



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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October 22, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meeting of Tuesday, October 8, 2013.

DISCUSSION

The Legistar minutes of the City Council meetings held Tuesday, October 8, 2013 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



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 & 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. 1 ballot results were announced prior to Agenda Item No. 14.

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.

Vice Mayor Garcia presiding.

Invocation: Moment of Silence.

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

Vice Mayor Garcia announced that Mayor Foster would be absent; and that Agenda Item No. 22 has been withdrawn.

Presentation for New Life Beginnings Backpack Donations.

Councilman Andrews spoke; and presented a video.

Danielle Garrett spoke.

Rebecca Younger, Founder/President of New Life Beginnings, Inc., spoke.

Councilman Andrews spoke.

HEARINGS (5:11 PM)

1. 13-0875 Recommendation to receive supporting documentation into the record, conclude the hearing to consider the establishment of the Uptown Property and Business Improvement District (UPBID); direct City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council during the October 8, 2013 City Council meeting; and, if a majority of ballots received are in favor of the establishment of the UPBID, adopt resolution to establish the UPBID for an initial term of five (5) years, effective January 1, 2014 through December 31, 2018. (Districts 8,9)

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Neal spoke.

Vice Mayor Garcia spoke.

Charles Parkin, City Attorney, spoke.

Larry Herrera, City Clerk, reported the votes for the UPBID.

Charles Parkin, City Attorney, spoke.

Councilmember Neal spoke.

Councilman Austin spoke.

A motion was made by Councilmember Neal, seconded by Councilman Austin, to approve recommendation, as amended, to reduce the boundaries of the district as permitted by State and Highway Code 36624; reduce the western boundaries of the district along Artesia Avenue to the end of Orange Avenue; and adopt Resolution No. RES-13-0086. The motion carried by the following vote:

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

Absent: 1 - Lowenthal

Enactment No: RES-13-0086

2. 13-0872 Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution confirming the Fourth Street Parking and Business Improvement Area (FSPBIA) annual report and continuing the assessment for the period of October 1, 2013 through

September 30, 2014; authorize City Manager to extend the agreement with the Fourth Street Business Improvement Association for a one-year term; and

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0087. The motion carried by the following vote:

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

Enactment No: RES-13-0087

13-0873

Declare ordinance amending the boundaries of the FSPBIA read the first time and laid over to the next regular meeting of the City Council for final reading. (District 2)

Councilmember Lowenthal spoke.

Charles Parkin, City Attorney, spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilman Andrews, 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: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal

3. 13-0874

Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution confirming the Bixby Knolls Business Improvement Area Annual Report, continuing the levy of assessment for the period of October 1, 2013 through September 30, 2014; and authorize City Manager to extend the agreement with the Bixby Knolls Business Improvement Association for one year. (Districts 7,8)

Suzanne Frick, Assistant City Manager, spoke.

Councilman Austin spoke.

Councilmember Johnson spoke.

A motion was made by Councilman Austin, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-13-0088. The motion carried by the following vote:

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

Enactment No: RES-13-0088

PUBLIC COMMENT (5:27 PM)

Mike Kowal spoke regarding the bicycle traffic signal in Los Cerritos.

13-0912 Debby McCormick spoke regarding ideas for the new Belmont Plaza Pool; and presented a PowerPoint presentation.

This Agenda Item was received and filed.

CONSENT CALENDAR (5:35 PM)

Passed The Consent Calendar

A motion was made by Councilmember Neal, seconded by Councilmember DeLong, to approve Consent Calendar Items 4 - 9. The motion carried by the following vote:

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

4. 13-0876 Recommendation to refer to City Attorney damage claims received between September 23, 2013 and September 30, 2013.

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

5. 13-0877 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 No. RES-13-0089 on the Consent Calendar.

Enactment No: RES-13-0089

6. 13-0878 Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and The Earl B. and Loraine H. Miller Foundation to accept funding in the amount of \$80,000 for the period of July 1, 2013 through June 30, 2014 to expand chronic disease prevention and wellness

activities. (Citywide)

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

7. 13-0879 Recommendation to authorize City Manager, or designee, to execute all necessary agreements, and any subsequent amendments, between the City of Long Beach and State of California Department of Public Health in an amount not to exceed \$316,247 for the period of July 1, 2013 through June 30, 2014 to continue the Maternal, Child, Adolescent (MCAH) and Black Infant Health (BIH) Programs to implement program activities that promote healthy pregnancy and birth outcomes among low-income individuals and families. (Citywide)

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

8. 13-0880 Recommendation to authorize City Manager, or designee, to execute all necessary agreements, and any subsequent amendments, between the State of California Department of Public Health and the City of Long Beach in the amount of \$75,799 for the period of July 1, 2013 through June 30, 2014, to continue the Pandemic Influenza Preparedness Program. (Citywide)

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

9. 13-0858 Recommendation to authorize Director of Long Beach Gas and Oil to grant an after-hours parking Permit to Professional Parking Services of Signal Hill to accommodate seven compressed natural gas-powered shuttle buses serving California State University Long Beach. (District 5)

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

REGULAR AGENDA (5:35 PM)

10. 13-0881 Recommendation to approve the use of the Sixth Council District's FY 12 Office Budget Surplus Funds for the 2014 Annual Dr. Martin Luther King, Jr. Peace and Unity Celebration; increase FY 14 appropriations in the General Fund (GP) in the Parks, Recreation and Marine Department (PR) by \$11,184; and increase FY 14 appropriations in the General Services Fund (IS 385) in the Department of Technology Services (TS) by \$11,184 for the transfer of funds.

A motion was made by Councilman Andrews, 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

11. 13-0891

Recommendation to direct City Attorney and Development Services staff to prepare an ordinance amending Title 21 of the Long Beach Municipal Code to include electronic billboard language originally proposed in December 2011. (Citywide)

Councilmember DeLong spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember DeLong spoke.

Richard Montgomery spoke.

Tommy Faavae, representing IBEW Local 11, spoke.

Mike Murchison spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke; and submitted a map.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Councilwoman Schipske spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Vice Mayor Garcia spoke.

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Councilwoman Schipske spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation, as amended as follows: [A] for the ordinance to stipulate that: [1] a billboard company will have the ability to negotiate a development agreement if they can demonstrate that they cannot meet the cap and trade criteria set forth in the ordinance; and [2] a billboard company will be required to provide an accurate inventory of their billboard locations as a condition of any development agreement; and [B] that City staff report to the City Council when non-conforming inventories are depleted. The motion carried by the following vote:

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

- 12. 13-0892** Recommendation to request City Manager to contact Governor Brown to request that the Specialist from the Office of Business and Economic Development (GO-Biz) assigned to Los Angeles assist the City in attracting, expanding and retaining businesses and in developing the capabilities to be an iHub.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

A motion was made by Councilwoman Schipske, 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

- 13. 13-0834** Recommendation to City Council to approve the Financial Policies with an additional policy that 5% of one-time revenues be set aside for unfunded liabilities.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilman Austin spoke.

Councilmember DeLong 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, DeLong, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal

Absent: 1 - Lowenthal

14. 13-0882 Recommendation to authorize City Manager to execute a contract and all necessary amendments for state legislative representation services provided by Michael J. Arnold and Associates, Inc., for an amount not to exceed \$105,432 for a period of one year; and authorize City Manager to grant two, one-year extensions, including an adjustment to the total contract amount not to exceed the Consumer Price Index, at the discretion of the City Manager. (Citywide)

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

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

Absent: 1 - Lowenthal

15. 13-0883 Recommendation to authorize City Manager, or designee, to execute all necessary agreements, and any subsequent amendments, between the City of Long Beach and the State of California Department of Public Health (CDPH) in an amount not to exceed \$764,376 to continue the Childhood Lead Poisoning Prevention (CLPP) Program to reduce the incidence of childhood lead exposure in Long Beach for the period of July 1, 2014 through June 30, 2018. (Citywide)

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

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

Absent: 1 - Lowenthal

16. 13-0884 Recommendation to authorize City Manager, or designee, to execute all necessary agreements, and any subsequent amendments, between the City of Long Beach and the State of California Health Benefits Exchange (also known as "Covered California") for the period of October 1, 2013, to facilitate enrollment and retention into the insurance programs offered through Covered California. (Citywide)

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

A motion was made by Councilman Andrews, 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

17. 13-0885

Recommendation to authorize City Manager to execute a Memorandum of Understanding between the Department of Parks, Recreation and Marine, the Department of Public Works, and the Harbor Department with regard to the placement of dredge material from Alamitos Bay Marina Basin 5, the Peter Archer Rowing Center dock, and the Leeway Sailing Center dock into the Middle Harbor East Basin fill site of the Port of Long Beach. (Districts 2,3)

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

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

Absent: 1 - Johnson

18. 13-0886

Recommendation to authorize City Manager to execute all necessary documents for a lease with Long Beach Local, Inc., for the development and management of the Orizaba Park Community Garden, for a term of three years, with two, three-year renewal options at the discretion of the City Manager or his designee. (District 4)

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

19. 13-0887

Recommendation to receive and file the application of JB Station, Incorporated, dba unknown, for an original Alcoholic Beverage Control License, at 601 West Willow Street, determine that the application

serves the public convenience and necessity, submit a Public Notice of Protest to ABC, and direct City Manager to withdraw the protest if a Conditional Use Permit is granted. (District 7)

Councilmember Johnson spoke.

A motion was made by Councilmember Johnson, seconded by Councilman Austin, 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. 13-0888 Recommendation to receive and file the Annual Report of the Downtown Long Beach Parking and Business Improvement Area; approve the proposed budget for Fiscal Year 2014 (FY 14); and authorize City Manager to execute a contract with the Downtown Long Beach Associates for the period of October 1, 2013 through September 30, 2014. (Districts 1,2)

A motion was made by Councilwoman Schipske, seconded by Vice Mayor Garcia, 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. 13-0889 Recommendation to approve the Downtown Long Beach Property and Business Improvement District Annual Report for the period of January 1, 2014 through December 31, 2014, automatically extending the Agreement for Funding with the Downtown Long Beach Associates for one year; and authorize payment of \$430,241 in City property assessments from the Civic Center Fund (IS 380) in the Department of Public Works (PW). (Districts 1,2)

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Suzanne Frick, Assistant City Manager, spoke.

A motion was made by Councilmember Neal, 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

- 22. 13-0890** Recommendation to authorize City Manager to execute any and all documents necessary for the Seventh Addendum to Lease No. 30545 between Worldport LLC, (Landlord) and the City of Long Beach (Tenant) for office space at 1851 North Gaffey Street, Suites E-H, San Pedro, California, for the continued operation of the Harbor WorkSource Center by the Workforce Development Bureau of the Department of Human Resources. (Citywide)

This Contract was withdrawn.

ORDINANCES (6:39 PM)

- 23. 13-0864** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsections 10.12.010.A.54, 10.12.010.A.69, 10.12.020.A.14, and 10.12.020.A.22; and by adding Subsections 10.12.020.A.68 and 10.12.020.A.69, all relating to speed limits, read and adopted as read. (Districts 4,5)

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-13-0019. The motion carried by the following vote:

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

Enactment No: ORD-13-0019

- 24. 13-0843** Recommendation to declare ordinance amending the Use District Map of the City of Long Beach as said Map has been established and amended by amending portions of Part 17 of said Map from Two-Family Residential (R-2-N) to Institutional (I), read and adopted as read. (District 5)

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-13-0020. The motion carried by the following vote:

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

Enactment No: ORD-13-0020

NEW BUSINESS (6:40 PM)

25. 13-0902 Recommendation to direct City Manager, or his designee, to communicate the City's support for Senate Bill 208 (CA-Feinstein) and House Resolution 456 (CA-Schiff), and amend the City's Federal Legislative Agenda to support regulations that reduce helicopter noise pollution in residential areas.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Donna Searus spoke.

Councilman Austin spoke.

A motion was made by Councilmember DeLong, 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

26. 13-0903 Recommendation to request City Attorney to work with City Manager to draft a resolution in support of Senate Bill 811 (Lara), ensuring the evaluation of Community Alternative 7 in the I-710 Corridor Project, and, upon completion, forward a copy of the resolution to Governor Brown and Caltrans, no later than October 15, 2013.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Angelo Logan spoke.

Maria Reyes spoke.

Carlos Gabez spoke.

Wilten Johnson spoke.

Natasha Rossi spoke.

Yolanda Lopez spoke.

Renee Castro spoke.

Martha Herrera spoke.

Rebecca spoke.

Joshua Gibbs spoke.

John Nunez spoke.

Will Lu Hahn spoke.

Councilman Austin spoke.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

Patrick West, City Manager, spoke.

Vice Mayor Garcia 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

- 27.** 13-0904 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, October 4, 2013.

This Agenda Item was received and filed.

- 28.** 13-0905 eComments received for the City Council meeting of Tuesday, October 8, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:15 PM)

Councilmember Neal made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Lowenthal made community announcements.

ADJOURNMENT (7:21 PM)

At 7:21 PM, Vice Mayor Garcia adjourned the meeting.

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