



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

C-3

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

March 5, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meetings of Tuesday, February 12 and February 19, 2013 and the Study Session of Tuesday, February 12, 2013.

DISCUSSION

The Legistar minutes for the City Council meetings of Tuesday, February 12 and February 19, 2013 and the Study Session of Tuesday, February 12, 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: Pablo Rubio

LGH:pr
Attachment

**CITY OF LONG BEACH
CITY COUNCIL SPECIAL MEETING
MINUTES**

**TUESDAY, FEBRUARY 12, 2013
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER, 3:30 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

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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (3:39 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;
Robert E. Shannon, City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk;
Daisy Gomez, City Clerk Analyst.

Mayor Foster presiding.

SPECIAL MEETING

1. 13-0143 Recommendation to hold a study session regarding:

- Unfunded Liabilities

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Christine Checelsky, Deputy City Attorney, spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

This Agenda Item was received and filed.

ADJOURNMENT (4:25 PM)

At 4:25 PM, Mayor Foster adjourned the meeting.

dg

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, except for Agenda Item No. 8, which was considered after Agenda Item No. 10.

ROLL CALL (5:19 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; Robert E. Shannon, City Attorney; Charles Parkin, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Poonam Davis, Assistant City Clerk; Daisy Gomez, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Vice Mayor Robert Garcia, Councilmember, First District.

Mayor Foster announced that Agenda Item No. 8 would be considered at 6:00 PM.

HEARINGS (5:19 PM)

1. 13-0114 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Cuban Pete's Rhythm Lounge, dba Cuban Pete's Mojito Lounge, 245 Pine Avenue No. 290, for Entertainment With Dancing by Patrons. (District 2)

A motion was made by Councilmember Lowenthal, 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

2. 13-0115 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of RM Acapulco LLC, dba Acapulco, 6270 E. Pacific Coast Highway, for Entertainment With Dancing by Patrons. (District 3)

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

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

3. 13-0116 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Cyclo LLC, dba La Lune Palace, 2801 E. Spring Street No. 300, for Entertainment With Dancing by Patrons. (District 5)

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

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

4. 13-0117 Recommendation to receive supporting documentation into the record, conclude the hearing and adopt the hearing officer's recommendation to revoke Business License No. BU07066691 issued to Augie Doggie Enterprises LLC, located at 3401 Orange Avenue. (District 7)

Councilmember Johnson spoke.

Mark Malan, appellant, spoke.

Brian Zanzucchi, tenant, spoke.

Mark Malan, appellant, spoke in rebuttal.

Larry Goodhue spoke.

Mayor Foster spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember Johnson, 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

PUBLIC COMMENT (5:52 PM)

13-0167 Shirley Broussard spoke regarding a raise for homeless persons; and submitted information.

This Agenda Item was received and filed.

Jo Ann Freeman spoke regarding learning disability and employment.

Councilwoman Schipske spoke.

Ben Rockwell spoke regarding utility rates.

CONSENT CALENDAR (6:05 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilman Austin, to approve Consent Calendar Items 5 - 6. The motion carried by the following vote:

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

5. 13-0118 Recommendation to refer to City Attorney damage claims received between January 28, 2013 and February 4, 2013.

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

6. 13-0119 Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the National Association of City and County Health Officials (NACCHO) to accept funding in the amount of \$4,000 to provide capacity building funds for the Long Beach Medical Reserve Corps (MRC) for the period of January 5, 2013 through July 31, 2013. (Citywide)

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

REGULAR AGENDA (6:06 PM)

7. 13-0124 Recommendation to adopt Plans and Specifications No. G-301 for gas pipeline installation and relocation; and authorize City Manager to execute a contract with ARB, Inc., in an amount not to exceed \$5,848,440. (Citywide)

Councilmember Johnson spoke.

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

8. 13-0122 Recommendation to authorize City Manager to proceed with the entitlement phase of the proposed Long-Term Belmont Pool Revitalization Project (Project), and with the installation of a temporary outdoor pool or other interim option. (District 3)

Suzanne Frick, Assistant City Manager, spoke; and provided the PowerPoint presentation.

Councilmember DeLong spoke.

Ben Rockwell spoke.

Hank Rivers spoke.

Larry Goodhue spoke.

Steve Everly spoke; and submitted information.

Yana Tasher spoke.

Janice Onenburg spoke.

Cooper Zuonich spoke.

Aliah Masilavanich spoke.

Elaina spoke.

Brody Chief spoke.

Bill Sive spoke.

Kirt Wilson spoke.

Deion Reed spoke.

Vic Ceglus spoke.

Paul Graves spoke.

Debbie McCormick spoke; and submitted information.

Councilmember DeLong spoke.

Bill Nickelson spoke.

Cassidy Krug and Greg Louganis spoke.

Mark Applegate spoke.

Richard Foster spoke.

Tony Martinelli spoke.

Will Allen spoke.

Dr. Teresa Pascuzzo spoke.

Shei Crudale spoke.

Suzy Atwood spoke.

Jessica Hardy spoke.

Frank Bush spoke.

Kenny Anderson spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilman Austin spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation with the following plan changes: [1] integrate the necessary infrastructure into the design and cost estimates so as to maintain Platform Diving inside the facility by increasing the length of the indoor pool to ensure a segregated area for Platform Diving or creating a separate "dolling well"; [2] ensure final indoor pool design includes a minimum of 30 meters of 8-foot plus water depth, if practical, and evaluate the benefits of 10-foot water depth to allow for collegiate and international water polo competition and meet current and future competitive swimming regulations; [3] request City staff to return to Council with a plan to expedite the design, procurement, and construction of a temporary pool with incentives for early completion (June, 2013 ?); [4] request City staff to return to Council with a plan to expedite the design, procurement, and construction of a permanent pool facility with incentives for early completion; [5] given the design changes that have occurred, determine the most appropriate location for the small "therapy" pool; and [6] analyze the technical and economic feasibility of incorporating a "moving pool floor" as part of the design. The motion carried by the following vote:

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

Mayor Foster declared a 5 minutes recess at 7:55 PM.

Mayor Foster called the meeting back to order at 8:00 PM.

9. 13-0125 Recommendation to adopt Resolution of Intention to disestablish the Andy Street Multi-family Improvement District (AMID), and set date of hearing for Tuesday, March 19, 2013 at 5:00 p.m. (District 9)

Councilmember Neal spoke.

A motion was made by Councilmember Neal, seconded by Vice Mayor Garcia, to approve recommendation and adopt Resolution No. RES-13-0020. The motion carried by the following vote:

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

Enactment No: RES-13-0020

ORDINANCE (6:15 PM)

- 10. 13-0105** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsections 14.20.200.C and 14.20.220.C all relating to newsrack pilot program areas, read and adopted as read. (Citywide)

Ben Rockwell spoke.

Councilmember Lowenthal spoke.

A motion was made by Vice Mayor Garcia, seconded by Councilmember Lowenthal, to approve recommendation and adopt Ordinance No. ORD-13-0001. The motion carried by the following vote:

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

Enactment No: ORD-13-0001

NEW BUSINESS (8:00 PM)

- 11. 13-0156** Recommendation to receive and file a presentation on seismic deficiencies of the Civic Center, and authorize City Manager to release a Request for Qualifications for the development, construction and operation of a new Civic Center. (District 2)

Suzanne Frick, Assistant City Manager, spoke; and provided the PowerPoint presentation.

Councilmember Lowenthal spoke.

Motion: Approve recommendation with an amendment to add an active public process.

Moved by Lowenthal, seconded by Garcia.

Mayor Foster spoke.

Vice Mayor Garcia spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Councilman Austin spoke.

Councilwoman Schipske spoke.

Councilman Andrews spoke.

Councilmember Johnson spoke.

Councilmember Lowenthal spoke.

Ben Rockwell spoke.

Maureen Neeley spoke.

Ted Kane spoke.

Larry Goodhue spoke.

Cameron Crockett spoke.

Elliot Gonzales spoke.

Jon Sommers spoke; and submitted information.

John Rascoe spoke.

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

Ken Anderson spoke.

Vice Mayor Garcia spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Motion: Substitute motion that the item be tabled until a second opinion

and/or study is done on both the City Hall and Library concerning the seismic evaluation of these buildings.

Moved by Schipske, seconded by Austin.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilman Austin spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

Mayor Foster spoke.

A second substitute motion was made by Councilmember Lowenthal, seconded by Vice Mayor Garcia, to approve recommendation and direct staff to: [1] communicate with the engineering firm that prepared the original seismic study; [2] conduct a peer review to determine if the study is valid with current contemporary standards and methodologies; [3] and should the peer review result prove the original study is not valid, staff will proceed with a second seismic study. The motion carried by the following vote:

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

No: 2 - Johnson and Austin

12. Affidavit of Service for the special meetings held Tuesday, February 12, 2013.

13. 13-0157 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, February 8, 2013.

This Agenda Item was received and filed.

14. 13-0166 eComments received for the City Council meeting of Tuesday, February 12, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (9:35 PM)

Councilman Andrews made community announcements.

Councilmember Johnson made community announcements.

Councilman Austin made community announcements.

Councilmember Neal made community announcements.

Councilmember Lowenthal requested that the meeting be adjourned in memory of Carlos Davila; and made community announcements.

ADJOURNMENT (9:42 PM)

At 9:42 P.M., Mayor Foster adjourned the meeting in memory of Carlos Davila.

dg

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, except for Agenda Item No. 26 which was considered after Agenda Item No. 4.

ROLL CALL (5:04 PM)

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

Councilmembers Lowenthal and Neal
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Carolyn Hill, City Clerk Specialist; Pablo Rubio, City Clerk Assistant.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Vice Mayor Robert Garcia, Councilmember, First District.

Mayor Foster announced that the presentations for the American Heart and Prime Time for Business has been cancelled; Agenda Item No. 14 has been withdrawn; Agenda Item No. 26 would be considered at 6:00 PM; and that Councilmember Neal would be absent.

Pet Adoption: Julie Pruitt, spcaLA, presented a canine.

Robert Shannon, City Attorney, announced there was no reportable action taken during closed session.

Proclamation regarding Long Beach reads one book "The Art of Racing in the Rain."

Mary Barton, President of Long Beach Reads One Book, spoke.

SECOND ROLL CALL (5:10 PM)

Councilmembers Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews,

Present: Johnson and Austin

Councilmembers Neal

Absent:

Councilmember Lowenthal joined the meeting.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Proclamation regarding Black History Month.

Mayor Foster spoke.

Golgotha Trinity Baptist Church Choir presented the Negro National Anthem "Lift Every Voice and Sing."

Mayor Foster presented the Proclamation.

Councilman Andrews spoke.

Mayor Foster spoke.

Proclamation regarding American Heart Month -- no presentation was made.

Prime Time for Business Presentation 1 of a Khein -- no presentation was made.

Presentation by the Historical Society for the New Exhibit "Coming Out In Long Beach."

Councilman Austin spoke.

Evan Braude, Co-President of Historical Society of Long Beach, spoke.

Marsha Naify, Co-Chair of the Steering Committee for the Long Beach Historical Society LGBT History Project, spoke.

Councilmember O'Donnell spoke.

Evan Braude, Co-President of Historical Society of Long Beach, spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

Councilmember Johnson spoke.

Councilmember Lowenthal spoke.

CONTINUED HEARINGS (5:30 PM)

1. 13-0042 Recommendation to receive supporting documentation into the record, conclude the hearing and deny the Permit on the application of Club Investments LP, dba Lush Lounge (previously known as Ice Bar), 49 South Pine Avenue, for Entertainment With Dancing by Patrons. (District 2)

Suzanne Frick, Assistant City Manager, spoke.

Erik Sund, Business Relations Manager, Financial Management, spoke.

Deputy Chief David Hendricks spoke.

Councilmember Lowenthal spoke.

Bruce Alavi, applicant, spoke.

Adrian Garcia, Manager, Lush Lounge, spoke.

William Bramble, Security, Lush Lounge, spoke.

Bruce Cary, Attorney, Lush Lounge, spoke.

Tolliver Morris spoke.

Larry Goodhue spoke.

Councilmember Johnson spoke.

Erik Sund, Business Relations Manager, Financial Management, spoke.

Councilmember Johnson spoke.

Erik Sund, Business Relations Manager, Financial Management, spoke.

Councilmember Lowenthal spoke.

Erik Sund, Business Relations Manager, Financial Management, spoke.

Deputy Chief David Hendricks spoke.

Councilmember Lowenthal spoke.

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

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

Absent: 1 - Neal

2. 13-0078

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of J.M. Johnston and Associates, Inc., dba 49rs Tavern, 5660 East Pacific Coast Highway No. A, for Entertainment Without Dancing by Patrons. (District 3)

Suzanne Frick, Assistant City Manager, spoke.

Erik Sund, Business Relations Manager, Financial Management, spoke.

Tracy Kittinger, applicant, spoke.

Larry Goodhue spoke.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation, with an additional condition agreed to by the applicant, that requires the cessation of live entertainment by 11:00 p.m. The motion carried by the following vote:

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

Absent: 1 - Neal

HEARINGS (6:09 PM)

3. 13-0138 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Gaslamp Partners, LLC, dba Gaslamp Restaurant and Bar, 6251 E. Pacific Coast Highway, for Entertainment With Dancing by Patrons. (District 3)

Suzanne Frick, Assistant City Manager, spoke.

Erik Sund, Business Relations Manager, Financial Management, spoke.

Mike Nenfeld, applicant, spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Mike Nenfeld, applicant, spoke.

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

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

Absent: 1 - Neal

4. 13-0139 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Reggio Corporation, dba Cirivello's, 4115 Viking Way, for Entertainment Without Dancing by Patrons. (District 5)

Suzanne Frick, Assistant City Manager, spoke.

Erik Sund, Business Relations Manager, Financial Management, spoke.

Matt Paige, applicant, spoke.

Shirley Broussard spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Mayor Foster spoke.

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

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

Absent: 1 - Neal

PUBLIC COMMENT (6:51 PM)

Larry Goodhue spoke regarding various issues.

13-0172 Shirley Broussard spoke regarding homeless shelter in crisis; and submitted correspondence.

This Handout was received and filed.

Jete Dockene spoke regarding various issues.

CONSENT CALENDAR (7:01 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 5 - 11. The motion carried by the following vote:

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

Absent: 1 - Neal

5. 13-0158 Recommendation to authorize City Attorney to submit five Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$10,175, and 2) separate authority to pay \$71,587.50, and 3) separate authority to pay \$11,516.25, and 4) separate authority to pay \$30,550 for the claim of Timothy Ferrill; and authority to pay \$57,500 for the claim of Michael Frame in compliance with the Appeals Board Orders.

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

6. 13-0160 Recommendation to authorize City Attorney to pay the sum of \$45,000 in full and final resolution of the lawsuit entitled *Francisca Favela, et al. vs. COLB, et al*; and to pay sum of \$15,576.96 in full and final resolution of the claim entitled *Geico c/o Kristy Nguyen v. City of Long Beach*.

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

7. 13-0140 Recommendation to approve the minutes for the City Council meeting of Tuesday, February 5, 2013.

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

8. 13-0141 Recommendation to refer to City Attorney damage claims received between February 4, 2013 and February 11, 2013.

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

9. 13-0123 Recommendation to adopt resolution authorizing City Manager to execute a contract with McNeilus Truck and Manufacturing, of Colton, CA (not an MBE, WBE, SBE, or Local), to provide refuse truck cab parts, in an annual amount not to exceed \$275,000, 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 to approve recommendation and adopt Resolution No. RES-13-0021 on the Consent Calendar.

Enactment No: RES-13-0021

10. 13-0142 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal Bulletproof Vest Partnership Program grant and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$13,398. (Citywide)

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

11. 13-0153 Recommendation to receive and file minutes for:
Civil Service Commission - January 9, 16 and 30, 2013.
Planning Commission - January 17, 2013.

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

REGULAR AGENDA (7:02 PM)

- 12. 13-0162** Recommendation to receive and approve the following Commission/Board/Committee appointments to Non-Charter Commissions.

Mayor Foster spoke.

Vice Mayor Garcia spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilman Andrews spoke.

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

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

Absent: 1 - Neal

- 13. 13-0161** Recommendation to direct the City Clerk Department to proceed with procurement of technology that will provide for the live webcast of non-City Council regular meetings that take place in the City Hall Council Chamber.

Councilmember O'Donnell spoke.

Vice Mayor Garcia spoke.

Councilman Andrews 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: 7 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews, Johnson and Austin

Absent: 2 - Schipske and Neal

14. 13-0159

WITHDRAWN

~~Recommendation to City Council to concur in recommendation to receive and file report from the Chair of the Transportation and Infrastructure Committee to consider discussion and actions taken at the Committee meeting of February 13, 2013.~~

This Agenda Item was withdrawn.

15. 13-0155

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

Larry Goodhue spoke.

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

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

Absent: 2 - Schipske and Neal

16. 13-0145

Recommendation to receive and file the Investment Report for Quarter Ending December 31, 2012. (Citywide)

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

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

Absent: 2 - Schipske and Neal

17. 13-0015

Recommendation to authorize City Manager to execute all documents with the Wells Fargo Foundation on behalf of the Pacific Gateway Workforce Partnership, Inc., to receive \$100,000 in grant funding in support of ongoing business and jobseeker assistance; and execute any needed subsequent amendments. (Citywide)

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

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

Absent: 1 - Neal

18. 13-0146 Recommendation to adopt resolution authorizing City Manager to adjust certain rates for natural gas service to reflect market conditions by implementing Gas Rate Schedules 1 through 5, 7, 9, and special conditions and incentives in Exhibits A and B. (Citywide)

Christopher Garner, Director of Long Beach Gas and Oil, spoke.

Councilmember Johnson spoke.

Christopher Garner, Director of Long Beach Gas and Oil, spoke.

Councilman Austin spoke.

Christopher Garner, Director of Long Beach Gas and Oil, spoke.

A motion was made by Councilman Andrews, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-13-0022. The motion carried by the following vote:

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

Absent: 1 - Neal

Enactment No: RES-13-0022

19. 13-0147 Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Gelsons Markets, dba Gelson Markets, for an original Alcoholic Beverage Control License, at 6255 East 2nd Street, with conditions. (District 3)

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

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

Absent: 1 - Neal

20. 13-0148 Recommendation to receive and file the application of Great Mex Grill, LLC, dba Great Mex, for an original Alcoholic Beverage Control License, at 5530 Atherton Street. (District 4)

Councilmember O'Donnell spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember Lowenthal, to file Notice of Protest on the basis of over concentration of licenses in the area, high crime in the area, as well as proximity to residential, school and church locations. The motion carried by the following vote:

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

Absent: 2 - DeLong and Neal

21. 13-0149

Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the Marine Exchange of Los Angeles-Long Beach Harbors to receive and expend additional Department of Homeland Security grant funding for the 2010 Port Security Grant Program, in an amount not to exceed \$563,000 for a period ending May 31, 2013; and increase appropriations in the General Grants Fund (SR 120) and in the Police Department (PD) by \$563,000. (Citywide)

Commander Lopez spoke.

Larry Goodhue spoke.

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

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

Absent: 2 - DeLong and Neal

22. 13-0163

Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the Marine Exchange of Los Angeles-Long Beach Harbors to receive and expend additional Department of Homeland Security grant funding for the 2011 Port Security Grant Program grant, in an amount not to exceed \$1,119,738 for a period ending August 31, 2014; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$1,119,738. (Citywide)

Commander Lopez spoke.

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

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

Absent: 2 - DeLong and Neal

23. 13-0150

Recommendation to adopt Specifications No. R-6940, award an as-needed contract to All American Asphalt for the annual contract for street improvements; and authorize City Manager to execute the contract and any necessary amendments thereto relative to the scope of work for a one-year term, and to extend the contract term for up to two additional years, and increase unit prices if necessary based on the inflation index, in an amount not to exceed \$15,000,000 over the three-year term. (Citywide)

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

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

Absent: 2 - DeLong and Neal

24. 13-0151

Recommendation to authorize City Manager to execute an amendment to Agreement No. 23214 with Tiburon, Inc., to provide software support services for Computer-Aided Dispatch and Records Management Systems for an additional 12-month period through February 2014, in an amount not to exceed \$367,706. (Citywide)

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

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

Absent: 2 - DeLong and Neal

25. 13-0152

Recommendation to authorize City Manager to execute contracts and any amendments thereto with Momentum Advanced Solutions, a division of OnX Enterprise Solutions Ltd., in the amount of \$112,186 for website design and implementation services; Ektron, in the amount of \$81,100 for software and training services; and Hubspot, Inc., in the amount of \$19,200 for email and social media delivery services. (Citywide)

Vice Mayor Garcia spoke.

Patrick West, City Manager, spoke.

Curtis Tani, Director of Technology Services, spoke.

Councilmember O'Donnell spoke.

Vice Mayor Garcia spoke.

Councilmember Johnson spoke.

Curtis Tani, Director of Technology Services, spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Curtis Tani, Director of Technology Services, spoke.

Councilwoman Schipske spoke.

Curtis Tani, Director of Technology Services, spoke.

Vice Mayor Garcia spoke.

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

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

Absent: 2 - DeLong and Neal

NEW BUSINESS (6:20 PM)

26. 13-0165

Recommendation to request City Council to adopt a minute order initiating a one-year, citywide moratorium against mortuaries and accessory crematoriums and directing the Planning Staff and the Planning Commission to undertake a study pursuant to Long Beach Municipal Code Chapter 21.50 to determine whether or not the City's current zoning regulations are appropriate or need further review or modification.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Diane Sundstrom, President of Belmont Heights Community Association, spoke.

Will Snipes spoke.

Michael Barber spoke.

Vice Mayor Garcia spoke.

Rick McGilton-McGlamery spoke.

Michael Thomas spoke.

Gretchen Swanson, Rosepark Neighborhood Association, spoke.

James O'Hara spoke.

Jonathan Polk spoke.

David Weaver spoke.

Antoinette Bailey spoke.

Gary Morrison spoke.

John McKenna spoke.

Larry Goodhue spoke.

Councilmember Johnson spoke.

Patrick West, City Manager, spoke.

Amy Bodek, Director of Development Services, spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Amy Bodek, Director of Development Services, spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Amy Bodek, Director of Development Services, spoke.

Councilman Austin spoke.

Amy Bodek, Director of Development Services, spoke.

Councilman Austin spoke.

Amy Bodek, Director of Development Services, spoke.

Councilmember Lowenthal spoke.

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

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

Absent: 1 - Neal

27. Affidavit of Service for the Special Meeting held Tuesday, February 19, 2013.

28. 13-0169 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, February 15, 2013.

This Agenda Item was received and filed.

29. 13-0170 eComments received for the City Council meeting of Tuesday, February 19, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:27 PM)

Vice Mayor Garcia, on behalf of Mayor Foster, asked that the meeting be adjourned in memory of Atrilla Scott.

Councilman Andrews expressed condolences; and made community announcements.

Councilwoman Schipske made community announcements.

Councilmember O'Donnell made community announcements.

Councilman Austin made community announcements.

Councilmember Lowenthal made community announcements.

Councilmember Johnson made community announcements.

Vice Mayor Garcia congratulated Daniel Brezenoff, Legislative Director, on his new employment.

PUBLIC (7:37 PM)

13-0171 Valerie Palacios spoke regarding free foreclosure assistance; and submitted a flyer.

This Handout was received and filed.

Vice Mayor Garcia spoke.

Dennis Dunn spoke.

ADJOURNMENT (7:42 PM)

At 7:42 P.M., Vice Mayor Garcia adjourned the meeting in memory of Atrilla Scott.

cah