

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 & 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. 28 was considered prior to Hearings and Agenda Item No. 15 was considered prior to Public Comment.

ROLL CALL (5:02 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 Shannon, City Attorney; Charles Parkin, Assistant City Attorney; Larry Herrera, City Clerk; Poonam Davis, Assistant City Clerk; Daisy Gomez, City Clerk Analyst; Pablo Rubio, City Clerk Assistant.

Invocation: Moment of Silence.

Flag Salute: Long Beach Camp Fire Girls, first grade.

Mayor Foster announced that Agenda Item No. 28 would be considered at 6:00 PM; and Agenda Item No. 16 would be withdrawn.

Julie Pruitt, spcaLA, presented a canine.

Mayor Foster presiding.

Presentation regarding Long Beach celebrates St. Patrick's Day.

Councilmember O'Donnell spoke.

[13-0263](#) Presentation by US Vets.

Mayor Foster spoke.

Jim Hansen, Executive Director for U.S. Vets, Long Beach, submitted a flyer; and spoke.

This Agenda Item was received and filed.

Councilmember Johnson spoke.

Certificate recognizing Jerome E. Horton. -- No presentation was made.

Councilmember Johnson spoke.

Prime time for business presentation - Sal's Gumbo Shack.

Councilmember Neal spoke.

Sally Bevans, owner of Sal's Gumbo Shack, presented a video; and spoke.

Mayor Foster spoke.

Vice Mayor Garcia spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember Neal spoke.

CONTINUED HEARING (5:32 PM)

[see media](#)

27. [13-0192](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Jesses Bar Corporation, dba Jesses Bar, 5440 Atlantic Avenue, for Entertainment With Dancing by Patrons. (District 8)

Councilman Austin spoke.

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

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

Absent: 1 - Garcia

HEARING (5:34 PM)

[see media](#)

1. [13-0245](#) Recommendation to receive supporting documentation into the record, conclude the hearing, declare ordinance relating to the temporary limitation (moratorium) on mortuaries, funeral homes, and crematoriums read, adopted as read, and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof; and declaring this ordinance shall take effect immediately. (Citywide)

Distributed at the meeting: health information.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Councilman Austin spoke.

Jonathon Polk, General Manager of Belmont Heights Funeral Center, submitted information; and spoke.

Councilman Austin spoke.

Councilman Andrews spoke.

Councilmember Neal spoke.

Councilman Austin spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Motion: Approve recommendation to declare an emergency to exist.
Moved by DeLong, seconded by Lowenthal.

Vice Mayor Garcia spoke.

Councilman Austin spoke.

Councilmember Lowenthal spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Lisa Vinoni spoke.

Joey Vinoni spoke.

Jonathon Polk, General Manager of Belmont Heights Funeral Center, spoke.

Robert Benjamin, Pastor, spoke.

Walter Carter, Pastor, spoke.

John Thomas, president of Bluff Heights Neighborhood Association, spoke.

William Snipes spoke.

Michael Barber, real estate agent, spoke.

Jeanette Polk, associate minister of Antioch Church of Long Beach, read on behalf of Senior Pastor Wayne Chaney, Jr., spoke.

John Raggett, American Crematory, submitted information; and spoke.

Uliss M. Amann spoke.

Shirley Broussard spoke.

Jacqueline Wise spoke.

Pastor Nelson spoke.

Sean Kennedy spoke.

Vice Mayor Garcia spoke.

Councilmember DeLong spoke.

Councilmember Lowenthal spoke.

Councilmember Neal spoke.

A substitute motion was made by Councilmember Neal, seconded by Councilman Andrews, to approve recommendation to declare an emergency to exist, with a modification of a nine month interim moratorium study period. The motion carried by the following vote:

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

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Lowenthal spoke.

A motion was made by Councilmember Neal, seconded by Councilwoman Schipske, to approve recommendation and adopt Emergency Ordinance No. ORD-13-0002. The motion carried by the following vote:

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

Enactment No: ORD-13-0002

[see media](#)

2. [13-0217](#)

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Shoreline Village Enterprises LLC, dba Shoreline Village, located at 429 Shoreline Village Drive No. P, for Entertainment Without Dancing by Patrons. (District 2)

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

[see media](#)

3. [13-0246](#)

Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution to disestablish the Andy Street Multi-family Improvement District (AMD). (District 9)

A motion was made by Councilmember Neal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-13-0026. The motion carried by the following vote:

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

Enactment No: RES-13-0026

PUBLIC COMMENT (7:13 PM)

John Deats spoke regarding roundabout.

13-0264 Shirley Broussard submitted information; and spoke regarding raise for homeless.

This Agenda Item was received and filed.

13-0265 Lupe Velasco submitted information; and spoke regarding Centro CHA event.

This Agenda Item was received and filed.

13-0266 Jay Baker submitted information; and spoke regarding Port of Long Beach.

This Agenda Item was received and filed.

CONSENT CALENDAR (7:25 PM)

Passed The Consent Calendar

**A motion was made by to approve Consent Calendar Items 4 - 14.
The motion carried by the following vote:**

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

4. [13-0247](#) Recommendation to receive and file a report on travel to Washington, D.C., February 25 - 27, 2013.

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

5. [13-0218](#) Recommendation to authorize City Attorney to pay sum of \$11,700 in full and final resolution of the lawsuit entitled *Jocelyn Mairena, et al. vs. COLB, et al*; pay sum of \$10,225.93 in full and final resolution of the claim entitled *MAPFRE c/o Matthew Sorenson*; and pay sum of \$15,000 in full and final resolution of the lawsuit entitled *Adamson v. COLB*.

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

6. [13-0244](#) Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals

Board, and if so approved, authority to pay (1) \$194,737.50 for Stipulations with Request for Award, and also (2) to pay \$216.46 per week for a Life Pension thereafter, subject to cost of living adjustments in compliance with the Appeals Board Order for Lessa Mahaffey.

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

7. [13-0251](#) Recommendation to approve the minutes for the City Council meeting and the Study Session of Tuesday, March 5, 2013.

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

8. [13-0219](#) Recommendation to refer to City Attorney damage claims received between March 4, 2013 and March 11, 2013.

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

9. [13-0220](#) Recommendation to adopt Specifications No. PA-02813 and authorize City Manager to execute a contract and all related documents with Blue Iron Network, Inc., of Huntington Beach, CA (not an MBE, WBE, SBE or Local), for the purchase of software maintenance for Lotus Domino and Lotus Notes Passport Advantage, in a total annual amount not to exceed \$138,991, for a period of one year, 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 on the Consent Calendar.

10. [13-0226](#) Recommendation to authorize City Manager to amend Blanket Purchase Order Agreement No. BPLB12000032 with SAS Safety Corporation, a Long Beach-based business (LSBE), for furnishing and delivering latex and nitrile gloves, by adding \$80,000, bringing the total annual amount not to exceed \$175,000, for the period ending May 1, 2013, and for the subsequent first and second renewal periods. (Citywide)

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

11. [13-0221](#) Recommendation to receive and file report, "Elevation Changes in the City of Long Beach, May 2012 through October 2012." (Citywide)

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

12. [13-0234](#) Recommendation to authorize City Manager to execute a new Schedule I, Transaction Based Storage Service Agreement, as part of the long-term Master Services Contract between the City of Long Beach and

the Southern California Gas Company for natural gas storage capacity rights. (Citywide)

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

13. [13-0222](#) Recommendation to authorize City Manager to electronically apply for and implement the 2012/2013 CalRecycle Beverage Container Recycling City/County Payment Program grant. (Citywide)

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

14. [13-0223](#) Recommendation to receive and file minutes for:
Civil Service Commission - February 20, 2013.

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

REGULAR AGENDA (7:06 PM)

[see media](#)

15. [13-0250](#) Recommendation to receive and file the Long Beach City College 85th Anniversary Gala and call for nominations of those who are examples of the Viking Spirit.

Councilwoman Schipske spoke.

Lori Brault, Co-chair of Long Beach City College 85th Anniversary Gala, submitted flash drive; and spoke.

Councilman Austin spoke.

A motion was made by Councilwoman Schipske, 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

16. 13-0249 WITHDRAWN
~~Recommendation to respectfully request City Manager to partner with the Port of Long Beach and interested stakeholders on a Port maritime business cluster and the development of a potential local trade incubator project.~~

This Agenda Item was withdrawn.

[see media](#)

17. [13-0248](#) Recommendation to request City Manager to investigate the implementation of the B.A.R.K. reading program in libraries throughout the city.

Councilmember Johnson spoke.

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

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

Absent: 1 - Garcia

[see media](#)

18. [13-0224](#) Recommendation to adopt resolution authorizing City Manager, or his designee, to submit an application to the California Department of Transportation (Caltrans) for a Community-Based Transportation Planning Grant;

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-13-0027. The motion carried by the following vote:

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

Absent: 1 - Garcia

Enactment No: RES-13-0027

[13-0225](#)

Adopt resolution authorizing City Manager, or his designee, to submit an application to Caltrans for an Environmental Justice Transportation Planning Grant; and

Authorize City Manager, or his designee, to accept these transportation planning grants from Caltrans for up to \$550,000, and execute all documents necessary to accept the funds. (Districts 7,9)

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-13-0028. The motion carried by the following vote:

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

Absent: 1 - Garcia

Enactment No: RES-13-0028

[see media](#)

19. [13-0227](#)

Recommendation to adopt resolution authorizing City Manager to execute all documents necessary to amend the Escrow Deposit and Trust Agreement relating to the Long Beach Bond Finance Authority (LBBFA) 2012 Lease Revenue Refunding Bonds Series A and Series B, creating additional accounts to administer, without interruption, Lease No. 17448 between the City of Long Beach and American Golf Corporation. (Districts 3,4,5)

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0029. The motion carried by the following vote:

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

Absent: 1 - Garcia

Enactment No: RES-13-0029

[see media](#)

20. [13-0229](#)

Recommendation to adopt resolution approving the Annual and Five-Year Reports for the Transportation Improvement Fee, Parks and Recreation Facilities Fee, the Fire Facilities Impact Fee, and the Police Facilities Impact Fee. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-13-0030. The motion carried by the following vote:

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

Absent: 1 - Garcia

Enactment No: RES-13-0030

[see media](#)

21. [13-0230](#)

Recommendation to authorize City Manager to amend Contract No. 30987 with Azteca Landscape, Inc., of Ontario, CA (MBE and WBE), and Contract No. 31001 with Mariposa Horticultural Enterprises, of Irwindale, CA (MBE), extending the contracts for landscaping and maintenance services to May 31, 2013 and adding funds in a combined amount not to exceed \$595,186. (Citywide)

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

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

Absent: 1 - Garcia

[see media](#)

22. [13-0182](#)

Recommendation to authorize City Manager to execute all documents with the United States Department of Transportation and/or its designated pass-through agency, the State Department of Transportation, to receive \$230,789 in grant funds to provide training and placement services in construction and other building trades; execute all necessary documents with United Auto Worker-Labor Employment and Training Corporation (UAW-LETC) in an amount not to exceed \$147,540; and execute any needed subsequent amendments. (Citywide)

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

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

Absent: 1 - Garcia

[see media](#)

23. [13-0231](#)

Recommendation to request City Attorney to prepare and authorize City Manager to execute an amendment to Contract No. 32508, for relocation of natural gas pipelines, extending the term to May 31, 2013, and increasing the amount not to exceed \$5,100,000; and increase appropriations in the Gas Fund (EF 301) in the Long Beach Gas and Oil Department (GO) by \$504,711. (District 1)

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

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

Absent: 1 - Garcia

[see media](#)

24. [13-0232](#)

Recommendation to authorize City Manager to execute a Gas Agreement between the City of Long Beach, as Fault Block Unit Operator, and City of Long Beach, as Long Beach Unit Operator, for a five-year term, with a month-to-month continuance until termination upon thirty days notice by either party. (Districts 1,2)

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

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

Absent: 1 - Garcia

[see media](#)

25. [13-0233](#)

Recommendation to authorize City Manager to execute a contract with Studio Pali Fekete Architects in an amount not to exceed \$767,391, for architectural and engineering design services for the Seaside Way Pedestrian Bridge Project between the Convention Center and Performing Arts Center (Project); and any amendments necessary to extend the term, amend the scope of work, or adjust the fee schedule of hourly rates for inflation in the extended term. (District 2)

Councilmember Lowenthal spoke.

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

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

Absent: 1 - Garcia

[see media](#)

26. [13-0204](#)

Recommendation to review and consider the certified addendum to the Environmental Impact Report (EIR) (State Clearinghouse No. 2008071085), and adopt Plans and Specifications No. R-6952 for the construction of improvements to Chittick Field and award, less \$687,072 for lighting, the Base Bid to and authorize City Manager to execute the contract with C. S. Legacy Construction, Inc., in an amount of \$5,148,583 plus a contingency amount of \$1,029,716, for a total contract amount of up to \$6,178,299;

Authorize City Manager, or designee, to execute all documents necessary to accept and expend a \$1,000,000 donation from Occidental Petroleum (Oxy) to Partners of Parks for the Chittick Field project, expend \$50,000 contributed by the Department of Parks, Recreation and Marine (PR), and increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$1,050,000; and

Adopt resolution authorizing City Manager, or designee, to execute all documents necessary to grant funds to the Chittick Field project, and to execute any documents necessary to request, accept, and expend grant

funds for Chittick Field from Los Angeles County; and

Increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works by \$1,860,000. (District 6)

Councilman Andrews spoke.

Councilman Austin spoke.

Councilmember Johnson spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-13-0031. The motion carried by the following vote:

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

Absent: 1 - Garcia

Enactment No: RES-13-0031

NEW BUSINESS (6:33 PM)

27. Agenda Item No. 27 is listed under Continued Hearing.

[see media](#)

28. [13-0260](#) Recommendation to authorize City Manager, or his designee, to execute ; and all documents necessary for the purchase of certain real property (Premises) located at 1955-1965 Long Beach Boulevard (APN 720-901-4 and APN 720-901-4013) in the amount of \$2,800,000 and related tenant improvement costs of \$1,200,000, and to conclude negotiations with Mental Health America (MHA) for the subsequent lease and ultimate conveyance said Premises, and execute said lease and future conveyance deed, for the accommodation of a Homeless Healthcare Access Program; and

Increase appropriations in the General Services Fund (IS 385) in the Technology Services Department (TS) by an estimated \$2,200,000, and in the Gas Fund (EF 301) in the Long Beach Gas and Oil Department (GO) by an estimated \$1,800,000 from funds held in fund balance from FY 11, and increase appropriations in the Capital Projects Fund (CP) in the Public Works Department by \$4,000,000 through the transfer of the appropriated funds described above. (District 6)

Dave Pilon, President of Mental Health America Los Angeles, spoke.

Gary Shelton spoke.

Collen McDonald, member of Wrigley Association, spoke.

Patricia Benoit, President of Long Beach Area Homeless Coalition, spoke.

John Mackey spoke.

Joe Sopo spoke.

Sam Portillo spoke.

Christia Hartley, Owner of Embellish, spoke.

Councilman Andrews spoke.

Councilmember Johnson 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

29. Affidavit of Service for the special meeting held Tuesday, March 19, 2013.

30. [13-0261](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, March 15, 2013.

This Agenda Item was received and filed.

31. [13-0262](#) eComments received for the City Council meeting of Tuesday, March 19, 2013.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:42 PM)

Mayor Foster requested that the meeting be adjourned in memory of Don Temple.

Councilwoman Schipske extended condolences to the family of Don Temple; and made community announcements.

Councilmember Lowenthal made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

ADJOURNMENT (7:50 PM)

At 7:50 PM, Mayor Foster adjourned the meeting in memory of Don Temple.

pr/dg