

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



Bob Foster, Mayor

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

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.

Agenda Items were considered in the order presented except for the presentation on the Proclamation for Human Trafficking Prevention Month was considered before the presentation on the Proclamation for 90th Anniversary of Soroptimist of Long Beach; and Agenda Item Nos. 20 and 13 were considered after the Consent Calendar.

ROLL CALL (5:08 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; Larry Herrera, City Clerk; Carolyn Hill, City Clerk Specialist.

Vice Mayor Garcia presiding.

Invocation: Moment of Silence.

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

Julie Pruitt, spcaLA, presented a canine.

Vice Mayor Garcia spoke.

Councilmember DeLong spoke.

Vice Mayor Garcia spoke.

Proclamation for 90th Anniversary of Soroptimist of Long Beach.

Vice Mayor Garcia spoke.

Maggie Shapiro spoke.

Proclamation for Human Trafficking Prevention Month.

Councilmember O'Donnell spoke

[14-0076](#) Virginia Zart, Human Trafficking Task Force, spoke; and submitted documentation.

This Handout was received and filed.

Councilmember Johnson spoke

Councilmember Neal spoke.

Vice Mayor Garcia spoke.

HEARING (5:21 PM)

1. [13-1034](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of La Lune Investments Inc., dba La Lune Imperial, 1458 Atlantic Avenue, for Entertainment with Dancing by Patrons.

(District 6)

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

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

PUBLIC COMMENT (5:23 PM)

[14-0074](#)

Mike McGougan spoke regarding Parcel M - 2206 Cover Street; and submitted correspondence.

This Handout was received and filed.

Councilmember O'Donnell spoke.

Patrick West, City Manager, spoke.

Charles Parkin, City Attorney, spoke.

Councilmember DeLong spoke.

Charles Parkin, City Attorney, spoke.

Councilwoman Schipske spoke.

Charles Parkin, City Attorney, spoke.

Tom Kelch spoke regarding animals care services.

Dennis Dunn spoke regarding excrement removal.

CONSENT CALENDAR (5:34 PM)

Bill Pearl, Long Beach Report.com, spoke regarding Agenda Item No. 9.

Councilwoman Schipske spoke.

Charles Parkin, City Attorney, spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Suzanne Frick, Assistant City Manager, spoke.

Vice Mayor Garcia spoke.

Councilmember DeLong spoke.

Vice Mayor Garcia spoke.

Melissa Patigmo spoke regarding Agenda Item No. 3.

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilmember Neal, to approve Consent Calendar Items 2 - 10.

The motion carried by the following vote:

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

2. [14-0048](#) Recommendation to authorize City Manager to execute a Second Amendment to Agreement No. 31680 with Davis Wright Tremaine LLP for legal services during the period of February 1, 2014 through January 31, 2016, up to a maximum amount of \$95,000 each year, and subject to appropriation of funds in the second year.

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

3. [14-0061](#) Recommendation to authorize City Attorney to pay sum of \$380,000 in full settlement of lawsuit entitled *Perry Grays, v. City of Long Beach, et al.*; and to pay sum of \$50,000 in full settlement of lawsuit entitled *Christina Leyva, et al., v. City of Long Beach, et al.*

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

4. [14-0049](#) Recommendation to authorize City Attorney to submit two Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approve, authority to pay (1) \$109,537.91, and (2) separate authority to pay \$2,878.29 for the claim of William Ardizzone; (1) \$73,200, and (2) separate authority to pay \$15,000 for the claim of Louie Balestrieri; (1) \$56,571.29, (2) separate authority to pay \$2,760, (3) separate authority to pay \$5,520, and (4) separate authority to pay \$5,355 for the claim of Larry Huffman; (1) \$122,173.88, and (2) to pay \$108.23 per week for a Life Pension thereafter, subject to cost of living adjustments, after the permanent disability has been paid for the claim of Donald Hulse; \$84,037.50 for the claim of James Kovacs; and \$97,347.50 for the claim of Joseph Smith, in compliance with the Appeals Board Orders.

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

5. [14-0043](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, January 7, 2014.

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

6. [14-0044](#) Recommendation to refer to City Attorney damage claims received between January 6, 2014 and January 13, 2014.

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

7. [14-0045](#) Recommendation to adopt resolution authorizing the temporary closure of certain streets, alleys, walkways, the Promenade, and the downtown shoreline bike path in the City of Long Beach in connection with the conduct of the 2014 Toyota Grand Prix of Long Beach. (District 2)

A motion was made to approve recommendation and adopt Resolution No. RES-14-0010 on the Consent Calendar.

Enactment No: RES-14-0010

8. [14-0046](#) Recommendation to authorize City Manager to execute a Revocable Permit granting the Grand Prix Association of Long Beach permission to occupy and use certain areas for parking and hospitality during the staging of the 2014 Toyota Grand Prix of Long Beach. (District 2)

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

9. [14-0065](#) Recommendation to authorize City Manager to execute a third amendment to the Implementation Agreement with the Aquarium of the Pacific, a California nonprofit public benefit corporation. (District 2)

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

10. [14-0047](#) Recommendation to authorize City Manager to execute a right-of-entry permit and any related documents with the Society for the Prevention of Cruelty to Animals Los Angeles for the installation of a pedestrian gate at, and the use of a portion of, the Department of Parks, Recreation and Marine maintenance yard, located in El Dorado Regional Park, Area I, to park and store various vehicles, for a term of three years, with one, three-year renewal option at the discretion of the City Manager or his designee. (District 5)

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

REGULAR AGENDA (5:48 PM)

11. [14-0059](#) Recommendation to approve the use of the First Council District's FY 12 Office Budget Surplus Funds for Neighborhood Services projects; increase FY 14 appropriations in the General Fund (GP) in the Development Services Department (DV) by \$15,144, and increase FY 14 appropriations in the General Services Fund (IS 385) in the Department of Technology Services (TS) by \$15,144 for the transfer of funds.

A motion was made by Vice Mayor Garcia, seconded by Councilmember DeLong, 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

12. [14-0069](#)

Recommendation to request City Council to oppose any bills or ballot measures that would weaken the Medical Injury Compensation Reform Act (MICRA), thereby increasing health care costs for state and local governments and limiting patient access to health care services;

Request City Attorney to draft a resolution in opposition to bills or ballot measures that would weaken the MICRA, thereby increasing health care costs for state and local governments and limiting patient access to health care services; and

Request that the City of Long Beach become an official, non dues paying member of Californians Allied for Patient Protection (CAPP), a coalition which is dedicated to supporting MICRA.

Councilmember Lowenthal spoke.

Motion: Approve recommendation.
Moved by Suja Lowenthal, seconded by Dee Andrews.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Diana Tang, Manager of Government Affairs, spoke.

Vice Mayor Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Motion: Substitute motion to receive and file.

Moved by James Johnson, seconded by Al Austin.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Councilmember Lowenthal spoke.

Diana Tang, Manager of Government Affairs, spoke.

Councilman Austin spoke.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Councilmember Lowenthal spoke.

Councilmember Johnson spoke.

Councilmember Lowenthal spoke; and called for the question.

Dennis Dunn spoke.

Councilwoman Schipske spoke.

A second substitute motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation to oppose any bills or ballot measures that would weaken the Medical Injury Compensation Reform Act (MICRA) and direct staff to return with a recommended list of items the City can provide advocacy along with an estimated action timeline. The motion carried by the following vote:

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

No: 1 - Johnson

Absent: 1 - Neal

13. [14-0071](#)

Recommendation to request City Manager to return to City Council within 90 days a report on the status of filming in Long Beach, a review of the incentives we provide and a proposal to stimulate further interest from film companies to locate their productions within the City of Long Beach.

Vice Mayor Garcia spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Dennis Dunn spoke.

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

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

14. [14-0060](#)

Recommendation to adopt Plans and Specifications No. R-6976 for the Bixby Park Bluff Improvements, award the Base Bid plus Additive Items AA, BB and CC, to Bitech Construction Company, Inc., of Buena Park, CA (MBE, DBE and SBE) in the amount of \$2,130,828, plus a 15 percent contingency of \$319,624, for a total amount not to exceed \$2,450,452, and authorize City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto. (District 2)

A motion was made by Councilman Andrews, seconded by Councilmember O'Donnell, 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

15. [14-0062](#) Recommendation to receive supporting documentation into the record regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing; and adopt resolution approving the issuance of revenue bonds by the California Municipal Finance Authority (CMFA) to benefit Las Brisas Mobile Home Park, Villa del Arroyo Moorpark, LLC, in an amount not to exceed \$13,000,000. (District 8)

A motion was made by Councilman Austin, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-14-0011. 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-14-0011

16. [14-0063](#) Recommendation to authorize City Manager to execute a non-exclusive Commercial License Agreement with Lee Ostendorf for the operation of a Farmers' Market at Bixby Park for a term of three years, with two, two-year renewal options at the discretion of the City Manager or his designee; as recommended by the Parks and Recreation Commission on November 14, 2013. (District 2)

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

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

17. [14-0064](#) Recommendation to authorize City Manager to execute any documents necessary to accept a non-monetary donation of planning, labor, materials, and equipment, valued at approximately \$150,000, from the Friends of Long Beach Animal Shelter, dba Friends of Long Beach Animals, for the installation of a new CAVCO Industries, Inc., manufactured commercial building for use as a dual-purpose veterinary clinic at the P.D. Pitchford Companion Animal Village; execute any documents necessary to use up to \$50,000 of appropriated funds for an Animal Care Services veterinary clinic, in tandem with the aforementioned donation; and execute a new right-of-entry permit and any related documents with Frank Samaro, a sole proprietor general manufactured housing contractor, and/or his agents, to construct and install the aforementioned manufactured commercial building. (District 5)

A motion was made by Councilman Andrews, 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. [14-0066](#) Recommendation to authorize City Manager to execute agreements with Blair Commercial Real Estate, Inc., Cresa Partners of Los Angeles, Inc., Cushman & Wakefield of California, Inc., and Lee & Associates Commercial Real Estate Services, Inc., South Bay, for "as-needed" real estate broker services, in an aggregate total amount not to exceed \$200,000, for a three-year term, and to execute any necessary amendments to the agreements relative to extending the terms for up to one additional year, changing the contract dollar amounts, authorizing additional services, if required, within the provisions of the agreements, and adjusting the fee schedules for inflation, all within the aggregate total amount of \$200,000; and

Authorize City Manager, or designee, to execute listing agreements, and any other necessary documents with Blair Commercial Real Estate, Inc., Cresa Partners of Los Angeles, Inc., Cushman & Wakefield of California, Inc., and Lee & Associates Commercial Real Estate Services Inc - South Bay, for the listing of City-owned property as needed, for a term not to exceed 12 months and for a

commission amount not to exceed 6 percent of the gross sales price. (Citywide)

Councilwoman Schipske spoke.

Charles Parkin, City Attorney, spoke.

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

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

Absent: 1 - Garcia

19. [14-0067](#)

Recommendation to adopt Specifications No. ITB TS-14-025 and authorize City Manager to execute contracts, and any additional amendments thereto, with Federal Signal Safety and Security Systems, of University Park, IL (not an MBE, WBE, SBE or Local), Halifax Security, Inc., of Brick, NJ (not an MBE, WBE, SBE or Local), and Convergent Technologies, of Orange, CA (not an MBE, WBE, SBE or Local) for furnishing and delivering video surveillance cameras and related system components, in a total amount not to exceed \$500,000; and increase appropriations in the General Services Fund (IS 385) in the Technology Services Department (TS) by \$500,000. (Citywide)

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Councilmember O'Donnell spoke.

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

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

Absent: 1 - Garcia

20. [14-0068](#) Recommendation to adopt Specifications No. RFP TS 14-011 and authorize City Manager to execute agreements, and all related documents with recommended firms, including one Long Beach business, to provide as-needed professional and technical services related to system analysis, system development, system implementation, project management, and technical support for information technology projects and systems, in an annual aggregate amount not to exceed \$950,000 for a period of two 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 Councilman Andrews, 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

ORDINANCE (5:43 PM)

21. [14-0070](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 16.60, relating to the payment of living wage to workers at the Long Beach Airport and the Long Beach Convention Center read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Motion: Approve recommendation.

Moved by Patrick O'Donnell, seconded by Suja Lowenthal.

Councilmember Johnson spoke.

Charles Parkin, City Attorney, spoke.

Councilmember O'Donnell spoke.

Charles Parkin, City Attorney, spoke.

Vice Mayor Garcia spoke.

Councilmember DeLong spoke.

Charles Parkin, City Attorney, spoke.

A substitute motion was made by Councilmember O'Donnell, seconded by Councilmember Johnson, to add retail workers to the ordinance and that the item be laid over for a first reading to the City Council meeting of Tuesday, February 4, 2014. The motion carried by the following vote:

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

Enactment No: ORD-14-0002

NEW BUSINESS (6:22 PM)

22. [14-0032](#) Recommendation to respectfully request City Council approval of the 2014 State Legislative Agenda as recommended by the State Legislation Committee.

A motion was made by Councilmember O'Donnell, 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

23. [14-0073](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, January 17, 2014.

This Agenda Item was received and filed.

24. [14-0075](#) eComments received for the City Council meeting of Tuesday, January 21, 2014.

This Agenda Item was received and filed.

ANNOUNCEMENTS (6:23 PM)

Vice Mayor requested that the meeting be adjourned in memory of Dr. Dan Barber.

Councilwoman Schipske made community announcements.

Councilman Andrews spoke and made community announcements.

Councilmember Neal made community announcements.

Councilmember Lowenthal made community announcements.

Councilmember Johnson made community announcements.

Councilman Austin spoke and made community announcements.

PUBLIC COMMENT (6:27 PM)

Dennis Dunn spoke regarding parking issues during the Grand Prix.

ADJOURNMENT (6:31 PM)

At 6:31 P.M. Vice Mayor Garcia adjourned the meeting in memory of Dr. Dan Barber.

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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 ហើយត្រូវការរបៀបវារៈកិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង និងរបាយការណ៍កិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង ជាសំណៅប្រែសម្រួលលាយលក្ខណ៍អក្សរទៅជាភាសារបស់លោកអ្នក នោះសូមស្នើសុំមកនាយកដ្ឋានស្មៀនសាលាក្រុង តាមទូរស័ព្ទលេខ (562) 570-6101 អោយបាន 72 ម៉ោងមុនកិច្ចប្រជុំក្រុមប្រឹក្សាសាលាក្រុងត្រូវបានធ្វើឡើង។