



C-5

CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

November 13, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council Meetings of Tuesday, October 16, 2012 and October 23, 2012.

DISCUSSION

The Legistar minutes for the City Council meetings of Tuesday, October 16, 2012 and October 23, 2012, 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: Nancy Muth

LGH:nem
Attachment

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



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

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

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

The Agenda Items were considered in the order presented, except for Agenda Item Nos. 23 and 14, in that order, were considered prior to Public Comment.

ROLL CALL (5:07 PM)

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

Mayor Foster presiding.

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; Daisy Gomez, City Clerk Analyst; Nancy Muth, City Clerk Analyst.

Invocation: Moment of Silence.

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

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

Mayor Foster announced that Agenda Item Nos. 14 and 23 would be considered after the Hearings.

12-0934 Presentation for the Growing Experience Urban Farm.

Councilman Austin spoke.

Jennifer Blackwell-Trotter, Executive Director of The Growing Experience Urban Farm, spoke; and submitted flyer.

This Handout was received and filed.

Prime Time for Business Presentation - Ignify.

Councilmember Lowenthal spoke.

Bruce Kutner, Account Executive of Ignify, spoke.

Mayor Foster spoke.

CONTINUED HEARING (5:27 PM)

1. 12-0795 Recommendation to continue the hearing of the vacation of the east/west alley located west of Quincy Avenue and south of 7th Street to the City Council meeting of Tuesday, November 20, 2012 at 5:00 p.m. (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, Austin and Neal

Absent: 1 - Johnson

HEARINGS (5:28 PM)

2. 12-0554 Recommendation to receive supporting documentation into the record, conclude the hearing and adopt the hearing officer's recommendation to revoke Business License Nos. BU00083820 and BU20208110 issued to Dorothy Shubin, dba 24 Hour Cafe, located at 1715 West Anaheim Street. (District 1)

Vice Mayor Garcia spoke.

Paul Shubin spoke.

Joe Besson spoke.

William Johnson spoke.

Candace Walter spoke.

Julie Henry spoke.

Wayne Carter spoke.

Kenny Ryerson spoke.

Captain Keith Drohan, Marine Support International Inc., spoke.

Edmond Decker spoke.

Mayor Foster spoke.

Paul Shubin spoke.

Mayor Foster spoke.

Joe Besson spoke.

Paul Shubin spoke.

Councilman Andrews spoke.

Mayor Foster spoke.

Janet Trevino, General Manager, spoke.

Councilmember DeLong spoke.

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

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

No: 1 - Andrews

3. 12-0888

Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution confirming the Fourth Street Parking and Business Improvement Area annual report and continuing the assessment for the period of October 1, 2012 through September 30, 2013; and authorize City Manager to extend the agreement with the Fourth Street Business Improvement Association for a one-year term. (District 2)

Councilmember Lowenthal spoke.

A motion was made by Councilmember Lowenthal, seconded by Vice Mayor Garcia, to approve recommendation and adopt Resolution No. RES-12-0096. The motion carried by the following vote:

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

Enactment No: RES-12-0096

4. 12-0889 Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution continuing the East Anaheim Street Parking and Business Improvement Area program and assessment for the period of October 1, 2012 through September 30, 2013; authorize City Manager to execute an agreement with the East Anaheim Street Business Association for a one-year term; and increase appropriations in the Parking and Business Area Improvement Fund (SR 132) in the Department of Public Works (PW) by \$15,170. (Districts 3,4)

Councilmember O'Donnell spoke.

Kathy Ryan spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-12-0097. The motion carried by the following vote:

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

Enactment No: RES-12-0097

PUBLIC COMMENT (6:55 PM)

- 12-0935 Mike Donelon spoke regarding the art event and distributed a flyer.

This Handout was received and filed.

CONSENT CALENDAR (6:59 PM)

Passed The Consent Calendar

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve Consent Calendar Items 5-11, except for Item 5. The motion carried by the following vote:

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

Absent: 1 - Johnson

5. 12-0903 Recommendation to authorize City Attorney to pay the sum of \$6,000 in

full settlement of the Claim of Rafael Arroyo, Jr., Claim No. C12-0426; \$100,000 in full settlement of lawsuit entitled Alvaro Garza v. City of Long Beach, Case No. 30-2010-00436310-CU-PA-CJC; and \$8,000 in full and final resolution of the lawsuit entitled Mairena, et al. v. COLB, et al.

Robert Shannon, City Attorney, spoke.

A motion was made by Councilman Andrews, seconded by Councilmember Neal, to approve recommendation to authorize City Attorney to pay the sum of \$6,000 in full settlement of the Claim of Rafael Arroyo, Jr., Claim No. C12-0426; and \$100,000 in full settlement of lawsuit entitled Alvaro Garza v. City of Long Beach, Case No. 30-2010-00436310-CU-PA-CJC. The motion carried by the following vote:

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

Absent: 1 - Johnson

6. 12-0890 Recommendation to approve the minutes for the City Council meeting of Tuesday, October 2, 2012.
A motion was made to approve recommendation on the Consent Calendar.
7. 12-0891 Recommendation to refer to City Attorney damage claims received between October 1, 2012 and October 8, 2012.
A motion was made to approve recommendation on the Consent Calendar.
8. 12-0892 Recommendation to approve Community Development Advisory Commission funding recommendations for Fiscal Year 2012 Neighborhood Partners Program to support eight neighborhood beautification and improvement projects in the amount of \$37,939. (Districts 1,2,4,6,9)
A motion was made to approve recommendation on the Consent Calendar.
9. 12-0893 Recommendation to adopt Specifications No. ITB12000097 and enter into a lease agreement with Pitney Bowes, Inc., of Lake Forest, CA (not an MBE, WBE, SBE or Local), for a postage meter system, in an annual amount not to exceed \$11,615, for a five-year period, for a total amount not to exceed \$58,075. (Citywide)

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

10. 12-0894 Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the State of California, Department of Boating and Waterways, to receive and expend the 2013 Boating Safety and Enforcement Equipment Grant for the purchase of equipment; and increase appropriations in the Marina Fund (TF 403) in the Fire Department (FD) by \$55,525. (Districts 2,3)

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

11. 12-0887 Recommendation to receive and file minutes for:
Civil Service Commission - September 5, 19 and 26, 2012.

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

UNFINISHED BUSINESS (7:00 PM)

12. 12-0812 Recommendation to adopt Resolution of Intention to re-establish the Andy Street Multi-family Improvement District (AMID) and set the date of Tuesday, December 4, 2012 at 5:00 p.m. for a public hearing, receive petitions and designate Andy Street Community Association (ASCA) as the owners' association for the AMID. (District 9)

A motion was made by Councilmember Neal, seconded by Councilmember DeLong, that the item be laid over to the City Council meeting of Tuesday, November 13, 2012. The motion carried by the following vote:

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

REGULAR AGENDA (7:01 PM)

13. 12-0895 Recommendation to suspend Council rule contained in Long Beach Municipal Code Section 2.03.020 (B) relating to the meeting schedule of the City Council in order to cancel the meeting of November 6, 2012, due to the General Election.

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

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

Absent: 1 - Austin

14. 12-0905

Recommendation to request the inclusion of information in the *Long Beach City Officials and Employees Handbook* related to violations of the Brown Act involving disclosure of details discussed in Closed Session; and

Request City Attorney to outline possible punishment for unethical behavior leading to public disclosure of details discussed in Closed Session.

Councilmember Lowenthal spoke.

Motion: Approve recommendation.
Moved by Lowenthal, seconded by Andrews.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilman Austin spoke.

Councilmember Neal spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Motion: Substitute motion to approve recommendation and request City Manager to schedule a study session with the City Attorney regarding the Brown Act.

Moved by Schipske, seconded by Johnson.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Vice Mayor Garcia spoke.

Councilmember O'Donnell spoke.

Gary Shelton spoke.

Mayor Foster spoke.

Councilmember Lowenthal spoke.

A second substitute motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to receive and file. The motion failed by the following vote:

Yes: 2 - O'Donnell and Schipske

No: 7 - Garcia, Lowenthal, DeLong, Andrews, Johnson, Austin and Neal

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Councilmember DeLong.

A second substitution (resuregere) motion was made by Councilmember Lowenthal, seconded by Vice Mayor Garcia, to approve recommendation with training provided to members on an optional basis. The motion carried by the following vote:

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

No: 2 - Schipske and Neal

15. 12-0896

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 March 31, 2013 and adding funds in a combined amount not to exceed \$1,009,052. (Citywide)

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 Neal

Absent: 1 - Austin

16. 12-0897 Recommendation to authorize City Manager to make payment for property and boiler and machinery insurance for the Southeast Resource Recovery Facility for the period of October 20, 2012 through October 20, 2013, for a premium not to exceed \$985,000, payable to Covanta Holding Corporation. (District 2)

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 Neal

Absent: 1 - Austin

17. 12-0898 Recommendation to authorize City Manager to enter into a Physical Gas Commodity Option Agreement pursuant to the International Swap and Derivatives Association (ISDA) Master Agreements to provide natural gas price protection with terms that meet or exceed the following conditions: 1) a term of no more than three years; 2) pricing terms indexed at the Southern California border; and 3) a market price ceiling of not greater than \$8.00 per MMBtu. (Citywide)

A motion was made by Councilman Andrews, 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 Neal

Absent: 1 - Austin

18. 12-0899 Recommendation to receive and file the application of Stephanie Lyn Carlough, dba Steamed Organic Vegetarian Cuisine, for an original Alcoholic Beverage Control License, at 801 East 3rd Street. (District 1)

Distributed at the meeting: ABC Conditions from Vice Mayor Garcia.

A motion was made by Vice Mayor Garcia, 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 Neal

Absent: 1 - Austin

19. 12-0900 Recommendation to authorize City Manager, or designee, to execute a one-year agreement between the City of Long Beach and the Long

Beach Public Transportation Company for the disbursement of transportation funds for July 1, 2012 through June 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, Andrews, Johnson and Neal

Absent: 1 - Austin

20. Intentionally omitted.

NEW BUSINESS (7:06 PM)

21. 12-0928 Recommendation to receive and file the City Council Authorities and Membership list.

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

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

Absent: 1 - Austin

22. 12-0926 Recommendation to request City Attorney to prepare an ordinance amending the Long Beach Municipal Code to implement a temporary Construction Preferential Parking District (PPD), for areas of the City subject to severe parking impacts due to temporary construction activity.

The ordinance will allow the creation of a temporary preferential parking program for residents adjacent to construction sites, with following parameters:

- Construction activity must be for a duration of no less than 2 weeks and no more than 6 months, with the possibility of 2 six-month extensions if construction continues; otherwise, the PPD terminates upon completion of construction.
- Traffic Engineer's Office will administer, include determining appropriate boundaries for district; confirming severity of impact; verifying construction dates; and issuing temporary parking permits.
- District must be posted with signs indicating limited parking and requiring permit before warnings and citations can be issued.
- Up to three permits per residence, at no charge due to the

temporary nature of the district.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Linda Wilson spoke.

Marisela Andrade spoke.

Shamira Hawkins spoke.

Vice Mayor Garcia spoke.

Councilmember Neal spoke.

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

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

Absent: 1 - Austin

23. 12-0885

Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following appointment: Charter Commission (1 appointment).

Councilman Andrews spoke.

Mayor Foster spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Harry Saltzgaver spoke.

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

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

24. Affidavit of Service for the special meeting held Tuesday, October 16, 2012.

25. 12-0927 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, October 12, 2012.

This Agenda Item was received and filed.

26. 12-0929 eComments received for the City Council meeting of Tuesday, October 16, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (7:19 PM)

Councilwoman Schipske made community announcements.

Councilman Andrews made community announcements.

Councilmember Lowenthal made community announcements.

Councilmember Neal made community announcements.

Councilmember Johnson made community announcements.

Vice Mayor Garcia requested that the meeting be adjourned in memory of Steven Macias and Tracy Lorraine Weaver.

PUBLIC (7:29 PM)

Michael Maris spoke regarding sodium fluoride.

Donald Williams spoke regarding college trade programs.

ADJOURNMENT (7:36 PM)

At 7:42 PM, Vice Mayor Garcia adjourned the meeting in memory of Steven Macias and Tracy Lorraine Weaver.

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. 12 was considered following the Consent Calendar vote; and Agenda Item No. 15 was considered prior to Agenda Item No. 14.

ROLL CALL (5:15 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; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Daisy Gomez, City Clerk Analyst; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

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

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

Proclamation recognizing 2012 Miss Long Beach Pageant winners

Councilmember DeLong spoke.

Vice Mayor Garcia spoke.

Presentation by the Mexican Consulate

Councilman Andrews spoke.

Juan Carlos Mendoza, Deputy Consul General from Los Angeles, spoke.

Councilmember Johnson spoke.

Presentation by the Historical Society for the 17th Annual Historical Cemetery Tour

Councilman Austin spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

HEARINGS (5:38 PM)

1. 12-0932 Recommendation to receive supporting documentation into the record, conclude the hearing, declare ordinance relating to the temporary limitation (moratorium) on payday lending, vehicle title loan, or check cashing businesses 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)

Charles Parkin, Assistant City Attorney, spoke.

Councilmember Johnson spoke.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Austin, to declare emergency to exist. The motion carried by the following vote:

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

Roger Diamond spoke.

Donald Sims spoke.

Vanessa Lugo, representative for Community Financial Services

Association, spoke; and submitted information regarding Payday Loans.

Mauna Eichner spoke.

Lee Fukui spoke.

Daryl Supernaw spoke.

Mark Warnick, representative for Community Financial Services Association, spoke.

David Carlad spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

To declare Emergency Ordinance No. ORD-12-0016, with an amendment to provide that the moratorium shall also apply to signature loan businesses, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading.

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

Enactment No: ORD-12-0016

2. 12-0907

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 and Local Coastal Development Permit to allow the reconstruction of a second home, demolished without a permit, located at 213 Roswell Avenue within the Single Family Residential zone. (District 3)

Diane Sunstin, appellant representing Belmont Heights Community Association, spoke.

Marlin and Mariano Luchetti, applicant, spoke; and submitted a petition.

Pamela Herrema spoke.

Ron Herrema spoke.

Dale Pullin spoke.

Pat Doyle spoke.

Ray Sumner spoke.

Sandy Hampton spoke.

Alex Hampton spoke.

Allie Olivera spoke.

Jessica Carlson spoke.

Donald Sims spoke.

Bruce Peterson spoke.

Shirley Broussard spoke.

Mary Lou Cook spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

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

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

3. 12-0555

Recommendation to receive supporting documentation into the record, conclude the hearing and adopt the hearing officer's recommendation to revoke business license number BU93014571 issued to Bentech, LLC, located at 3721 E. Anaheim Street. (District 4)

James Devine, appellant, spoke.

Madeline Johnson spoke.

Art Daistille spoke.

Donald Sims spoke.

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

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

PUBLIC COMMENT (7:06 PM)

Donald Sims spoke regarding stolen cell phone.

Mike Murchison spoke regarding the property located at 245 W. Broadway.

Shirley Broussard spoke regarding homeless issues.

Shannon Bell spoke regarding postal services.

Martha Flores Gibson spoke regarding the program Rebuilding Together Long Beach.

Madeline Johnson spoke regarding voting registration.

CONSENT CALENDAR (7:27 PM)

Passed The Consent Calendar

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve Consent Calendar Items 4 - 13, except for Item 12. The motion carried by the following vote:

Yes: 7 - Garcia, Lowenthal, Schipske, Andrews, Johnson, Austin and Neal

Absent: 2 - DeLong and O'Donnell

4. 12-0922 Recommendation to approve the minutes for the City Council meeting of Tuesday, October 9, 2012.

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

5. 12-0924 Recommendation to refer to City Attorney damage claims received between October 8, 2012 and October 15, 2012.

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

6. 12-0908 Recommendation to refer to Hearing Officer the business license revocation appeal by John W. Mitchell, located at 1742 E. Broadway,

Long Beach, CA 90802. (District 2)

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

7. 12-0909 Recommendation to adopt Specifications No. RFP FM12-041 and award a contract to Ken Porter Auctions, of Carson, CA (not an MBE, WBE, SBE or Local), for auctioneer services, for the 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.

8. 12-0910 Recommendation to adopt resolution authorizing City Manager to execute a contract with Rotorcraft Support, Inc., of Van Nuys, CA (not an MBE, WBE, SBE or Local), for helicopter repair and maintenance services, in an amount not to exceed \$160,000. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-12-0098 on the Consent Calendar.

Enactment No: RES-12-0098

9. 12-0918 Recommendation to authorize City Manager to execute all necessary agreements with the State of California to receive \$150,000 in Assembly Bill 118 funds to implement the Alternative and Renewable Fuel and Vehicle Technology Program under the Regional Industry Clusters of Opportunity (RICO); execute an agreement with initiative partners in an amount totaling \$96,000; increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Human Resources (HR) by \$150,000; and execute any needed subsequent amendments. (Citywide)

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

10. 12-0911 Recommendation to authorize City Manager to execute a permit with Star Party Cruises, Inc., dba Star Party Cruises, for the use of Berth 2 in Alamitos Bay to store vessels during the off-season from January 1 through November 30, and for the use of Berth 3 in Alamitos Bay to conduct holiday cruises from December 1 through December 31, for a term of five years. (District 3)

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

11. 12-0912 Recommendation to determine that the granting of Facility/Pipeline Permit No. P-243-12 to Crimson Pipeline, LP, will not be contrary to the

public interest; and authorize City Manager to issue said permit in accordance with Section 15.44.060 of the Long Beach Municipal Code. (District 7)

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

12. 12-0921 Recommendation to authorize City Manager to execute all documents necessary for the Fourth Amendment to Lease No. 23509 with BANCAP Marina Center, Inc., a California corporation, for City-leased property at 241-255 Marina Drive, known as the Alamitos Bay Marina Center. (District 3)

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

A motion was made by Councilmember O'Donnell, 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

13. 12-0925 Recommendation to receive and file minutes for:
Civil Service Commission - October 3, 2012.
Planning Commission - September 20, 2012.

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

REGULAR AGENDA (7:30 PM)

14. 12-0923 Recommendation to, by motion of the City Council, request City Manager to provide a report to City Council during a City Council meeting within 30 days, on: (1) a status report about the ongoing efforts from the City of Long Beach to locate an alternate site for day treatment homeless facility, operated by Mental Health Association (MHA); (2) summary of the U.S. Army and U.S. Housing and Urban Development (HUD) action if the City of Long Beach chooses not to accommodate MHA on the one acre Health Department property; (3) a timeline of events scheduled for the next 12 months concerning the transfer of the property.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Joe Sopo spoke.

Jack Scharple spoke.

Linda Sopo spoke.

Barbara Schuler spoke.

Alexis Morero spoke.

Councilwoman Schipske spoke.

Richard O'Leary spoke.

Councilman Austin spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember Johnson, that the report be received and filed. The motion carried by the following vote:

Yes: 6 - Garcia, Schipske, Andrews, Johnson, Austin and Neal

No: 1 - O'Donnell

Absent: 2 - Lowenthal and DeLong

15. 12-0933 Recommendation to receive and file report on the actions taken at the Metropolitan Water District Board meeting held on October 9, 2012.

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 - Garcia, Lowenthal, O'Donnell, Schipske, Andrews, Johnson, Austin and Neal

Absent: 1 - DeLong

16. 12-0913 Recommendation to receive supporting documentation into the record regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing, and adopt resolution approving the issuance of revenue bonds

by the California Statewide Community Development Authority (CSCDA) to benefit Hunt Capital Partners, LLC, or its affiliates, Belwood Arms Apartments, in an amount not to exceed \$7,500,000. (District 9)

Councilmember Neal spoke.

A motion was made by Councilmember Neal, seconded by Councilman Austin, to approve recommendation and adopt Resolution No. RES-12-0099. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and DeLong

Enactment No: RES-12-0099

17. 12-0914

Recommendation to receive supporting documentation into the record regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing, and adopt resolution approving the issuance of revenue bonds by the California Statewide Community Development Authority (CSCDA) to benefit Palm Desert Development Company, Ramona Park Senior Apartments, in an amount not to exceed \$13,500,000. (District 9)

A motion was made by Councilmember Neal, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0100. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and DeLong

Enactment No: RES-12-0100

18. 12-0916

Recommendation to adopt Specifications No. RFP AP12-024 and award a contract to ProDIGIQ, Inc., of Calabasas, CA (MBE, WBE and SBE), for a multi-user flight information display system, in an annual amount not to exceed \$198,000, for a period of four years, with the option to renew for two additional two-year periods. (District 5)

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

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

Absent: 2 - Lowenthal and DeLong

19. 12-0915 Recommendation to adopt Specifications No. PA-01812 and award contracts to Maneri Sign Co., Inc., of Gardena, CA (not an MBE, WBE, SBE or Local), Safeway Sign Company, of Adelanto, CA (not an MBE, WBE, SBE or Local), and Pacific Products and Services, Inc., of Highland, CA (not an MBE, WBE, SBE or Local), to furnish and deliver traffic and custom signs, poles and related supplies, in an annual amount not to exceed \$350,000, 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 by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and DeLong

20. 12-0917 Recommendation to adopt Specifications No. PA-02212 and award a contract to AW Associates, Inc., of Corona, CA (WBE; not an MBE, SBE or Local), for furnishing and delivering fuel site repair, maintenance and designated operator services, in an annual amount not to exceed \$180,000, for the 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 by Councilman Andrews, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and DeLong

21. 12-0920 Recommendation to receive and file the application of Social Services Staffing, Incorporated, dba The Beach Cafe, for an original Alcoholic Beverage Control License, at 703 East Artesia Boulevard. (District 9)

A motion was made by Councilmember Neal, seconded by Councilman Austin, that the item be laid over to the City Council meeting of Tuesday, November 13, 2012. The motion carried by the following vote:

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

Absent: 2 - Lowenthal and DeLong

NEW BUSINESS (8:21 PM)

22. Affidavit of Service for the Special Meeting held Tuesday, October 23, 2012.

23. 12-0938 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, October 19, 2012.

This Agenda Item was received and filed.

24. 12-0939 eComments received for the City Council meeting of Tuesday, October 23, 2012.

This Agenda Item was received and filed.

ANNOUNCEMENTS (8:21 PM)

Vice Mayor Garcia requested that the meeting be adjourned in memory of Charlie Ford.

Councilmember Neal made community announcements.

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Johnson made community announcements.

Councilman Austin made community announcements.

ADJOURNMENT (8:33 PM)

At 8:33 P.M., Vice Mayor Garcia adjourned the meeting in memory of Charlie Ford and Sergeant Thomas R. MacPherson.

dg