

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



Gerrie Schipske, 5th District  
Dee Andrews, 6th District  
James Johnson, 7th District  
Rae Gabelich, 8th District  
Steven Neal, 9th District

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

**REVISED**

**PRESENTATION FOR THE BIKE FESTIVAL/ TOUR OF LONG BEACH**

**CERTIFICATE OF RECOGNITION FOR CABRILLO HIGH SCHOOL**

**PRESENTATION FOR HEPATITIS B AWARENESS MONTH**

[11-0455](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, May 6, 2011.

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

**HEARING:**

1. [11-0367](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution amending the Master Fee and Charges Schedule. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

**PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK**

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

**NOTICE TO THE PUBLIC**

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless the Mayor, City Councilmembers or the City Manager request specific items be discussed and/or removed from the Consent Calendar for separate action.

**CONSENT CALENDAR: (2 - 6)**

2. [11-0441](#) Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending September 30, 2010.

**Office or Department:** CITY AUDITOR

**Suggested Action:** Approve recommendation.

3. [11-0430](#) Recommendation to refer to City Attorney damage claims received between April 25, 2011 and May 2, 2011.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

4. [11-0436](#) Recommendation to approve the destruction of records for the Human Resources Department as shown in Exhibit A; and adopt resolution.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

5. [11-0437](#) Recommendation to approve the destruction of records for the Long Beach Police Department as shown in Exhibit A; and adopt resolution.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

6. [11-0431](#) Recommendation to receive and file the minutes for:  
Planning Commission - April 7, 2011.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

**REVISED**

**REGULAR AGENDA**

**DEPARTMENTAL COMMUNICATIONS:**

7. [11-0445](#) WITHDRAWN  
~~Recommendation to receive and file a report on travel to Silicon Valley for the Big Ten Mayors meeting, May 2, 2011.~~

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

8. [11-0444](#) Recommendation to receive and file the first TEDxSoCal conference update, scheduled for July 16, 2011 at the Center Theatre in Long Beach.

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

**Suggested Action:** Approve recommendation.

9. [11-0446](#) Recommendation to respectfully request City Attorney to work with the City Prosecutor and City Manager to draft an ordinance protecting pedestrians and businesses from aggressive and passive solicitation.

**Office or Department:** VICE MAYOR SUJA LOWENTHAL,  
COUNCILMEMBER, SECOND DISTRICT;  
COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT;  
COUNCILMEMBER GARY DELONG, THIRD DISTRICT

**Suggested Action:** Approve recommendation.

10. [11-0447](#)

Recommendation to request City Manager to work with the City Attorney to bring forward changes to the existing Downtown Pilot Newsrack Program and related municipal codes in the following manner:

- Expand the pilot program to that area bounded by Ocean Boulevard, Pacific Avenue, 10th Street and Long Beach Boulevard, as well as that area bounded by Long Beach Boulevard, 4th Street, Alamitos Avenue and Ocean Boulevard.
- Include both sides of streets in the pilot area.
- Pilot program newsracks should be redefined as single-base racks similar to the K-Jack 100 model. Newsracks may not be bolted or otherwise affixed to the sidewalk.
- All plastic newsracks are prohibited; and

Request City Attorney to draft language that amends existing Long Beach Municipal Code (Sections 14.20.050 and 14.20.060):

- Require newsrack vendors in the City of Long Beach to maintain updated contact and electronic mail information with the Director of Public Works.
- Enable the use of electronic mail for notification of violations to the newsrack vendor.
- Extend the period for rectifying a violation following notice from three to five business days to codify existing business-friendly practices by City staff.
- Enable immediate notification and removal of newsracks by the City Manager or his/her designee from the public space when they are found in such a condition as to present a hazard to public safety.

**Office or Department:** VICE MAYOR SUJA LOWENTHAL,  
COUNCILMEMBER, SECOND DISTRICT;  
COUNCILMEMBER ROBERT GARCIA, FIRST  
DISTRICT

**Suggested Action:** Approve recommendation.

**REVISED**

**(Agenda Item No. 11 on Page 5 has been revised.)**

11. [11-0448](#)

WITHDRAWN

~~Recommendation to request City Attorney and City Manager to amend the Conditions of Operation for the Downtown Dining and Entertainment District in the following manner:~~

~~Dining and Entertainment District Conditions:~~

- ~~• Outdoor amplified music on patios and rooftops is prohibited, except in conjunction with special events or occasional events permits.~~
- ~~• All doors and windows shall remain closed whenever entertainment is being provided, except for normal ingress and egress and in case of an emergency.~~
- ~~• The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 12:00 a.m. and 7:00 a.m.~~
- ~~• All new permittees and existing permittees shall install and maintain a video surveillance system that monitors no less than the front and rear of the business with full view of the public right-of-ways and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persona and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras. New permittees must install the system within three months of being approved for an Entertainment Permit and existing permittees must install a system within one year of this condition being established. Lack of compliance may result in assignment to Tier II status.~~
- ~~• Require annual review of violations (i.e. calls for service, code violations, health violations, Alcoholic Beverage Control complaints) before Entertainment Permits are renewed to determine whether Tier II conditions should be applied;~~

~~Request City Manager to survey cities with similar entertainment areas and/or permits as well as acoustic organizations to provide feedback on the following topics to the Environmental Committee within 60 days:~~

- ~~- Use of "vibration perception threshold" and C-weighted sound as a means of accurately measuring the impact of bass sound upon adjacent businesses and residents.~~
- ~~- Measure and require mitigation of sound in commercial and residential developments located inside the Dining and Entertainment District as part of planning approval or the Certificate of Occupancy process; and~~

~~Request City Manager to pursue the following recommendations and update the Environmental Committee within 60 days: —~~

- ~~- Work with the Downtown Long Beach Associates (DLBA) to develop a Peer to Peer Review program for new and existing Entertainment Permittees to receive guidance before infractions and complaints require corrective action per conditions in their permit.~~
- ~~- Develop a more effective tracking system of "calls for service" that enables LBPD South Division, Vice and the Business Relations Bureau to be informed when three or more similar complaints are received within a month's period, as per existing conditions found in Attachment B, Tier II.~~

**Office or Department:** VICE MAYOR SUJA LOWENTHAL,  
COUNCILMEMBER, SECOND DISTRICT

**Suggested Action:** Approve recommendation.

12. [11-0449](#)

Recommendation to respectfully request City Manager to work with appropriate staff to report back to City Council on a potential "sliding scale" cost schedule for Conditional Use Permits (CUPs).

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL,  
FOURTH DISTRICT; COUNCILWOMAN RAE  
GABELICH, EIGHTH DISTRICT

**Suggested Action:** Approve recommendation.

13. [11-0442](#) Recommendation to receive and file the Towing Operations Cash Handling Procedures Follow-Up Audit; and request City Management to review the recommendations, develop strategies for implementation and update the City Council and City Auditor in six months and in one year from the date of receipt and filing of this report.

**Office or Department:** CITY AUDITOR

**Suggested Action:** Approve recommendation.

14. [11-0432](#) Recommendation to authorize City Manager to execute all related documents to implement a Sales Tax Incentive Agreement with Cabe Brothers for the expansion of the Toyota dealership located at 2895 Long Beach Boulevard. (District 6)

**Office or Department:** DEVELOPMENT SERVICES; FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

15. [11-0207](#) Recommendation to authorize City Manager to execute all necessary agreements with Wells Fargo Bank, N.A., for general banking services for a period of three years, with the option to renew for seven additional one-year periods. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

16. [11-0434](#) Recommendation to authorize City Manager to execute a multi-year master lease agreement and all related documents with Banc of America Public Capital Corporation. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

**REVISED**

17. [11-0435](#) Recommendation to authorize City Manager to transfer \$516,600 in San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy grant funds from the West San Gabriel River Parkway Project to the El Dorado Nature Center Renewal Project, Phases 1 and 2; and execute any documents necessary for the implementation and administration of the project. (Districts 4,5)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

**NEW BUSINESS:**

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Monday afternoon.

18. [11-0457](#) Recommendation to request a staff report, with an update and timeline, regarding the Health and Wellness Element for the City of Long Beach; and request information from Staff regarding other ways in which the City can partner with The California Endowment in its 10-Year \$100 million initiative to make Long Beach a better place to live, work and play.

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

19.

20.

**PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT**

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

**REVISED**

**STANDING COMMITTEE REMINDERS:**

Monday, May 9, 2011 – Budget Oversight Committee at 4:00 P.M., Council Chamber.

Tuesday, May 10, 2011 – Housing Authority at 4:30 P.M., Council Chamber.

Tuesday, May 17, 2011 – Personnel and Civil Service Committee at 4:00 P.M., Council Chamber.

Wednesday, May 18, 2011 – Transportation and Infrastructure Committee at 4:00 P.M., Council Chamber.

Tuesday, May 24, 2011 – Public Safety Committee at 2:00 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday May 17, 2011 – Hearing for the ordinance to ban single use plastic carryout bags. (Citywide)

Tuesday, May 17, 2011 – Hearing for changes to the zoning regulations regarding wireless telecommunications facilities. (Citywide)

Tuesday, May 24, 2011 – Hearing on appeal of Sports Legend, Incorporated regarding limits of their sidewalk dining area hours of operation from 10:00 A.M. to 10:00 P.M.

**NOTE:**

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Department, City Hall Plaza Level, 333 W. Ocean Boulevard, Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at [www.longbeach.gov](http://www.longbeach.gov). Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or online at the Main Library and at the Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to [cityclerk@longbeach.gov](mailto:cityclerk@longbeach.gov).

Persons interested in making an audio visual presentation during a City Council meeting should refer to the Audio/Visual Guidelines in the Options list on the City Clerk web page at (<http://www.longbeach.gov/cityclerk/default.asp>) or contact the City Clerk Department at (562) 570-6101.

nem