

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, Acting City Attorney

FINISHED AGENDA & 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. 3 ballot results were announced prior to Agenda Item No. 19.

ROLL CALL (5:04 PM)

Councilmembers Present: Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Councilmembers Absent: O'Donnell, Schipske and Johnson

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Acting City Attorney; Larry Herrera, City Clerk; Pablo Rubio, City Clerk Assistant.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Steven Neal, Councilmember, Ninth District.

Mayor Foster announced that Councilmember O'Donnell, Councilwoman Schipske, and Councilmember Johnson would be absent.

Julie Pruitt, spcaLA, presented a canine.

HEARINGS (5:07 PM)

[see media](#)

1. [13-0608](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, consider the appeal from Debora Dobias, and uphold the decision of the Planning Commission to approve a Site

Plan Review for the west phase of the Shoreline Gateway Project, consisting of a 17-story, 224-unit residential tower with 9,182 square feet of retail space and 275 parking spaces, located at 635 East Ocean Boulevard located in PD-30 (Downtown Plan). (District 2)

Suzanne Frick, Assistant City Manager, spoke.

Debbie Dobias, appellant, spoke.

Jim Anderson, applicant, spoke.

Robert Garner, applicant, spoke.

Debbie Dobias, appellant, spoke in rebuttal to applicant.

Ryan Altoon, applicant, spoke in rebuttal to appellant.

Joe Ganem spoke.

Derek Finley spoke.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

Jim Anderson, applicant, spoke.

Councilmember Lowenthal spoke.

Dennis Dunn spoke.

Elisa McConnehea, President of Alamitos Beach Neighborhood Association, spoke.

Laura Greco spoke.

Gary Shelton spoke.

Elizabeth Balikan spoke.

Holly Jones spoke.

Sharon Brown spoke.

Phil Appleby spoke.

Pat Paris-Appleby spoke.

LeRoy Misuraca, submitted a handout; and spoke.

Beth Aljordas spoke.

Marjorie Landers spoke.

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

Kathleen Patton spoke.

Ms. Gonzales spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation, with additional conditions to: 1) modify existing Condition 15A to require the project applicant to include provisions for off-site parking for construction workers in the construction staging plan, subject to approval by the City Traffic Engineer; and 2) require the applicant to work with staff to explore potential options to increase the number of parking spaces beyond the 275 spaces currently provided for in the project. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

[see media](#)

2. [13-0332](#)

Recommendation to receive and file the Biennial Report on Public Convenience and Necessity Regarding Taxicab Service; the Taxicab, Auto-for-Hire Inspection process; determine that the number of authorized taxicabs is sufficient; and direct that the time period for filing of taxicab applications remains closed. (Citywide)

Suzanne Frick, Assistant City Manager, spoke.

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

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

[see media](#)

3. [13-0609](#)

Recommendation to receive supporting documentation into the record,

conclude the hearing to consider the re-establishment of the Magnolia Industrial Group Property and Business Improvement District (MIG-PBID); direct City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council during the July 23, 2013 City Council meeting; and, if a majority of ballots received are in favor of the re-establishment of the MIG-PBID, adopt resolution to re-establish the MIG-PBID for an additional term of ten years, effective December 1, 2013 through November 30, 2022. (District 1)

Vice Mayor Garcia spoke.

Charles Parkin, Acting City Attorney, spoke.

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

Charles Parkin, Acting City Attorney, spoke.

A motion was made by Vice Mayor Garcia, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0057. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

Enactment No: RES-13-0057

PUBLIC COMMENT (6:47 PM)

Jeff Abrams spoke regarding medical marijuana dispensaries.

Tyrus DeMinotor spoke regarding a Parks and Recreation fundraiser.

Larry Goodhue spoke regarding various issues.

Thomas Jackson spoke regarding fraud.

CONSENT CALENDAR (6:59 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Austin, to approve Consent Calendar Items 4 - 12. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

4. [13-0616](#) Recommendation to authorize City Attorney to pay sum of \$14,000 in full and final resolution of the lawsuit entitled *Eddy, et al. v. COLB*.
A motion was made to approve recommendation on the Consent Calendar.
5. [13-0617](#) Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$125,000 in compliance with the Appeals Board Order for Christopher Bates.
A motion was made to approve recommendation on the Consent Calendar.
6. [13-0618](#) Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$66,067.50 for the claim of David Foltz; and authority to pay 1) \$22,153.75, 2) \$20,926.25, and 3) \$13,680 for the claim of Maurice Weiner, in compliance with the Appeals Board Orders.
A motion was made to approve recommendation on the Consent Calendar.
7. [13-0619](#) Recommendation to authorize City Attorney to submit Joint Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$203,377.50 for Joint Stipulations with Request for Award, and also 2) to pay \$231.92 per week, subject to cost of living increases as determined by the Workers' Compensation Appeals Board, for a Life Pension thereafter in compliance with the Appeals Board Order for Michael Horan.
A motion was made to approve recommendation on the Consent Calendar.
8. [13-0614](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, July 9, 2013.
A motion was made to approve recommendation on the Consent Calendar.
9. [13-0615](#) Recommendation to refer to City Attorney damage claims received between July 8, 2013 and July 15, 2013.
A motion was made to approve recommendation on the Consent Calendar.
10. [13-0620](#) Recommendation to authorize City Manager to execute a new Fitness

Provider Permit with Steven Ting, an individual doing business as Shoreside Fitness, for the provision and operation of outdoor fitness classes at Bluff Park for a term of three years. (District 3)

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

11. [13-0621](#) Recommendation to adopt amended and restated resolution authorizing City Manager, or his designee, to submit an application to the Clean Beaches Initiative (CBI) Grant Program. (Districts 2,3)

A motion was made to approve recommendation and adopt Resolution No. RES-13-0058 on the Consent Calendar.

Enactment No: RES-13-0058

12. [13-0622](#) Recommendation to receive and file minutes for:
Civil Service Commission - June 26, 2013

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

REGULAR AGENDA (6:59 PM)

[see media](#)

13. [13-0390](#) Recommendation to City Council to amend the 2013 State Legislative Agenda to include language that supports strengthening gun control legislation; and support SB 374 (Steinberg), SB 396 (Hancock), SB 47 (Yee), SB 755 (Wolk) and SB 567 (Jackson) in the 2013 State Legislative Session.

Councilman Austin spoke.

A motion was made by Councilman Austin, seconded by Vice Mayor Garcia, that the item be laid over to the City Council meeting of Tuesday, August 6, 2013. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

[see media](#)

14. [13-0624](#) Recommendation to authorize City Manager, or his designee, to accept a Transit Oriented Development Planning Grant award from the Los Angeles County Metropolitan Transportation Authority in the amount of \$183,500; execute all necessary documents; and commit in-kind matching funds, not to exceed \$45,875, for the preparation of a Transit Oriented Development Pedestrian Master Plan with a particular focus on greater Downtown transit stations; and

Increase appropriations in the General Grants Fund (SR 120) in the Department of Development Services (DV) by \$183,500. (Districts 1,2,6,7)

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: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

[see media](#)

15. [13-0625](#)

Recommendation to authorize the early expenditure of items included in the Proposed FY 14 Budget, in the best interests of the City, up to \$560,850 for the commencement of the proposed FY 14 Fire Academy in FY 13; and, up to \$600,000 to supplement Police Department gang enforcement activities in FY 13, at the Police Chief's discretion. Unused appropriation will carry over for these same purposes into FY 14. (Citywide)

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Councilmember DeLong spoke.

Councilman Andrews 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: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

[see media](#)

16. [13-0626](#)

Recommendation to authorize City Manager to execute all documents necessary to return \$122,043 in remaining grant funds and interest earnings of \$170,339, plus any other interest that may be due at the time of payment to the State of California, Department of Boating and Waterways, under Agreement No. 24446, for the renovation of the boat launching area located at the east end of Marine Stadium; and

Execute all documents necessary to return \$10,684 in remaining grant funds and interest earnings of \$122,996, plus any other interest that may be due at the time of payment to the State of California, Department of Boating and Waterways, under Agreement No. 26289, for the improvements of the boat launching area located at the east end of Marine Stadium. (District 3)

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

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

[see media](#)

17. [13-0627](#)

Recommendation to adopt resolution and authorize City Manager to execute all necessary documents to receive and expend funding from the City of Gardena, acting on behalf of the State of California Board of State and Community Corrections (BSCC), and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$525,092. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-13-0059. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

Enactment No: RES-13-0059

[see media](#)

18. [13-0628](#)

Recommendation to adopt Plans and Specifications No. R-6933 for improvement of Bayshore North, Bayshore South and 62nd Place Restrooms (Tidelands Beach Restrooms-Bid Package 2); award to and authorize City Manager to execute the contract with Sunpeak Construction, Inc., in an amount of \$750,000 plus a 15 percent contingency amount of \$112,500, if necessary, for a total not to exceed \$862,500, and any amendments thereto. (District 3)

Larry Goodhue, submitted a handout; and spoke.

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

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

[see media](#)

19. [13-0629](#) Recommendation to adopt Plans and Specifications No. R-6934 for improvement of Granada, Junipero and Mothers Beach South Restrooms (Tidelands Beach Restrooms-Bid Package 3); award to and authorize City Manager to execute the contract with NEI Contracting & Engineering, in an amount of \$988,015 plus a 15 percent contingency amount of \$148,202, if necessary, for a total not to exceed \$1,136,217, and any amendments thereto. (District 3)

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

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

[see media](#)

20. [13-0630](#) Recommendation to adopt resolution authorizing City Manager to execute contracts with Verizon Business Network Services, Inc., and authorize City Manager to execute contracts with Time Warner Cable, and Verizon Wireless to provide local and long distance telephone, data communications, and Internet services in an annual aggregate amount not to exceed \$1,670,000 for a period of three years with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-13-0060. The motion carried by the following vote:

Yes: 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

Absent: 3 - O'Donnell, Schipske and Johnson

Enactment No: RES-13-0060

ORDINANCE (7:20 PM)

21. 13-0404 WITHDRAWN
~~Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 6.16.010, Chapter 6.20, and Section 6.24.010, all relating to livestock and other animals, read and adopted as read. (Citywide)~~

This Ordinance was withdrawn.

NEW BUSINESS (7:20 PM)

[see media](#)

22. [13-0635](#) Recommendation to request City Attorney to draft a resolution in support of negotiations between SEIU Healthcare Workers West and Telecare La Casa Mental Health and Rehabilitation Center, in an effort to seek safety improvement to the workplace for the caregivers, patients, and the surrounding community.

Councilmember Neal spoke.

Joey Terucha spoke.

Lois Flores spoke.

Homer Baltazar spoke.

Councilman Andrews spoke.

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

Yes: 5 - Garcia, Lowenthal, Andrews, Austin and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Johnson

[see media](#)

23. [13-0636](#) Recommendation to authorize City Attorney to settle the matters of Rindone v. City of Long Beach, et al. Case No. CV12-2181 (Federal) and Rindone, Root and Scherratt v. City of Long Beach BC480754 (State).

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

Yes: 5 - Garcia, Lowenthal, Andrews, Austin and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Johnson

[see media](#)

24. [13-0637](#) Recommendation to authorize City Attorney to pay the sum of \$475,000 in full and final resolution of the lawsuit entitled *Jose Zaragoza vs. COLB, et al.*

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

Yes: 5 - Garcia, Lowenthal, Andrews, Austin and Neal

Absent: 4 - DeLong, O'Donnell, Schipske and Johnson

25. [13-0638](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, July 19, 2013.

This Agenda Item was received and filed.

26. [13-0639](#) eComments received for the City Council meeting of Tuesday, July 23, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:30 PM)

Mayor Foster requested that the meeting be adjourned in memory of Tom Farrand and Lillian Kawasaki.

Councilman Andrews made community announcements.

Councilman Austin extended condolences to the Kawasaki family; and made community announcements.

Councilmember Neal made community announcements.

Vice Mayor Garcia extended condolences to the Farrand and Kawasaki family; and made community announcements.

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

ADJOURNMENT (7:41 PM)

At 7:41 PM, Mayor Foster adjourned the meeting in memory of Tom Farrand and Lillian Kawasaki.

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