



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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December 4, 2012

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Approve the City Council minutes for the meetings of Tuesday, November 13, 2012 and November 20, 2012.

**DISCUSSION**

The Legistar minutes of the City Council meeting held on Tuesday, November 13, 2012 and November 20, 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: Daisy Gomez

LGH:dg  
Attachments

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

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## 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 as follows: Agenda Item Nos. 1, 28, 2 and 3, Public Comment, Agenda Item No. 25, Consent Calendar, Agenda Item Nos. 12, 26, 27, 22, 43, 21, 23, 24 and 29 through 42.

### ROLL CALL (5:28 PM)

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

**Councilmembers** DeLong  
**Absent:**

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Michael Mais, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Daisy Gomez, City Clerk Analyst; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Suja Lowenthal, Councilmember, Second District.

Vice Mayor Garcia announced that Agenda Item No. 28 would be considered after Continued Hearing No. 1; that Agenda Item Nos. 25, 26, 27 and 43 would be considered at the beginning of the Regular Agenda.

Proclamation for National Hunger and Homeless Awareness Week - November 10 - 18, 2012.

Patricia Benoit, President of the Long Beach Coalition for the Homeless, spoke.

Lucy Hayes spoke.

B. Cherokee Morrison spoke.

Robert Cerince, Homeless Services Officer, spoke.

Proclamation declaring November as Pancreatic Cancer Awareness Month.

Councilwoman Schipske spoke.

Colleen LaSalle spoke.

Vice Mayor Garcia congratulated Lou Wilder on his retirement.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Patrick West, City Manager, spoke.

**CONTINUED HEARINGS (5:46 PM)**

1. 12-0840 Recommendation to receive supporting documentation into the record, conclude the hearing and adopt resolution approving the Long Beach Tourism Business Improvement Area program and assessment for the period of October 1, 2012 through September 30, 2013; and authorize City Manager to execute an agreement with the Long Beach Area Convention and Visitors Bureau for a one-year term. (Districts 1,2,4,5)

Distributed at the meeting: Brochures from Jeffrey J. Forney, Vice

President of Marketing.

Steve Goodling, President and CEO of Long Beach Area Convention and Visitors Bureau, spoke.

Mayor Foster spoke.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Mike Donelon spoke.

Doris Topsy-Elvord spoke.

Demetrios Loizides, George's Greek Cafe business owner, spoke.

**A motion was made by Councilmember Lowenthal, seconded by Vice Mayor Garcia, to approve recommendation and adopt Resolution No. RES-12-0101. The motion carried by the following vote:**

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

**Absent:** 1 - DeLong

**Enactment No:** RES-12-0101

2. 12-0793

Recommendation to receive supporting documentation into the record, conclude the hearing, deny the appeal by Lee Fukui and Mauna Eichner, and uphold the decision of the Planning Commission approving a Conditional Use Permit to establish a consumer finance lender located at 2004 Ximeno Avenue, Suite 200, within the Community Automobile-Oriented (CCA) zoning district. (District 4)

Lee Fukui, appellant, spoke; and provided a PowerPoint presentation.

Dave Galyen, National Director of Technology for Dollar Loan Center, spoke.

Steve Przybocki, Site Manager, spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilman Austin spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

Councilmember Neal spoke.

Michael Mais, Assistant City Attorney, spoke.

Lee Fukui, appellant, spoke.

Mona Mohaneder, Dollar Loan Center Regional Manager, spoke.

Councilman Andrews spoke.

Westin Labar spoke.

Lisa Wibroe spoke.

Scott Dauss spoke.

Artie Parent spoke.

Donald Simms spoke.

Michele Kreinheder spoke; and submitted a petition.

Jason Aula spoke.

Carmela Vacharabul, Dollar Loan Center Loan Processor/Supervisor, spoke; and provided correspondence.

Annie Greenfeld spoke.

Filipe Barron spoke.

John Hollins spoke.

Katie Noel, Director of Leasing at Equity One Real Estate, Inc., spoke.

Mimi Nguyen spoke.

Daryl Supernaw spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilman Austin, to approve recommendation to deny the appeal. The motion carried by the following vote:**

**Yes:** 5 - O'Donnell, Andrews, Johnson, Austin and Neal

**No:** 3 - Garcia, Lowenthal and Schipske

**Absent:** 1 - DeLong

### HEARING (7:33 PM)

3. 12-0940 Recommendation to receive supporting documentation into the record regarding the issuance of Long Beach Bond Finance Authority (LBBFA) Refunding Bonds, conclude the hearing and adopt resolution approving proceedings by the LBBFA for the issuance of 2012 Lease Revenue Refunding Bonds Series A and B, in a total amount not to exceed \$90,000,000, to refund the 1998 Series B Temple and Willow, 2005 Series A Temple and Willow, 2001 Plaza Parking Facility, 2002 Public Safety Facilities, 2003 Skylinks Golf Course, and the 2004 Series A Long Beach Towne Center Site bonds, and approving related documents and actions. (Districts 1,2,3,5)

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0102. The motion carried by the following vote:**

**Yes:** 7 - Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal

**Absent:** 2 - Garcia and DeLong

**Enactment No:** RES-12-0102

**PUBLIC COMMENT (7:37 PM)**

Daniel Haro spoke regarding zoning ordinances.

Jason Aula spoke regarding repeal zoning ordinance.

Darick Simpson, Executive Director at Long Beach Community Action Partnership, and colleagues spoke regarding PADNET Studio Groundbreaking partnership.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

Amelia Niumeitolu spoke regarding language access.

Suzanne Frick, Assistant City Manager, spoke.

Aaron Pan spoke, on behalf of Ladine Chan, regarding language access policy.

Esther Del Valle spoke regarding language access policy.

**SECOND ROLL CALL (7:50 PM)**

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

Councilmember DeLong joined the meeting.

Rene Castro spoke regarding language access policy.

Sithary Ly spoke regarding language access policy.

Val Jacobo spoke regarding language access policy.

Tien Dang spoke regarding language access policy.

Councilmember Neal spoke.

### **CONSENT CALENDAR (8:24 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve Consent Calendar Items 4 - 19, except for Items 11 and 12. The motion carried by the following vote:**

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

4. 12-0945 Recommendation to authorize City Manager to execute a contract and any necessary amendments thereto with Pharmaceutical Technologies, Incorporated, ("PTI") for the administration and delivery of Workers' Compensation Pharmacy Products and Services through a network of pharmacies (referred to as the "NPS System") for the City of Long Beach Workers Compensation Program for the period beginning January 1, 2013 through December 31, 2013, with automatic one-year renewal options, unless terminated by either party at least sixty days before the end of the current term.

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

5. 12-0941 Recommendation to approve the minutes for the City Council meetings of Tuesday, October 16 and 23, 2012.

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

6. 12-0942 Recommendation to refer to City Attorney damage claims received between October 15, 2012 and November 5, 2012.

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



7. 12-0943 Recommendation to approve the destruction of records for Financial Management Department, Accounting Operations Division as shown in Exhibit A; and adopt resolution.  
**A motion was made to approve recommendation and adopt Resolution No. RES-12-0103 on the Consent Calendar.**  
**Enactment No: RES-12-0103**
8. 12-0975 Recommendation to approve the destruction of records for the Human Resources Department as shown in Exhibit A; and adopt resolution.  
**A motion was made to approve recommendation and adopt Resolution No. RES-12-0104 on the Consent Calendar.**  
**Enactment No: RES-12-0104**
9. 12-0944 Recommendation to approve the destruction of records for Long Beach Police Department as shown in Exhibit A; and adopt resolution.  
**A motion was made to approve recommendation and adopt Resolution RES-12-0105 on the Consent Calendar.**  
**Enactment No: RES-12-0105**
10. 12-0973 Recommendation to adopt California Form 806 as required by Fair Political Practices Commission (FPPC) Regulation 18705.5, and direct City Clerk to post and maintain Form 806 on the City Clerk Department home page.  
**A motion was made to approve recommendation on the Consent Calendar.**
11. 12-0947 WITHDRAWN  
~~Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and the University of California San Diego, for the term of April 1, 2012 to March 31, 2013, with the option of three one-year extensions based on funding availability, in the amount of \$206,700, to participate in a California HIV/AIDS Research Program (CHRP) study assessing linkage, engagement, and retention to care to reduce the transmission of HIV; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) in the amount of \$206,700. (Citywide)~~  
**This Contract was withdrawn.**
12. 12-0948 Recommendation to authorize City Manager to execute all documents necessary to enter into an agreement with United States Department of

Agriculture, Wildlife Services Division, to provide wildlife mitigation at the Long Beach Airport in an annual amount not to exceed \$40,000, for a one year period, with four one-year renewal options at the discretion of the City Manager. (District 5)

Councilwoman Schipske spoke.

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

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

**Absent:** 1 - DeLong

13. 12-0949

Recommendation to authorize City Manager to enter into (i) an agreement between the City of Long Beach and SecurityPoint Media for advertising at the Long Beach Airport for one five-year term, with up to five one-year renewal options, at the discretion of the City Manager, and (ii) authorize City Manager to enter into a Memorandum of Understanding between the City of Long Beach and the Transportation Security Administration, to run concurrent with the SecurityPoint Media agreement, for the use of screening bins provided by SecurityPoint Media for passenger screening at the Long Beach Airport. (District 5)

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

14. 12-0950

Recommendation to authorize City Manager to amend Permit No. 27276 with Harbor Breeze Corporation, for the use of docks in Rainbow Harbor for charters, harbor cruises, and whale watching tours for a term of 15 years, with two five-year renewal options at the discretion of the City Manager or his designee. (District 2)

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

15. 12-0951

Recommendation to authorize City Manager to execute all necessary documents to receive and expend funding from the LBPD Solving Cold Cases with DNA 12 grant cooperative agreement; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$157,922. (Citywide)

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

16. 12-0952

Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the University of

California Berkeley Safe Transportation Research and Education Center administering the Sobriety Checkpoint grant funds for the California Office of Traffic Safety; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$121,500. (Citywide)

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

17. 12-0953 Recommendation to adopt resolution and authorize City Manager to execute an agreement and any subsequent amendments with Forensic Nurse Specialists, Inc., for Sexual Assault Response Team services for a period of one year, in the amount of \$120,000, with the option for two additional one-year extension periods, at the discretion of the City Manager. (Citywide)

**A motion was made to approve recommendation and adopt Resolution No. RES-12-0106 on the Consent Calendar.**

**Enactment No:** RES-12-0106

18. 12-0967 Recommendation to authorize City Manager, or designee, to grant an easement to the Aquarium of the Pacific, a California nonprofit public benefit corporation, to facilitate the construction of seawater intake pipeline. (District 2)

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

19. 12-0955 Recommendation to receive and file minutes for: Planning Commission - October 4, 2012.

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

#### **UNFINISHED BUSINESS (9:01 PM)**

20. 12-0812 **WITHDRAWN**  
~~Recommendation to adopt Resolution of Intention to re-establish the Andy Street Multi-family Improvement District (AMID), set the date for a public hearing of Tuesday, January 8, 2013 at 5:00 p.m., receive petitions and designate Andy Street Community Association (ASCA) as the owners' association for the AMID. (District 9)~~

**This Resolution was withdrawn.**

21. 12-0920 Recommendation to receive and file the application of Social Services Staffing, Incorporated, dba The Beach Cafe, for an original Alcoholic

Beverage Control License, at 703 East Artesia Boulevard. (District 9)

Councilmember Neal spoke.

**A motion was made by Councilmember Neal, seconded by Councilmember Johnson, that a protest be filed based on high crime in the area and proximity to residences and Jordan High School. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

### REGULAR AGENDA (8:16 PM)

22. 12-0946 Recommendation to, by motion of the City Council, request City Manager to report to the City Council what steps are necessary to create a Clean Technology Enterprise Zone in Long Beach that would provide opportunities, incentives and training for clean tech businesses willing to locate here.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

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

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

23. 12-0976 Recommendation to, by motion of the City Council, request City Manager and Fire Chief to provide an update at a City Council meeting on impacts of budget cuts on response times of the Fire Department

since 2007 for the 5 call categories: All Fire Calls, Structure Fire Calls, "Bravo" Medical Calls, and both types of "Charlie" Medical Calls.

Councilwoman Schipske spoke.

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

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

24. 12-0956

Recommendation to request City Manager to reappropriate \$350,000 of Upland Oil funds currently budgeted for gunfire location services technology to the Long Beach Police Department to be utilized for FY 13 overtime costs.

Councilmember O'Donnell spoke.

Vice Mayor Garcia spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

Councilmember O'Donnell spoke.

Councilman Austin spoke.

Councilwoman Schipske spoke.

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

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

25. 12-0974

Recommendation to authorize City Manager to continue to meet and confer on proposed ballot measure regarding compensation reform for non public safety City employees and give further direction as to the specific nature of the measure.

Mayor Foster spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Janet Schabow, IAM Union Representative, spoke.

Mayor Foster spoke.

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

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

**No:** 2 - Austin and Neal

**26. 12-0977**

Recommendation to consider adopting the Fraud Prevention and Reporting Policy as an addition to the Ethics Guide for Long Beach City Officials and Employees.

Councilman Austin spoke.

Laura L. Doud, City Auditor, spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilman Austin, seconded by Councilwoman Schipske, to approve recommendation to adopt the Fraud Prevention and Reporting Policy. The motion carried by the following vote:**

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

**Absent:** 1 - DeLong

**27. 12-0978**

Recommendation to request City Manager to direct each department to post and display Fraud Hotline educational posters and brochures within 30 days in prominent areas of all City locations for City employees and members of the public to view.

Laura L. Doud, City Auditor, spoke; and provided a PowerPoint presentation.

Councilmember Lowenthal spoke.

Councilmember Johnson spoke.

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

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

**Absent:** 1 - DeLong

28. 12-0850

Recommendation to authorize City Manager to execute the Tenth Amendment to Agreement No. 28164 with the Long Beach Area Convention and Visitors Bureau, Inc., to provide funding in the amount of \$3,428,676 for Fiscal Year 2013. (Citywide)

Councilmember Neal spoke.

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

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

**Absent:** 1 - DeLong

29. 12-0957

Recommendation to receive and file the Investment Report for Quarter Ending September 30, 2012. (Citywide)

**A motion was made by Councilmember Lowenthal, seconded by Councilmember Neal, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

30. 12-0958

Recommendation to adopt the Statement on Investment Policy for Calendar Year 2013 pursuant to Section 53646 (a) of the State of California Government Code. (Citywide)

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilmember Neal, seconded by Councilman Austin, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

31. 12-0960 Recommendation to adopt Specifications No. RFP FM12-055 and award a contract to RT Lawrence Corporation, of Whittier, CA (not an MBE, WBE, SBE or Local), for the purchase and installation of remittance processing equipment, in an amount not to exceed \$335,000. (Citywide)

**A motion was made by Councilmember Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

32. 12-0961 Recommendation to authorize City Manager to execute all necessary documents to amend Contract No. 31822 with EFS West for design and construction of the Phase II portion of the Shoreline Marina Fuel Dock and Underground Storage Tank (UST) Improvement Project, increasing the contract by \$199,953, for a total contract amount not to exceed \$2,113,535. (District 2)

**A motion was made by Councilmember Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

33. 12-0962 Recommendation to authorize City Manager to amend Contract No. 32082 with American Reprographics Company, a Long Beach-based business (Local; not an MBE, WBE or SBE), by adding \$400,000, bringing the total annual contract amount not to exceed to \$574,000, for providing blueprinting and reprographic services. (Citywide)

**A motion was made by Councilmember O'Donnell, seconded by Councilmember Neal, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal



**Absent:** 2 - DeLong and Andrews

- 34. 12-0963** Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Walgreens Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 3339 East Anaheim Street. (District 4)

**A motion was made by Councilmember O'Donnell, seconded by Councilmember Lowenthal, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

- 35. 12-0964** Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Walgreens Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 2627 Pacific Avenue. (District 6)

Annie Greenfeld spoke.

Councilmember O'Donnell spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilmember Lowenthal, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

- 36. 12-0966** Recommendation to approve the Magnolia Industrial Group Property and Business Improvement District Annual Report and Assessment for the period of December 1, 2012 through November 30, 2013, automatically extending the current agreement with the Magnolia Industrial Group, Inc., for a one-year period. (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:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

37. 12-0968 Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for a Supplemental Agreement to Management Agreement No. 21667 with SMG (formerly known as Spectacor Management Group) for the completion of certain capital improvement projects at the Long Beach Convention and Entertainment Center (Center) located at 300 East Ocean Boulevard. (District 2)

**A motion was made by Councilmember Lowenthal, seconded by Councilman Austin, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

38. 12-0970 Recommendation to adopt Plans and Specifications No. R-6886 for the Rehabilitation of Pacific Avenue between Willow Street and Spring Street, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with All American Asphalt, the lowest responsible bidder, and any necessary amendments thereto relative to the scope of work, in an estimated amount of \$917,917, with a 15 percent contingency in the amount of \$137,688 if necessary and if funds are available, for a total of \$1,055,605. (Districts 6,7)

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

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

39. 12-0872 Recommendation to authorize City Manager to execute an agreement for installation of Electrical Vehicle Charging Stations with Electric Transportation Engineering Corporation, dba ECOTality North America, in a no-cost contract for a three-year term with an option for an additional two-year extension; and to execute subsequent amendments and only related documents including utility easements and to authorize additional no-cost services, if required. (Citywide)

Vice Mayor Garcia spoke.

Councilman Austin spoke.

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

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

**40. 12-0971**

Recommendation to adopt Plans and Specifications No. R-6941 for the annual contract for Public Works Repairs and Minor Improvements, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with Palp, Inc., dba Excel Paving Company, and any necessary amendments thereto relative to the scope of work or to extend the contract term for up to two additional one-year terms and increase unit prices, if necessary, for inflation, in the amount of \$9,200,000. (Citywide)

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

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

#### **ORDINANCES (9:36 PM)**

**41. 12-0926**

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 10.33 relating to a Temporary Construction Preferential Parking District, read, adopted as read 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)

**A motion was made by Councilmember Lowenthal, seconded by Councilmember Johnson, to declare an emergency to exist. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

**A motion was made by Councilmember Neal, seconded by Councilman Austin, approve recommendation to declare Emergency Ordinance No. ORD-12-0017, read, adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

**Enactment No:** ORD-12-0017

42. 12-0932

Recommendation to declare an urgency ordinance imposing a moratorium on permitting and zoning action relating to new payday lending, vehicle title loan, or check cashing businesses; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-12-0016) (Citywide)

Councilmember Neal spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilman Austin, to approve recommendation and adopt Emergency Ordinance No. ORD-12-0016. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

**Enactment No:** ORD-12-0016

#### **NEW BUSINESS (8:53 PM)**

43. 12-1010

Recommendation to receive and file a report from the City Manager on the City of Long Beach's actions to assist in Super Storm Sandy relief efforts.

Vice Mayor Garcia spoke.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember Neal, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

44. Affidavit of Service for the Special Meeting held Tuesday, November 13, 2012.

45. 12-0919 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 9, 2012.

**This Agenda Item was received and filed.**

46. 12-1012 eComments received for the City Council meeting of Tuesday, November 13, 2012.

**This Agenda Item was received and filed.**

**ANNOUNCEMENTS (9:40 PM)**

Vice Mayor Garcia requested that the meeting be adjourned in memory of Dr. Bill O'Neill.

Councilwoman Schipske made community announcements.

Councilmember Johnson made community announcements.

Councilmember Neal made community announcements.

Councilman Austin made community announcements.

Councilmember O'Donnell made community announcements.

**ADJOURNMENT (9:49 PM)**

At 9:49 P.M., Vice Mayor Garcia adjourned the meeting in memory of Dr. Bill O'Neill.

dg

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

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## 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 the Prime Time for Business Presentation by The Red Leprechaun, which was considered between Hearing Items Nos. 2 and 3.

### ROLL CALL (5:04 PM)

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

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Assistant City Attorney; Michael Mais, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Vice Mayor Garcia presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: James Johnson, Councilmember, Seventh District.

Prime Time for Business Presentation - the Red Leprechaun.

Councilmember O'Donnell spoke.

Tracy Ames, owner of the Red Leprechaun, provided a presentation.

Councilmember Lowenthal spoke.

### CONTINUED HEARING (5:06 PM)

1. 12-0795 Recommendation to receive supporting documentation into the record, conclude the hearing, find that the area to be vacated is not needed for

present or prospective public use, and adopt resolution ordering the vacation of a portion of the east half of the east/west alley, west of Quincy Avenue and south of 7th Street. (District 3)

Patrick Perry spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, that the item be continued, with no date certain for return to City council; and referred to the Planning Commission for review. The motion carried by the following vote:**

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

### HEARINGS (5:10 PM)

2. 12-0992 Recommendation to receive supporting documentation into the record, conclude the hearing; adopt resolution making certain findings; and approve and authorize City Manager to execute and take all actions reasonably necessary to implement an Amended and Restated Owner Participation Agreement with Shoreline Gateway, LLC, for the development of the Shoreline Gateway Project. (District 2)

John Sangneister spoke.

Councilmember Johnson spoke.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0107, as amended regarding the CEQA determination. The motion carried by the following vote:**

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

**No:** 1 - Johnson

**Enactment No:** RES-12-0107

3. 12-0993 Recommendation to receive supporting documentation into the record, conclude the hearing, consider the Belmont Heights Community Association's appeal, and uphold the decision of the Planning Commission to approve a Standards Variance allowing the reconstruction of a second home, demolished without a permit, at 237 Roycroft Avenue within the Single Family Residential zone. (District 3)

Dianne Sundstrom, President of the Belmont Heights Community

Association, appellant spoke.

Dale Ramezani, applicant, spoke.

Elden Chambers spoke.

Maureen Daley, Vice President of the Belmont Heights Community Association, appellant spoke.

Gordona Cager spoke.

Councilmember DeLong spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation to uphold the Planning Commission decision to approve a Standards Variance. The motion carried by the following vote:**

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

**No:** 1 - Schipske

4. 12-0994

Recommendation to receive supporting documentation into the record, conclude the hearing, reject the appeal by Kirt Ramirez, and uphold the Planning Commission's decision to approve a Conditional Use Permit (Application No. 1111-02) for the installation of an AT&T wireless telecommunications facility on the rear of the rooftop of a four-story apartment building located at 4205 East Anaheim Street. (District 4)

Michael Mais, Assistant City Attorney, spoke.

Kirt Ramirez, appellant, spoke; and submitted correspondence.

Tim Miller, representing AT&T, spoke.

Kirt Ramirez, appellant, spoke in rebuttal to applicant.

Patricia Longren spoke.

Larry Goodhue spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.



Councilman Austin spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilmember Neal, to approve recommendation to uphold the Planning Commission decision to approve a Conditional Use Permit. The motion carried by the following vote:**

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

5. 12-0995

Recommendation to receive supporting documentation into the record, conclude the hearing, consider the appeal by Pennbrooke Financial Services LLC, and approve a Conditional Use Permit (CUP) request for an "other financial service" (auto title loan) business located at 201 West Pacific Coast Highway within the Community Automobile-Oriented (CCA) and Regional Highway District (CHW) zones; or

Receive supporting documentation into the record, conclude the hearing, consider the appeal by Lee Fukui, Mauna Eichner, Lisa Wibroe, Annie Greenfeld, Colleen McDonald, Sam Portillo and Jack Smith, and deny the Conditional Use Permit (CUP) request for an "other financial service" (auto title loan) business located at 201 West Pacific Coast Highway within the Community Automobile-Oriented (CCA) and Regional Highway District (CHW) zones. (District 6)

David Carlat, Pennbrooke Financial Services LLC, spoke.

Roger Diamond, Attorney for Pennbrooke Financial Services LLC, spoke.

Linda Mendoza, property owner for 201 West Pacific Coast Highway, spoke.

Ken Waco, Pennbrooke Financial Services LLC, spoke.

Lee Fukui and Mauna Eichner, appellants, spoke; and provided a PowerPoint presentation.

Lisa Wibroe, appellant, spoke.

David Carlat, Pennbrooke Financial Services LLC, spoke in rebuttal.

Christopher Wilson, representing Pennbrooke Financial Services LLC, spoke in rebuttal; and submitted a map of the Community Petition and Application Survey.

Roger Diamond, Attorney for Pennbrooke Financial Services LLC, spoke

in rebuttal.

Maura Eichner, appellant, spoke in rebuttal.

Lee Fukui, appellant, spoke in rebuttal.

Annie Greenfeld, appellant, spoke in rebuttal.

Sam Portillo, appellant, spoke in rebuttal.

Michael Mais, Assistant City Attorney, spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

Larry Goodhue spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember Neal, to approve recommendation to deny the Conditional Use Permit, based on the Negative Findings presented by staff in Exhibit A of the Development Services Department report. The motion carried by the following vote:**

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

**PUBLIC COMMENT (8:01 PM)**

Lin Lin Wang spoke regarding struggles of the nurses working at Community Hospital of Long Beach.

Raymond Urias spoke regarding issues in the emergency department at Community Hospital of Long Beach.

Judy Concepcion spoke regarding staffing ratio of nurses at Community Hospital of Long Beach.

Gerardine Ramos-Monton spoke regarding nursing issues at Community Hospital of Long Beach.

Pedora Keo spoke regarding concerns about education of nurses at community Hospital of Long Beach.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Jonathan Polk spoke regarding notice of abatement received.

Larry Goodhue spoke regarding a variety of issues.

#### **CONSENT CALENDAR (8:28 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve Consent Calendar Items 6 - 11, except for Item 10. The motion carried by the following vote:**

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

**Absent:** 2 - Andrews and Neal

6. 12-0959 Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending June 30, 2012.

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

7. 12-0996 Recommendation to refer to City Attorney damage claims received between November 5, 2012 and November 12, 2012.

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

8. 12-0997 Recommendation to adopt resolution approving the Proposed Fiscal Year 2012-2013 Harbor Department Salary Resolution No. HD-2689.  
**A motion was made to approve recommendation and adopt Resolution No. RES-12-0108 on the Consent Calendar.**  
**Enactment No: RES-12-0108**
9. 12-1002 Recommendation to authorize City Manager to execute a Surface Use Agreement and Amendment to Easement and Right of Way between the City of Long Beach, as Unit Operator of the West Wilmington oil operations, and Baker Cold Storage, Inc. (District 1)  
**A motion was made to approve recommendation on the Consent Calendar.**
10. 12-0954 Recommendation to authorize City Manager to enter into an agreement and all related documents with the County of Los Angeles Department of Public Works, the County Sanitation District and EDCO Disposal to support the operation of a regional household hazardous waste facility. (Citywide)  
  
Councilmember Johnson spoke.  
**A motion was made by Councilmember Johnson, seconded by Councilmember DeLong, to approve recommendation. The motion carried by the following vote:**  
**Yes:** 7 - Garcia, Lowenthal, DeLong, O'Donnell, Johnson, Austin and Neal  
**Absent:** 2 - Schipske and Andrews
11. 12-0998 Recommendation to receive and file minutes for:  
Civil Service Commission - October 17, 2012.  
Planning Commission - October 18, 2012.  
**A motion was made to approve recommendation on the Consent Calendar.**

**REGULAR AGENDA (8:31 PM)**

12. 12-1011 Recommendation to request City Manager to review the feasibility of allowing residents to make park reservations online and identify other potential City services that may be made accessible online, and report back to the City Council within 60 days.  
  
Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Vice Mayor Garcia spoke.

**A motion was made by Councilmember Johnson, seconded by Councilmember DeLong, 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

13. 12-0972

Recommendation to receive and file the Water and Sewer Rate Increase Audit Report, and request the Long Beach Water Department Management to review the recommendations, develop strategies for implementation, and update the City Auditor as to the status of the recommendations within nine months.

Laura L. Doud, City Auditor, spoke; and provided a PowerPoint presentation.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Laura L. Doud, City Auditor, spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, 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

14. 12-1000

Recommendation to authorize City Manager to execute a contract and

all necessary amendments, including term extensions, with the Department of Homeland Security to receive and expend Department of Homeland Security grant funding for the 2012 Port Security Grant Program, in an amount not to exceed \$601,034 for a period ending August 31, 2014; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$703,379, and in the General Grants Fund (SR 120) in the Police Department (PD) by \$98,000. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilmember Neal, 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

15. 12-1001

Recommendation to adopt resolution declaring a shelter crisis; suspending applicable provisions of local law, including those contained in the City's zoning ordinances and regulations; and authorizing the operation of a winter shelter between the dates of December 1, 2012 and March 15, 2013, inclusive; and

Authorize City Manager to execute any and all documents necessary for a Lease and Sublease by and among the City of Long Beach, Long Beach Rescue Mission and/or affiliated entities, and any necessary amendments at the discretion of the City Manager for approximately 12,000 rentable square feet of industrial space at 702 West Anaheim Street at the monthly base rent of \$6,000 for use as a winter shelter; and increase appropriations in the General Fund (GP) in the Department of Health and Human Services (HE) by \$21,000. (District 1)

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Susan Price, Health Department, spoke.

Jim Lewis, Long Beach Rescue Mission, spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0109, with the operational period for the winter shelter changed to end March 1, 2013 and lease would be at no cost to the City, thereby requiring no appropriations. The motion carried by the following vote:**

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

**Absent:** 1 - Andrews

**Enactment No:** RES-12-0109

16. 12-1003

Recommendation to adopt resolution authorizing City Manager to execute all necessary documents with Allen Instruments and Supplies for the sole source purchase of eight Trimble NetR9 Ti-1 Reference Stations with Zephyr Geodetic 2 Antennas, hardware, and related software for subsidence monitoring activity at a cost of \$190,966, plus \$25,000 for any equipment repair, if necessary and if funds are available, over the next five years. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0110. The motion carried by the following vote:**

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

**Absent:** 1 - Andrews

**Enactment No:** RES-12-0110

17. 12-1004

Recommendation to authorize City Manager to execute the Fifth Amendment to Contract No. 31687 with Bellingham Marine Industries, Inc., for an additional \$5,197,682, plus a \$150,000 contingency, for a total of \$5,347,682, for Phase 2C of the Alamitos Bay Marina rebuild project, for a revised contract amount not to exceed \$36,115,297; execute all documents necessary to proceed with this phase of the reconstruction of Basin 1 in the Alamitos Bay Marina; and increase appropriations by \$1,798,413 in the Marina Fund (TF 403) in the Department of Parks, Recreation and Marine (PR). (District 3)

Larry Goodhue spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, 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

18. 12-1005

Recommendation to authorize City Manager to execute the Sixth Amendment to Lease No. 17448 between the City of Long Beach and

American Golf Corporation, to amend the agreement and clarify the requirements regarding golf Charity Days. (Districts 3,4,5)

**A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, 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

19. 12-1006

Recommendation to receive and file the application of Blackbird Cafe, Incorporated, dba Blackbird Cafe, for an original Alcoholic Beverage Control License, at 3403 and 3405 Orange Avenue. (District 7)

Councilmember Johnson spoke.

**A motion was made by Councilmember Johnson, seconded by Councilmember DeLong, 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

20. 12-1007

Recommendation to authorize City Manager to execute any and all documents necessary for a Public Improvement Reimbursement Agreement between the City of Long Beach and the Long Beach Community College District for the construction of certain improvements at the intersection of Carson Street and Faculty Avenue, and any necessary amendments thereto. (District 5)

Councilwoman Schipske spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember Neal, 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

21. 12-1008

Recommendation to authorize City Manager to execute a second amendment to Contract No. 32168 with BiTech Construction Company, for the annual contract for concrete repairs and related improvements to increase the contract amount by an additional \$3,000,000, for a total not to exceed amount of \$7,000,000, through the authorized final contract



term ending December 30, 2013. (Citywide)

Larry Goodhue spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, 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

22. 12-1009

Recommendation to authorize City Manager to execute a second amendment to Contract No. 32487 with CJ Concrete Construction, Inc., for the annual contract for concrete repairs and related improvements to increase the contract amount by an additional \$4,000,000, for a total not to exceed amount of \$8,000,000, through the authorized final contract term ending December 30, 2013. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, 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

### ORDINANCES (9:11 PM)

23. 12-0870

Recommendation to declare ordinance amending the Long Beach Municipal Code Section 15.36.120(A) regarding expansion of the low-income gas discount to include sub-metered residential gas service customers of master-metered mobile-home parks read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

**A motion was made by Councilmember Johnson, seconded by Councilmember Lowenthal, 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:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 1 - Andrews

24. 12-0926

Recommendation to declare urgency ordinance amending the Long Beach Municipal Code by adding Chapter 10.33 relating to a Temporary

Construction Preferential Parking District, declaring the urgency thereof and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-12-0017) (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to declare Emergency Ordinance No. ORD-12-0017 read and adopted as read. The motion carried by the following vote:**

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

**Absent:** 1 - Andrews

**Enactment No:** ORD-12-0017

**NEW BUSINESS (9:13 PM)**

25. 12-0989 Recommendation to City Council to concur in recommendation of the State Legislation Committee to approve the 2013 State Legislative Agenda.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Ray Thorn, Friends of Colorado Lagoon, spoke.

Dave Perazzi spoke.

Gary Shelton spoke.

Larry Goodhue spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilman Austin, to approve recommendation, with the exception that the California Environmental Protection Act (CEQA) component (Item O - on page 6 of 12) be withdrawn from the State Legislative Agenda. The motion carried by the following vote:**

**Yes:** 7 - Garcia, Lowenthal, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 2 - DeLong and Andrews

26. Affidavit of Service for the special meeting held, Tuesday, November 20, 2012.

27. 12-1015 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 16, 2012.

**This Agenda Item was received and filed.**

28. 12-1016 eComments received for the City Council meeting of Tuesday, November 20, 2012.

**This Agenda Item was received and filed.**

#### **ANNOUNCEMENTS (9:29 PM)**

Vice Mayor Garcia requested that the meeting be adjourned in memory of Mary Rose Molina.

Councilmember Neal made community announcements.

Councilmember Lowenthal extended condolences to the Molina family; and made community announcements.

Councilwoman Schipske extended condolences to the Molina family; and made community announcements.

Councilman Austin made community announcements.

Councilmember Johnson made community announcements.

Vice Mayor Garcia spoke.

#### **ADJOURNMENT (9:39 PM)**

At 9:39 PM, Vice Mayor Garcia adjourned the meeting in memory of Mary Rose Molina.

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