



C-5

CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

January 21, 2014

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meeting of Tuesday, January 7, 2014.

DISCUSSION

The Legistar minutes of the City Council meetings held Tuesday, January 7, 2014 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: Carolyn Hill

LGH:cah
Attachment

Dr. Robert Garcia, Vice Mayor, 1st District
Dr. Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, R.N.P./J.D., 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Al Austin, 8th District
Steven Neal, 9th District

Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

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 Agenda Item No. 23 which was considered prior to Agenda Item No. 2.

ROLL CALL (5:03 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, City Attorney; Michael Mais, Assistant City Attorney; Larry Herrera, City Clerk; Pablo Rubio, City Clerk Assistant.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Dee Andrews, Councilman, Sixth District.

Presentation for LA County Police Chief's Association swearing in.

Patrick West, City Manager, spoke.

Jackie Lacey, Los Angeles County District Attorney, spoke.

Paul Cooper, Chief of Police, Claremont Police Department, spoke.

Jim McDonnell, Chief of Police, spoke.

HEARINGS (5:15 PM)

1. 14-0003 Recommendation to receive supporting documentation into the record, conclude the public hearing, adopt resolution approving the 2013-2021 Housing Element as part of the City's General Plan, authorize its submittal to the State Department of Housing and Community Development; authorize Director of Development Services to submit the adopted Housing Element to the California Coastal Commission for a finding of conformance with the Certified Local Coastal Program; and

Certify the Negative Declaration ND 03-13. (Citywide)

Suzanne Frick, Assistant City Manager, spoke.

Amy Bodek, Director of Development Services, spoke; and provided a PowerPoint presentation.

Councilman Austin spoke.

Gary Shelton spoke.

Dianne McNinch spoke.

Larry Goodhue spoke.

Jeremy Harris, Senior Vice President of Long Beach Area Chamber of Commerce, spoke.

Joshua Host, Co-Founder of Urban Village, spoke.

Ehud Mouchly, Principal at READI, LLC, spoke.

Francis Emily Dawson Harris spoke.

Mike Dunfee spoke.

Joe Gannon spoke.

Kraig Kojian, President of Downtown Long Beach Associates, spoke.

Cindy Sodo spoke.

Lazara Gonzalez spoke.

Porta Gilbert spoke.

Stephanie Lee spoke.

Andrew Hausermann spoke.

Scottie Henke spoke.

Lillia Fuentes spoke.

Brooke Clavacia spoke.

Jennie Pearce spoke.

Dennis Dunn spoke.

Calvin Johnson spoke.

Don Darnauer spoke.

Sandy Sanchez spoke.

Diana Lejins spoke.

Laura Marin spoke.

Kerry Gallagher, Executive Director of Housing Long Beach, spoke.

Pat Denistone spoke.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

Councilman Andrews spoke.

Patrick West, City Manager, spoke.

Councilmember Neal spoke.

Patrick West, City Manager, spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Patrick West, City Manager, spoke.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Councilmember Johnson spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation, as amended, to require that staff report back its analysis on a rent escrow account program no later than December 2014; and adopt Resolution No. RES-14-0001. The motion carried by the following vote:

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

Enactment No: RES-14-0001

2. 14-0004 Recommendation to receive supporting documentation into the record, conclude the public hearing, and declare ordinance amending the Zoning Regulations of the Long Beach Municipal Code, Title 21, relating to the regulation of billboards (off-site advertising) read for the first time and laid over to the next regular meeting of the City Council for final reading;

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Ron Miller spoke.

Dennis Dunn spoke.

Tim Fox spoke.

Mike Murchison spoke.

Larry Goodhue spoke.

Victor De La Cruz spoke.

Councilmember DeLong spoke.

Tim Fox spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Victor De La Cruz spoke.

Councilwoman Schipske spoke.

Victor De La Cruz spoke.

Councilwoman Schipske spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember DeLong spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember DeLong spoke.

Victor De La Cruz spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Victor De La Cruz spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Johnson spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember DeLong spoke.

Michael Mais, Assistant City Attorney, spoke.

A motion was made by Councilmember Johnson, seconded by Councilmember O'Donnell, to approve recommendation, as amended, to: [1] direct staff to report back with a recommendation of suggested modifications to Section 21.54.170.C within 60 days after the effective date; [2] bring back for second reading, as part of the adoption, a revised Section 21.54.160.D to include: The Applicant shall, as part of the CUP approval process, provide a cash bond in an amount as determined by the Planning Commission to reasonably insure the prompt removal of billboards; [3] and 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 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal

14-0009

Adopt resolution directing Director of Development Services to submit the ordinance amendments to the California Coastal Commission for a finding of conformance with the Certified Local Coastal Program; and

Accept the Categorical Exemption CE-13-118. (Citywide)

A motion was made by Councilmember DeLong, seconded by Vice Mayor Garcia, to approve recommendation and adopt Resolution No. RES-14-0002. The motion carried by the following vote:

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

Enactment No: RES-14-0002

PUBLIC COMMENT (8:53 PM)

David Zink spoke regarding prohibition.

Claude Diles spoke regarding civil rights.

14-0051

Gayle Diles spoke regarding police misconduct; and submitted correspondence.

This Handout was received and filed.

Councilmember Lowenthal spoke.

Diana Lejins spoke regarding the Americans with Disabilities Act.

CONSENT CALENDAR (9:07 PM)

Passed The Consent Calendar

A motion was made by Councilmember Lowenthal, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 3 - 12. The motion carried by the following vote:

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

Absent: 1 - DeLong

3. 14-0005 Recommendation to approve the minutes for the City Council meetings of Tuesday, December 10 and December 17, 2013 and the Study Session of Tuesday, December 10, 2013.

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

4. 14-0006 Recommendation to refer to City Attorney damage claims received between December 9, 2013 and December 30, 2013.

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

5. 14-0007 Recommendation to approve the destruction of records for City Clerk Department, as shown in Exhibit A; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-14-0003 on the Consent Calendar.

Enactment No: RES-14-0003

6. 14-0010 Recommendation to authorize City Manager to execute an interim agreement for temporary as-needed building plan check and inspection staffing services with Jason Addison Smith Consulting Services, Inc., dba JAS Pacific, of Upland, CA (not an MBE, WBE, SBE or Local), in an amount not to exceed \$249,900 for a term of one year, pending completion of a procurement process. (Citywide)

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

7. 14-0026 Recommendation to adopt the recommendation of the Homeless Services Advisory Committee for allocation of Mayor's Fund for the Homeless funds in the amount of \$15,000 to Mental Health America of Los Angeles; authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and Mental Health America of Los Angeles for the provision of services for the homeless; and increase appropriations in the General Fund (GP) and the Department of Health and Human Services (HE) by \$15,000. (Citywide)

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

8. 14-0012 Recommendation to authorize City Manager to execute all documents necessary to execute a new Right-of-Entry Permit with the Long Beach Plaza Little League, a chartered member of Little League Baseball, Inc., and/or its agents, for the construction and/or installation of various improvements to the baseball and softball fields at Cherry Park. (District 7)

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

9. 14-0013 Recommendation to authorize City Manager to accept \$30,000 in County of Los Angeles grant funding for the Bixby Park restoration project; execute any documents necessary for the implementation and administration of the project; and increase appropriations in the Capital Projects Fund (CP) in the Public Works Department (PW) by \$30,000. (District 2)

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

10. 14-0014 Recommendation to authorize City Manager to execute an agreement and any subsequent amendments with the State of California Highway Patrol (CHP) for use of the Long Beach Police Department (LBPD) Pistol Range for a period of three years for a total of \$28,800. (District 5)

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

11. 14-0015 Recommendation to authorize the City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Red Leprechaun located at 4000 East Anaheim Street. (District 4)

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

12. 13-1126 Recommendation to receive and file minutes for:
Civil Service Commission - November 27 and December 4, 2013.
Planning Commission - November 21 and December 5, 2013.

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

REGULAR AGENDA (9:07 PM)

13. 13-1107 Recommendation to request City Manager to provide an update on how the Long Beach Police Department is responding to the increases in residential crimes being committed in the Eastside Division and to determine what additional funding is needed to deal with AB 109 realignment and the increases in residential and other crimes.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Diane Legins spoke.

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

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

14. 14-0024 Recommendation to direct City Clerk to place an advisory question on the April 8, 2014 citywide election ballot asking Long Beach voters: "Should the City of Long Beach allow the sale, use and possession of state approved fireworks within the city limits?"; and request the Office of the Mayor to designate persons, or associations of persons, to write arguments either for or against or both for and against the approval of the advisory question placed on the ballot.

Councilman Austin spoke.

Mayor Foster spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Charles Parkin, City Attorney, spoke.

Dennis Dunn spoke.

Diane Legins spoke.

John Kelly, Vice President at TNT Fireworks, spoke.

Eddie Rosales spoke.

Larry Goodhue spoke.

Councilmember Johnson spoke.

Mayor Foster spoke.

Larry Herrera, City Clerk, spoke.

A motion was made by Councilman Austin, seconded by Councilmember DeLong, to direct City staff to return in 30 days with a report on the impacts of allowing fireworks in the City; for Council to decide prior to March 7, 2014, whether to ask the question on the June 3, 2014 ballot. The motion carried by the following vote:

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

15. 14-0022

Recommendation to adopt resolution Version A or Version B regarding a proposed ballot measure to be placed on the April 8, 2014 ballot for the purpose of submitting to the voters of the City of Long Beach an ordinance amending Chapter 3.80 of the Long Beach Municipal Code, relating to Marijuana Business License General tax; and request the Office of the Mayor to designate persons, or associations of persons, to write arguments either for or against or both for and against the adoption of the measure placed on the ballot. (Citywide)

Charles Parkin, City Attorney, spoke.

Councilmember Neal spoke.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Vice Mayor Garcia spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Councilman Austin spoke.

Councilmember O'Donnell spoke.

Larry Goodhue spoke.

Gina Nam, Long Beach Collective Association, spoke.

Adam Hijazi spoke.

Diana Lejins spoke.

John Bianco spoke.

Councilman Austin spoke.

Charles Parkin, City Attorney, spoke.

Councilmember Lowenthal spoke.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Charles Parkin, City Attorney, spoke.

Councilmember Lowenthal spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Larry Herrera, City Clerk, spoke.

Councilmember Lowenthal spoke.

Charles Parkin, City Attorney, spoke.

A motion was made by Councilman Austin, seconded by Councilmember Lowenthal, to approve recommendation, as amended, to adopt resolution Version B with a range of \$15 - \$50 tax on cultivation sites per square foot; and adopt Resolution No. RES-14-0004. The motion carried by the following vote:

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

No: 1 - Schipske

Enactment No: RES-14-0004

16. 14-0023

Recommendation to adopt resolution of the City Council of the City of Long Beach calling and providing for and giving notice of a Special Municipal Election to be held April 8, 2014 for the purpose of submitting two (2) ballot propositions to the qualified electors of the City of Long Beach.

Vice Mayor Garcia spoke.

Larry Herrera, City Clerk, spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Neal, to approve recommendation and adopt Resolution No. RES-14-0005. The motion carried by the following vote:

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

No: 1 - Schipske

Enactment No: RES-14-0005

17. 13-0343

Recommendation to authorize City Manager to execute all documents necessary for the Seventh Amendment to Lease No. 17448 between the City of Long Beach and American Golf Corporation, a California corporation, for the continued operation of the City's golf courses and associated activities. (Districts 3,4,5)

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, Andrews, Johnson and Austin

Absent: 1 - Neal

- 18. 14-0016** Recommendation to adopt resolution authorizing City Manager to execute a contract with Leader Emergency Vehicles, of South El Monte, CA (not an MBE, WBE, SBE or Local), for the purchase of seven (7) ambulances, on the same terms and conditions afforded to the City of Newport Beach, in the amount of \$1,826,162 plus a 5 percent contingency of \$91,308, for a total amount not to exceed \$1,917,470. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-14-0006. The motion carried by the following vote:

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

Absent: 1 - Neal

Enactment No: RES-14-0006

- 19. 14-0008** Recommendation to adopt resolution authorizing City Manager to submit a grant application to the California Department of Housing and Community Development, through the Housing-Related Parks Program, for the replacement of the playground, and the rehabilitation of park amenities and park grounds at MacArthur Park, at an estimated total project cost of \$584,250. (District 6)

Councilman Andrews spoke.

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-14-0007. The motion carried by the following vote:

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

Enactment No: RES-14-0007

- 20. 14-0018** 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 Councilmember DeLong, to approve recommendation. The motion carried by the following vote:

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

21. 14-0025

Recommendation to authorize City Manager to execute all amendments and documents necessary to increase the aggregate total contract authority for existing firms currently under contract: Kleinfelder West Inc. (Local), Ninyo and Moore Corp., Group Delta Consultants Inc., Psomas Corp., Twining Inc. (Local), Totum Corp. (Local), Ghirardelli Associates Inc. (Local), and Willdan Engineering, (none MBE/WBE) for as-needed certified materials testing and inspection, and construction management services by \$2,000,000, for a revised total not to exceed \$10,000,000, and to extend the term of each contract to January 31, 2015. (Citywide)

Councilmember Lowenthal spoke.

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

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

22. 14-0020

Recommendation to adopt Plans and Specifications No. R-6958 for the Improvement of Pine Avenue, between Seaside Way and Anaheim Street; award the contract to All American Asphalt, of Corona, California (not a MBE, WBE, DBE or Local), for the base bid in the amount of \$4,370,286 and the additive bid for items AB-2, AB-3 and AB-5, in the amount of \$57,021, for a total of \$4,427,307, plus a 15 percent contingency of \$664,096, for a total contract amount not to exceed \$5,091,403; and authorize City Manager, or designee, to execute all documents necessary to enter into the contract, including any necessary amendments thereto;

Authorize City Manager, or designee, to execute all documents and necessary amendments to award street light additive bid items AB-1 and

AB-6 through AB-13, for a total of \$751,331, plus a 15 percent contingency of \$112,700, for a total contract amount not to exceed \$864,031, to City Light and Power under its existing agreement with the City of Long Beach; and

Increase appropriations in the Capital Projects Fund (CP) in the Public Works Department (PW) by \$215,000 from Transportation Mitigation Program funds. (Districts 1,2)

Councilmember Lowenthal spoke.

Kraig Kojian, President of Downtown Long Beach Associates, spoke.

Vice Mayor Garcia spoke.

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

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

ORDINANCE (7:37 PM)

23. 14-0021

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 9.61, relating to Social Hosting Responsibility read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Councilman Austin spoke.

A motion was made by Councilman Austin, seconded by Councilmember DeLong, 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 - Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal

Absent: 1 - Garcia

NEW BUSINESS (10:56 PM)

24. 14-0037 eComments received for the City Council meeting of Tuesday, January 7, 2014.

This Agenda Item was received and filed.

ANNOUNCEMENTS (10:56 PM)

Councilman Andrews made community announcements.

Councilmember Neal made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Johnson made community announcements.

ADJOURNMENT (11:00 PM)

At 11:00 PM, Vice 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 City Clerk Department at (562) 570-6101, 72 hours prior to the City Council meeting.

Kung ang nakasulat na pagsasalin-wika ng adyenda at mga katitikan ng Konseho ng Lunsod ay hinahangad para sa mga taong hindi nagsasalita ng Ingles, mangyaring gawin ang iyong kahilingan sa pamamagitan ng telepono sa Kagawaran ng Klerk ng Lunsod sa (562) 570-6101, 72 oras bago ang pulong ng Konseho ng Lunsod.”

Si desea obtener la traducción lingüística escrita de la agenda y las actas del Concejo Municipal para las personas que no hablan inglés, realice su pedido por teléfono al Departamento de la Secretaría Municipal al (562) 570-6101, 72 horas antes de la reunión del Concejo Municipal.

បើលោកអ្នកមិនចេះនិយាយភាសាអង់គ្លេស ហើយត្រូវការរៀបរាប់អំពីកិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង និងរបាយការណ៍កិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង ជាសំណៅប្រែសម្រួលលាយលក្ខណ៍អក្សរទៅជាភាសារបស់លោកអ្នក នោះសូមស្នើសុំមកនាយកដ្ឋានសៀវភៅសាលាក្រុង តាមទូរស័ព្ទលេខ (562) 570-6101 អោយបាន 72 ម៉ោងមុនកិច្ចប្រជុំក្រុមប្រឹក្សាសាលាក្រុងត្រូវបានធ្វើឡើង។