



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

May 21, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meeting of Tuesday, May 7, 2013.

DISCUSSION

The Legistar minutes for the City Council meeting of Tuesday, May 7, 2013 is 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,

A handwritten signature in black ink, appearing to read "Larry Herrera".

LARRY G. HERRERA
CITY CLERK

Prepared by: Daisy Gomez

LGH:dg
Attachment

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



Gerrie Schipske, R.N.P./J.D., 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Al Austin, 8th District
Steven Neal, 9th District

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

Bob Foster, Mayor

Robert E. Shannon, 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.

ROLL CALL (5:08 PM)

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

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

Mayor Foster presiding.

Invocation: Moment of Silence.

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

Julie Pruitt, spcaLA, presented a canine.

Proclamation for World Asthma Day.

Councilman Andrews spoke.

Jessica Tovar, Long Beach Alliance for Children with Asthma, Project Manager, presented a PowerPoint presentation; and spoke.

Dr. Elisa Nicholas, original founder of Long Beach Alliance for Children with Asthma, spoke.

Presentation for Bike Appreciation to City Council.

13-0422 Distributed at the meeting: Flyer for National Bike Month.

This Handout was received and filed.

David Roseman, City Traffic Engineer, spoke.

Pat Hines, founder of Safe Moves, presented a video; and spoke.

Georgia Case, founding member of Bikestation, spoke.

Mayor Foster spoke.

Proclamation for Homeless Veterans Awareness Day.

Bob Cerince spoke, Homeless Services Officer, spoke.

Darnisa Tyler, Deputy Executive Director, spoke.

Jim Hansen, Executive Director for U.S. VETS-Long Beach, spoke.

Mayor Foster spoke.

Presentation for Tour of Long Beach.

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

Councilmember Lowenthal spoke.

PUBLIC COMMENT (5:33 PM)

13-0424 Jeremy Coltharp spoke regarding medical marijuana ballot measure; and submitted documentation.

This Handout was received and filed.

Jason Aula spoke regarding medical marijuana.

Vice Mayor Garcia spoke.

Larry Herrera, City Clerk, spoke.

Carlos Gatel spoke regarding medical marijuana.

Joe Brizzolara spoke regarding medical marijuana.

Ralph Reese spoke regarding an official public information for Long Beach City on "U.S. War on Cancer."

Sydney Simon spoke regarding medical marijuana.

Antonio Ruiz spoke regarding the News and Information Program announcement.

Councilmember O'Donnell spoke.

Antonio Ruiz spoke.

Jeffrey Abrams spoke regarding medical marijuana.

Steven Edwards spoke regarding medical marijuana.

Sean Graves spoke regarding medical marijuana.

CONSENT CALENDAR (6:03 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve Consent Calendar Items 1 - 6, except for Item 4. The motion carried by the following vote:

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

1. 13-0361 Recommendation to approve the minutes for the City Council meetings of Tuesday, April 16 and April 23, 2013.

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

2. 13-0362 Recommendation to refer to City Attorney damage claims received between April 15, 2013 and April 29, 2013.

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

3. 13-0358 Recommendation to receive and file Comprehensive Annual Financial Report (CAFR) and Separately Issued Financial Statements for the Fiscal Year Ended September 30, 2012. (Citywide)

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

4. 13-0359 Recommendation to authorize City Manager to execute a permit with HappyCross Ministry, dba WishCruise Navy, for the use of the fixed eastern side of the Pine Avenue Pier in Rainbow Harbor, to conduct make-a-wish cruises, maritime and nautical education cruises, juvenile correction program charters, and pirate-themed cruises for a term of ten years, with two, five-year renewal options at the discretion of the City Manager or his designee. (District 2)

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember Lowenthal, 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

5. 13-0360 Recommendation to adopt resolution setting apart and dedicating for public street purposes portions of City-owned property, and authorize City Manager or his designee to execute easement deeds to be granted to Southern California Edison for aerial purposes and pole installations and relocations, all located at and/or near the intersections of Walnut Avenue, 20th Street and Alamitos Avenue. (District 6)

A motion was made to approve recommendation and adopt Resolution No. RES-13-0035 on the Consent Calendar.

Enactment No: RES-13-0035

6. 13-0376 Recommendation to receive and file minutes for:
Civil Service Commission - April 3, 2013.
Planning Commission - April 4, 2013.

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

7. 13-0379 Recommendation to refer the name "Promenade Square Park" to the Parks and Recreation Commission as well as the Housing and Neighborhoods Committee for the park located adjacent to the pedestrian promenade between First Street and Broadway.

Councilmember Lowenthal spoke.

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

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

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

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

8. 13-0380 Recommendation to request City Manager to investigate the development of a household battery and light bulb collection system to assist residents who wish to bring used batteries (dry cell, rechargeable, button cell) and light bulbs to the newly opened Household Hazardous Waste Center; and

Request that City departments be provided with the necessary receptacles to safely dispose of household hazardous waste and evaluate whether city facilities such as libraries or park community centers offer a suitable location for a pilot residential collection program.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Councilmember Johnson spoke.

Alex Galasso spoke.

A motion was made by Councilmember Lowenthal, 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

9. 13-0381 Recommendation to refer consideration of the City's urban forest plan and the City's sidewalk plan to the City Council's Transportation and Infrastructure Committee.

Councilmember Johnson spoke.

A motion was made by Councilmember Johnson, seconded by Councilmember DeLong, to approve recommendation to refer to the Transportation and Infrastructure Committee. The motion carried by the following vote:

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

10. 13-0382 Recommendation to refer consideration of a Citywide Pavement Management System to the City Council's Transportation and Infrastructure Committee.

Councilmember Johnson spoke.

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

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

11. 13-0383 Recommendation to refer consideration of alternative sidewalk maintenance techniques, such as saw cutting, to the City Council's Transportation and Infrastructure Committee.

Councilmember Johnson spoke.

A motion was made by Councilmember Johnson, seconded by Councilwoman Schipske, to approve recommendation to refer to the Transportation and Infrastructure Committee. The motion carried by the following vote:

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

12. 13-0363 Recommendation to approve the Fiscal Year 2013 second quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

Patrick West, City Manager, spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilman Austin spoke.

Councilmember DeLong 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

- 13. 13-0364** Recommendation to adopt Specifications No. PA-02513 and award contracts to Daniels Tire Service, of Santa Fe Springs, CA (not a Local, MBE, WBE or SBE), and Sudduth Tire Co., Inc., of Long Beach, CA (Local and WBE, not a MBE or SBE), for the purchase of vehicle tires, in an annual combined amount not to exceed \$470,000, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

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

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

- 14. 13-0365** Recommendation to adopt Specifications No. PA-00813 and award contracts to Danny Jones Auto Painting, of Long Beach, CA (Local, SBE and WBE; not a MBE), Eddy's Auto Body & Paint, of Long Beach, CA (Local, SBE, WBE, and MBE), and Truk Pros, Inc., of Artesia, CA (SBE; not a Local, WBE, or MBE), to provide vehicular body, frame and refinishing repairs, in an annual combined amount not to exceed \$360,000, for a period of one year with no renewal options. (Citywide)

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

- 15. 13-0366** Recommendation to adopt Specifications No. PA-01713 and award a contract to Worthington Ford, a Long Beach-based business (Local and SBE; not an MBE or WBE), for the purchase of four Ford F-550 CNG trucks with 39-foot aerial buckets, in an amount not to exceed \$504,963, including tax. (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
- 16. 13-0368** Recommendation to authorize City Manager to enter into an Other Transaction Agreement with the U.S. Department of Homeland Security, Transportation Security Administration (TSA) for reimbursement of up to \$188,510, for Checked Baggage Recapitalization Screening Design Services, and any amendments thereto. (District 5)
- 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. 13-0369** Recommendation to receive and file application of Kings Seafood Company LLC., dba Kings Fish House, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 100 West Broadway, Suite 1000, with conditions. (District 2)
- 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
- 18. 13-0370** Recommendation to receive and file application of Jorge Mora Navarro, dba Cantarito Mexican Grill, for an original Alcoholic Beverage Control License, at 2000 East 7th Street. (District 2)

A motion was made by Councilmember Lowenthal, 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

19. 13-0371

Recommendation to receive and file application of Louie Alke Christopoulos, dba Baby Bros Pizza Wings, for an original Alcoholic Beverage Control License, at 5095 East Pacific Coast Highway, with conditions. (District 4)

Councilmember O'Donnell spoke.

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

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

20. 13-0372

Recommendation to authorize City Manager to execute all documents necessary for an agreement with Overland, Pacific and Cutler, Inc., a California corporation, for acquisition, relocation, property management and related services for a three-year term in an amount not to exceed \$300,000 per year. (Citywide)

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

21. 13-0373

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; and approve a discretionary permit to excavate areas in certain City street, that have been reconstructed within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (District 2)

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

Patrick West, City Manager, spoke.

Vice Mayor Garcia spoke.

Patrick West, City Manager, spoke.

Councilman Austin spoke.

Patrick West, City Manager, spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilman Andrews, to approve recommendation as amended to provide that the permit holder will be required to slurry seal the excavated area from curb to curb and block to block in order to maintain the aesthetic quality of the street. The motion carried by the following vote:

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

22. 13-0374

Recommendation to adopt Plans and Specifications No. R-6929 for the construction of Orizaba Park Community Building, award the Base Bid and Alternate Bid Item 1 to and authorize City Manager to execute a contract with G2K Construction, Inc., in the amount of \$1,745,000, plus a 15 percent contingency amount of \$261,750, if necessary, for a total amount of \$2,006,750, and any necessary amendments thereto;

Reduce appropriations in the Capital Projects Fund (CP) in the Department of Parks, Recreation and Marine (PR) by \$2,200,000; and

Increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$2,200,000. (District 6)

Distributed at the meeting: Revised staff report.

Councilmember O'Donnell 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

- 23.** 13-0375 Recommendation to authorize City Manager to allocate Public, Education, and Government (PEG) fee revenue equally among the three categories of cable access providers, each receiving one-third of the total available; and increase appropriations in the General Services Fund (IS 385) and the Department of Technology Services (TS) by \$928,254. (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

ORDINANCES (6:47 PM)

- 24.** 13-0377 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending and restating Chapter 5.60, relating to parades and special events, read the first time and laid over to the next regular meeting of the City Council for final reading; and

Charles Parkin, Assistant City Attorney, spoke; and provided non-substantive amendments to the Ordinance.

Councilmember Johnson spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to declare ordinance, as amended, 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

- 13-0378 Declare ordinance amending the Long Beach Municipal Code by amending and restating Chapter 5.61, relating to filming activities, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to declare ordinance, as amended, 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

NEW BUSINESS (6:52 PM)

25. 13-0393 eComments received for the City Council meeting of Tuesday, May 7, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (6:52 PM)

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements.

Councilmember Lowenthal made community announcements.

Councilmember Johnson made community announcements.

PUBLIC COMMENT (6:52 PM)

Rose Vance spoke.

Councilwoman Schipske spoke.

Zack Abrams spoke.

June Douglas Johnson spoke.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Hilary Henson spoke.

ADJOURNMENT (7:11 PM)

At 7:11 P.M., Vice Mayor Garcia adjourned the meeting. pr