



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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December 22, 2015

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meeting of Tuesday, December 8, 2015.

DISCUSSION

The Legistar minutes for the City Council meeting of Tuesday, December 8, 2015 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,

A handwritten signature in cursive script that reads "Maria de la Luz Garcia".

MARIA DE LA LUZ GARCIA
CITY CLERK

Prepared by: Pablo Rubio

MG:pr
Attachment

Lena Gonzalez, 1st District
Dr. Suja Lowenthal, Vice Mayor, 2nd District
Suzie A. Price, 3rd District
Daryl Supernaw, 4th District



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

Patrick H. West, City Manager
Maria de la Luz Garcia, City Clerk

Dr. Robert Garcia, Mayor

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 order presented, except for Public Comment and Consent Calendar were considered prior to the Study Session; and Agenda Item No. 13 was considered prior to Agenda Item No. 2.

ROLL CALL (5:50 PM)

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

Also present: Patrick West, City Manager; Tom Modica, Assistant City Manager; Charles Parkin, City Attorney; Michael Mais, Assistant City Attorney; Maria de la Luz Garcia, City Clerk; Pablo Rubio, City Clerk Specialist.

Mayor Garcia presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Mayor Robert Garcia.

Presentation for the Key to the City.

Mayor Garcia spoke.

National Anthem by the USO.

Mayor Garcia spoke; provided a video; and presented the Key to the City to Governor George Deukmejian and First Lady Gloria Deukmejian.

First Lady Gloria Deukmejian spoke.

Governor George Deukmejian spoke.

Mayor Garcia spoke; provided a video; and presented the Key to the City to Bobbie Smith.

Bobbie Smith spoke.

Mayor Garcia spoke.

STUDY SESSION (6:06 PM)

1. 15-1272 Recommendation to conduct a study session to receive and discuss the Fiscal Year 2015 Airport Noise Budget Analysis Report and Supplemental Slot Allocation. (District 5)

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

Christian Valdez spoke.

Charles Parkin, City Attorney, spoke.

Councilwoman Mungo spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilwoman Mungo spoke.

Councilman Austin spoke.

Charles Parkin, City Attorney, spoke.

Councilman Austin spoke.

Charles Parkin, City Attorney, spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Uranga spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Uranga spoke.

Councilwoman Price spoke.

Councilmember Supernaw spoke.

Councilmember Richardson spoke.

Larry Boland spoke.

Joe Sopo spoke.

Barbara Shoag spoke.

David Raiklen spoke.

Laurie Smith spoke.

John De La Torre spoke.

Gary Frahm spoke.

Rae Gabelich spoke.

Kristina De La Torre spoke.

Shirley Broussard spoke.

Sterling Raiklen spoke.

Mayor Garcia spoke.

Charles Parkin, City Attorney, spoke.

Mayor Garcia spoke.

Michael Mais, Assistant City Attorney, spoke.

Mayor Garcia spoke.

Councilmember Uranga spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilman Austin spoke.

Councilmember Supernaw spoke.

Michael Mais, Assistant City Attorney, spoke.

This Agenda Item was received and filed.

SECOND ROLL CALL (8:34 PM)

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

HEARING (8:35 PM)

2. 15-1270 Recommendation to receive supporting documentation into the record, conclude the hearing, and declare ordinance amending the Long Beach Municipal Code by adding Chapter 21.66; and by repealing Chapter 5.89, all relating to Medical Marijuana read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Michael Mais, Assistant City Attorney, spoke, and provided and PowerPoint presentation.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

Vice Mayor Lowenthal spoke.

Michael Mais, Assistant City Attorney, spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Price spoke.

Tom Modica, Assistant City Manager, spoke.

Councilwoman Price spoke.

Motion: Approve recommendation, as amended, to [1] ensure that there are nine (9) dispensaries throughout the City, one (1) per Council District; [2] remove license childcare facilities on commercial corridors as a buffer. Moved by Vice Mayor Lowenthal, seconded by Councilmember Uranga.

Councilman Austin spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilman Austin spoke.

Councilmember Richardson spoke.

Michael Mais, Assistant City Manager, spoke.

Councilmember Richardson spoke.

Tom Modica, Assistant City Manager, spoke.

Councilmember Richardson spoke.

Mayor Garcia spoke.

Councilmember Richardson spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Richardson spoke.

Motion: Second substitute motion to approve recommendation, as amended, to [1] ensure that there are nine (9) dispensaries throughout the City, one (1) per Council District, to be phased in starting with five (5) dispensaries; [2] the additional four (4) dispensaries cannot open until six (6) months after the first business is operational; [3] request staff to report back every six (6) months until all nine (9) dispensaries are operational; and [4] remove license childcare facilities on commercial corridors as a buffer.

Moved by Councilmember Richardson, seconded by Vice Mayor Lowenthal.

Councilmember Richardson and Vice Mayor Lowenthal withdrew the second substitute motion.

Councilmember Uranga spoke.

Councilwoman Gonzalez spoke.

Tom Modica, Assistant City Manager, spoke.

Councilwoman Gonzalez spoke.

Michael Mais, Assistant City Manager, spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Price spoke.

Vice Mayor Lowenthal spoke.

Mike Bartling spoke.

Marc Greenberg spoke.

Bill Napier spoke.

Larry Parks spoke.

Jack Smith spoke.

John Donahue spoke.

Nick Morrow spoke.

Albert Smigielski spoke.

Luis Sanchez spoke.

Brett Johnson spoke.

Stefan Borst-Censullo spoke.

Lauren Mendelsohn spoke.

Jeff Abrams spoke.

Lee Vieira spoke.

Sam Sabzehzar spoke.

Shawn Donahue spoke.

Shirley Broussard spoke.

Chuck Brewer spoke.

Scott Montgomery spoke.

Unidentified man spoke.

Councilman Austin spoke.

Councilwoman Price spoke.

Councilmember Richardson spoke.

A substitute motion was made by Councilwoman Price, seconded by Councilman Austin, to [1] allow four (4) businesses to establish with a home delivery service, no onsite sales; [2] six (6) months after the first business is operational, staff will report back on the tax revenues collected, the fiscal impact to the City in terms of enforcement costs, and any public safety issues in that time period; [3] at that time, Council will consider adding four (4) store front locations to be aligned with the home delivery business, same operator; [4] six (6) months after the first store front is operational, Council will consider adding up to three (3) additional store fronts for a total of seven (7), no more than one (1) per Council District; and [5] direct the City Attorney to prepare regulations for medical marijuana cultivation that could be implemented only after the City Council determines that a store front facility is appropriate in the City. The motion carried by the following vote:

Yes: 5 - Gonzalez, Price, Supernaw, Mungo and Austin

No: 4 - Lowenthal, Andrews, Uranga and Richardson

PUBLIC COMMENT (5:54 PM)

15-1332 Suzie Richmond spoke regarding a nuisance property; and submitted correspondence.

This Handout was received and filed.

Councilwoman Gonzalez spoke.

Shirley Broussard spoke regarding Christmas.

CONSENT CALENDAR (6:03 PM)

Passed the Consent Calendar.

A motion was made by Councilwoman Mungo, seconded by Councilman Austin, to approve Consent Calendar Items 3 - 11. The motion carried by the following vote:

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

3. 15-1256 Recommendation to refer to City Attorney damage claims received between November 23, 2015 and November 30, 2015.

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

4. 15-1257 Recommendation to authorize City Manager, or designee, to execute a Memorandum of Understanding, and any subsequent documents and amendments, between the City of Long Beach and Health Net Community Solutions, Inc., for the coordinated provision of Targeted Case Management Services to eligible Medi-Cal beneficiaries for a period of December 31, 2015 through July 1, 2020. (Citywide)

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

5. 15-1258 Recommendation to authorize City Manager to execute all documents necessary to amend Contract No. 34039 with FFBH Motors, LLC, dba Frontier Ford, of Santa Clara, CA, to purchase additional equipment and accessories for eight Ford F-250 CNG-fueled Service Trucks, for an additional amount of \$79,706, for a total contract amount not to exceed \$420,296, inclusive of taxes and fees. (Citywide)

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

6. 15-1259 Recommendation to adopt Specifications No. ITB FS15-183 and award a contract to FFBH Motors, LLC, dba Frontier Ford, of Santa Clara, CA, for the purchase of three Ford F-250 CNG-fueled, Super Cab trucks, in a total amount not to exceed \$205,974, inclusive of

taxes and fees. (Citywide)

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

7. 15-1260 Recommendation to adopt Specifications No. ITB FS15-186 and award a contract to FFBH Motors, LLC, dba Frontier Ford, of Santa Clara, CA, for the purchase of three Ford F-150 CNG-fueled, Regular Cab trucks, in a total amount not to exceed \$122,032, inclusive of taxes and fees. (Citywide)

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

8. 15-1261 Recommendation to adopt Specifications No. RFP FS13-023 and authorize City Manager to execute any and all necessary documents to enter into contracts, and any necessary amendments thereto, with A & E Towing, Inc., of Cypress, CA, A & A Towing, Inc., and Supreme Towing Service, Inc., dba City Tow Service, both of Long Beach, CA, to perform as-needed vehicle towing services, in an aggregate amount not to exceed \$200,000 for a period of one year, with the option to renew for an additional one-year period, at the discretion of the City Manager. (Citywide)

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

9. 15-1264 Recommendation to adopt resolution authorizing City Manager to execute all documents necessary to amend Contract No. 34014 with Atlantic Machinery, Inc., of Silver Spring, MD, for the purchase of two additional Schwarze Model A7000 CNG Regenerative Air Sweepers, for an additional amount of \$638,764, for a total contract amount not to exceed \$1,916,292, inclusive of taxes and fees. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-15-0149 on the Consent Calendar.

Enactment No: RES-15-0149

10. 15-1262 Recommendation to authorize City Manager to execute a new Fitness Provider Permit with Heather Danielle Richard and Rachel Marie Bocchino, individuals, dba SoCal Fit Assist, for the provision and operation of outdoor fitness classes and personal and corporate wellness training at Bluff Park for a term of three years. (District 3)

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

11. 15-1263 Recommendation to receive and file minutes for:
Planning Commission - November 5 and November 9, 2015.

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

REGULAR AGENDA (10:52 PM)

12. 15-1253 Recommendation to request City Manager to direct staff to implement the 6th District Trail of Infinite Hope.

Councilman Andrews spoke.

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

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

13. 15-1271 Recommendation to request City Manager to provide an update on the City's emergency and environmental preparedness for the anticipated upcoming El Nino weather conditions.

Councilmember Supernaw spoke.

Shirley Broussard spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Mungo spoke.

Councilman Andrews spoke.

Councilwoman Gonzalez spoke.

Councilmember Uranga spoke.

Councilmember Supernaw spoke.

Mayor Garcia spoke.

Councilmember Richardson spoke.

Tom Modica, Assistant City Manager, spoke.

Mayor Garcia spoke.

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

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Mayor Garcia declared a recess at 8:27 p.m.

Mayor Garcia called the meeting back to order at 8:34 p.m.

- 14. 15-1265** Recommendation to adopt Specifications No. ITB FS15-151 and award a contract to Fleming Environmental, Inc., of Fullerton, CA, for the construction of an above-ground storage tank fuel site at the West Police Substation, in the amount of \$623,314, plus a 25 percent contingency in the amount of \$155,828, for a total contract amount not to exceed \$779,142; authorize City Manager, or designee, to execute all documents necessary to enter into the contract, including any necessary amendments thereto; and

Increase appropriations in the Fleet Services Fund (IS 386) in the Financial Management Department (FM) by \$480,000. (District 7)

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

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

15. 15-1266 Recommendation to adopt resolution authorizing the formation of a Joint Powers Authority with the Housing Authority of Long Beach; and authorize City Manager to execute the Joint Exercise of Powers Agreement, and related matters. (Citywide)

A motion was made by Councilman Andrews, seconded by Councilman Austin, to approve recommendation and adopt Resolution No. RES-15-0150. The motion carried by the following vote:

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Enactment No: RES-15-0150

16. 15-1267 Recommendation to receive and file the application of DTAP Tavern Company, LLC, dba 4th and Olive Restaurant for an original application of an Alcoholic Beverage Control License, at 743 East 4th Street. (District 1)

Councilwoman Gonzalez spoke.

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

Yes: 8 - Gonzalez, Lowenthal, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Absent: 1 - Price

17. 15-1268 Recommendation to receive and file the application of Jung Hwa

Hong, dba Donburi Cafe for an original application of an Alcoholic Beverage Control License, at 245 Pine Avenue, Suite 120.
(District 2)

Distributed at the meeting: ABC conditions.

Vice Mayor Lowenthal spoke.

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

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

18. 15-1269

Recommendation to receive and file the application of Cider, LLC, dba Independent Cider House for an original application of an Alcoholic Beverage Control License, at 601 East Broadway.
(District 2)

Distributed at the meeting: ABC conditions.

Vice Mayor Lowenthal spoke.

Ango Rocha spoke.

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

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

ORDINANCES (11:03 PM)

19. 15-1292

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding District AD to Section 10.32.110, creating a new preferential parking district read the first time and laid over to the next regular meeting of the City Council for final reading. (District 5)

A motion was made by Councilman Andrews, seconded by Councilwoman Mungo, 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 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

20. 15-1293 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding District AC to Section 10.32.110, creating a new preferential parking district read the first time and laid over to the next regular meeting of the City Council for final reading. (District 7)

A motion was made by Councilmember Uranga, seconded by Councilman Austin, 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 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

NEW BUSINESS (11:05 PM)

21. 15-1291 Recommendation to adopt resolution in support of the June 25, 2015 Joint Applications by Charter Communications, Time Warner Cable, and Advance/Newhouse Partnership to the Federal Communications Commission.

A motion was made by Councilman Austin, seconded by Councilmember Uranga, to approve recommendation and adopt Resolution No. RES-15-0151. The motion carried by the following vote:

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Enactment No: RES-15-0151

22. 15-1294 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, December 4, 2015.

This Agenda Item was received and filed.

23. 15-1314 eComments received for the City Council meeting of Tuesday, December 8, 2015.

This Agenda Item was received and filed.

ANNOUNCEMENTS (11:11 PM)

Councilmember Richardson made community announcements.

Councilman Austin made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilmember Uranga made community announcements.

Councilwoman Gonzalez made community announcements.

Councilmember Supernaw made community announcements.

PUBLIC COMMENT (11:05 PM)

Patrick Crosby spoke regarding police brutality.

Reggie Carter spoke regarding various issues.

ADJOURNMENT (11:19 PM)

At 11:19 PM, Mayor Garcia adjourned the meeting.

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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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