

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, Vice Mayor, 3rd District
Dennis Carroll, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

Jackie Kell, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rob Webb, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

**PRESENTATION OF CERTIFICATE OF RECOGNITION TO
CHARTER COMMUNICATIONS**

**PRESENTATION OF CERTIFICATES OF RECOGNITION
TO MANUEL E. "MANNY" PEREZ MEMORIAL SCHOLARSHIP RECIPIENTS**

**PRESENTATIONS OF CERTIFICATES OF RECOGNITION TO
BLACK MANAGERS ASSOCIATION SCHOLARSHIP RECIPIENTS**

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. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Disposition and Development Agreement with JCDS Properties, LLC for the sale of property at the northwest corner of west Anaheim Street and Hayes Avenue (2001 West Anaheim Street) – West Long Beach Industrial Redevelopment Project Area. (Resolution approving the proposed Disposition and Development Agreement between the Redevelopment Agency of the City of Long Beach, California, and JCDS Properties, LLC; finding that the consideration for the sale of certain real property in the West Long Beach Industrial Redevelopment Project is not less than fair market value in accordance with covenants and conditions governing such sale; and approving the sale of the property and the Disposition and Development Agreement.) (District 1)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing;

Approve Disposition and Development Agreement; and

Adopt resolution making certain findings and approve and authorize the Executive Director to execute any and all documents necessary to implement the DDA.

2. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Disposition and Development Agreement with Parker Diving Service, Inc. for the sale of property at 1651-1657 Seabright Avenue and 1921 West 16th Street – West Long Beach Industrial Redevelopment Project Area.
(Resolution approving the proposed Disposition and Development Agreement between the Redevelopment Agency of the City of Long Beach, California, and Parker Diving Service, Inc.; finding that the consideration for the sale of certain real property in the West Long Beach Industrial Redevelopment Project is not less than fair market value in accordance with covenants and conditions governing such sale; and approving the sale of the property and the Disposition and Development Agreement.) (District 1)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing;
Approve Disposition and Development Agreement; and
Adopt resolution making certain findings and approve and authorize the Executive Director to execute any and all documents necessary to implement the DDA.

3. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution of Intention to vacate a portion of Pine Avenue between Ocean Boulevard and Seaside Way. (District 2)

SUGGESTED ACTION:

Continue hearing to June 22, 2004.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

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 members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (4- 19)

4. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages.

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between May 27, 2004 and June 10, 2004.

5. DEPARTMENT: CITY CLERK

SUBJECT: Recommendation concerning the adoption of revisions to the Human Resources Department Records Retention Schedule.

SUGGESTED ACTION:

Rescind all previously applicable Records Retention schedules for the Human Resources Department; and

Approve the Human Resources Department 2004 Records Retention Schedule.

6. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Agreement with Veterans in Community Service, Inc. to provide the Low Income Home Energy Assistance Program at the Neighborhood Resource Center. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute an agreement to provide free utility payment assistance for one year with two one-year renewal options based on satisfactory performance and State funding availability.

7. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Agreement with Los Angeles County Bar Association Dispute Resolution Services, Inc. to provide free and low-cost mediation services at the Neighborhood Resource Center. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute an agreement for one year with an option to renew for an additional one-year period based on satisfactory performance and availability of County funding.

8. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Permit with the State of California, Department of Rehabilitation, Business Enterprise Program, for food concession at Long Beach City Hall. (District 2)

SUGGESTED ACTION:

Authorize City Manager to execute permit and subsequent amendments extending the term for two additional periods of one year each, at the discretion of the City Manager, commencing on July 1, 2004 and ending on June 30, 2005.

9. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Cancellation Agreement with Edward and Joyce Hunt 1985 Trust for office space at 2117 North Bellflower Boulevard formerly used as Fourth District Field Office and Long Beach Police Community Storefront/Bike Patrol Station, effective June 15, 2004. (District 4)

SUGGESTED ACTION:

Authorize City Manager to execute agreement.

10. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Investment Report for Quarter Ending March 31, 2004. (Citywide)

SUGGESTED ACTION:

Receive and file report.

11. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Agreement with California State University Long Beach Foundation to participate in a video-based educational intervention to prevent Human Immunodeficiency Virus and Sexually Transmitted Diseases Among Patients Attending STD Clinics Study. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute agreement, and any subsequent amendments and increase appropriations in the Health Fund (SR 130) and in the Department of Health and Human Services (HE) in the amount of \$84,609.

12. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Agreement with State Department of Health Services to provide targeted case management services to eligible Medi-Cal beneficiaries. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute all necessary documents for a period of three years in an estimated annual amount of \$500,000.

13. DEPARTMENT: LAW

SUBJECT: Compromise and Release.

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$18,929 in compliance with Appeals Board order for claim of Cathy Coy.

14. DEPARTMENT: LAW

SUBJECT: Stipulations with Requests for Awards.

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$5,915 in compliance with Appeals Board order for claim of Jim Canales; \$5,355 for claim of Diana Joy Garafano; and \$15,000 for claim of Michael Todd Youngblood.

15. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications (Person-to-Person Transfers).

A. Application of Sophanara Seng Lim, dba 7th Street Liquor, for an off-sale general license at 5560 East 7th Street. (District 3)

B. Application of Claim Jumper Restaurants LLC, dba Claim Jumper, for an on-sale general for bonafide eating place license at 6501 East Pacific Coast Highway. (District 3)

SUGGESTED ACTION:

Receive and file with existing conditions.

16. DEPARTMENT: PUBLIC WORKS

SUBJECT: Public Walkways Occupancy Permit for Sidewalk Dining at Steak-O-Rama Restaurant Located at 5201 East Second Street (District 3)

SUGGESTED ACTION:

Authorize City Manager to execute permit.

17. ADVISORY BODY: HOMELESS SERVICES ADVISORY COMMITTEE

SUBJECT: Homeless Services Advisory Committee Annual Report on the Status of Homeless Services in Long Beach. (Citywide)

SUGGESTED ACTION:

Receive and file report and refer recommended actions to the Housing and Neighborhoods Committee.

18. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:

Harbor Commission, May 24 and June 1, 2004
Parks and Recreation Commission, April 15, 2004
Planning Commission, May 6, 2004
Water Commission, May 20, 2004

SUGGESTED ACTION:

Receive and file.

19. DEPARTMENT: LEGISLATIVE

SUBJECT: Certificate of Recognition to Charter Communications.

SUGGESTED ACTION:

Approve.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

UNFINISHED BUSINESS:

20. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Ordinance making findings and determinations regarding contracting for work usually performed by City employees and authorizing the City Manager to enter contracts with Azteca Landscape, Midori Gardens and WM. Vandergeest Landscape Care, Inc. for landscape maintenance services. (Citywide)

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

21. OFFICE: MAYOR BEVERLY O'NEILL

SUBJECT: 2004 nominations for appointments and reappointments to non-charter commissions, committees, and boards.

SUGGESTED ACTION:

Confirm appointments of and Douglas P. Haubert, Charles Luskin, Ronald D. Salk, Carol Soccio, Don M. Temple, and Deborah Veady to the Airport Advisory Commission; appointment of Kurt Schneider and reappointments of Arden F. Boyd, Mike Sheldrake, and Joy Starr to the Belmont Shore Parking & Business Improvement Area Advisory Commission; appointment of Douglas Orr and reappointments of Angie Beeks, Mike Biddle, Diane Booth, Pam Dunn D.C., Gina Marquez, Jim Millsap, Diane Napier, Jack Skandalakis, Bill Snead, and Phillip Solomon to the Bixby Knolls Parking and Business Improvement Area Association; appointment of Lynn Shaw and reappointments of Michael L. Bates, Elliott H. Boone, Christopher Brown, Wade R. Davenport, Maurice Knowles and Charles Westlund to the Board of Examiners, Appeals & Condemnation; appointment of William Barnes and reappointments of John S. Andrews, Lorain Brault, Thomas Crowe, Loren Eslinger, Lynn A. Fasnacht, Tamara Greet, Karen Hilburn, Annette Kashiwabara, Janet Molina-Watt, Guadalupe Padilla-Robb, Judson Schoendorf, John Sykora, Song N. Tan and Joy Tyson to the Board of Health & Human Services; appointments of Tal Finney, Gray Lange, and Joshua Lowenthal and reappointments of Steve Clayton, Kathleen Grubb, Carolyn Christian Hines, Karen Holm and Darick J. Simpson to the Cable Communications Advisory Commission; appointments of Diana Lejins, Awet Moges, Joshua Butler, and Chelsea Starr and reappointments of Alexander Britton, Frances Emily Dawson Harris, Shauna Hagemann, Dan Hansch, Willa Heart, Flora Easter, George Miller, David Morris, William E. Serhan, Shirley A. Slouse and Valoria Tate to the Citizens' Advisory Commission on Disabilities; appointment of Andy Perez and reappointments of Alvaro J. Castillo, Frances S. Grover, Timothy B. Hammond, Jill Hill, Bobbie Kimble, Michael W. McCarthy, Juan C. Pardell, J. Paul Robinson, Tamasha Ross-Kambon, Fred Shockner, John W. Thomas, and Felton Williams to the Community Development Advisory Commission; appointments of Fabian Gonzalez and Helen Ingram to the Commission on Youth and Children; appointments of Kevin Doherty, Doris Felix, and Karen Highberger and reappointments of R. Michael Burrous, Kay Cofield, Layne K. Johnson, Ana Maria McGuan, Kevin C. Motschall, Sheilah Nelson, Dan Pressburg, Kerrie Weaver and William Wynne to the Cultural Heritage Commission; appointment of Robin Wall and reappointments of Danielle Nicolosi, Joan M. Pizzato and Harley D. Rubenstein to the Disabled Access Appeals Board; appointments of Naomi Rainey, Susan Rusnack, and Debra Winter and reappointments of Alan Davidson, Diane DeWalsche, Joel Fierberg and Jack E. Hinsche to the Economic Development Commission; appointment of Michael Asfall and reappointments of Steve Askin, Thomas Herzog, Patricia Long-San Jose, Marion L. Nguli, Elaine Ridder and Gary Shelton to the Homeless Services Advisory Committee;

appointment of Nelson Gonzalez and reappointments of Kim Campanelli-Trowbridge, Alta Cooke, Slobodan Dimitrov, Minnie L. Douglas, Robert E. Ellis, Jon McDuffie, Leslie Ann Patterson, Diane Ripley, Rosalinda Rodriguez, Barbara A. Smith, Dona Syes-Ponepinto, and Joe Thompson to the Human Relations Commission; appointments of Gil Shawnee and Carolyn Smith Watts to the Long Beach Housing Authority; appointments of David Calhoun and Peter Hogenson and reappointments of Holly Carpenter, Harry T. Hutton, Michael J. Malbon, Richard L. Miller, Michael Reed, and Bradley G. Whyte to the Marine Advisory Commission; appointment of Becky Turley and reappointments of Phillip Barlow, Robin Bellamy, Gail Berns, Linda Cook, Betty Hatcher, Len Kennett, John McCann, Ray McElhenney, Robert Peeters, and Gene "Skip" Rowland to the Municipal Golf Commission; appointment of Froshanda Washington and reappointments of Kevin Cooper, Jonathan Gotz, Michael McCarthy, and Carol Poling Carter to the Neighborhood Preservation Loan Committee; appointment of Lucy Whitcomb and reappointments of Miles J. Devine, Andrew Jones and Jessica Quintana to the Public Safety Advisory Commission; appointments of Celine M. Cordero, Pamela M. Spoo, Martha Thuente, Virgia Wade to the Relocation Appeals Board; appointment of Henry Brunner, Rita Ellner, Mary Hernandez, and Vivian Linderman and reappointments of Patricia C. Bergendahl, Rose Cabanban, Betty Davenport, Florence L. Dodge, Teodoro S. Felix, Rabbi Sidney Guthman, Nancy Higginson, Teresa Munoz Gorospe and Lu L. Wall to the Senior Citizen Advisory Commission; reappointments of James L. Fortunes, Bradford A. Hooper, Michael LoGrande, Perry Rector to The Long Beach Housing Development Company Board; and reappointments of Michelle Allan, Michael W. Buchs, James Drake, Melanie Fallon, Joel Fierberg, Victoria Fullerton, Jody Martin, Jeannette McClinton, Lynne Miller, Stephen Peck, Rosi A. Pedersen, Shelly Robinson, Tia Schiller, Vivian Shimoyama, Darick Simpson, Bob Soto, Janet Strand, Espie Valencia, Kimball Wasick, and Lance Williams to the Greater Long Beach Workforce Development Board.

22. COUNCIL OFFICE: VICE MAYOR FRANK COLONNA, THIRD DISTRICT

SUBJECT: 21st Century Community Learning Center Grant.

SUGGESTED ACTION:

Receive and file.

23. COUNCIL OFFICES: COUNCILMEMBER DAN BAKER, SECOND DISTRICT
COUNCILMEMBER VAL LERCH, NINTH DISTRICT

SUBJECT: Report addressing issues raised by the Public Safety Advisory Commission regarding the City's policy on medical marijuana.

SUGGESTED ACTION:

Request City Manager to address issues raised by the Public Safety Advisory Commission regarding the City's policy on medical marijuana.

24. COUNCIL OFFICE: COUNCILWOMAN JACKIE KELL, FIFTH DISTRICT
SUBJECT: Amending Municipal Code Section 10.22.080 "For Sale" sign restrictions.
SUGGESTED ACTION:
Request City Attorney to prepare amendment to restrict parking of vehicles with "For Sale" signs on them along service roads on Los Coyotes Diagonal, between Woodruff Avenue and Gondar Avenue, and on Woodruff Avenue, between Los Coyotes Diagonal and Senasac Avenue.
25. COUNCIL COMMITTEE: COUNCILWOMAN LAURA RICHARDSON, SIXTH DISTRICT, CHAIR, PERSONNEL AND CIVIL SERVICE COMMITTEE
SUBJECT: Review recommended appointments to City Charter Commissions.
SUGGESTED ACTION:
Concur in recommendation of Committee to confirm the following appointments: Ricardo Linarez, Cathy Lounsbury, Lillian Parker and Andrew Tse to the Citizen Police Complaint Commission; Ahmed Saafir to the Civil Service Commission; and Leslie Gentile and Mitch Rouse to the Planning Commission.
26. DEPARTMENTS: COMMUNITY DEVELOPMENT AND PUBLIC WORKS
SUBJECT: Lease Amendment to Ground Lease No. 15383, with Ruffin Hotel, LP., a California Limited Partnership, dba Long Beach Marriott Hotel, at the Long Beach Airport Business Park, 4700 Airport Plaza Drive. (District 5)
SUGGESTED ACTION:
Authorize City Manager to execute amendment and all related documents.
27. DEPARTMENT: FINANCIAL MANAGEMENT
SUBJECT: Fiscal Year 2004 Mid-Year Budget Performance Report (Citywide)
SUGGESTED ACTION:
Refer report to the Budget Oversight Committee.
28. DEPARTMENT: HARBOR
SUBJECT: Presentation on air quality improvement projects in the Port of Long Beach.
SUGGESTED ACTION:
Receive and file.

29. DEPARTMENT: POLICE

SUBJECT: Application of Baja Sonora 2 LLC, dba Baja Sonora, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 3502 Atlantic Avenue. (District 7)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

RESOLUTIONS:

30. DEPARTMENT: CITY CLERK

SUBJECT: Resolution approving and authorizing the destruction of certain records, papers, and writings by the Fire Department.

SUGGESTED ACTION:

Adopt resolution.

31. DEPARTMENT: CITY PROSECUTOR

SUBJECT: Resolution authorizing the City Manager to accept a grant from the California Department of Justice Spousal Abuser Prosecution Program (SAPP) and authorizing the City Manager to execute all necessary contracts and contracts on behalf of the City.

SUGGESTED ACTION:

Adopt resolution.

32. DEPARTMENTS: FIRE AND PLANNING AND BUILDING

SUBJECT: Resolution in support of development of a Natural Hazard Mitigation Plan in accordance with the Federal Disaster Mitigation Act of 2000 (Public Law 106-390). (Citywide)

SUGGESTED ACTION:

Adopt resolution.

33. DEPARTMENT: LAW

SUBJECT: Resolution voicing opposition to the operation of Longer Combination Vehicles (LCV's) within the jurisdiction of the City of Long Beach.

SUGGESTED ACTION:

Adopt resolution.

34. DEPARTMENT: LAW

SUBJECT: Resolution opposing any action, policy or legislation that restricts or jeopardizes the civil rights of any person.

SUGGESTED ACTION:

Adopt resolution.

ORDINANCES:

35. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Chapter 14.20 in its entirety, relating to newsracks.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

36. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 10.04.50(A), relating to parking control.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

37. DEPARTMENT: LAW

SUBJECT: Ordinance amending Franchise Ordinance No. C-7106 adopted May 4, 1993, granting to Southern California Gas Company, a Corporation, the right, privilege and franchise upon terms and conditions therein set forth to lay and use pipes and appurtenances for transmitting and distributing gas for the purposes as specified hereinafter under, along, across, or upon certain public streets, ways, alleys and places, as the same or now or may hereafter exist, within the City of Long Beach.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

38. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 6.16.310 providing for the exercise of dogs upon a designated portion of the beach of the City of Long Beach. (District 3)

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

NEW BUSINESS:

39. COUNCIL COMMITTEE: COUNCILWOMAN LAURA RICHARDSON, SIXTH DISTRICT,
CHAIR, PERSONNEL AND CIVIL SERVICE COMMITTEE

SUBJECT: Review recommended reappointments to City Charter Commissions.

SUGGESTED ACTION:

Concur in recommendation of Committee to confirm reappointments.

40.

41.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

REMINDERS:

Budget Workshop at 2:00 P.M.

Economic Development and Finance Committee (Attorney/Client) at 4:50 P.M.

Wednesday, June 16, 2004, I-710 Oversight Committee in Council Chamber,
at 6:30 P.M.

June 22, 2004, hearing on application of Waho Bar, Inc., dba Fire Island for a Permit for Entertainment with Dancing by Patrons at 6400 E. Pacific Coast Highway. (District 3)

June 22, 2004, Hearing on application of Rainbow Harbor Partners, LLC, dba V20 for a Permit for Entertainment with Dancing by Patrons at 81 Aquarium Way. (District 2)

June 22, 2004, Hearing on expansion of Preferential Parking District "F". (District 5)

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. You may view the agenda or documents on the Internet at www.longbeach.gov/cityclerk. E-Mail correspondence can be directed to cityclerk@longbeach.gov. Agenda items may be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please contact the City Clerk Department at (562) 570-6101 by 12:00 P.M., Monday. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.