

Jordan Wynne spoke.

Kathy Edom spoke.

Pearlie Pegeese spoke.

Martha Cota spoke.

Jan Ford spoke.

Erin Foley spoke.

Joshua Christian spoke.

John Kindred spoke.

Ivan Garcia spoke.

Lilia Ocampo spoke.

Wayne Marchyshyn spoke.

Dawn Modkins spoke.

Mike Murchinson spoke.

Maricela de Rivera spoke.

Sopheak Meas spoke.

Fred Sutton spoke.

Dr. Suely Saro spoke.

Maria Loeza spoke.

Daniel Lampheen spoke.

Jordan Doering spoke.

Zoe Nicholson spoke.

Cynthia Macias spoke.

Shambel Yezzez spoke.

Dora Tinoso spoke.

Maria Lopez spoke.

Myra Garcia spoke.

Gary Hytrek spoke.

Carmen Mejia spoke.

Sarai Hernandez spoke.

Susana Sngiem spoke.

Myron Wollin spoke.

Ernesto Escobar spoke.

Maribel Mireles spoke.

Rosalba Ramos spoke.

Maritza Avitez spoke.

Jennifer Millan spoke.

Yolanda Hobson spoke.

Araceli Medena spoke.

Peter Portillo spoke.

Antonia Savala spoke.

Mari Castillo spoke.

Devin Ablard spoke.

Mayor Garcia spoke.

Councilwoman Price spoke.

Thomas Modica, Acting City Manager, spoke.

Richard Anthony, Deputy City Attorney, spoke.

Councilmember Pearce spoke.

Councilman Austin spoke.

Councilmember Supernaw spoke.

Councilmember Pearce spoke.

Richard Anthony, Deputy City Attorney, spoke.

Councilmember Richardson spoke.

Richard Anthony, Deputy City Attorney, spoke.

A motion was made by Councilmember Richardson, seconded by Councilmember Uranga, to approve recommendation, as amended, to include that if a tenant has received relocation money and decides to stay in the residence as a result of their termination being rescinded, they must reimburse the landlord, failing to do so would be considered cause for eviction. The motion carried by the following vote:

Yes: 8 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

21. 19-1106

Recommendation to receive and file a report on the status of Basic Life Support (BLS) ambulance vacancies in the City of Long Beach; and

Request City Manager to explore and implement solutions to restore BLS 12 and 13 to daily service as soon as possible and prepare a long-term plan that addresses staffing shortages for Emergency Medical Technicians (EMT).

Councilmember Richardson spoke.

Thomas Modica, Acting City Manager, spoke.

Larry Goodhue spoke.

Juanita Docklemore spoke.

Councilmember Uranga spoke.

Councilmember Richardson spoke.

Thomas Modica, Acting City Manager, spoke.

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

Yes: 7 - Pearce, Price, Supernaw, Andrews, Uranga, Austin and Richardson

Absent: 1 - Mungo

22. 19-1107 Recommendation to increase appropriations in the Special Advertising and Promotion Fund Group in the City Manager Department by \$5,000, offset by \$5,000 of Ninth Council District one-time District Priority Funds transferred from the Citywide Activities Department, to support the 2019 Veterans Day Celebration; and

Decrease appropriations in the Special Advertising and Promotion Fund Group in the Citywide Activities Department by \$5,000 to offset a transfer to the City Manager Department.

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

Yes: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Austin

Absent: 1 - Richardson

23. Affidavit of Service for special meeting held Tuesday November 5, 2019.

24. 19-1108 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 1, 2019.

This Agenda Item was received and filed.

25. 19-1133 eComments received for the City Council meeting of Tuesday, November 5, 2019.

This Agenda Item was received and filed.

PUBLIC COMMENT (8:37 PM)

Faith Polermo spoke regarding police body cameras.

Jeffrey Robins spoke regarding parking meters.

Councilmember Pearce spoke.

Madison Hermosillo spoke regarding Belmont Shores Mobile Estates space rent increase.

Stella Magallanes spoke regarding various issues.

Alejandro Espinosa regarding parking meters.

Oni Vitandham spoke regarding wrongful eviction of monks.

Sarijn Chee spoke regarding wrongful eviction of monks.

Sotheavy Muth spoke regarding wrongful eviction of monks.

Sopheak Meas spoke regarding wrongful eviction of monks.

Unidentified man spoke.

Khuni Kol spoke regarding wrongful eviction of monks.

Linda Paing spoke regarding wrongful eviction of monks.

Senay Kenfe spoke regarding eScooters.

ANNOUNCEMENTS (9:05 PM)

Councilmember Uranga made community announcements.

Councilmember Supernaw requested that the meeting be adjourned in recognition of Grace Florence Old; and made community announcements.

Councilmember Richardson made community announcements.

Vice Mayor Andrews made community announcements.

ADJOURNMENT (9:08 PM)

At 9:08 PM, Vice Mayor Andrews adjourned the meeting in memory of Maurice Poe Jr., Melvin Williams II, Ricardo Torres, Joseph Awaida, Raihan Dakhil, Omar Awaida, and in recognition of Grace Florence Old. pr

NOTE:

If written language translation of the City Council agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the City Council meeting.

Kung humihiling ng nakasulat na pagsasalin ng wika ng agenda at minutes ng Konseho ng Lungsod para sa mga taong hindi nagsasalita ng Ingles, mangyaring humiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras bago isagawa ang pulong ng Konseho ng Lungsod.

Si desea obtener la traducción escrita en otro idioma de la agenda y las actas del ayuntamiento de la ciudad para las personas que no hablan inglés, haga su solicitud por teléfono a la oficina del secretario municipal al (562) 570-6101, 72 horas hábiles antes de la reunión del ayuntamiento de la ciudad.

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