

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



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

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

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## FINISHED AGENDA & MINUTES

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

Agenda Items were considered in the order presented, except for Agenda Item No. 22 was considered following Agenda Item No. 7.

### ROLL CALL (6:00 PM)

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

Mayor Foster presiding.

Also present: Patrick West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Charles Parkin, Assistant City Attorney; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Invocation: Moment of Silence.

Pledge of Allegiance: Patrick O'Donnell, Councilmember, Fourth District.

Mayor Foster announced that Agenda Item No. 22 would be considered following Agenda Item No. 7.

### PUBLIC COMMENT (6:02 PM)

Barton Parnes spoke regarding proposed closure of Silverado Pool.

Nicolaas Chomenko spoke regarding crime reduction due to closure of dispensaries.

Larry Goodhue spoke regarding a variety of issues.

Oksana Orel spoke regarding budget cuts to the El Dorado Nature Center.

Councilmember O'Donnell spoke.

Rev. Suzanne Shipp spoke regarding the El Dorado restaurant entertainment license.

Robert Travis spoke regarding El Dorado restaurant entertainment license.

Kevin Tatgenhorst, General Manager, spoke regarding an entertainment permit for the El Dorado restaurant.

Martin Martinez spoke regarding the Mayor's comment concerning the IAM pension vote.

Adrianna Whalen spoke regarding the El Dorado restaurant.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Ken Murano spoke regarding the El Dorado restaurant.

Councilwoman Schipske spoke.

### **CONSENT CALENDAR (6:28 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve Consent Calendar Items 1 - 6. The motion carried by the following vote:**

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

1. [12-0715](#) 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 \$106,799.39 for the claim of Richard Montoya; and to submit claim for death benefits for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay death benefits at the weekly maximum statutory rate until December 15, 2018, when the youngest dependent turns 18, for decedent, Darren Rockett, in compliance with the Appeals Board Orders.

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

2. [12-0693](#) Recommendation to authorize City Attorney to pay the sum of \$15,000 in full settlement of lawsuit entitled *Bercerril v City of Long Beach*, Case

No. NC056509; \$6,000 in full settlement of lawsuit entitled *Cacho v. City of Long Beach, et al.*, Case No. NC055868; and \$5,756.88 in full settlement of lawsuit entitled *State Farm Mutual Automobile Insurance Company v. City of Long Beach, et al.*

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

3. [12-0694](#) Recommendation to approve the minutes for the City Council meeting held Tuesday, August 7, 2012.

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

4. [12-0695](#) Recommendation to refer to City Attorney damage claims received between August 6, 2012 and August 13, 2012.

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

5. [12-0698](#) Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2012 to September 30, 2013, for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting the date of hearing for Tuesday, September 18, 2012 at 5:00 p.m. (District 3)

**A motion was made to approve recommendation and adopt Resolution No. RES-12-0075 on the Consent Calendar.**

**Enactment No:** RES-12-0075

6. [12-0697](#) Recommendation to receive and file minutes for: Planning Commission - July 19, 2012.

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

#### **REGULAR AGENDA (6:29 PM)**

[see media](#)

7. [12-0718](#) Recommendation to refer to the Parks and Recreation Commission and the Housing and Neighborhoods Committee the proposed names of "Willow Springs Park" for the park between Willow Street and Spring Street, Orange Avenue and California Avenue, and both options "Sunset Point at Willow Springs Park" and "Longview Point at Willow Springs Park" for the four acres currently being developed at the top of the park.

Councilmember Johnson spoke.

**A motion was made by Councilmember Johnson, seconded by Councilman Andrews, to approve recommendation and refer to the Parks and Recreation Commission. The motion carried by the following vote:**

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

**A motion was made by Councilmember Johnson, seconded by Councilman Andrews, to approve recommendation and refer to the Housing and Neighborhoods Committee. The motion carried by the following vote:**

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

[see media](#)

8. [12-0699](#)

Recommendation to adopt resolution authorizing City Manager to execute documents in connection with the renewal of the letter of credit that provides support for the Taxable Variable Rate Demand Revenue Bonds, 2004 Series A (Long Beach Towne Center Site Refinancing Project) at an annual cost not to exceed \$78,000. (District 5)

Councilwoman Schipske spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-12-0077. The motion carried by the following vote:**

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

**Enactment No:** RES-12-0077

[see media](#)

9. [12-0700](#)

Recommendation to adopt resolution authorizing the issuance of Tax and Revenue Anticipation Notes in an amount not to exceed \$25 million, and authorize City Manager to execute all necessary documents. (Citywide)

**A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0078. The motion carried by the following vote:**

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

**Enactment No:** RES-12-0078

[see media](#)

10. [12-0701](#) Recommendation to receive and file the Investment Report for Quarter Ending June 30, 2012. (Citywide)

David Nakamoto, City Treasurer, spoke.

Councilmember Johnson spoke.

**A motion was made by Councilman Andrews, 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](#)

11. [12-0702](#) Recommendation to adopt Specifications RFP No. PW12-025; and authorize City Manager to execute a contract and any amendments thereto, to Bike Nation, Inc., of Tustin, CA (not an MBE, WBE, SBE or Local), for a Bike Share Program, for a period of ten years, with the option to renew for one additional ten-year period, at the discretion of the City Manager. (Citywide)

Councilmember Lowenthal spoke.

Vice Mayor Garcia spoke.

Councilman Austin spoke.

Karen Ashika spoke.

Darek Pretheim, Chief Operating Officer of Bike Nation, Inc., spoke.

Roger Shannon spoke.

Larry Goodhue spoke.

Councilmember Lowenthal spoke.

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

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

[see media](#)

12. [12-0703](#) Recommendation to authorize the termination of Contract No. 31981 for Construction of Phase I Improvements to the Terminal Area at the Long

Beach Airport, with Edge Development, Inc. (Edge); and

Approve and authorize City Manager to execute any and all necessary documents to enter into a Takeover Agreement with Safeco Insurance Company of America and Liberty Mutual Insurance Company (Surety) to complete Contract No. 31981 for the Construction of Phase I Improvements to the Terminal Area at the Long Beach Airport. (District 5)

**A motion was made by Councilmember DeLong, 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

[see media](#)

13. [12-0704](#)

Recommendation to adopt Specifications RFP No. AP12-010; and award a contract to CoreBrand, LLC, of Los Angeles, CA (not an MBE, WBE, SBE or Local), for branding services, in an annual amount not to exceed \$195,000, for a period of one year, with an option to renew for one additional one-year period at the discretion of the City Manager. (District 5)

Mario Rodriquez, Executive Director of Long Beach Airport, spoke.

Councilwoman Schipske spoke.

Suzanne Frick, Assistant City Manager, spoke.

Cindy Allen spoke.

Cynthia Monet spoke.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Councilman Austin spoke.

Councilmember O'Donnell spoke.

Mario Rodriquez, Executive Director of Long Beach Airport, spoke.

Councilmember DeLong spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Vice Mayor Garcia spoke.

Mayor Foster spoke.

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

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

[see media](#)

14. [12-0705](#)

Recommendation to authorize City Manager to negotiate and execute Natural Gas Delivery Agreements and future amendments between the City of Long Beach and sellers of locally-produced natural gas in an estimated annual amount of \$1.3 million for contract periods not to exceed five years. (Citywide)

**A motion was made by Vice Mayor Garcia, seconded by Councilmember O'Donnell, 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](#)

15. [12-0706](#)

Recommendation to adopt resolution authorizing City Manager to approve a one-time waiver to allow alcohol to be served at El Dorado Nature Center at an event hosted by the Department of Parks, Recreation and Marine and Partners of Parks on September 29, 2012. (District 4)

Councilmember O'Donnell spoke.

**A motion was made by Councilmember O'Donnell, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-12-0079. The motion carried by the following vote:**

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

**Enactment No:** RES-12-0079

[see media](#)

16. [12-0707](#) Recommendation to authorize City Manager to execute a two-year contract and any amendments with Systems Research and Applications Corporation, in an amount not to exceed \$325,000 for the services of an Intelligence Analyst assigned to the Police Department (PD). (Citywide)

Larry Goodhue spoke.

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

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

[see media](#)

17. [12-0708](#) Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the Marine Exchange of Los Angeles-Long Beach Harbors, to receive and expend Department of Homeland Security grant funding for the 2009 Port Security Grant Program, in an amount not to exceed \$1,564,000 for a period ending May 31, 2013; and increase appropriations by \$1,564,000 in the General Grants Fund (SR 120) in the Police Department (PD). (Citywide)

**A motion was made by Councilmember DeLong, 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

[see media](#)

18. [12-0709](#) Recommendation to authorize City Manager to execute an agreement with the Los Angeles County Metropolitan Transportation Authority (Metro), and all other documents and amendments related thereto, in order to receive up to \$100,000 in funding from Metro to review and submit comments for the Draft Environmental Impact Report/ Environmental Impact Statement (DEIR/S) for the Caltrans I-710 Corridor project; and increase appropriations by \$100,000 in the Capital Projects Fund (CP) in the Department of Public Works (PW). (Districts 1,7,8,9)

Councilmember Johnson spoke.

Gary Shelton spoke.

Councilman Austin spoke.



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

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

[see media](#)

19. [12-0710](#)

Recommendation to authorize City Manager to submit a proposal for the County of Los Angeles Department of Public Health's 2012 Healthy Eating Active Living (HEAL) initiatives. (Citywide)

**A motion was made by Councilmember Johnson, 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

[see media](#)

20. [12-0711](#)

Recommendation to authorize City Manager to execute any and all documents necessary for the Second Amendment to Amended and Restated Fixed Base Operation Lease No. 7819 between the City of Long Beach and Fuel Controls, Inc., a California corporation, for City-owned property at 3605 East Spring Street at the Long Beach Airport. (District 5)

**A motion was made by Councilwoman Schipske, 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

#### **ORDINANCE (7:44 PM)**

[see media](#)

21. [12-0713](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding District "AB" to Section 10.32.110 creating a new Preferential Parking District read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)

**A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**

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

**NEW BUSINESS (6:31 PM)**

[see media](#)

22. [12-0712](#) Recommendation to adopt resolution approving Plans and Specifications No. R-6904 for Chittick Field, Phase 1 Demolition and Grading, award the project to and authorize City Manager to execute a contract with Crew, Incorporated, for bid line items 1 through 38, 40 and 41, and alternate bid line item 42 in place of base bid line item 39, in an estimated amount of \$852,236, plus a 25 percent contingency amount of \$213,059, for a total contract amount of \$1,065,295, and to execute any necessary amendments thereto regarding the scope of work. (District 6)

Councilman Andrews spoke.

Councilmember Johnson spoke.

Councilman Andrews spoke.

Councilman Austin spoke.

Larry Goodhue spoke.

**A motion was made by Councilman Andrews, seconded by Councilmember Johnson, to approve recommendation and adopt Resolution No. RES-12-0076. The motion carried by the following vote:**

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

**Enactment No:** RES-12-0076

23. Affidavit of Service for the Special Meeting held Tuesday, August 21, 2012

24. [12-0727](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 17, 2012.

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

25. [12-0728](#) eComments received for the City Council meeting of Tuesday, August 21, 2012.

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

**ANNOUNCEMENTS (7:46 PM)**

Councilman Andrews made community announcements.

Councilmember O'Donnell made community announcements; and requested that the meeting be adjourned in memory of Maureen Alyce Moak.

Councilwoman Schipske made community announcements.

Councilmember Neal made community announcements.

Councilmember Lowenthal made community announcements.

Councilmember Johnson spoke.

Councilman Austin made community announcements.

**PUBLIC (7:56 PM)**

Unidentified man spoke regarding the Bike Paths and the Senior Citizen Center.

Roger Shannon spoke regarding biking in the City.

Linda Francis spoke regarding dog and cat licensing.

Councilwoman Schipske spoke.

Connie Winters spoke regarding budget issues and the Senior Center.

Councilmember Lowenthal spoke.

**ADJOURNMENT (8:08 PM)**

At 8:08 PM, Vice Mayor Garcia adjourned the meeting in honor of Maureen Alyce Moak.

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