

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 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)

[see media](#)

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

[see media](#)

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

[see media](#)

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

[see media](#)

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)**

[see media](#)

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

[see media](#)

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.

[see media](#)

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)

[see media](#)

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)

[see media](#)

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.

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