

Vacant, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



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

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

PRESENTATION ON THE SEA FESTIVAL

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.

HEARINGS:

1. [08-1272](#) Recommendation to receive supporting documentation into the record, conclude the hearing, deny the appeal of Candace Mead, Brophy Dale, Mike Laquatra, and Lynette Ferenczy, and uphold the Planning Commission decision to (1) certify Mitigated Negative Declaration (No. 08-08) and (2) approve Site Plan Review and a Standards Variance for the property located at 3332 Magnolia Avenue for the purpose of allowing the development of a 45,101 square-foot, two-story church. (District 7)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

2. [08-1273](#) Recommendation to receive supporting documentation into the record, conclude the hearing and approve one of the following actions be taken: 1) grant the Permit, with or without conditions; or 2) grant a One-Year Short-Term Permit, with or without conditions; or 3) deny the Permit on the application of Wasabi Grill, Inc., dba Wasabi Grill, 200 Pine Avenue, for Entertainment With Dancing by Patrons at an existing restaurant. (District 2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

3. [08-1274](#) Recommendation to receive supporting documentation into the record, conclude the hearing and approve one of the following actions be taken: 1) grant the Permit, with or without conditions; or 2) grant a One-Year Short-Term Permit, with or without conditions; or 3) deny the Permit on the application of S.C. Fish Grill, LLC, dba Khoury's Restaurant, 110 Marina Drive, for Entertainment With Dancing by Patrons at an existing restaurant. (District 3)

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: (4 - 13)

4. [08-1118](#) 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 \$78,000 in compliance with the Appeals Board Order for Patrick Taitingfong.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

5. [08-1275](#) 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 \$55,750 and also separate authority to pay \$8,680 for the claim of Kenneth Roberts in compliance with the Appeals Board Orders.
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
6. [08-1276](#) Recommendation to approve the City Council minutes for the meeting held Tuesday, December 2, 2008.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
7. [08-1296](#) Recommendation to refer to City Attorney damage claims received between December 1, 2008 and December 8, 2008.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
8. [08-1277](#) Recommendation to adopt Specifications No. PA-00209 and award a contract to EDCO Waste Services LLC for the diversion of green waste debris in the estimated amount of \$200,000 for the period commencing November 1, 2008 for one year, with the option of renewing for two additional one-year periods. The City will have the option of adding a 10 percent (or \$20,000) contingency above the annual contract amount, if necessary and if funds are available. (Citywide)
Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.
9. [08-1278](#) Recommendation to authorize City Manager to execute an agreement and all necessary documents with the State of California Department of Health Services in an amount not to exceed \$76,832 for pandemic influenza preparedness. (Citywide)
Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

10. [08-1279](#) Recommendation to receive and file the application of Creme De La Crepe of Westwood Incorporated, dba Creme De La Crepe, for a person-to-person transfer of an Alcoholic Beverage Control License, at 400 East 1st Street, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

11. [08-1280](#) Recommendation to receive and file the application of Smittys Cocktail Incorporated, dba Smittys Cocktail, for a fiduciary transfer of an Alcoholic Beverage Control License, at 2332 Pacific Avenue, with existing conditions. (District 6)

Office or Department: POLICE

Suggested Action: Approve recommendation.

12. [08-1281](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the California Office of Emergency Services Paul Coverdell Forensic Sciences Improvement Program grant and the Federal Bulletproof Vest Partnership Program grant, and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$38,854. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

13. [08-1295](#) Recommendation to receive and file minutes of:
Civil Service Commission - November 19, 2008.
Parks and Recreation Commission - October 16, 2008.
Water Commission - November 20, 2008.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS:

14. [08-0397](#) Recommendation to City Council to concur in recommendation of the Transportation and Infrastructure Committee to receive and forward the presentation of the I-710 Community Livability Plan as referred by the I-710 Oversight Committee.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL,
FOURTH DISTRICT, CHAIR;
TRANSPORTATION AND INFRASTRUCTURE
COMMITTEE

Suggested Action: Approve recommendation.

15. [08-1149](#) Recommendation to adopt resolution overruling protests and determining results of the election; and

[08-1150](#) Adopt resolution adopting the revised Final Engineer's Report, confirming assessments and ordering the improvements for the undergrounding of utilities between 5430 and 5544 The Toledo to be funded by Assessment District No. 08-01. (District 3)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. [08-1300](#) Recommendation to suspend the rule contained in Long Beach Municipal Code Section 2.03.020 (B) relating to the meeting schedule of the City Council in order to cancel the meeting of December 23, 2008.

Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

17. [08-1302](#) Recommendation to City Council to concur in recommendation of the Federal Legislation Committee to discuss and take action on the 2009 Federal Legislation Agenda, from its meeting held Tuesday, December 9, 2008.
Office or Department: COUNCILMEMBER GARY DELONG, THIRD DISTRICT, CHAIR; FEDERAL LEGISLATION COMMITTEE
Suggested Action: Approve recommendation.
18. [08-1301](#) Recommendation to City Council to concur in recommendation of the State Legislation Committee to discuss and take action on the 2009 State Legislation Agenda, from its meeting held Monday, December 8, 2008.
Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT, CHAIR; STATE LEGISLATION COMMITTEE
Suggested Action: Approve recommendation.
19. [08-1285](#) Recommendation to receive and file the Quarterly Audit of Cash and Investments Reports for the quarters ending December 31, 2007, and March 31, 2008.
Office or Department: CITY AUDITOR
Suggested Action: Approve recommendation.
20. [08-1218](#) Recommendation to approve the Green Business Program Proposal and implement the Long Beach Green Business Program. (Citywide)
Office or Department: CITY MANAGER
Suggested Action: Approve recommendation.
21. [08-1282](#) Recommendation to receive and file the report from MuniFinancial pertaining to the Housing Trust Fund. (Citywide)
Office or Department: COMMUNITY DEVELOPMENT
Suggested Action: Approve recommendation.

22. [08-1283](#) Recommendation to authorize City Manager to execute individual contracts with the following environmental consultants for on-call review services: LSA Associates, Inc., PCR Services Corp., RBF Consulting, Rincon Consultants, Inc., and Sapphos Environmental, within the City of Long Beach for a three-year period. (Citywide)
Office or Department: DEVELOPMENT SERVICES
Suggested Action: Approve recommendation.
23. [08-1284](#) Recommendation to receive and file the Fiscal Year 2008 Fourth Quarter Operational Performance Report. (Citywide)
Office or Department: FINANCIAL MANAGEMENT
Suggested Action: Approve recommendation.
24. [08-1286](#) Recommendation to authorize City Manager, or designee, to execute a contract and all necessary amendments, including term extensions, between the City of Long Beach and Raytheon to implement a patient tracking system at the cost of \$740,000. (Citywide)
Office or Department: HEALTH AND HUMAN SERVICES
Suggested Action: Approve recommendation.
25. [08-1287](#) Recommendation to authorize City Manager, or designee, to execute a contract and all necessary amendments, including term extensions, between the City of Long Beach and the University of California Los Angeles to implement a Public Health Training and Education Academy at a cost of \$757,000. (Citywide)
Office or Department: HEALTH AND HUMAN SERVICES
Suggested Action: Approve recommendation.
26. [08-1288](#) Recommendation to authorize City Manager to execute a five-year agreement with Innovative Interfaces, Inc. to provide hardware, software, supplies, installation, project management, training, and support for the Millennium Integrated Library System. (Citywide)
Office or Department: LIBRARY SERVICES
Suggested Action: Approve recommendation.
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27. [08-1289](#) Recommendation to authorize City Manager to execute all necessary documents to amend and restate Lease No. 25092, by and between the City of Long Beach and Choura Venue Services, a California Corporation, for City-owned property located at 2400 Studebaker Road, for a term of five years with three five-year renewal options; and authorize City Manager to execute future amendments to extend the lease term and adjust the minimum annual rent. (District 5)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
28. [08-1290](#) Recommendation to authorize City Manager to execute a new contract and any amendments with Lenny Arkinstall, Sr., dba Los Cerritos Wetlands Stewardship, Inc., for maintenance and management of environmentally sensitive areas, in an amount not to exceed \$264,000 per year, commencing October 1, 2008, with two one-year renewal options at the discretion of the City Manager or his designee. (Districts 2,3)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
29. [08-1291](#) Recommendation to adopt resolution authorizing City Manager to execute all documents necessary to enter into an agreement with CH2M Hill for engineering design services for the DeForest Wetlands Restoration Project, in an amount not to exceed \$462,295. (Districts 8,9)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
30. [08-1292](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Randall Francis Bartlett, dba 4 Joes Wines, for an original Alcoholic Beverage Control License, at 440 Redondo Avenue Suite 205, with conditions. (District 3)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.

31. [08-1293](#) Recommendation to receive and file the application of Sophan Thai, dba U S Liquor Jr Market, for an original Alcoholic Beverage Control License, at 3122-3120B Los Coyotes Diagonal, with conditions. (District 5)

Office or Department: POLICE

Suggested Action: Approve recommendation.

32. [08-1294](#) Recommendation to authorize City Manager to execute a five-year agreement for ad-bearing bus shelters with CBS Outdoor. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

ORDINANCES:

33. [08-1271](#) Recommendation to declare ordinance amending the Use District Map of the City of Long Beach as said map has been established and amended by amending portions of Part 8 of said map from CCA (Automobile-Oriented Commercial) to P (Park), read and adopted as read. (District 7)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

34. [08-1245](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 5.72.200, 5.72.210 and 5.72.220 relating to the Downtown Dining and Entertainment District Program, read and adopted as read. (Districts 1,2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

REVISED

NEW BUSINESS:

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

35. [08-1304](#) Recommendation to receive and file report on travel to Sacramento, California to advocate on behalf of the City of Long Beach for legislation critical to the City.
Office or Department: MAYOR BOB FOSTER
Suggested Action: Approve recommendation.
36. [08-1308](#) Recommendation to request City Manager to gather community input and develop recommendations for the use of Public Educational Governmental (PEG) funds with community outreach to include the arts communitites, public access television and vocational education organizations and report back to City Council.
Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
Suggested Action: Approve recommendation.
37. [08-1306](#) Recommendation to receive and approve changes for the Biennial Conflict of Interest Code Review for departments and commissions.
Office or Department: CITY CLERK
Suggested Action: Approve recommendation.
38. [08-1178](#) Recommendation to authorize City Manager to approve a pilot program to offer discounted overnight parking in the La Verne Avenue and Junipero Beach parking lots for a four-month period, from January 1, 2009 to April 30, 2009. (Districts 2,3)
Office or Department: PARKS, RECREATION AND MARINE
Suggested Action: Approve recommendation.

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.

STANDING COMMITTEE REMINDERS:

Tuesday, December 16, 2008 – Economic Development and Finance Committee at 3:00 P.M., Council Chamber.

Monday, December 22, 2008 – Budget Oversight Committee at 5:00 P.M., Council Chamber.

Tuesday, January 6, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

HEARING REMINDERS:

Tuesday, January 6, 2009 – Hearing to amend Long Beach Municipal Code Section 21.15.475 and Section 21.52.210 of the Zoning Ordinance pertaining to check cashing businesses. (Citywide)

Tuesday, January 6, 2009 – Hearing for consideration of changes to the Zoning Regulations concerning provision of notice of public hearings. (Citywide)

Tuesday, January 6, 2009 – Hearing for Lucky Luke, Inc., dba The Copacabana for a Permit for Entertainment With Dancing by Patrons at an existing restaurant, 2688 South Street. (District 8)

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 Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at 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.

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