

CITY OF LONG BEACH C-4

DEPARTMENT OF CITY CLERK

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

December 3, 2013

HONORABLE MAYOR AND CITY COUNCIL City of Long Beach California

RECOMMENDATION:

Approve the minutes for the City Council meetings of Tuesday, November 5, November 12, and November 19, 2013.

DISCUSSION

The Legistar minutes for the City Council meetings of Tuesday, November 5, November 12, and November 19, 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:ch Attachment

CITY OF LONG BEACH CITY COUNCIL MINUTES

Larry G. Herrera, City Clerk

TUESDAY, NOVEMBER 5, 2013 333 W. OCEAN BOULEVARD **COUNCIL CHAMBER, 5:00 PM**

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

Patrick H. West, City Manager 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

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. 24 was considered after Agenda Item No. 13.

ROLL CALL (5:14 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; Poonam Davis, Assistant City Clerk; Pablo Rubio, City Clerk Assistant.

Mayor Foster presiding.

Invocation: Moment of Silence.

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

Mayor Foster announced that Agenda Item No. 14 has been withdrawn; and Agenda Item No. 24 would be considered after Agenda Item No. 13.

Julie Pruitt, spcaLA, presented a canine.

Presentation regarding Yokkaichi Sister City Week.

Mayor Toshiyuki Tanaka, Mayor of Yokkaichi, Japan, spoke.

Kazuma Doi, City Assembly of Yokkaichi, Chairman, spoke.

Mayor Foster spoke.

Proclamation for Pancreatic Cancer awareness month.

Councilwoman Schipske spoke.

Rick Pinson spoke.

Presentation for Gold Medal award Parks, Recreation and Marine.

Patrick West, City Manager, spoke.

George Chapjian, Director of Parks, Recreation and Marine, spoke.

Councilmember Johnson spoke.

HEARING (5:36 PM)

1. 13-0944

Recommendation to receive supporting documentation into the record, conclude the public hearing, and declare the ordinance adopting and amending the 2013 Edition of the California Building Standards Codes and the 1997 Edition of the Uniform Housing Code by amending and restating Title 18 of the Long Beach Municipal Code in its entirety; and by repealing Chapter 21.65 read 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 O'Donnell spoke.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

Councilmember Lowenthal spoke.

Councilmember Neal spoke.

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Neal spoke.

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Lowenthal spoke.

Susan Brown spoke.

Sandra Kroll spoke.

Richard Camp spoke.

Clive Graham, Board President at Apartment Association, California Southern Cities, spoke.

Councilmember DeLong spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Michael Mais, Assistant City Attorney, spoke.

Mayor Foster spoke.

A motion was made by Councilmember Lowenthal, seconded by Vice Mayor Garcia, approve recommendation, as amended to provide: [1] that ordinance provisions relating to "Water Sub-meters" shall not become effective unless and until the City Council considers the adoption of "Consumer Protection Standards" related to water sub-metering; [2] that ordinance provisions related to Low Impact Development Standards shall become effective in accordance with Long Beach City Charter Section 210; [3] that further changes to Chapter 18.76 (relating to city water sub-metering, permit application details, and an exemption of affordable housing), be considered at the time Consumer Protection Standards are discussed; and [4] 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

Enactment No: ORD-13-0024

13-0946

Adopt resolution making findings and determinations relating to the adoption of more restrictive Code provisions, where appropriate; and

Accept the Categorical Exemption (CE-13-059). (Citywide)

A motion was made by Councilmember Lowenthal, seconded by Vice Mayor Garcia, to approve recommendation and adopt Resolution No. RES-13-0101. The motion carried by the following vote:

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

Enactment No: RES-13-0101

PUBLIC COMMENT (6:12 PM)

Larry Goodhue spoke regarding various issues.

Lynda Madorsky spoke regarding the Downtown Farmers Market.

Dennis Dunn spoke regarding the fragility of earthquakes.

Courtney Noel spoke regarding a bone marrow drive.

13-1003

Sara Arroyo spoke regarding a bone marrow drive; and submitted a flyer.

This Handout was received and filed.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

CONSENT CALENDAR (6:26 PM)

Passed The Consent Calendar

A motion was made by Councilmember Neal, seconded by Councilman Andrews, to approve Consent Calendar Items 2 - 8. The motion carried by the following vote:

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

2. 13-0947

Recommendation to adopt resolution of the City Council of the City of Long Beach supporting a constitutional amendment to overturn the Supreme Court decision in *Citizens United v. Federal Election Commission*.

A motion was made to approve recommendation and adopt Resolution No. RES-13-0102 on the Consent Calendar.

Enactment No: RES-13-0102

3. 13-0951

Recommendation to approve the minutes for the City Council meetings of Tuesday, October 15 and October 22, 2013.

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

4. 13-0952

Recommendation to refer to City Attorney damage claims received between October 14, 2013 and October 28, 2013.

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

5. 13-0968

Recommendation to adopt resolution ordering, proclaiming, calling and giving notice of a Primary Nominating Election in the City of Long Beach, California, on Tuesday, the 8th day of April, 2014, for the nomination and/or election of candidates for five (5) offices on the City Council, and four (4) City officials, each for a full term of four (4) years, commencing with the third Tuesday of July, 2014, and adopting provisions relating to the translations of and the charges for costs of candidate statements;

A motion was made to approve recommendation and adopt Resolution No. RES-13-0103 on the Consent Calendar.

Enactment No: RES-13-0103

13-0969

Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Primary Nominating Election to be held on Tuesday, April 8, 2014, and a General Municipal Election to be held in the City on Tuesday, June 3, 2014; and

A motion was made to approve recommendation and adopt Resolution No. RES-13-0104 on the Consent Calendar.

Enactment No: RES-13-0104

13-0970

Adopt resolution consenting to requests from the Board of Education of the Long Beach Unified School District and the Board of Trustees of the Long Beach Community College District to consolidate Governing Board Member elections with the City of Long Beach Primary Nominating Election to be held on April 8, 2014. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-13-0105 on the Consent Calendar.

Enactment No: RES-13-0105

6. 13-0954

Recommendation to adopt resolution ordering the summary vacation of the portion of 12th Street located west of Jackson Avenue and south of Anaheim Street, and authorize the execution of a quitclaim deed upon the relocation or removal of the existing utility lines within the vacated right-of-way. (District 1)

A motion was made to approve recommendation and adopt Resolution No. RES-13-0106 on the Consent Calendar.

Enactment No: RES-13-0106

7. 13-0955

Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Starbucks located at 5251 East Second Street. (District 3)

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

8. 13-0960

Recommendation to receive and file minutes for: Civil Service Commission - October 9, 2013. Planning Commission - September 5 and October 3, 2013.

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

UNFINISHED BUSINESS (6:26 PM)

9. 13-0935

Recommendation to respectfully request City Attorney to draft a proposed ordinance requiring future concessions contractors at Long Beach Airport and Convention Center provide the City with contractual assurance of labor peace to avoid interruption of City revenues and present to the City Council within 30 days.

Councilmember Neal spoke.

Councilman Andrews spoke.

Ed Gutierrez spoke.

Reverend Jerry Stinson spoke.

Porta Gilbert spoke.

Uduak E. Ntuk spoke.

Jennie Pearce spoke.

Sammy Martinez spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Charles Parkin, City Attorney, spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Charles Parkin, City Attorney, spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Vice Mayor Garcia spoke.

A motion was made by Councilmember Neal, seconded by Vice Mayor Garcia, to approve recommendation, as amended, to require employers to post the Ordinance at the workplace. The motion carried by the following vote:

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

10. 13-0936

Recommendation to respectfully request City Attorney to draft a proposed ordinance requiring future foodservice concessions contractors at Long Beach Airport and Convention Center to rehire for an initial trial period of the workers employed by their predecessor contractor, and to present this ordinance to the City Council within 6 weeks.

Councilmember Neal spoke.

Bernice Prieto spoke.

Lisa Henkhaus spoke.

Mary Grafton spoke.

Francisco Cervantes spoke.

Juan spoke.

Shelton Irvin spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Vice Mayor Garcia spoke.

A motion was made by Councilmember Neal, seconded by Councilman Andrews, to approve recommendation, as amended, to require employers to post the Ordinance at the workplace. The motion carried by the following vote:

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

Absent: 2 - DeLong and Johnson

11. 13-0971

Recommendation to adopt resolution approving the Amendments to the existing Memoranda of Understanding with the Long Beach Association of Engineering Employees, Long Beach Managers Association, Long Beach Association of Confidential Employees and the Long Beach Lifeguards Association; applying the terms of compensation of the Amendments to the existing Memoranda of Understanding to the City Manager and amending his contract; applying the terms of compensation of the Amendments to the existing Memoranda of Understanding to unrepresented management employees as approved by applicable appointing authorities or governing boards;

Patrick West, City Manager, spoke.

Motion: Approve recommendation. Moved by O'Donnell, seconded by Garcia.

Councilmember DeLong spoke.

Charles Parkin, City Attorney, spoke.

Councilmember Neal spoke.

Charles Parkin, City Attorney, spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

A substitute motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to separately consider the Long Beach Management Association, unrepresented management employees, and City Manager mentioned in the resolution. The motion carried by the following vote:

Yes: 6 - Lowenthal, DeLong, Schipske, Johnson, Austin and Neal

No: 3 - Garcia, O'Donnell and Andrews

Vice Mayor Garcia spoke.

Mayor Foster spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to continue the consideration of an amendment to the City Manager's contract to the City Council meeting of November 12, 2013; and request a Closed Session to be scheduled on November 12, 2013 to discuss compensation prior to consideration of this item. The motion carried by the following vote:

Yes: 5 - DeLong, Schipske, Johnson, Austin and Neal

No: 4 - Garcia, Lowenthal, O'Donnell and Andrews

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to adopt Resolution No. RES-13-0107 adopting the Long Beach Management Association Memorandum of Understanding amendment. The motion carried by the following vote:

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

No: 2 - DeLong and Johnson

Enactment No: RES-13-0107

13-1006

Recommendation to adopt resolution approving the Amendments to the existing Memoranda of Understanding with the Long Beach Association of Engineering Employees, Long Beach Managers Association, Long Beach Association of Confidential Employees and the Long Beach Lifeguards Association; applying the terms of compensation of the Amendments to the existing Memoranda of Understanding to the City Manager and amending his contract; applying the terms of compensation of the Amendments to the existing Memoranda of Understanding to unrepresented management employees as approved by applicable appointing authorities or governing boards;

Vice Mayor Garcia spoke.

Charles Parkin, City Attorney, spoke.

Mayor Foster spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-13-0108, as amended, to apply the terms of the Long Beach Management Association Memorandum of Understanding Amendment to unrepresented management employees as approved by applicable appointing authorities, providing that increases may be based on merit. The motion carried by the following vote:

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

No: 2 - Schipske and Johnson

Enactment No: RES-13-0108

13-0927

Adopt resolution for paying and reporting the value of the Employer Paid Member Contributions (EPMC) to the California Public Employees Retirement System for employees represented by the Long Beach Association of Engineering Employees, Long Beach Managers Association, Long Beach Association of Confidential Employees, unrepresented managers; and

Councilmember Johnson spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Neal, to approve recommendation, as amended, to include City Manager; and adopt Resolution No. RES-13-0109. The motion carried by the following vote:

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

Enactment No: RES-13-0109

13-0928

Adopt resolution for paying and reporting the value of the Employer Paid Member Contributions (EPMC) to the California Public Employees Retirement System for employees represented by the Long Beach Lifeguards Associations. (Citywide)

Vice Mayor Garcia spoke.

Mayor Foster spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Neal, to approve recommendation and adopt Resolution No. RES-13-0110. The motion carried by the following vote:

Yes: 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews,

Johnson, Austin and Neal

Enactment No: RES-13-0110

REGULAR AGENDA (7:24 PM)

12. 13-0961

Recommendation to direct City Manager to engage both ICMA Center for Performance Management and Management Partners to develop updated performance measures; and implement a management evaluation process that integrates performance measures into a merit based compensation system for each City Manager controlled department.

Councilwoman Schipske spoke.

Motion: Approve recommendation. Moved by Schipske, seconded by DeLong.

Councilmember O'Donnell spoke.

Patrick West, City Manager, spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Charles Parkin, City Attorney, spoke.

Patrick West, City Manager, spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Patrick West, City Manager, spoke.

Councilmember Neal spoke.

Patrick West, City Manager, spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Councilman Austin spoke.

Patrick West, City Manager, spoke.

Councilman Austin spoke.

Patrick West, City Manager, spoke.

Councilman Austin spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Patrick West, City Manager, spoke.

Councilmember Lowenthal spoke.

Councilman Andrews spoke.

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilmember Neal spoke.

Councilman Austin spoke.

Mayor Foster spoke.

A substitute motion was made by Councilwoman Schipske, seconded by Vice Mayor Garcia, to received and filed. The motion carried by the following vote:

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

No: 1 - Andrews

13. 13-0972

Recommendation to hold a City Council Study Session about the 2014-2021 Housing Element at least one month before the City Council's vote on this item. The Study Session should include a presentation by City Staff, a Community Presentation and time for City Council questions and comments.

Councilwoman Schipske spoke.

Patrick West, City Manager, spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Porta Gilbert spoke.

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

Gary Shelton spoke.

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

Vice Mayor Garcia spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Austin, to approve recommendation. The motion carried by the following vote:

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

Absent: 1 - DeLong

14. 13-0844

WITHDRAWN

Recommendation to receive and file a report from the Chief of Police onthe cost and benefit of implementing a sex crime/sex trafficking unitwithin the Long Beach Police Department.

This Agenda Item was withdrawn.

15. 13-0953

Recommendation to authorize City Manager to execute a contract with K&H Integrated Print Solutions for mailing services and printing of official ballots, sample ballots and vote-by-mail materials in an amount not to exceed \$616,367, plus a seven percent contingency, in administration of the April 8, 2014 Primary Nominating Election (PNE), and the June 3, 2014 General Municipal Election (GME). (Citywide)

Councilman Austin spoke.

Larry Herrera, City Clerk, spoke.

A motion was made by Councilmember O'Donnell, 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

16. 13-0922

Recommendation to authorize City Manager to execute an agreement with Public Corporation for the Arts of the City of Long Beach, Inc., a California Nonprofit Corporation, dba the Arts Council of Long Beach, in the amount of \$354,300 to fund arts and cultural activities for a period of one year. (Citywide)

John Glaza spoke.

Councilmember Lowenthal spoke.

Suzanne Frick, Assistant City Manager, spoke.

Vice Mayor Garcia spoke.

Councilmember Neal spoke.

A motion was made by Councilman Austin, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:

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

17. 13-0958

Recommendation to authorize City Manager to execute all documents necessary to amend the existing Passenger Facility Charge program previously approved by the City Council and Federal Aviation Administration, and to accept, implement, administer, collect and expend a new Passenger Facility Charge program related to the Airport Capital Improvement Program, all within the existing authorized Passenger Facility Charge level of \$4.50 per enplaned passenger. (District 5)

A motion was made by Councilwoman Schipske, 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

18. 13-0956

Recommendation to adopt Plans and Specifications No. R-6925 for the Construction of Improvements to the Runway 12-30 Runway Safety Area at the Southeast End at the Long Beach Airport; award the contract to Sully-Miller Contracting Company, of Brea, California (not an MBE, WBE, DBE, SBE or Local), in the amount of \$2,693,460, plus a 15 percent contingency in the amount of \$404,019, for a total contract amount not to exceed \$3,097,479; authorize City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto; and increase appropriations in the Airport Fund (EF 320) in the Airport Department (AP) by \$2,832,943; and

Authorize City Manager to execute a Highway Maintenance Agreement with the State of California, acting through its Department of Transportation, transferring maintenance obligations of certain state highway right-of-way to the City in connection with the Construction of Improvements to Runway 12-30 RSA. (District 5)

A motion was made by Councilwoman Schipske, 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

19. 13-0963

Recommendation to authorize City Manager to execute the Third Amendment to Agreement No. 31137 with CH2M Hill, Inc., of Santa Ana, California, to increase the contract amount by \$449,823, for a total

amount not to exceed \$1,102,871, for engineering services associated with the DeForest Wetlands project; and execute any amendments necessary to extend the term, amend the scope of work, or adjust the fee schedule of hourly rates for inflation in the extended term. (Districts 8,9)

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

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

20. 13-0964

Recommendation to receive and file the application of Bambuco Colombian Grill Incorporated, dba Bambuco Colombian Grill, for an original Alcoholic Beverage Control License, at 1478 Santa Fe Avenue, with conditions. (District 1)

A motion was made by Vice Mayor Garcia, 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

21. 13-0965

Recommendation to receive and file the application of Pho Rowland Incorporated, dba Pho Nomeno Incorporated, for an original Alcoholic Beverage Control License, at 5295 East 2nd Street, with conditions. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilman Austin, 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

22. 13-0966

Recommendation to receive and file the application of Gogo Pollo Incorporated, dba Gogo Pollo, for an original Alcoholic Beverage Control License, at 101 West Pacific Coast Highway, with conditions. (District 6)

A motion was made by Councilman Andrews, seconded by Councilman Austin, 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

ORDINANCE (8:57 PM)

23. 13-0937

Recommendation to declare ordinance relating to adopting an amendment to Ordinance No. C-6496, adopted July 5, 1988, and amended on January 24, 1989, July 11, 1989, December 5, 1989, March 20, 1990, July 3, 1990, September 18, 1990, July 2, 1991, July 7, 1992, January 26, 1993, August 24, 1993, June 28, 1994, July 18, 1995, November 28, 1995, October 1, 1996, March 25, 1997, October 7,1997, October 27, 1998, April 20, 1999, October 19, 1999, October 17, 2000, October 30, 2001, March 19, 2002, November 26, 2002, January 6, 2004, February 8, 2005, November 1, 2005, December 5, 2006, March 20, 2007, May 22, 2007, December 18, 2007, July 15, 2008, September 21, 2010, September 13, 2011, and September 4, 2012, relating to Departmental Organization of the City of Long Beach, read and adopted as read. (Citywide)

Patrick West, City Manager, spoke.

Councilman Austin spoke.

Patrick West, City Manager, spoke.

A motion was made by Councilman Andrews, seconded by Councilmember Lowenthal, to approve recommendation and adopt Ordinance No. ORD-13-0023. The motion carried by the following vote:

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

Enactment No: ORD-13-0023

NEW BUSINESS (8:03 PM)

24. 13-0990

Recommendation to receive and file a presentation from the Participatory Budget Project.

Councilmember O'Donnell spoke.

Joe Moore spoke.

Josh Lerner spoke; presented a video; and submitted a handout.

Joe Moore spoke.

Councilmember O'Donnell spoke.

Joe Moore spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilman Austin spoke.

Councilmember Johnson spoke.

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

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

25. 13-0991

Recommendation to receive a status update on the Ground Emergency Medical Transport (GEMT) Program; discuss the implications of new GEMT revenue projections; consider alternatives for funding any proposed restorations of Engine 8 and Rescue 12; and, provide direction on any proposed restorations. (Citywide)

Patrick West, City Manager, spoke.

Councilmember Johnson spoke.

Motion: Set aside \$880,000 in one-time GEMT revenue (to make up difference from the \$1.25 m GEMT structural revenue budget) and provide \$600,000 in one-time GEMT revenue for delayed RMD from January through April.

Moved by Johnson, seconded by DeLong.

Vice Mayor Garcia spoke.

Patrick West, City Manager, spoke.

Vice Mayor Garcia spoke.

Mayor Foster spoke.

Vice Mayor Garcia spoke.

Motion: Substitute motion to set aside \$880,000 in one-time GEMT revenue (to make up difference from the \$1.25 m GEMT structural revenue budget) and provide \$600,000 in one-time GEMT revenue for

delayed RMD from January through April and \$400,000 in one-time GEMT revenue for delayed RMD for October thru December. Moved by Garcia, seconded by DeLong.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Patrick West, City Manager, spoke.

Vice Mayor Garcia spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Carl Kemp spoke.

James Farley, Vice President, Long Beach Firefighters, spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

A second substitute motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to set aside \$880,000 in one-time GEMT revenue (to make up difference from the \$1.25 m GEMT structural revenue budget) and provide \$600,000 in one-time GEMT revenue for delayed RMD from January through April and \$300,000 in one-time GEMT revenue for delayed RMD for November and December and to include discussion of possible restoration of Rescue 12 as part of future discussions. The motion carried by the following vote:

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

26. Affidavit of Service for special meeting held Tuesday, November 5, 2013.

27. 13-0974

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 1, 2013.

This Agenda Item was received and filed.

28. 13-0945

eComments received for the City Council meeting of Tuesday, November 5, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (9:54 PM)

Councilman Andrews made community announcements.

Councilmember O'Donnell requested that the meeting be adjourned in memory of Bobby San Jose; and made community announcements.

Councilwoman Schipske made community announcements.

Councilmember Lowenthal made community announcements.

Councilman Austin made community announcements.

Councilmember Johnson made community announcements.

Councilmember Neal made community announcements.

Vice Mayor Garcia congratulated Pastor Doug Johnstone on his retirement; and made

community announcements.

PUBLIC COMMENT (10:04 PM)

Reggie Carter spoke.

ADJOURNMENT (10:06 PM)

At 10:06 PM, Vice Mayor Garcia adjourned the meeting in memory of Bobby San Jose.

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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 ហើយត្រូវការរបៀបវារៈកិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលា ក្រុង និងរបាយការណ៍កិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង ជាសំណៅប្រែសម្រួលលាយលក្ខណ៍ អក្សរទៅជាភាសារបស់លោកអ្នក នោះស្ងមស្នើសុំមកនាយកដ្ឋានស្មៀនសាលាក្រុង តាមទូរស័ព្ទ លេខ (562) 570-6101 អោយបាន 72 ម៉ោងមុនកិច្ចប្រជុំក្រុមប្រឹក្សាសាលាក្រុងត្រូវប្រារព្ធធ្វើ ឡើង។

CITY OF LONG BEACH CITY COUNCIL MINUTES

TUESDAY, NOVEMBER 12, 2013 333 W. OCEAN BOULEVARD COUNCIL CHAMBER, 5:00 PM

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

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



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

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 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.

Taylore 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 Creasie 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 Creasie James.

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CITY OF LONG BEACH CITY COUNCIL MINUTES

TUESDAY, NOVEMBER 19, 2013 333 W. OCEAN BOULEVARD COUNCIL CHAMBER, 5:00 PM

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

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



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

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.

Agenda Items were considered in the order presented, except for Agenda Item No. 25 was considered after Agenda Item No. 13.

ROLL CALL (5:11 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.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Patrick O'Donnell, Councilmember, Fourth District.

Mayor Foster announced that Agenda Item No. 25 would be considered after Agenda Item No. 13 and that Agenda Item No. 11 would be continued to the City Council Meeting of Tuesday, December 10, 2013.

Julie Pruitt, spcaLA, presented a canine.

Proclamation for 104th Anniversary of East 7th Street.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

Presentation for Daisy Lane Parade 60th Anniversary.

Councilmember Johnson spoke.

Maria Norvell, Chair of Christmas Tree Lane, spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilman Andrews spoke.

Councilman Austin spoke.

Prime Time for Business Presentation Michael's Pizzeria.

Councilmember DeLong spoke.

Michael Dene, Owner, Michael's Pizzeria, spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Vice Mayor Garcia spoke.

Councilmember Johnson spoke.

Mayor Foster spoke.

CONTINUED HEARING (5:41 PM)

24. 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)

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, December 10, 2013. The motion carried by the following vote:

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

HEARINGS (5:44 PM)

1. 13-0996

Recommendation to receive documentation into the record, conclude the public hearing and declare the ordinance amending the Long Beach Municipal Code Sections 5.38 and 21.15.1100, relating to the regulation of fortunetelling read the first time and laid over to the next regular meeting of the City Council for final reading;

Debro Onn Saad spoke.

A motion was made by Councilmember DeLong, 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

13-0997

Declare the ordinance amending the Long Beach Municipal Code Sections 5.64.010C and 21.15.2008, and deleting Section 21.15.2401, relating to the regulation of secondhand dealers and "cash for gold" businesses read the first time and laid over to the next regular meeting of the City Council for final reading;

A motion was made by Councilmember DeLong, 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

13-0998

Declare the ordinance amending the Long Beach Municipal Code Section 21.15.235, relating to the regulation of cottage food operations read the first time and laid over to the next regular meeting of the City Council for final reading;

A motion was made by Councilmember DeLong, 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

13-0999

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

Accept Categorical Exemption CE-13-099. (Citywide)

Larry Goodhue spoke.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-13-0113. The motion carried by the following vote:

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

Enactment No: RES-13-0113

2. 13-0995

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Quyen T. Seaman, dba Paradise LB, 4911 Long Beach Boulevard, for Entertainment Without Dancing by Patrons. (District 8)

A motion was made by Councilman Austin, seconded by Councilmember Johnson, that the item be laid over to the City Council meeting of Tuesday, December 3, 2013. The motion carried by the following vote:

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

3. 13-0994

Recommendation to receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use; and adopt resolution ordering the vacation of a portion of the public right-of-way on the south side of Columbia Street west of Long Beach Boulevard. (District 6)

Councilman Austin spoke.

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0114. The motion carried by the following vote:

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

Page 4 of 16

Enactment No: RES-13-0114

PUBLIC COMMENT (5:54 PM)

Larry Goodhue spoke regarding various issues.

Debro Onn Saad spoke regarding various issues.

Lily Gonzalez spoke regarding a Christmas Tree for City Hall lobby.

Mayor Foster spoke.

Star Harris spoke regarding hate crimes.

13-1031

Porter Gilberg, Administrative Director, LGBTQ Center of Long Beach; Jess Villareal, Director, Naked Truth Trans Ministry at Open Door Long Beach; spoke regarding Long Beach International Transgender Day of Remembrance November 20, 2013; and distributed correspondence.

This Handout was received and filed.

Jeff Abrams spoke regarding marijuana dispensaries in Long Beach.

Councilmember Lowenthal spoke.

CONSENT CALENDAR (6:15 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve Consent Calendar Items 4 - 10. The motion carried by the following vote:

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

4. 13-1005

Recommendation to authorize City Attorney to submit Stipulations with Requests for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$97,347.50 for the claim of Michelle Anglo; authority to pay 1) \$62,126.20, 2) \$36,570, 3) \$1,380, and 4) \$41,650 for the claim of Dwight Schmalried; and authority to pay \$101,073.91 for the claim of Michael Whitcomb, in compliance with the Appeals Board Orders.

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

5. 13-1025

Recommendation to authorize City Attorney to submit Stipulations with Request for Award for Death Benefits for approval by the Workers'

Compensation Appeals Board, and if so approved, authority to pay \$250,000, as well as burial expenses up to \$10,000, in compliance with the Appeals Board Order for decedent, Brenda Relph.

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

6. 13-1007

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 \$60,000 in compliance with the Appeals Board Order for Jennifer Gonzales.

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

7. 13-1001

Recommendation to refer to City Attorney damage claims received between November 4, 2013 and November 11, 2013.

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

8. 13-1002

Recommendation to authorize City Manager to execute any and all documents necessary to enter into an agreement with Mercedes Benz of Long Beach to host events related to the Long Beach Airport 90th Anniversary. (District 5)

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

9. 13-1004

Recommendation to authorize City Manager to execute any and all documents necessary for the Fourth Amendment to Lease No. 30620 between the City of Long Beach and Navy Yacht Club - Long Beach, a California non-profit corporation, for the continued use of City-owned property at 223 Marina Drive. (District 3)

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

10. 13-1022

Recommendation to receive and file minutes for: Civil Service Commission - October 16, 2013

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

REGULAR AGENDA (6:16 PM)

11. 13-1023

Recommendation to receive and approve Commission/Board/Committee appointments to Non-Charter Commissions.

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, that the item be laid over to the City Council meeting of Tuesday, December 10, 2013. The motion carried by the following vote:

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

12. 13-1024

Recommendation to remove Mr. Thomas Fields from the Board of Harbor Commissioners, pursuant to Long Beach City Charter Section 510. According to Charter Section 510, the Mayor may remove a commissioner at any time with the concurrence of two-thirds (2/3) of the members of the City Council.

Charles Parkin, City Attorney, spoke.

Mayor Foster spoke.

Thomas Fields, Board of Harbor Commissioner, spoke.

Mayor Foster spoke.

Larry Goodhue spoke.

Debro Onn Saad spoke.

Lindsey Hughes spoke.

Tonia Reyes Uranga spoke.

Star Harris spoke.

John Deats spoke.

Mayor Foster spoke.

Erica Renae Harbor spoke.

Rae Gabelich spoke.

Charles Brown spoke.

Lydia Hollie spoke.

John McLaurin, President, Pacific Merchant Shipping Association, spoke; and distributed correspondence on behalf of The Propeller Club

of Los Angeles - Long Beach.

Frank Capo, Senior Vice President and Chief Commercial Officer, Total Terminals International, spoke.

Mel Salsman spoke.

Dennis Dunn spoke.

Kareem Muhammad spoke.

Mark Lees spoke.

Manuel Uranga spoke.

Tony Tortorici spoke.

Councilman Austin spoke.

Motion: That this item be received and filed. Moved by Austin, seconded by Schipske.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilmember Lowenthal spoke.

A substitute 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, O'Donnell, Andrews and Johnson

No: 3 - Schipske, Austin and Neal

13. 13-1010

Recommendation to, by motion of the City Council, request City Attorney to prepare a resolution expressing the full support of the City Council for Boeing to bring the 777x Airliner assembly work to Long Beach and direct City Manager to determine what the City can do to encourage and enable Boeing to remain.

Councilwoman Schipske spoke.

Mayor Foster declared a 10-minute recess.

Mayor Foster called the meeting back to order at 7:38 PM.

Councilwoman Schipske spoke.

Stan Klemchuk, President, UAW Local 148, spoke.

George Burden, Secretary Treasurer, UAW Local 148, spoke.

Bruce Allen Lee, UAW Region 5, spoke.

Randy Sauceman spoke; and distributed a flyer.

Ron Bueller spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Stan Klemchuk spoke.

George Burden spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Austin, approve recommendation to request the City Attorney to prepare a resolution expressing the full support of the City Council for Boeing to either bring the 777x Airliner assembly work to Long Beach and/or continue the production of the C-17 aircraft; and direct the City Manager to determine what the City can do to encourage and enable Boeing to remain in Long Beach. The motion carried by the following vote:

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

14. 13-0569 Recommendation to City Council to name the park site located at 851 Orange Avenue "Craftsman Village Park."

Vice Mayor Garcia spoke.

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

15. 13-0379

Recommendation to City Council to name the park site located at 215 East 1st Street "Promenade Square Park."

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

16. 13-1011

Recommendation to receive and file the Investment Report for Quarter Ending September 30, 2013. (Citywide)

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

17. 13-1012

Recommendation to authorize City Manager to execute all documents necessary to amend Contract No. 30939 with West Coast Arborists, Inc., of Anaheim, CA (not an MBE, WBE, SBE or Local), for providing as-needed tree trimming services, in an additional amount of \$1,165,000 for a revised total not to exceed \$7,160,000, and extend the contract term to June 1, 2014; and

Authorize City Manager to execute all documents necessary to amend Contract No. 31907 with Trimming Land Co., Inc., of South Gate, CA (MBE), and Contract No. 31906 with United Pacific Services, of La Habra, CA (not an MBE, WBE, SBE or Local), for providing as-needed tree trimming services, in an additional amount of \$200,000, for a revised total not to exceed \$1,460,000, and extend the contract term to June 1, 2014. (Citywide)

Councilmember Johnson 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

18. 13-1015

Recommendation to adopt resolution declaring a shelter crisis; suspending applicable provisions of local law, including those contained in the City's zoning ordinances and regulations; and authorizing the operation of a winter shelter between the dates of December 1, 2013 and March 15, 2014, inclusive; and

Authorize City Manager to execute any and all documents necessary for a Lease between the Long Beach Rescue Mission Foundation and/or Eddie N. John, an individual, as successor-in-ownership (Lessor) and the City (Lessee), and a Sublease between the City (Sublessor) and the Long Beach Rescue Mission (Sublessee) and/or affiliated entities, and any necessary amendments at the discretion of the City Manager for approximately 12,000 rentable square feet of industrial space at 6845 Atlantic Avenue at the monthly base rent of \$6,000 for use as a winter shelter, and increase appropriations in the General Fund (GP) in the Department of Health and Human Services (HE) by \$21,000. (District 9)

Councilmember Neal spoke.

Robert Probst, Executive Director of Long Beach Rescue Mission, spoke.

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0115. The motion carried by the following vote:

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

Enactment No: RFS-13-0115

19. 13-1016

Recommendation to authorize City Manager, or his designee, to execute any documents necessary to accept a non-monetary donation of planning, labor, materials, and equipment, valued at approximately \$100,000, from the Los Angeles Clippers for improvements to the playground and basketball courts at Coolidge Park; execute any documents necessary to use funding of up to \$30,000 of the Healthy Eating Active Living Zone Initiative Grant from Kaiser Foundation Hospitals for the installation of outdoor equipment, signage, and playground and court surfaces at Coolidge Park; and execute new right-of-entry permits and any related documents with Madrid Equipment Rental, Inc., and Chris Kelley, Inc., dba Childs Play, and/or their agents, to make the aforementioned improvements. (District 9)

Councilmember Neal 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

20. 13-1017

Recommendation to receive and file the application of CEC Entertainment Incorporated, dba Chuck E. Cheeses 769, for an original Alcoholic Beverage Control License, at 290 East 4th Street, with conditions. (District 1)

Distributed at the meeting: ABC conditions.

Vice Mayor Garcia spoke.

A motion was made by Vice Mayor Garcia, 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. 13-1018

Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Walmart Stores Incorporated, dba Walmart Store #3477, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 7250 Carson Boulevard, with conditions. (District 5)

Distributed at the meeting: ABC conditions.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, 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

22. 13-1019

Recommendation to receive and file the application of Weiland Brewery Restaurant 3 Incorporated, dba Weiland Brewery Restaurant, for an original Alcoholic Beverage Control License, at 4354 Atlantic Avenue, submit a Public Notice of Protest to ABC, and direct City Manager to withdraw the protest if a Conditional Use Permit is granted. (District 8)

A motion was made by Councilman Austin, 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

23. 13-1020

Recommendation to adopt resolution authorizing City Manager, or his designee, to submit application to the State of California Strategic Growth Council, for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), for the Willow Springs Wetlands Project;

Councilmember Johnson spoke.

A motion was made by Councilmember Johnson, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0116. The motion carried by the following vote:

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

Absent: 1 - Schipske

Enactment No: RES-13-0116

13-1021

Adopt resolution authorizing City Manager, or his designee, to submit application to the State of California Strategic Growth Council, for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), for landscaping improvements on the street median adjacent to Pacific Coast Highway and east of the Terminal Island Freeway; and

Authorize City Manager, or his designee, to accept grants from the Strategic Growth Council for up to \$924,000 and up to \$75,000 for Urban Greening Grant funds, and execute all documents necessary to accept the funds and implement the project. (District 7)

A motion was made by Councilmember Johnson, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0117. The motion carried by the following vote:

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

Absent: 1 - Schipske

Enactment No: RES-13-0117

NEW BUSINESS (8:17 PM)

24. Agenda Item No. 24 is listed under Continued Hearing (page 1).

25. 13-1028

Recommendation to request City Manager to contact the Los Angeles County Economic Development Corporation to conduct an "Economic Impact Study" detailing the potential economic loss the City of Long Beach and Los Angeles County so that the Governor's Office of Jobs and Business Development can determine what if any incentives can be offered to keep Boeing in Long Beach.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Charles Parkin, City Attorney, spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

George Burden, Secretary Treasurer, UAW Local 148, spoke.

Councilman Austin spoke.

Long Nguyen spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Austin, to approve recommendation, as amended, to request staff to consider and report back on benefit of an economic impact study, as well as other studies and strategies, but not allocate costs or funding of such studies at this time. The motion carried by the following vote:

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

26. 13-1029

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 15, 2013.

This Agenda Item was received and filed.

27. 13-1032

eComments received for the City Council meeting of Tuesday, November 19, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (8:14 PM)

Councilman Andrews made community announcements.

Councilmember Neal made community announcements.

Mayor Foster requested that the meeting be adjourned in memory of Staff Sergeant Mathew R. Marsh.

Councilmember O'Donnell requested that the meeting be adjourned in memory of Bob Bryan.

Councilmember Johnson made community announcements.

ADJOURNMENT (8:36 PM)

At 8:36 PM, Mayor Foster adjourned the meeting in memory of Staff Sergeant Mathew R. Marsh and Bob Bryan.

NOTE: Due to a recess, the timestamps after Agenda Item No. 13 are off by approximately 17 minutes.

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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 ហើយត្រូវការរបៀបវារៈកិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលា ក្រុង និងរបាយការណ៍កិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង ជាសំណៅប្រែសម្រួលលាយលក្ខណ៍ អក្សរទៅជាភាសារបស់លោកអ្នក នោះស្ងមស្នើសុំមកនាយកដ្ឋានស្មៀនសាលាក្រុង តាមទូរស័ព្ទ លេខ (562) 570-6101 អោយបាន 72 ម៉ោងមុនកិច្ចប្រជុំក្រុមប្រឹក្សាសាលាក្រុងត្រូវប្រារព្ធធ្វើ ឡើង។