

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 & 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 Nos. 8, 9, 15, and 16 were considered after Agenda Item No. 14; and recessed to Closed Session after Agenda Item No. 15.

ROLL CALL (5:01 PM)

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

Councilmembers Garcia and Schipske
Absent:

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Gary DeLong, Councilmember, Third District.

Mayor Foster announced that Agenda Item Nos. 8, 9, 15, and 16 would be considered after Agenda Item No. 14.

Proclamation for Long Beach Camerata Singers 40th Anniversary of the Long Beach Bach Festival.

[13-1026](#) Jan Hower, President of Long Beach Camerata Singers, spoke; and submitted a handout.

This Handout was received and filed.

Councilmember Johnson spoke.

Mayor Foster spoke.

HEARINGS (5:09 PM)

1. [13-0979](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of HEC Entertainment of Long Beach, Inc., dba Harvelle's, 206 The Promenade North, for Entertainment With Dancing by Patrons. (District 2)

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Lowenthal spoke.

Taylor McClurg spoke.

Councilmember Lowenthal spoke.

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

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

Absent: 2 - Garcia and Schipske

2. [13-0980](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the

application of Tupelo Restaurants, Inc., dba Bo-Beau Kitchen & Tap, 144 Pine Avenue, for Entertainment Without Dancing by Patrons. (District 2)

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, that the item be laid over to the City Council meeting of Tuesday, November 19, 2013. The motion carried by the following vote:

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

Absent: 2 - Garcia and Schipske

3. [13-0981](#)

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Black Light District, LLC., 2500 East Anaheim Street, for Entertainment Without Dancing by Patrons. (District 4)

Suzanne Frick, Assistant City Manager, spoke.

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

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

Absent: 2 - Garcia and Schipske

PUBLIC COMMENT (5:21 PM)

Derrick Crockett spoke regarding an incident on October 27, 2013.

Eric Tandoc spoke regarding typhoon relief for Philippines.

Joy Prim spoke regarding typhoon relief in the Philippines.

[13-1027](#)

Larry Goodhue spoke regarding various issues; and submitted a

handout.

This Handout was received and filed.

Jeff Abrams spoke regarding an ordinance to permit medical marijuana dispensaries.

CONSENT CALENDAR (5:36 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 4 - 7. The motion carried by the following vote:

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

Absent: 2 - Garcia and Schipske

4. [13-0982](#) Recommendation to refer to City Attorney damage claims received between October 28, 2013 and November 4, 2013.

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

5. [13-0983](#) Recommendation to authorize City Manager to find that all requirements of the final subdivision map for condominium conversion have been satisfied, and approve the final map for Tract No. 69539 located south of Colorado Street and west of Redondo Avenue. (District 2)

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

6. [13-0984](#) Recommendation to adopt resolution ordering the summary vacation of subterranean areas adjacent to Redondo Avenue and 20th Street, along the southeast property line of the residential condominium development at 2020 Obispo Avenue. (District 4)

A motion was made to approve recommendation and adopt Resolution No. RES-13-0111 on the Consent Calendar.

Enactment No: RES-13-0111

7. [13-0986](#) Recommendation to approve the Assignment Consent Agreement for Facility/Pipeline Permit Nos. P-80-57, P-137-84, P-138-84, P-164-88, P-212-01, P-213-01, MW-24-91, MW-47-93, MW-50-93, MW-51-94, MW-57-95, MW-78-99, MW-95-00, MW-96-00, MW-101-01, MW-134-02, MW-140-03, MW-159-04, MW-181-05, MW-184-05, and MW-242-11 from BP West Coast Products LLC to Tesoro SoCal Pipeline Company LLC, in accordance with Section 15.44.220 of the Long Beach Municipal Code. (Districts 1,3,4,5,6,7,8,9)

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

UNFINISHED BUSINESS (6:05 PM)

15. [13-1008](#) Adjournment to Closed Session pursuant to Section 54957.6 of the California Government Code regarding labor negotiations with unrepresented employee: City Designated representatives: Mayor and City Council; Unrepresented employee: City Manager.

There were no members of the public wishing to address the City Council.

At 6:05 PM, Mayor Foster recessed to Closed Session.

At 6:43 PM, Mayor Foster reconvened the meeting.

This Agenda Item was received and filed.

16. [13-1009](#) Recommendation that the Mayor and City Council deliberate on applying the terms of compensation of the Memorandum of Understanding with the Long Beach Managers Association as approved on November 5, 2013, to the City Manager; and adopt resolution amending the City Manager contract.

Councilman Austin spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

A motion was made by Councilman Austin, seconded by Councilmember Neal, to approve recommendation to amend the City Manager's contract to increase compensation by 5% effective October 1, 2013; subject to a performance evaluation by the City Council to be conducted prior to October 1, 2014, the City May increase the City Manager's compensation by up to 4% and may deposit up to 2% of his salary into his deferred compensation account; Any amount of compensation granted by the City Council will be provided to the City Manager on October 1, 2014; Any deposit to his deferred compensation account granted by the City Council will be deposited by September 30, 2015; and adopt Resolution No. RES-13-0112. The motion carried by the following vote:

Yes: 6 - Lowenthal, DeLong, O'Donnell, Andrews, Austin and Neal

No: 1 - Johnson

Absent: 2 - Garcia and Schipske

Enactment No: RES-13-0112

REGULAR AGENDA (5:36 PM)

8. [13-0992](#) Recommendation to request City Manager to work with the City of Los Angeles to explore ways the two cities can collaborate in restoring the LA River; request City Manager to engage the community and prepare an update to the City's River Link plan; and request City Manager to report to the City Council on these efforts in the next 90 days.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Marlene Salazar spoke.

Larry Goodhue spoke.

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

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

Absent: 2 - Garcia and Schipske

9. [13-0844](#)

Recommendation to City Council to direct Chief of Police to present a plan that would provide valid cost to establish a special sex crime unit.

Councilmember DeLong spoke.

Charles Parkin, City Attorney, spoke.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

Councilmember DeLong spoke.

Councilman Austin spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Larry Goodhue spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilman Andrews, to approve recommendation, as amended, to direct the City Manager to present a plan that would provide valid cost to establish a special sex crime unit. The motion carried by the following vote:

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

Absent: 2 - Garcia and Schipske

10. [13-0957](#)

Recommendation to adopt Specifications No. RFP AP13-034 and authorize City Manager to execute all documents, including any necessary amendments regarding term or scope, to enter into a two-year agreement for an amount not to exceed \$1,114,991 with John Bean Technologies, dba JBT Aerotech Services (JBT), of Ogden, UT (not an MBE, WBE, SBE or Local), to perform maintenance and capital improvements for the baggage handling systems at the Long Beach Airport (Airport), with two optional one-year renewals for an annual amount not to exceed \$300,000, at the discretion of the City Manager. (District 5)

Suzanne Frick, Assistant City Manager, spoke.

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

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

Absent: 2 - Garcia and Schipske

11. [13-0985](#)

Recommendation to find that excavations are immediately required for the general health, safety, and welfare of the City and cannot be delayed; that alternatives to excavating, such as alternative routing, or construction methods, such as boring or excavation of the parkway, are not possible; approve a discretionary permit to excavate at the intersection of Burnett Street and Fashion Avenue, which has been slurry sealed within the previous 24 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (District 7)

Councilmember Johnson spoke.

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

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

Absent: 2 - Garcia and Schipske

12. [13-0987](#)

Recommendation to authorize City Manager to execute a Third Amendment to Contract No. 32487 with CJ Concrete Construction, Inc., for the Annual Contract for Concrete Repairs and Related Improvements, increasing the contract amount by an additional \$5,000,000, for a total amount not to exceed \$13,000,000, and extend the contract term to December 30, 2014, at the discretion of the City Manager. (Citywide)

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

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

Absent: 2 - Garcia and Schipske

13. [13-0988](#)

Recommendation to authorize City Manager to execute a Third Amendment to Contract No. 32168 with BiTech Construction Company for the Annual Contract for Concrete Repairs and Related Improvements, increasing the contract amount by an additional \$5,000,000, for a total amount not to exceed \$12,000,000, and extend the contract term to December 30, 2014, at the discretion of the City Manager. (Citywide)

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

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

Absent: 2 - Garcia and Schipske

ORDINANCE (5:41 PM)

14. [13-0944](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending and restating Title 18 in its entirety; and by repealing Chapter 21.65, all relating to the adoption and amendments to the 2013 Edition of the California Building Standards Codes and the 1997 Edition of the Uniform Housing Code to be known as the Long Beach Building Standards Code, read and adopted as read. (Citywide)

Sandy Sanchez spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Ordinance No. ORD-13-0024. The motion carried by the following vote:

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

Absent: 2 - Garcia and Schipske

Enactment No: ORD-13-0024

NEW BUSINESS (6:48 PM)

15. Agenda Item No. 15 is listed under Unfinished Business.

16. Agenda Item No. 16 is listed under Unfinished Business.

17. [13-1013](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 8, 2013.

This Agenda Item was received and filed.

18. [13-1014](#) eComments received for the City Council meeting of Tuesday, November 12, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (6:48 PM)

Mayor Foster requested that the meeting be adjourned in memory of Claudette Powers.

Councilman Andrews extended condolences to the Powers family; and made community announcements.

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

Councilmember Neal extended condolences to the Powers family; and made community announcements.

Councilman Austin extended condolences to the Powers family; requested that the meeting be adjourned in memory of Creasia James; and made community announcements.

Councilmember Johnson extended condolences to the Powers family; and made community announcements.

PUBLIC COMMENT (6:57 PM)

Bill Napier spoke.

ADJOURNMENT (6:59 PM)

At 6:59 PM, Mayor Foster adjourned the meeting in memory of Claudette Powers and Creasia James.

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NOTE:

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

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

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

បើមានការចង់បាននូវការបក ប្រែភាសាឯក សារកម្មវិធី និងកំណត់ហេតុប្រជុំក្រុមប្រឹក្សាសម្រាប់អ្នកមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើការស្នើសុំទៅកាន់ស្នើនៃសាលាក្រុងតាមទូរសព្ទដែលមានលេខ (562) 570-6101 រយៈពេល 72 ម៉ោងធ្វើការនៅមុនកិច្ចប្រជុំនៃក្រុមប្រឹក្សាក្រុង។