

Lena Gonzalez, 1st District
Dr. Suja Lowenthal, Vice Mayor, 2nd District
Suzie A. Price, 3rd District
Daryl Supernaw, 4th District



Stacy Mungo, 5th District
Dee Andrews, 6th District
Roberto Uranga, 7th District
Al Austin, 8th District
Rex Richardson, 9th District

Patrick H. West, City Manager
Maria de la Luz Garcia, City Clerk

Dr. Robert Garcia, Mayor

Charles Parkin, City Attorney

FINISHED AGENDA & MINUTES

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

The Agenda Items were considered in the order presented, except for Public Comment which was considered after the Consent Calendar.

ROLL CALL (5:55 PM)

Councilmembers Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews,
Present: Uranga, Austin and Richardson

Also present: Tom Modica, Assistant City Manager; Arturo Sanchez, Deputy City Manager; Charles Parkin, City Attorney; Michael Mais, Assistant City Attorney; Maria de la Luz Garcia, City Clerk; Pablo Rubio, City Clerk Specialist.

Vice Mayor Lowenthal presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Daryl Supernaw, Councilmember, Fourth District.

Vice Mayor Lowenthal announced that Agenda Item No. 3 was withdrawn; and that Mayor Garcia would be absent.

Presentation for Assistance League of Long Beach.

Councilwoman Mungo spoke.

Suzanne Powell, President, Assistance League of Long Beach, spoke.

Presentation for Breaking through, Lighting the Way.

Carolyn Smith Watt, Commissioner, Civil Service Commission, spoke.

Felton Williams, President, Board of Education, spoke.

Vice Mayor Lowenthal spoke.

Councilmember Uranga spoke.

Councilmember Richardson spoke.

Councilman Austin spoke.

Councilman Andrews spoke.

Councilwoman Gonzalez spoke.

Councilwoman Mungo spoke.

Vice Mayor Lowenthal spoke.

HEARINGS (6:28 PM)

1. [15-0959](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution continuing the Fourth Street Parking and Business Improvement Area assessment for the period of October 1, 2015 through September 30, 2016; and authorize City Manager to extend the agreement with the Fourth Street Business Improvement Association for a one-year term. (District 2)

Arturo Sanchez, Deputy City Manager, spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Richardson, to approve recommendation and adopt Resolution No. RES-15-0120. The motion carried by the following vote:

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Enactment No: RES-15-0120

2. [15-0960](#)

Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution continuing the Belmont Shore Parking and Business Improvement Area assessment for the period of October 1, 2015 through September 30, 2016; and authorize City Manager to extend the agreement with the Belmont Shore Business Association for a one-year term. (District 3)

Arturo Sanchez, Deputy City Manager, spoke.

Councilwoman Price spoke.

A motion was made by Councilwoman Price, seconded by Councilwoman Mungo, to approve recommendation and adopt Resolution No. RES-15-0121. The motion carried by the following vote:

Yes: 8 - Gonzalez, Lowenthal, Price, Supernaw, Andrews, Uranga, Austin and Richardson

Absent: 1 - Mungo

Enactment No: RES-15-0121

3. [15-0961](#)

WITHDRAWN

~~Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution; and authorize City Manager to execute an agreement with Bixby Village Homeowners' Association providing for enforcement of traffic regulations on private streets in Bixby Village with easements for public access for the following three streets: North Greenway, South Greenway and Avenida de Castillo. (District 3)~~

This Resolution was withdrawn.

PUBLIC COMMENT (6:34 PM)

[15-0988](#) Michael Lesner spoke regarding a boathouse; and submitted correspondence.

This Handout was received and filed.

Diana Lejins spoke regarding disabilities.

Sylvia Contreras spoke regarding waste management.

Vice Mayor Lowenthal spoke.

Tom Modica, Assistant City Manager, spoke.

Vice Mayor Lowenthal spoke.

Charles Parkin, City Attorney, spoke.

Councilwoman Mungo spoke.

Charles Parkin, City Attorney, spoke.

CONSENT CALENDAR (6:33 PM)

Passed the Consent Calendar.

A motion was made by Councilman Austin, seconded by Councilmember Richardson, to approve Consent Calendar Items 4 - 11, and 16. The motion carried by the following vote:

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

4. [15-0963](#) Recommendation to adopt resolution urging the State to provide New Sustainable Funding for State and Local Transportation Infrastructure.

A motion was made to approve recommendation and adopt Resolution No. RES-15-0122 on the Consent Calendar.

Enactment No: RES-15-0122

5. [15-0964](#) Recommendation to authorize City Manager to execute an agreement with the firm of Shute, Mihaly & Weinberger LLP, in the matter entitled City of Long Beach v. City of Los Angeles, et al, Case No. BS143356 now consolidated with Fast Lane Transportation, Inc., et al. v. City of Los Angeles, et al.; BNSF Railway, et al., Real Party In Interest, Contra Costa County Case No. CIV MSN14-300.

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

6. [15-0976](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, September 1, 2015.

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

7. [15-0977](#) Recommendation to refer to City Attorney damage claims received between September 4, 2015 and September 14, 2015.

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

8. [15-0965](#) Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2015 to September 30, 2016 for the Bixby Knolls Parking and Business Improvement Area, declaring its intention to levy the annual assessment and setting the date of hearing for Tuesday, October 20, 2015 at 5:00 p.m. (Districts 7,8)

A motion was made to approve recommendation and adopt Resolution No. RES-15-0123 on the Consent Calendar.

Enactment No: RES-15-0123

9. [15-0967](#) Recommendation to authorize City Manager to execute an agreement, and any subsequent amendments, with CARFAX, Inc.,

to provide the Police Department access to the CARFAX Police Crash Assistance Program for a period of one year, with automatic one-year extensions, unless terminated by either party by written notice of not less than 90 days. (Citywide)

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

10. [15-0968](#) Recommendation to authorize City Manager to increase Blanket Purchase Order Agreement No. BPPW15000016 with Pacific Rim Automation, Inc., of Huntington Beach, CA, for as-needed City-owned storm drain pump station telemetry, monitoring, and electrical/control equipment services by \$105,000, for a total amount not to exceed \$200,000; and extend the term to April 30, 2016, or until a new agreement is executed, whichever occurs first. (Citywide)

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

11. [15-0974](#) Recommendation to receive and file minutes for: Planning Commission - August 20, 2015.

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

16. [15-0971](#) Recommendation to authorize City Manager to execute a Memorandum of Agreement (MOA) D13-014 with the Southern California Stormwater Monitoring Coalition (SMC), for a four-year term at a total anticipated cost of \$60,000, to develop scientific and technical tools for stormwater implementation, assessment, and monitoring, requiring further development and/or upgrade for use in complying with United States Environmental Protection Agency (US EPA) Total Maximum Daily Loads (TMDL) and National Pollutant Discharge Elimination System (NPDES) Permit Requirements. (Citywide)

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

REGULAR AGENDA (6:45 PM)

12. [15-0975](#) Recommendation to approve the use of Sixth Council District Fiscal Year 2015 one-time infrastructure funds in the amount of \$10,000 to fund community improvement, healthy eating, and community engagement activities in the Sixth Council District for a two-year period.

Councilman Andrews spoke.

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

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

13. [15-0978](#) Recommendation to request City Council to approve a deviation from existing policy and procedures for naming of City-owned land, buildings and facilities to allow the Center Theatre to be renamed the "Beverly O'Neill Theatre" in honor of her contributions to the City of Long Beach.

Vice Mayor Lowenthal spoke.

Councilmember Uranga spoke.

Councilwoman Price spoke.

Councilman Andrews spoke.

Councilwoman Gonzalez spoke.

Councilwoman Mungo spoke.

Councilman Austin spoke.

Councilmember Richardson spoke.

Karen Reside spoke.

A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Uranga, to approve recommendation and refer to the Housing and Neighborhoods Committee. The motion carried by the following vote:

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

14. [15-0969](#)

Recommendation to authorize City Manager to execute the Eleventh Amendment to Contract No. 31687 with Bellingham Marine Industries, Inc., for Phase 8 of the Alamitos Bay Marina rebuild project, and increase the contract amount by \$28,636,597, plus a \$1,431,830 contingency, for a total contract amount not to exceed \$96,555,525;

Execute the Third Amendment to Agreement No. 29587 with Concept Marine Associates, a Division of TranSystems Corporation, for continued construction management of the Alamitos Bay Marina rebuild project; increase the contract amount by \$1,463,060, for a total contract amount not to exceed \$8,036,549; and extend the term to December 31, 2019; and

Increase appropriations in the Marina Fund (TF 403) in the Parks, Recreation and Marine Department (PR) by \$49,244,796, offset by bond proceeds. (District 3)

Councilwoman Price spoke.

Diana Lejins spoke.

Stefan Borst-Censullo spoke.

Councilwoman Price spoke.

Tom Modica, Assistant City Manager, spoke.

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

Yes: 9 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

15. [15-0970](#)

Recommendation to receive and file the application of Phatreeya,

LLC, dba Naree Thai, for an original application of an Alcoholic Beverage Control License, at 555 East Ocean Boulevard, Suite 101. (District 2)

Tom Modica, Assistant City Manager, spoke.

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

Yes: 8 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Uranga, Austin and Richardson

Absent: 1 - Andrews

16. Agenda Item No. 16 is listed under Consent Calendar.

ORDINANCES (7:10 PM)

17. [15-0893](#) Recommendation to declare ordinance relating to adopting an amendment to Ordinance No. C-6496, adopted July 5, 1988, and amended on January 24, 1989, July 11, 1989, December 5, 1989, March 20, 1990, July 3, 1990, September 18, 1990, July 2, 1991, July 7, 1992, January 26, 1993, August 24, 1993, June 28, 1994, July 18, 1995, November 28, 1995, October 1, 1996, March 25, 1997, October 7, 1997, October 27, 1998, April 20, 1999, October 19, 1999, October 17, 2000, October 30, 2001, March 19, 2002, November 26, 2002, January 6, 2004, February 8, 2005, November 1, 2005, December 5, 2006, March 20, 2007, May 22, 2007, December 18, 2007, July 15, 2008, September 21, 2010, September 13, 2011, September 11, 2012, October 3, 2013, and September 9, 2014 relating to departmental organization of the City of Long Beach, read and adopted as read.

Tom Modica, Assistant City Manager, spoke.

A motion was made by Councilwoman Mungo, seconded by Councilmember Uranga, to approve recommendation and adopt Ordinance No. ORD-15-0026. The motion carried by the following vote:

Yes: 8 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Uranga, Austin and Richardson

Absent: 1 - Andrews

Enactment No: ORD-15-0026

18. [15-0897](#)

Recommendation to declare ordinance approving and adopting the official budget of the City of Long Beach for the Fiscal Year 2015-2016, creating and establishing the funds of the municipal government of the City of Long Beach and appropriating money to and authorizing expenditures from said funds for said fiscal year; declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 a.m. on October 1, 2015, read and adopted as read. (Ordinance No. ORD-15-0025)

Tom Modica, Assistant City Manager, spoke.

A motion was made by Councilwoman Mungo, seconded by Councilman Austin, to approve recommendation and adopt Emergency Ordinance No. ORD-15-0025. The motion carried by the following vote:

Yes: 8 - Gonzalez, Lowenthal, Price, Supernaw, Mungo, Uranga, Austin and Richardson

Absent: 1 - Andrews

Enactment No: ORD-15-0025

NEW BUSINESS (7:11 PM)

19. [15-0984](#) Recommendation to receive and file the City Attorney's report on Medical Marijuana.

Tom Modica, Assistant City Manager, spoke.

Michael Mais, Assistant City Attorney, spoke.

Kendra Carney, Deputy City Attorney, spoke.

Bill Napier spoke.

Paul Carter spoke.

Davina Keiser spoke.

Steven Edwards spoke.

Lawrence Keller spoke.

Michelle Givone spoke.

Patrick Collins spoke.

Maribel Preciado spoke.

Unidentified woman spoke.

Carol Omida spoke.

Chanty Yee spoke.

Sokhom Phou spoke.

Stefan Borst-Censullo spoke.

Kendall Ackroyd spoke.

John Case spoke.

Jack Smith spoke.

Belinda spoke.

Sylvia Contreras spoke.

Unidentified man spoke.

Candy Rosetto spoke.

Nick Morrow spoke.

Jeff Abrams spoke.

Chuck Brewer spoke.

John Gentz spoke.

Judy Farris spoke.

Diana Lejins spoke.

Councilwoman Price spoke.

Motion: Approve recommendation, as amended, to request staff to report back in 30 days with alternatives that allow patient access without a storefront location.

Moved by Councilwoman Price, seconded by Councilman Austin.

Councilwoman Mungo spoke.

Motion: Substitute motion to continue the ban.

Moved by Councilwoman Mungo, seconded by Councilwoman Price.

Vice Mayor Lowenthal spoke.

Councilmember Supernaw spoke.

Councilman Austin spoke.

Councilmember Richardson spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Richardson spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Richardson spoke.

Vice Mayor Lowenthal spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Uranga spoke.

Vice Mayor Lowenthal spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Richardson spoke.

Tom Modica, Assistant City Manager, spoke.

Michael Mais, Assistant City Attorney, spoke.

Tom Modica, Assistant City Manager, spoke.

Councilwoman Gonzalez spoke.

Michael Mais, Assistant City Attorney, spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gonzalez spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilman Andrews spoke.

Councilwoman Mungo spoke.

Vice Mayor Lowenthal spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilwoman Mungo spoke.

Vice Mayor Lowenthal spoke.

Councilmember Supernaw spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Supernaw spoke.

Councilwoman Price spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilwoman Price spoke.

Councilmember Richardson spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilman Austin spoke.

Vice Mayor Lowenthal spoke.

Councilman Andrews spoke.

A second substitute motion was made by Vice Mayor Lowenthal, seconded by Councilmember Richardson, to request the City Attorney to draft an ordinance considering: [1] up to nine dispensaries Citywide, can be one per district or nine Citywide; [2] all zones, except those that are exclusively residential, subject to buffers; [3] buffers should be schools, schools in surrounding cities, parks, libraries, licensed child care facilities located in or adjacent to commercial corridors, and high crime areas specifically relating to human trafficking. Police Department to determine locations of human trafficking high crime corridor areas. Buffers are as follows: elementary/middle schools 1,000 feet, high schools 1,500 feet, schools in surrounding cities 1,000 feet, parks 1,000 feet, licensed child care facilities in and adjacent to commercial corridors 1,000 feet, libraries 1,000 feet; [4] allow cultivation in the City, but cultivation not be a requirement; [5] allow medical marijuana deliveries by approved and permitted medical marijuana operations, only by dispensaries licensed in the City; [6] timing of the ordinance shall go into effect as soon as possible, and have it supplemented by the State regulations; [7] require all dispensaries and cultivation sites to have a labor peace agreement; [8] report back to City Council on a possible process to allocate medical marijuana tax revenues of 5 to 10 percent to support parks, and after school programs. The motion carried by the following vote:

Yes: 6 - Gonzalez, Lowenthal, Supernaw, Andrews, Uranga and Richardson

No: 3 - Price, Mungo and Austin

20. [15-0985](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 18, 2015.

This Agenda Item was received and filed.

21. [15-0987](#) eComments received for the City Council meeting of Tuesday, September 22, 2015.

This Agenda Item was received and filed.

ANNOUNCEMENTS (10:47 PM)

Vice Mayor Lowenthal requested that the meeting be adjourned in memory of Diane Johnson; and made community announcements.

Councilmember Uranga made community announcements.

Councilmember Richardson made community announcements.

Councilmember Supernaw made community announcements.

PUBLIC COMMENT (10:54 PM)

Bill Napier spoke regarding the breakwater.

ADJOURNMENT (10:55 PM)

At 10:55 PM, Vice Mayor Lowenthal adjourned the meeting in memory of Diane Johnson.

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NOTE:

If written language translation of the City Council agenda and minutes for non-English speaking persons is desired, please make your request by phone to the City Clerk Department at (562) 570-6101, 72 business hours prior to the City Council meeting.

Kung humihiling ng nakasulat na pagsasalin ng wika ng agenda at minutes ng Konseho ng Lungsod para sa mga taong hindi nagsasalita ng Ingles, mangyaring humiling sa pamamagitan ng telepono sa Kagawaran ng Clerk ng Lungsod sa (562) 570-6101, 72 oras bago isagawa ang pulong ng Konseho ng Lungsod.

Si desea obtener la traducción escrita en otro idioma de la agenda y las actas del ayuntamiento de la ciudad para las personas que no hablan inglés, haga su solicitud por teléfono al Departamento de Secretaría Municipal al (562) 570-6101, 72 horas hábiles antes de la reunión del ayuntamiento de la ciudad.

បើមានការចង់បាននូវការបកប្រែ ភាសាឯកសារកម្មវិធី និងកំណត់ហេតុប្រជុំក្រុមប្រឹក្សាសម្រាប់អ្នកមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើការស្នើសុំទៅកាន់ផ្នែកស្មៀននៃសាលាក្រុង តាមទូរសព្ទដែលមានលេខ (562) 570-6101 រយៈពេល 72 ម៉ោងធ្វើការនៅមុនកិច្ចប្រជុំនៃក្រុមប្រឹក្សាក្រុង ។