



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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August 6, 2013

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Approve the minutes for the City Council meetings of Tuesday, July 16 and July 23, 2013.

**DISCUSSION**

The Legistar minutes for the City Council meetings of Tuesday, July 16 and July 23, 2013 are attached for review and approval.

Should any district offices have questions regarding the minutes we submit each week, we respectfully request that you contact the City Clerk Department prior to 12:00 p.m. on the day of the City Council meeting. With notice prior to the meeting, City Clerk staff can attempt to resolve any questions that you may have before the start of the regular meeting.

In cases where questions cannot be resolved before the 5:00 p.m. meeting start time, we will request a motion and a second that the minutes be held over for approval to the following week.

**TIMING CONSIDERATIONS**

None.

**FISCAL IMPACT**

None.

**SUGGESTED ACTION:**

Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Larry Herrera".

LARRY G. HERRERA  
CITY CLERK

Prepared by: Daisy Gomez

LGH:dg  
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

Charles Parkin, Acting City Attorney

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## 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. 4 ballot results was considered prior to Agenda Item No. 12; Agenda Item No. 24 was considered at the beginning of the Regular Agenda; and Agenda Item No. 23 was considered prior to Agenda Item No. 20.

### ROLL CALL (5:09 PM)

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

**Councilmembers** Schipske  
**Absent:**

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Acting City Attorney; Laura Doud, City Auditor; Poonam Davis, Assistant City Clerk; Daisy Gomez, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Al Austin, Councilman, Eighth District.

Mayor Foster announced that Councilwoman Schipske would be absent; and that Agenda Item No. 24 would be considered at the beginning of the Regular Agenda.

Proclamation Recognizing 23rd Anniversary of the Americans with Disabilities Act.

Richard Hernandez, Chair of Citizens' Advisory Commission on Disabilities, spoke.

Mayor Foster spoke.

**HEARINGS (5:13 PM)**

1. 13-0589 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of 525 East Broadway Corporation, dba Bliss 525, 525 East Broadway, for Entertainment With Dancing by Patrons. (District 2)

Jonathon Shepard spoke.

Nancy Downs, applicant, spoke.

Ben Rockwell spoke.

Councilmember Lowenthal spoke.

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

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

**Absent:** 1 - Schipske

2. 13-0590 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Molly Brown, LLC., dba The Paradise, 1800 East Broadway, for Entertainment Without Dancing by Patrons. (District 2)

Michael Barber, applicant, spoke.

Councilmember Lowenthal spoke.

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

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

**Absent:** 1 - Schipske

3. 13-0591 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Broadlind Lounge, LLC., dba The Basement, 149 Linden

Avenue, Unit B-100, for Entertainment With Dancing by Patrons.  
(District 2)

Edward Chustz, Business owner of Royal Hotel, spoke.

Laurel Rankin spoke.

Councilmember Lowenthal spoke.

**A motion was made by Councilmember Lowenthal, seconded by Vice Mayor Garcia, to approve recommendation with the amendment to restrict the use of outside promoters. The motion carried by the following vote:**

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

**Absent:** 1 - Schipske

4. 13-0592

Recommendation to receive supporting documentation into the record, conclude the hearing to consider the establishment of the Andy Street Property and Business Improvement District (APBID); direct City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council during the July 16, 2013 City Council meeting; and, if a majority of ballots received are in favor of the establishment of the APBID, adopt resolution to establish the APBID for an initial term of five (5) years, effective January 1, 2014 through December 31, 2018.  
(District 9)

Councilmember Neal spoke.

Charles Parkin, Acting City Attorney, spoke.

Poonam Davis, Assistant City Clerk, announced the results of the tabulation that there is a majority protest; therefore, no further action could be taken.

Charles Parkin, Acting City Attorney, spoke.

Councilmember Neal spoke.

Charles Parkin, Acting City Attorney, spoke.

Councilmember Neal spoke.

Councilmember DeLong spoke.

**A motion was made by Councilmember Neal, seconded by Vice Mayor Garcia, to approve recommendation to receive supporting documentation, conclude the hearing to consider the establishment of the Andy Street Property and Business Improvement District (APBID); and direct City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Andrews

**PUBLIC COMMENT (5:40 PM)**

13-0634            Robert Skiles spoke regarding accessible connections exchange event; and submitted information.

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

Milia Islam-Majeed spoke regarding Harbor Area Farmers Market.

Dale Whitney spoke regarding Friday Farmers Market situation.

Vice Mayor Garcia spoke.

Councilman Andrews spoke.

William Shibley spoke regarding Farmers Market situation.

Councilmember DeLong spoke.

Ben Rockwell spoke regarding Farmers Market.

Julia Kohn spoke regarding Harbor Area Farmers Market downtown location.

Thomas Jackson spoke regarding fraud.

Adam Halaby spoke regarding downtown Farmer's Market closure.

Donna Marykwas Passmore spoke regarding space to relocate Unity Farm/Long Beach Grows.

Karl Miller spoke regarding Long Beach.

**CONSENT CALENDAR (6:11 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember Johnson, seconded by Councilmember Lowenthal, to approve Consent Calendar Items 5 - 8. The motion carried by the following vote:**

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

**Absent:** 1 - Schipske

5. 13-0593 Recommendation to refer to City Attorney damage claims received between July 1, 2013 and July 8, 2013.

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

6. 13-0594 Recommendation to approve the destruction of records for Long Beach Fire Department, Fire Prevention Bureau as shown in Exhibit A; and adopt resolution.

**A motion was made to approve recommendation and adopt Resolution No. RES-13-0051 on the Consent Calendar.**

**Enactment No:** RES-13-0051

7. 13-0595 Recommendation to adopt resolution directing the Los Angeles County Auditor-Controller to include on the 2013-14 Secured Tax Roll, certain levies made pursuant to the provisions of the Long Beach Municipal Code for weed and debris removal, administrative citations, securing of buildings, and vacant buildings in the amount of \$218,874. (Citywide)

**A motion was made to approve recommendation and adopt Resolution No. RES-13-0052 on the Consent Calendar.**

**Enactment No:** RES-13-0052

8. 13-0596 Recommendation to adopt resolution establishing an annual special tax of \$0.12 per square foot for Community Facilities District No. 2007-2 for commercial properties in Belmont Shore for Fiscal Year 2014 and authorizing the Los Angeles County Auditor-Controller to include on the 2013-14 Secured Tax Roll. (District 3)

**A motion was made to approve recommendation and adopt Resolution No. RES-13-0053 on the Consent Calendar.**

**Enactment No:** RES-13-0053

**UNFINISHED BUSINESS (6:11 PM)**

22. 13-0572 Recommendation to adopt Specifications No. RFP AU13-033 and award a contract to KPMG, LLC, of Irvine, CA (not an MBE, WBE, SBE, or Local) for external audit services for the audit of the Comprehensive Annual Financial Report (CAFR), the Federal Single Audit and related reporting entities, in an annual amount not to exceed \$995,825, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Auditor. (Citywide)

Laura Doud, City Auditor, spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

**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, Andrews, Johnson, Austin and Neal

**Absent:** 1 - Schipske

#### REGULAR AGENDA (6:22 PM)

9. 13-0597 Recommendation to receive and file a report on travel to Washington DC, for legislative business and the annual Long Beach Convention and Visitors Bureau sales trip.

Mayor Foster spoke.

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

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

**Absent:** 2 - Garcia and Schipske

10. 13-0598 Recommendation to request the City Council to request the City Attorney to amend Long Beach Municipal Code Section 5.64.010 C, relating to pawn brokers and second-hand dealers, to include "cash for gold" businesses, as well as directing staff to prepare any necessary amendments to Title 21 of the Long Beach Municipal Code to be consistent, and report back to the City Council with an ordinance within 90 days.

Councilman Andrews spoke.

Len Paredes spoke.

Councilmember Johnson spoke.

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

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

**Absent:** 2 - Garcia and Schipske

11. 13-0605

Recommendation to request City Manager to work with appropriate staff to develop a strategy to address the concerns of the Supplemental Draft Environmental Impact Report (DEIR) for the 405 Freeway Widening Project.

Councilmember O'Donnell spoke.

Charles Parkin, Acting City Attorney, spoke.

Mayor Foster spoke.

Councilman Austin spoke.

Ben Rockwell spoke.

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

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

**Absent:** 1 - Schipske

12. 13-0606

Recommendation to receive and file document regarding the results from the second year of citywide residential street maintenance.

Councilmember Johnson spoke.

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



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

**Absent:** 1 - Schipske

13. 13-0599 Recommendation to approve the Fiscal Year 2014 Action Plan for the expenditure of Community Development Block Grant, Home Investment Partnership Grant, and Emergency Shelter Grant Funds. (Citywide)

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

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

**Absent:** 1 - Schipske

14. 13-0600 Recommendation to authorize City Manager to execute all documents necessary to amend Contract No. 32705 with Merrimac Energy Group (WBE and LSBE), a Long Beach-based business, extending the contract for the purchase of unleaded and diesel fuel to July 2014, with an additional amount not to exceed \$5,500,000. (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, Andrews, Johnson, Austin and Neal

**Absent:** 1 - Schipske

15. 13-0601 Recommendation to adopt resolution of the City Council approving the issuance and/or incurrence, from time to time, by the Board of Harbor Commissioners, on behalf of the City of Long Beach, of Subordinate Harbor Revenue Revolving Obligations secured by Subordinate Harbor Department Revenues, in an aggregate principal amount, outstanding at any one time, not to exceed \$200,000,000, to finance any legal purposes of the Harbor Department and certain other matters. (District 2)

**A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0054. The motion carried by the following vote:**

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

**Absent:** 2 - Schipske and Neal

**Enactment No:** RES-13-0054

16. 13-0602 Recommendation to adopt resolution authorizing City Manager to adjust certain rates for natural gas service to reflect market conditions by implementing Gas Rate Schedules 1 through 5, 7, 9, plus readopt Exhibits A and B. (Citywide)

Ben Rockwell spoke.

Sylvia Contreras spoke.

Councilman Andrews spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0055. The motion carried by the following vote:**

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

**No:** 1 - Austin

**Absent:** 1 - Schipske

**Enactment No:** RES-13-0055

17. 13-0603 Recommendation to authorize City Manager to approve the Department of Parks, Recreation and Marine's Proposed Anti-Bullying Policy and Procedure. (Citywide)

Vice Mayor Garcia spoke.

Councilmember Johnson spoke.

Star Harris spoke.

Kerry Gerot, Chair of Human Relations Commission, spoke.

Councilman Austin spoke.

Ben Rockwell spoke.

**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, Andrews, Johnson, Austin and Neal

**Absent:** 1 - Schipske

**18. 13-0604** Recommendation to receive and file the application of One International Development Inc., dba Ren Japanese Cuisine, for an original Alcoholic Beverage Control License, at 4201 East Willow Street, with conditions. (District 5)

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

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

**Absent:** 2 - Garcia and Schipske

#### **ORDINANCES (7:10 PM)**

**19. 13-0404** Recommendation to declare ordinance amending Section 6.16.010, Chapter 6.20, and Section 6.24.010 of the Long Beach Municipal Code, all relating to livestock and other animals read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

George Chapjian, Director of Parks, Recreation and Marine, made introductory comments.

Ted Stevens, Manager of Animal Care Services Bureau, provided a PowerPoint presentation.

Councilmember O'Donnell spoke.

Councilmember Neal spoke.

Judy Crumpton spoke in opposition.

Sylvia Contreras spoke in opposition.

Margo Carter spoke spoke in opposition.

Ben Rockwell spoke in support.

Kate Carr spoke in support.

Ryan Serrano spoke in support.

Mayor Foster retired and Vice Mayor Garcia assumed the chair.

Henry Kirland spoke in support.

Theresa Hew spoke in opposition.

Katherine Burke spoke in opposition.

Barbara Sinclair spoke in support.

Gabrielle Weeks spoke in support.

Roberta Kato, Pediatric Pulmonologist, spoke in support.

Colby Sky spoke in support.

Mia Passmore spoke in support.

Donna Marykwas Passmore spoke in support.

David Michalik, Infectious Disease Pediatrician of Miller Children's Hospital, spoke in support.

Bob Carlton spoke in opposition.

Elliot Gonzalez spoke in support.

Jeff Paul Buchanan spoke in support.

Steven Passmore spoke in support.

Annie Vaz spoke in support.

Lee Sanchez spoke in support.

Kathleen Irvine spoke in support.

Jim Dano spoke in support.

Maria Norvell spoke in support.

Jimmy Cloose spoke in support.

Maggie Hahn spoke in support.

Deborah Turner, Humane Educator for Friends of Long Beach Animals, spoke in opposition.

Erin Philly spoke in support.

Rick Berry spoke in support.

Glenn Kravitz spoke in support.

Joan Greenwood spoke in support.

Sue Stevens spoke in support.

Manuel Arrana spoke in support.

Ryan Seydad spoke in support.

Councilmember Johnson spoke.

Councilman Austin spoke.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilman Austin spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Councilman Austin spoke.

Charles Parkin, Acting City Attorney, spoke.

Councilmember Lowenthal spoke.

**A second substitute motion was made by Vice Mayor Garcia, seconded by Councilmember Lowenthal, to approve recommendation with a six month review and bring back to Council. The motion failed by the following vote:**

**Yes:** 4 - Garcia, Lowenthal, Andrews and Johnson

**No:** 3 - O'Donnell, Austin and Neal

**Absent:** 2 - DeLong and Schipske

Councilmember Lowenthal spoke.

**A substitute motion was made by Councilmember O'Donnell, seconded by Councilman Austin, to approve recommendation with the amendment to Chapter 6.20 to include chickens only. The motion failed by the following vote:**

**Yes:** 4 - O'Donnell, Johnson, Austin and Neal

**No:** 3 - Garcia, Lowenthal and Andrews

**Absent:** 2 - DeLong and Schipske

Councilmember Lowenthal spoke.

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

**Yes:** 4 - Garcia, Lowenthal, Andrews and Johnson

**No:** 3 - O'Donnell, Austin and Neal

**Absent:** 2 - DeLong and Schipske

**20. 13-0580**

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking District "AB", read and adopted as read. (Citywide)

**A motion was made by Councilman Austin, seconded by Councilmember Neal, to approve recommendation and adopt Ordinance No. ORD-13-0009. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, O'Donnell, Johnson, Austin and Neal

**Absent:** 3 - DeLong, Schipske and Andrews

**Enactment No:** ORD-13-0009

**21. 13-0567**

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.64.010 relating to traffic direction, read and adopted as read. (Citywide)

**A motion was made by Councilmember Lowenthal, seconded by Councilmember Neal, to approve recommendation and adopt Ordinance No. ORD-13-0010. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, O'Donnell, Johnson, Austin and Neal

**Absent:** 3 - DeLong, Schipske and Andrews

**Enactment No:** ORD-13-0010

**NEW BUSINESS (6:16 PM)**

22. Agenda Item No. 22 is listed under Unfinished Business.

23. 13-0610 Recommendation to adopt resolution supporting the 30th Annual National Night Out.

Councilmember Johnson spoke.

Maria Norvell spoke.

Joan Greenwood spoke.

Councilmember Johnson spoke.

**A motion was made by Councilmember Johnson, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-13-0056. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, O'Donnell, Johnson, Austin and Neal

**Absent:** 3 - DeLong, Schipske and Andrews

**Enactment No:** RES-13-0056

24. 13-0611 Recommendation to request City staff to apply for this grant funding from CalRecycle by the application deadline of July 17, 2013.

Councilmember DeLong spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

Discussion ensued between Councilmember DeLong and Councilmember Johnson.

Councilmember O'Donnell spoke.

Councilman Austin spoke.

Councilmember Johnson spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation with the amendment to include additional areas in the City of Long Beach for grant funding. The motion carried by the following vote:**

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

**Absent:** 2 - Garcia and Schipske

25. Affidavit of Service for special meeting held Tuesday, July 16, 2013.

26. 13-0612 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, July 12, 2013.

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

27. 13-0613 eComments received for the City Council meeting of Tuesday, July 16, 2013.

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

#### **ANNOUNCEMENTS (9:41 PM)**

Vice Mayor Garcia requested that the meeting be adjourned in memory of Sonia Webster and Emperor Dick Saint James.

Councilmember Neal made community announcements.

Councilmember Johnson requested that the meeting be adjourned in memory of Thomas Farrand; and made community announcements.

Councilmember O'Donnell made community announcements.

#### **PUBLIC COMMENT (9:48 PM)**

Star Harris spoke.

#### **ADJOURNMENT (9:50 PM)**

At 9:50 PM, Vice Mayor Garcia adjourned the meeting in memory of Sonia Webster, Emperor Dick Saint James, and Thomas Farrand.



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

Charles Parkin, Acting City Attorney

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## 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. 3 ballot results were announced prior to Agenda Item No. 19.

### ROLL CALL (5:04 PM)

**Councilmembers** Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Present:**

**Councilmembers** O'Donnell, Schipske and Johnson

**Absent:**

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Charles Parkin, Acting City Attorney; Larry Herrera, City Clerk; Pablo Rubio, City Clerk Assistant.

Mayor Foster presiding.

Invocation: Moment of Silence.

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

Mayor Foster announced that Councilmember O'Donnell, Councilwoman Schipske, and Councilmember Johnson would be absent.

Julie Pruitt, spcaLA, presented a canine.

### HEARINGS (5:07 PM)

1. 13-0608 Recommendation to receive supporting documentation into the record, conclude the public hearing, consider the appeal from Debora Dobias, and uphold the decision of the Planning Commission to approve a Site

Plan Review for the west phase of the Shoreline Gateway Project, consisting of a 17-story, 224-unit residential tower with 9,182 square feet of retail space and 275 parking spaces, located at 635 East Ocean Boulevard located in PD-30 (Downtown Plan). (District 2)

Suzanne Frick, Assistant City Manager, spoke.

Debbie Dobias, appellant, spoke.

Jim Anderson, applicant, spoke.

Robert Garner, applicant, spoke.

Debbie Dobias, appellant, spoke in rebuttal to applicant.

Ryan Altoon, applicant, spoke in rebuttal to appellant.

Joe Ganem spoke.

Derek Finley spoke.

Councilmember Lowenthal spoke.

Mayor Foster spoke.

Jim Anderson, applicant, spoke.

Councilmember Lowenthal spoke.

Dennis Dunn spoke.

Elisa McConnehea, President of Alamitos Beach Neighborhood Association, spoke.

Laura Greco spoke.

Gary Shelton spoke.

Elizabeth Balikan spoke.

Holly Jones spoke.

Sharon Brown spoke.

Phil Appleby spoke.

Pat Paris-Appleby spoke.

LeRoy Misuraca, submitted a handout; and spoke.

Beth Aljordas spoke.

Marjorie Landers spoke.

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

Kathleen Patton spoke.

Ms. Gonzales spoke.

Councilmember Lowenthal spoke.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation, with additional conditions to: 1) modify existing Condition 15A to require the project applicant to include provisions for off-site parking for construction workers in the construction staging plan, subject to approval by the City Traffic Engineer; and 2) require the applicant to work with staff to explore potential options to increase the number of parking spaces beyond the 275 spaces currently provided for in the project. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

2. 13-0332 Recommendation to receive and file the Biennial Report on Public Convenience and Necessity Regarding Taxicab Service; the Taxicab, Auto-for-Hire Inspection process; determine that the number of authorized taxicabs is sufficient; and direct that the time period for filing of taxicab applications remains closed. (Citywide)

Suzanne Frick, Assistant City Manager, spoke.

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

3. 13-0609 Recommendation to receive supporting documentation into the record, conclude the hearing to consider the re-establishment of the Magnolia

Industrial Group Property and Business Improvement District (MIG-PBID); direct City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council during the July 23, 2013 City Council meeting; and, if a majority of ballots received are in favor of the re-establishment of the MIG-PBID, adopt resolution to re-establish the MIG-PBID for an additional term of ten years, effective December 1, 2013 through November 30, 2022. (District 1)

Vice Mayor Garcia spoke.

Charles Parkin, Acting City Attorney, spoke.

Larry Herrera, City Clerk, reported the votes for the MIG-PBID.

Charles Parkin, Acting City Attorney, spoke.

**A motion was made by Vice Mayor Garcia, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-13-0057. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

**Enactment No:** RES-13-0057

#### **PUBLIC COMMENT (6:47 PM)**

Jeff Abrams spoke regarding medical marijuana dispensaries.

Tyrus DeMinotor spoke regarding a Parks and Recreation fundraiser.

Larry Goodhue spoke regarding various issues.

Thomas Jackson spoke regarding fraud.

#### **CONSENT CALENDAR (6:59 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember DeLong, seconded by Councilman Austin, to approve Consent Calendar Items 4 - 12. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

4. 13-0616 Recommendation to authorize City Attorney to pay sum of \$14,000 in full and final resolution of the lawsuit entitled *Eddy, et al. v. COLB*.
- A motion was made to approve recommendation on the Consent Calendar.**
5. 13-0617 Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$125,000 in compliance with the Appeals Board Order for Christopher Bates.
- A motion was made to approve recommendation on the Consent Calendar.**
6. 13-0618 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 \$66,067.50 for the claim of David Foltz; and authority to pay 1) \$22,153.75, 2) \$20,926.25, and 3) \$13,680 for the claim of Maurice Weiner, in compliance with the Appeals Board Orders.
- A motion was made to approve recommendation on the Consent Calendar.**
7. 13-0619 Recommendation to authorize City Attorney to submit Joint Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$203,377.50 for Joint Stipulations with Request for Award, and also 2) to pay \$231.92 per week, subject to cost of living increases as determined by the Workers' Compensation Appeals Board, for a Life Pension thereafter in compliance with the Appeals Board Order for Michael Horan.
- A motion was made to approve recommendation on the Consent Calendar.**
8. 13-0614 Recommendation to approve the minutes for the City Council meeting of Tuesday, July 9, 2013.
- A motion was made to approve recommendation on the Consent Calendar.**
9. 13-0615 Recommendation to refer to City Attorney damage claims received between July 8, 2013 and July 15, 2013.
- A motion was made to approve recommendation on the Consent Calendar.**
10. 13-0620 Recommendation to authorize City Manager to execute a new Fitness
-

Provider Permit with Steven Ting, an individual doing business as Shoreside Fitness, for the provision and operation of outdoor fitness classes at Bluff Park for a term of three years. (District 3)

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

11. 13-0621 Recommendation to adopt amended and restated resolution authorizing City Manager, or his designee, to submit an application to the Clean Beaches Initiative (CBI) Grant Program. (Districts 2,3)

**A motion was made to approve recommendation and adopt Resolution No. RES-13-0058 on the Consent Calendar.**

**Enactment No:** RES-13-0058

12. 13-0622 Recommendation to receive and file minutes for:  
Civil Service Commission - June 26, 2013

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

#### **REGULAR AGENDA (6:59 PM)**

13. 13-0390 Recommendation to City Council to amend the 2013 State Legislative Agenda to include language that supports strengthening gun control legislation; and support SB 374 (Steinberg), SB 396 (Hancock), SB 47 (Yee), SB 755 (Wolk) and SB 567 (Jackson) in the 2013 State Legislative Session.

Councilman Austin spoke.

**A motion was made by Councilman Austin, seconded by Vice Mayor Garcia, that the item be laid over to the City Council meeting of Tuesday, August 6, 2013. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

14. 13-0624 Recommendation to authorize City Manager, or his designee, to accept a Transit Oriented Development Planning Grant award from the Los Angeles County Metropolitan Transportation Authority in the amount of \$183,500; execute all necessary documents; and commit in-kind matching funds, not to exceed \$45,875, for the preparation of a Transit Oriented Development Pedestrian Master Plan with a particular focus on greater Downtown transit stations; and

Increase appropriations in the General Grants Fund (SR 120) in the

Department of Development Services (DV) by \$183,500.  
(Districts 1,2,6,7)

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:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

15. 13-0625

Recommendation to authorize the early expenditure of items included in the Proposed FY 14 Budget, in the best interests of the City, up to \$560,850 for the commencement of the proposed FY 14 Fire Academy in FY 13; and, up to \$600,000 to supplement Police Department gang enforcement activities in FY 13, at the Police Chief's discretion. Unused appropriation will carry over for these same purposes into FY 14. (Citywide)

Councilmember DeLong spoke.

Patrick West, City Manager, spoke.

Councilmember DeLong spoke.

Councilman Andrews spoke.

Councilman Austin spoke.

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

16. 13-0626

Recommendation to authorize City Manager to execute all documents necessary to return \$122,043 in remaining grant funds and interest earnings of \$170,339, plus any other interest that may be due at the time of payment to the State of California, Department of Boating and Waterways, under Agreement No. 24446, for the renovation of the boat launching area located at the east end of Marine Stadium; and

Execute all documents necessary to return \$10,684 in remaining grant funds and interest earnings of \$122,996, plus any other interest that may



be due at the time of payment to the State of California, Department of Boating and Waterways, under Agreement No. 26289, for the improvements of the boat launching area located at the east end of Marine Stadium. (District 3)

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

17. 13-0627

Recommendation to adopt resolution and authorize City Manager to execute all necessary documents to receive and expend funding from the City of Gardena, acting on behalf of the State of California Board of State and Community Corrections (BSCC), and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$525,092. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-13-0059. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

**Enactment No:** RES-13-0059

18. 13-0628

Recommendation to adopt Plans and Specifications No. R-6933 for improvement of Bayshore North, Bayshore South and 62nd Place Restrooms (Tidelands Beach Restrooms-Bid Package 2); award to and authorize City Manager to execute the contract with Sunpeak Construction, Inc., in an amount of \$750,000 plus a 15 percent contingency amount of \$112,500, if necessary, for a total not to exceed \$862,500, and any amendments thereto. (District 3)

Larry Goodhue, submitted a handout; and spoke.

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

19. 13-0629

Recommendation to adopt Plans and Specifications No. R-6934 for

improvement of Granada, Junipero and Mothers Beach South Restrooms (Tidelands Beach Restrooms-Bid Package 3); award to and authorize City Manager to execute the contract with NEI Contracting & Engineering, in an amount of \$988,015 plus a 15 percent contingency amount of \$148,202, if necessary, for a total not to exceed \$1,136,217, and any amendments thereto. (District 3)

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

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

20. 13-0630

Recommendation to adopt resolution authorizing City Manager to execute contracts with Verizon Business Network Services, Inc., and authorize City Manager to execute contracts with Time Warner Cable, and Verizon Wireless to provide local and long distance telephone, data communications, and Internet services in an annual aggregate amount not to exceed \$1,670,000 for a period of three years with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-13-0060. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, Andrews, Austin and Neal

**Absent:** 3 - O'Donnell, Schipske and Johnson

**Enactment No:** RES-13-0060

#### **ORDINANCE (7:20 PM)**

21. 13-0404

WITHDRAWN

~~Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 6.16.010, Chapter 6.20, and Section 6.24.010, all relating to livestock and other animals, read and adopted as read. (Citywide)~~

**This Ordinance was withdrawn.**

#### **NEW BUSINESS (7:20 PM)**

22. 13-0635

Recommendation to request City Attorney to draft a resolution in support

of negotiations between SEIU Healthcare Workers West and Telecare La Casa Mental Health and Rehabilitation Center, in an effort to seek safety improvement to the workplace for the caregivers, patients, and the surrounding community.

Councilmember Neal spoke.

Joey Terucha spoke.

Lois Flores spoke.

Homer Baltazar spoke.

Councilman Andrews spoke.

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

**Yes:** 5 - Garcia, Lowenthal, Andrews, Austin and Neal

**Absent:** 4 - DeLong, O'Donnell, Schipske and Johnson

23. 13-0636 Recommendation to authorize City Attorney to settle the matters of Rindone v. City of Long Beach, et al. Case No. CV12-2181 (Federal) and Rindone, Root and Scherratt v. City of Long Beach BC480754 (State).

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

**Yes:** 5 - Garcia, Lowenthal, Andrews, Austin and Neal

**Absent:** 4 - DeLong, O'Donnell, Schipske and Johnson

24. 13-0637 Recommendation to authorize City Attorney to pay the sum of \$475,000 in full and final resolution of the lawsuit entitled *Jose Zaragoza vs. COLB, et al.*

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

**Yes:** 5 - Garcia, Lowenthal, Andrews, Austin and Neal

**Absent:** 4 - DeLong, O'Donnell, Schipske and Johnson

25. 13-0638 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, July 19, 2013.

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

26. 13-0639 eComments received for the City Council meeting of Tuesday, July 23, 2013.

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

**ANNOUNCEMENTS (7:30 PM)**

Mayor Foster requested that the meeting be adjourned in memory of Tom Farrand and Lillian Kawasaki.

Councilman Andrews made community announcements.

Councilman Austin extended condolences to the Kawasaki family; and made community announcements.

Councilmember Neal made community announcements.

Vice Mayor Garcia extended condolences to the Farrand and Kawasaki family; and made community announcements.

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

**ADJOURNMENT (7:41 PM)**

At 7:41 PM, Mayor Foster adjourned the meeting in memory of Tom Farrand and Lillian Kawasaki.

pr