

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.

The Agenda Items were considered in the order presented, except for Agenda Item No. 8 was considered prior to Agenda Item No. 5; and Agenda Item No. 15 was considered immediately after Agenda Item No. 13.

### ROLL CALL (5:01 PM)

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

**Councilmembers** Austin  
**Absent:**

Also present: Suzanne Frick, Assistant City Manager; Reginald Harrison, Deputy City Manager; Robert Shannon, City Attorney; Larry Herrera, City Clerk; Daisy Gomez, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

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

Mayor Foster announced that Councilman Austin would be absent; and that Agenda Item No. 15 would be considered immediately after Agenda Item No. 13.

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

Proclamation presented to Junior Lifeguard of the Year - Hannah Levy.

Mike DuRee, Fire Chief, spoke.

Randy Foster, Marine Safety Division, spoke.

Hannah Levy spoke.

Jeff Gillot spoke; and awarded recognition.

Mayor Foster spoke.

Councilmember Johnson spoke.

### **PUBLIC COMMENT (5:13 PM)**

Ryan Smith spoke regarding bus transportation for "The Spirit of Christmas" at the Reef Restaurant.

John Malveaux spoke regarding the 150th Anniversary Emancipation Proclamation.

Ben Rockwell spoke regarding intersections.

### **CONSENT CALENDAR (5:21 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Garcia, to approve Consent Calendar Items 1 - 4. The motion carried by the following vote:**

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

**Absent:** 1 - Austin

1. [12-1022](#) Recommendation to refer to City Attorney damage claims received between November 26, 2012 and December 3, 2012.  
**A motion was made to approve recommendation on the Consent Calendar.**
2. [12-1047](#) Recommendation to receive and file annual reports on Community Facilities District No. 2007-1 - Douglas Park Commercial Area (CFD No. 2007-1); Community Facilities District No. 2007-2 - Belmont Shore (CFD No. 2007-2); Community Facilities District No. 5 - Long Beach Towne Center (CFD No. 5); and Community Facilities District No.

6 - Pike Public Improvements (CFD No. 6), to comply with the Local Agency Special Tax Bond and Accountability Act. (Districts 2,3,5)

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

3. [12-1044](#) Recommendation to adopt resolution authorizing City Manager to execute a contract with RCA Investments, dba Long Beach BMW Motorcycles, a Long Beach-based business (not an MBE, WBE or SBE), for the purchase of parts and service for BMW motorcycles, on the same terms and conditions afforded to the City of Santa Monica, in an annual amount not to exceed \$125,000, for a period of one year, with the option of renewing for one additional one-year period, at the discretion of the City Manager. (Citywide)

**A motion was made to approve recommendation and adopt Resolution No. RES-12-0116 on the Consent Calendar.**

**Enactment No:** RES-12-0116

4. [12-1052](#) Recommendation to authorize City Manager to execute an agreement, and any amendments thereto, with the City of Hawaiian Gardens to provide maintenance, repair, and emergency repair services for traffic signals for a term to continue until terminated by either party, but in no event shall the term exceed 15 years. (Citywide)

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

#### **REGULAR AGENDA (5:22 PM)**

[see media](#)

5. [12-1055](#) Recommendation to direct City Manager to report to the City Council on the results of the Municipal Equality Index.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Vice Mayor Garcia spoke.

Councilmember Neal spoke.

Tonia Reyes Uranga spoke.

Councilwoman Schipske spoke.

**A motion was made by Vice Mayor Garcia, 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

[see media](#)

6. [12-1060](#)

Recommendation to, by motion of the City Council, request City Manager to direct the Chief of Police to report on the impact of the current budget (FY 2013) on response times of the department and to identify what additional funding is needed so that residents are assured that the police have appropriate resources.

Councilwoman Schipske spoke.

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

Councilmember O'Donnell spoke.

Councilmember Johnson spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Vice Mayor Garcia spoke.

Councilmember Lowenthal spoke.

Annie Greenfeld spoke.

**A substitute motion was made by Councilmember Johnson, seconded by Councilmember DeLong, to request the City Manager, as part of the regular budget process, to present the needs of the Police Department as well as all other departments in the City. The motion carried by the following vote:**

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

**Absent:** 1 - Austin

[see media](#)

7. [12-1067](#) Recommendation to receive and file report on the actions taken at the Metropolitan Water District Board meeting held on November 5, 2012.

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, Schipske, Andrews, Johnson and Neal

**Absent:** 1 - Austin

[see media](#)

8. [12-1066](#) Recommendation to adopt resolution declaring results of the Special Municipal Election held November 6, 2012, relative to City Measure N and Measure O.

Unidentified woman spoke.

Romeo Trinidad spoke.

Jose Landino spoke.

Eric Tandoc spoke.

Ben Rockwell spoke.

Reverend Nestor Gerente, Pastor of Grace United Methodist Church, spoke.

Sonia Clarke spoke.

Unidentified man spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

Councilmember Neal spoke.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Garcia, to approve recommendation and adopt Resolution No. RES-12-0117. The motion carried by the following vote:**

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

**Absent:** 1 - Austin

**Enactment No:** RES-12-0117

[see media](#)

9. [12-1048](#)

Recommendation to adopt resolution authorizing City Manager to execute a contract and any amendments thereto with Graffiti Protective Coatings, Inc., (GPC) of Los Angeles, CA (not an MBE, WBE, SBE or Local), for providing graffiti removal services on the same terms and conditions afforded to the County of Orange (OC Parks), in an annual amount not to exceed \$1,077,600 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)

PG Herman spoke.

Annie Greenfeld spoke.

Councilmember O'Donnell spoke.

**A motion was made by Vice Mayor Garcia, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-12-0118. The motion carried by the following vote:**

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

**Absent:** 1 - Austin

**Enactment No:** RES-12-0118

[see media](#)

10. [12-1045](#)

Recommendation to adopt Specifications No. PA-04412 and award a contract to Volvo Construction Equipment and Services, of Corona, CA (not an MBE, WBE, SBE or Local), for the purchase of one Volvo L45G articulated wheel loader, in an amount not to exceed \$111,091, including tax. (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

[see media](#)

11. [12-1059](#)

Recommendation to adopt Specifications No. PA-04312 and award a contract to Volvo Construction Equipment and Services, of Corona, CA (not an MBE, WBE, SBE or Local), for the purchase of one Volvo L120G articulated wheel loader, in an amount not to exceed \$223,467, including tax. (Citywide)

**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

[see media](#)

12. [12-1049](#)

Recommendation to receive and file an update on implementation of an alternative Emergency Medical Services Staffing model. (Citywide)

Councilmember Neal spoke.

Councilwoman Schipske spoke.

Vice Mayor Garcia spoke.

Councilmember Johnson spoke.

Councilmember Lowenthal spoke.

Councilmember DeLong spoke.

Councilmember Neal spoke.

Councilwoman Schipske spoke.

**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

[see media](#)

13. [12-1058](#)

Recommendation to adopt resolution approving an amended and restated Harbor Department Fiscal Year 2013 budget thereby increasing it by \$18,310,227 and approving the corresponding appropriations adjustment.

Mayor Foster spoke.

Vice Mayor Garcia spoke.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

Councilmember Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember Johnson spoke.

Councilmember Neal spoke.

Mayor Foster spoke.

Susan Wise, President of Harbor Commission, spoke.

Rich Dines, Harbor Commissioner, spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-12-0119. The motion carried by the following vote:**

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

**Absent:** 1 - Austin

**Enactment No:** RES-12-0119

[see media](#)

14. [12-1051](#)

Recommendation to authorize City Manager to execute an agreement with Ecco Wireless USA, Inc., a California corporation, to develop and furnish wireless internet network services for customers of and visitors to the Long Beach marinas, on a subscription basis, for a term of five-years, at no cost to the City of Long Beach. (Districts 2,3)



**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

[see media](#)

**15. [12-1053](#)**

Recommendation to authorize City Manager to execute all documents necessary for a Consent to Assignment by the City of Long Beach, a municipal corporation (Lessor), for Lease No. 15383 (Parcel 2 of Parcel Map No. 17454) for the benefit of OC Investors, Inc., a California corporation (Lessee), and the City of Long Beach, a municipal corporation, acting by and through its Board of Harbor Commissioners (Port) for City-owned property at 4801 Airport Plaza Drive in the Long Beach Airport Business Park. (District 5)

**A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, 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

[see media](#)

**16. [12-1054](#)**

Recommendation to authorize City Manager to execute amendments to increase contract amounts with CelPlan Technologies, Inc., Siemens Industry, Inc., and Pacific Services, Inc., for furnishing and delivering video surveillance cameras and related system components, increase the contract amounts by \$360,000, for a total amount not to exceed \$535,000 in year one, with the option to renew for two additional one-year periods in an annual amount not to exceed \$175,000, at the discretion of the City Manager. (Citywide)

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

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

**Absent:** 2 - Johnson and Austin

**ORDINANCES (7:04 PM)**

[see media](#)

17. [12-1041](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 5.72.120, 5.72.121, 5.72.125, 5.72.130 and Subsection 21.15.110(I); by adding Subsections 5.72.120.5 and 5.72.120.6; and by repealing Section 5.72.126, all relating to Entertainment and Similar Activities; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-12-0018) (Citywide)

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

**A motion was made by Councilmember Neal, seconded by Councilman Andrews, to approve recommendation and adopt Emergency Ordinance No. ORD-12-0018. The motion carried by the following vote:**

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

**Absent:** 1 - Austin

**Enactment No:** ORD-12-0018

[see media](#)

18. [12-1034](#)

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 2.84.010 relating to Authority of City Purchasing Agent and others to contract, read and adopted as read. (Citywide)

Councilwoman Schipske spoke.

Annie Greenfeld spoke.

Joe Winestine spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilmember Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-12-0020. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, DeLong, O'Donnell, Andrews and Johnson

**No:** 2 - Schipske and Neal

**Absent:** 1 - Austin

**Enactment No:** ORD-12-0020

### **NEW BUSINESS (7:21 PM)**

[see media](#)

19. [12-1069](#) Recommendation to authorize City Attorney to pay the sum of \$12,000 in full and final resolution of the lawsuit entitled *Laura Martinez v. COLB, et al.*; and the sum of \$211,000 in full settlement of lawsuit entitled *Debra Stefano, et al., v. City of Long Beach, et al.*

**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

20. Affidavit of Service for the special meeting held, Tuesday, December 11, 2012.

21. [12-1072](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, December 7, 2012.

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

22. [12-1097](#) eComments received for the City Council meeting of Tuesday, December 11, 2012.

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

### **ANNOUNCEMENTS (7:22 PM)**

Mayor Foster requested that the meeting be adjourned in memory of Jenni Rivera.

Councilwoman Schipske made community announcements.

Councilman Andrews extended condolences to Jenni Rivera's family; and made community announcements.

Councilmember Neal made community announcements.

Councilmember O'Donnell made community announcements.

Councilmember Lowenthal extended condolences for Wesley Gass's family.

Councilmember Johnson made community announcements.

Mayor Foster made community announcements.

**PUBLIC (7:32 PM)**

Lilly Gonzales spoke regarding Christmas tree donation to City Hall.

**ADJOURNMENT (7:34 PM)**

At 7:34 PM, Mayor Foster adjourned the meeting in memory of Jenni Rivera.

dg