

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

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## FINISHED AGENDA & MINUTES

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting. Please consult the time stamps to determine the order in which business was addressed.

The Agenda Items were considered in the order presented, except for the Prime Time for Business Presentation by The Red Leprechaun, which was considered between Hearing Items Nos. 2 and 3.

### ROLL CALL (5:04 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; Michael Mais, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Vice Mayor Garcia presiding.

Invocation: Moment of Silence.

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

Prime Time for Business Presentation - the Red Leprechaun.

Councilmember O'Donnell spoke.

Tracy Ames, owner of the Red Leprechaun, provided a presentation.

Councilmember Lowenthal spoke.

### CONTINUED HEARING (5:06 PM)

[see media](#)

1. [12-0795](#) Recommendation to receive supporting documentation into the record,

conclude the 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 east half of the east/west alley, west of Quincy Avenue and south of 7th Street. (District 3)

Patrick Perry spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, that the item be continued, with no date certain for return to City council; and referred to the Planning Commission for review. The motion carried by the following vote:**

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

## HEARINGS (5:10 PM)

[see media](#)

2. [12-0992](#) Recommendation to receive supporting documentation into the record, conclude the hearing; adopt resolution making certain findings; and approve and authorize City Manager to execute and take all actions reasonably necessary to implement an Amended and Restated Owner Participation Agreement with Shoreline Gateway, LLC, for the development of the Shoreline Gateway Project. (District 2)

John Sangneister spoke.

Councilmember Johnson spoke.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0107, as amended regarding the CEQA determination. The motion carried by the following vote:**

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

**No:** 1 - Johnson

**Enactment No:** RES-12-0107

[see media](#)

3. [12-0993](#) Recommendation to receive supporting documentation into the record, conclude the hearing, consider the Belmont Heights Community Association's appeal, and uphold the decision of the Planning Commission to approve a Standards Variance allowing the reconstruction of a second home, demolished without a permit, at 237 Roycroft Avenue within the Single Family Residential zone. (District 3)

Dianne Sundstrom, President of the Belmont Heights Community Association, appellant spoke.

Dale Ramezani, applicant, spoke.

Elden Chambers spoke.

Maureen Daley, Vice President of the Belmont Heights Community Association, appellant spoke.

Gordona Cager spoke.

Councilmember DeLong spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation to uphold the Planning Commission decision to approve a Standards Variance. The motion carried by the following vote:**

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

**No:** 1 - Schipske

[see media](#)

4. [12-0994](#)

Recommendation to receive supporting documentation into the record, conclude the hearing, reject the appeal by Kirt Ramirez, and uphold the Planning Commission's decision to approve a Conditional Use Permit (Application No. 1111-02) for the installation of an AT&T wireless telecommunications facility on the rear of the rooftop of a four-story apartment building located at 4205 East Anaheim Street. (District 4)

Michael Mais, Assistant City Attorney, spoke.

Kirt Ramirez, appellant, spoke; and submitted correspondence.

Tim Miller, representing AT&T, spoke.

Kirt Ramirez, appellant, spoke in rebuttal to applicant.

Patricia Longren spoke.

Larry Goodhue spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilman Austin spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilmember Neal, to approve recommendation to uphold the Planning Commission decision to approve a Conditional Use Permit. The motion carried by the following vote:**

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

[see media](#)

5. [12-0995](#)

Recommendation to receive supporting documentation into the record, conclude the hearing, consider the appeal by Pennbrooke Financial Services LLC, and approve a Conditional Use Permit (CUP) request for an "other financial service" (auto title loan) business located at 201 West Pacific Coast Highway within the Community Automobile-Oriented (CCA) and Regional Highway District (CHW) zones; or

Receive supporting documentation into the record, conclude the hearing, consider the appeal by Lee Fukui, Mauna Eichner, Lisa Wibroe, Annie Greenfeld, Colleen McDonald, Sam Portillo and Jack Smith, and deny the Conditional Use Permit (CUP) request for an "other financial service" (auto title loan) business located at 201 West Pacific Coast Highway within the Community Automobile-Oriented (CCA) and Regional Highway District (CHW) zones. (District 6)

David Carlat, Pennbrooke Financial Services LLC, spoke.

Roger Diamond, Attorney for Pennbrooke Financial Services LLC, spoke.

Linda Mendoza, property owner for 201 West Pacific Coast Highway, spoke.

Ken Waco, Pennbrooke Financial Services LLC, spoke.

Lee Fukui and Mauna Eichner, appellants, spoke; and provided a PowerPoint presentation.

Lisa Wibroe, appellant, spoke.

David Carlat, Pennbrooke Financial Services LLC, spoke in rebuttal.

Christopher Wilson, representing Pennbrooke Financial Services LLC,

spoke in rebuttal; and submitted a map of the Community Petition and Application Survey.

Roger Diamond, Attorney for Pennbrooke Financial Services LLC, spoke in rebuttal.

Maura Eichner, appellant, spoke in rebuttal.

Lee Fukui, appellant, spoke in rebuttal.

Annie Greenfeld, appellant, spoke in rebuttal.

Sam Portillo, appellant, spoke in rebuttal.

Michael Mais, Assistant City Attorney, spoke.

Councilman Andrews spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

Larry Goodhue spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember Neal, to approve recommendation to deny the Conditional Use Permit, based on the Negative Findings presented by staff in Exhibit A of the Development Services Department report. The motion carried by the following vote:**

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

**PUBLIC COMMENT (8:01 PM)**

Lin Lin Wang spoke regarding struggles of the nurses working at Community Hospital of Long Beach.

Raymond Urias spoke regarding issues in the emergency department at Community Hospital of Long Beach.

Judy Concepcion spoke regarding staffing ratio of nurses at Community Hospital of Long Beach.

Gerardine Ramos-Monton spoke regarding nursing issues at Community Hospital of Long Beach.

Pedora Keo spoke regarding concerns about education of nurses at community Hospital of Long Beach.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Jonathan Polk spoke regarding notice of abatement received.

Larry Goodhue spoke regarding a variety of issues.

### **CONSENT CALENDAR (8:28 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve Consent Calendar Items 6 - 11, except for Item 10. The motion carried by the following vote:**

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

**Absent:** 2 - Andrews and Neal

6. [12-0959](#) Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending June 30, 2012.

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

7. [12-0996](#) Recommendation to refer to City Attorney damage claims received between November 5, 2012 and November 12, 2012.

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

8. [12-0997](#) Recommendation to adopt resolution approving the Proposed Fiscal Year 2012-2013 Harbor Department Salary Resolution No. HD-2689.

**A motion was made to approve recommendation and adopt Resolution No. RES-12-0108 on the Consent Calendar.**

**Enactment No:** RES-12-0108

9. [12-1002](#) Recommendation to authorize City Manager to execute a Surface Use Agreement and Amendment to Easement and Right of Way between the City of Long Beach, as Unit Operator of the West Wilmington oil operations, and Baker Cold Storage, Inc. (District 1)

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

[see media](#)

10. [12-0954](#) Recommendation to authorize City Manager to enter into an agreement and all related documents with the County of Los Angeles Department of Public Works, the County Sanitation District and EDCO Disposal to support the operation of a regional household hazardous waste facility. (Citywide)

Councilmember Johnson spoke.

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

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

**Absent:** 2 - Schipske and Andrews

11. [12-0998](#) Recommendation to receive and file minutes for:  
Civil Service Commission - October 17, 2012.  
Planning Commission - October 18, 2012.

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

**REGULAR AGENDA (8:31 PM)**

[see media](#)

12. [12-1011](#)

Recommendation to request City Manager to review the feasibility of allowing residents to make park reservations online and identify other potential City services that may be made accessible online, and report back to the City Council within 60 days.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Vice Mayor Garcia spoke.

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

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

**Absent:** 1 - Andrews

[see media](#)

13. [12-0972](#)

Recommendation to receive and file the Water and Sewer Rate Increase Audit Report, and request the Long Beach Water Department Management to review the recommendations, develop strategies for implementation, and update the City Auditor as to the status of the recommendations within nine months.

Laura L. Doud, City Auditor, spoke; and provided a PowerPoint presentation.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Laura L. Doud, City Auditor, spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.



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

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

**Absent:** 1 - Andrews

[see media](#)

**14. [12-1000](#)**

Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the Department of Homeland Security to receive and expend Department of Homeland Security grant funding for the 2012 Port Security Grant Program, in an amount not to exceed \$601,034 for a period ending August 31, 2014; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$703,379, and in the General Grants Fund (SR 120) in the Police Department (PD) by \$98,000. (Citywide)

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

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

**Absent:** 1 - Andrews

[see media](#)

**15. [12-1001](#)**

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, 2012 and March 15, 2013, inclusive; and

Authorize City Manager to execute any and all documents necessary for a Lease and Sublease by and among the City of Long Beach, Long Beach Rescue Mission 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 702 West Anaheim Street 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 1)

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Susan Price, Health Department, spoke.

Jim Lewis, Long Beach Rescue Mission, spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0109, with the operational period for the winter shelter changed to end March 1, 2013 and lease would be at no cost to the City, thereby requiring no appropriations. The motion carried by the following vote:**

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

**Absent:** 1 - Andrews

**Enactment No:** RES-12-0109

[see media](#)

16. [12-1003](#)

Recommendation to adopt resolution authorizing City Manager to execute all necessary documents with Allen Instruments and Supplies for the sole source purchase of eight Trimble NetR9 Ti-1 Reference Stations with Zephyr Geodetic 2 Antennas, hardware, and related software for subsidence monitoring activity at a cost of \$190,966, plus \$25,000 for any equipment repair, if necessary and if funds are available, over the next five years. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0110. The motion carried by the following vote:**

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

**Absent:** 1 - Andrews

**Enactment No:** RES-12-0110

[see media](#)

17. [12-1004](#)

Recommendation to authorize City Manager to execute the Fifth Amendment to Contract No. 31687 with Bellingham Marine Industries, Inc., for an additional \$5,197,682, plus a \$150,000 contingency, for a total of \$5,347,682, for Phase 2C of the Alamitos Bay Marina rebuild project, for a revised contract amount not to exceed \$36,115,297; execute all documents necessary to proceed with this phase of the reconstruction of Basin 1 in the Alamitos Bay Marina; and increase appropriations by \$1,798,413 in the Marina Fund (TF 403) in the Department of Parks, Recreation and Marine (PR). (District 3)

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

**Absent:** 1 - Andrews

[see media](#)

18. [12-1005](#)

Recommendation to authorize City Manager to execute the Sixth Amendment to Lease No. 17448 between the City of Long Beach and American Golf Corporation, to amend the agreement and clarify the requirements regarding golf Charity Days. (Districts 3,4,5)

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

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

**Absent:** 1 - Andrews

[see media](#)

19. [12-1006](#)

Recommendation to receive and file the application of Blackbird Cafe, Incorporated, dba Blackbird Cafe, for an original Alcoholic Beverage Control License, at 3403 and 3405 Orange Avenue. (District 7)

Councilmember Johnson spoke.

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

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

**Absent:** 1 - Andrews

[see media](#)

20. [12-1007](#)

Recommendation to authorize City Manager to execute any and all documents necessary for a Public Improvement Reimbursement Agreement between the City of Long Beach and the Long Beach Community College District for the construction of certain improvements at the intersection of Carson Street and Faculty Avenue, and any necessary amendments thereto. (District 5)

Councilwoman Schipske spoke.

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

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

**Absent:** 1 - Andrews

[see media](#)

**21. [12-1008](#)**

Recommendation to authorize City Manager to execute a second amendment to Contract No. 32168 with BiTech Construction Company, for the annual contract for concrete repairs and related improvements to increase the contract amount by an additional \$3,000,000, for a total not to exceed amount of \$7,000,000, through the authorized final contract term ending December 30, 2013. (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:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 1 - Andrews

[see media](#)

**22. [12-1009](#)**

Recommendation to authorize City Manager to execute a second amendment to Contract No. 32487 with CJ Concrete Construction, Inc., for the annual contract for concrete repairs and related improvements to increase the contract amount by an additional \$4,000,000, for a total not to exceed amount of \$8,000,000, through the authorized final contract term ending December 30, 2013. (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, Johnson, Austin and Neal

**Absent:** 1 - Andrews

**ORDINANCES (9:11 PM)**

[see media](#)

**23. [12-0870](#)**

Recommendation to declare ordinance amending the Long Beach Municipal Code Section 15.36.120(A) regarding expansion of the

low-income gas discount to include sub-metered residential gas service customers of master-metered mobile-home parks 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 Johnson, seconded by Councilmember Lowenthal, 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:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Johnson, Austin and Neal

**Absent:** 1 - Andrews

[see media](#)

**24. [12-0926](#)**

Recommendation to declare urgency ordinance amending the Long Beach Municipal Code by adding Chapter 10.33 relating to a Temporary Construction Preferential Parking District, declaring the urgency thereof and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-12-0017) (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to declare Emergency Ordinance No. ORD-12-0017 read and adopted as read. The motion carried by the following vote:**

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

**Absent:** 1 - Andrews

**Enactment No:** ORD-12-0017

**NEW BUSINESS (9:13 PM)**

[see media](#)

**25. [12-0989](#)**

Recommendation to City Council to concur in recommendation of the State Legislation Committee to approve the 2013 State Legislative Agenda.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilman Austin spoke.

Ray Thorn, Friends of Colorado Lagoon, spoke.

Dave Perazzi spoke.

Gary Shelton spoke.

Larry Goodhue spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilman Austin, to approve recommendation, with the exception that the California Environmental Protection Act (CEQA) component (Item O - on page 6 of 12) be withdrawn from the State Legislative Agenda. The motion carried by the following vote:**

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

**Absent:** 2 - DeLong and Andrews

26. Affidavit of Service for the special meeting held, Tuesday, November 20, 2012.

27. [12-1015](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 16, 2012.

**This Agenda Item was received and filed.**

28. 12-1016 eComments received for the City Council meeting of Tuesday, November 20, 2012.

**This Agenda Item was received and filed.**

**ANNOUNCEMENTS (9:29 PM)**

Vice Mayor Garcia requested that the meeting be adjourned in memory of Mary Rose Molina.

Councilmember Neal made community announcements.

Councilmember Lowenthal extended condolences to the Molina family; and made community announcements.

Councilwoman Schipske extended condolences to the Molina family; and made community announcements.

Councilman Austin made community announcements.

Councilmember Johnson made community announcements.

Vice Mayor Garcia spoke.

**ADJOURNMENT (9:39 PM)**

At 9:39 PM, Vice Mayor Garcia adjourned the meeting in memory of Mary Rose Molina.

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