

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



Bob Foster, Mayor

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

Charles Parkin, City Attorney

REVISED

PLEDGE OF ALLEGIANCE

**PRESENTATION REGARDING
GREEN APPLE DAY OF SERVICE**

**PRESENTATION REGARDING
LONG BEACH SAFETY CERTIFICATES**

**PRESENTATION REGARDING
LOS ALTOS BASEBALL AND SOFTBALL LEAGUE**

**PRIME TIME FOR BUSINESS PRESENTATION
GATSBY BOOKS**

[13-0835](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 17, 2013.

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. [13-0823](#) Recommendation to receive supporting documentation into the record, conclude the hearing, declare ordinance relating to the temporary limitation (moratorium) of entertainment permits for Type 48 ABC Licenses in the Downtown Dining and Entertainment District read, adopted as read, and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof; and declaring this ordinance shall take effect immediately. (District 2)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

2. [13-0791](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, and declare the ordinance amending and restating the City's regulation of check cashing and other financial services (Chapter 21.52), as well as amendments related to check cashing and other financial service definitions (Chapter 21.15), and addition of special development standards for check cashing and other financial services (Chapter 21.45) read the first time and laid over to the next regular meeting of the City Council for final reading; and Accept Categorical Exemption CE 13-074. (Citywide)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

3. [13-0792](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of KF Federal II, LLP., dba The Federal Bar, 102 Pine Avenue, for Entertainment With Dancing by Patrons. (District 2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

4. [13-0793](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution continuing the Belmont Shore Parking and Business Improvement Area program and assessment for the period of October 1, 2013 through September 30, 2014; and authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year term. (District 3)

Office or Department: PUBLIC WORKS

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: (5 - 15)

5. [13-0824](#) Recommendation to adopt resolution of the City Council of the City of Long Beach condemning discriminatory laws against the lesbian, gay, bisexual, and transgender (LGBT) community in Russia and urging our sister city of Sochi to join our protest.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

6. [13-0795](#) Recommendation to authorize City Manager to execute an agreement with the firm of Colantuono & Levin, PC, in the matter entitled John W. McWilliams v. City of Long Beach, Case No. BC361469.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

7. [13-0830](#) Recommendation to authorize City Manager to execute an agreement with the firm of Richards, Watson & Gershon in the matter entitled Michael Mawn v. City of Long Beach, Case No. CV12-3741.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

8. [13-0796](#) 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 \$111,653.91 for the claim of William Arthur; authority to pay 1) \$27,939.68 and also 2) separate authority to pay \$39,908.47 for the claim of Philip Bernstein; authority to pay \$56,867.50 for the claim of Araceli Thue; and authority to pay \$151,915 for a Stipulations with Request for Award with a life pension thereafter of \$139.15 per week for the claim of Roswitha Winnen-Walker, in compliance with the Appeals Board Orders.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

9. [13-0797](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, September 3, 2013.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

10. [13-0825](#) Recommendation to refer to City Attorney damage claims received between August 30, 2013 and September 9, 2013.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

11. [13-0799](#) Recommendation to authorize Department of Development Services to process a refund in the amount of \$28,128 to Walgreen Company for the property located at 4525 East Pacific Coast Highway. (District 4)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

12. [13-0800](#) Recommendation to receive and file Separately Issued Financial Statements, the Federal Single Audit, and the Auditor's Communication with Those Charged with Governance for the Fiscal Year Ended September 30, 2012. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

13. [13-0801](#) Recommendation to authorize City Manager to execute all documents necessary to amend Contract No. 32411 with Don Miller & Sons Plumbing Supply, of Signal Hill, CA (WBE and SBE), for furnishing and delivering as-needed plumbing supplies, in an additional amount of \$166,000, for a revised total annual amount not to exceed \$786,000, for the period ending December 11, 2013, and the subsequent renewal period. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

14. [13-0773](#) Recommendation to authorize City Manager to execute all documents necessary to amend Lease No. 29211 with Williams Scotsman, Inc., for the Long Beach Airport's temporary building units and to extend the lease term for an additional 24-month period, in an amount not to exceed \$181,000, with a month-to-month holdover option. (District 5)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

15. [13-0829](#) Recommendation to receive and file minutes for:
Civil Service Commission - August 21, 2013.
Planning Commission - August 15, 2013.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. [13-0827](#) Recommendation to request City Attorney to draft an ordinance creating the Technology and Innovation Commission, and return to Council within 30 days for approval.

Office or Department: VICE MAYOR ROBERT GARCIA,
COUNCILMEMBER, FIRST DISTRICT;
COUNCILMEMBER GARY DELONG, THIRD
DISTRICT; COUNCILMEMBER PATRICK
O'DONNELL, FOURTH DISTRICT;
COUNCILMEMBER STEVEN NEAL, NINTH
DISTRICT

Suggested Action: Approve recommendation.

17. [13-0828](#) Recommendation to respectfully request City Manager to work with appropriate staff to add language to the City of Long Beach State Legislative Agenda that enables staff to lobby the California Legislature to increase penalties for individuals paying a minor for sex, including examining the creation of a felony for this crime, increasing monetary penalties, requiring registration as a sex-offender, forfeiting certain assets, and other appropriate measures that can prove effective to curtail this crime.
- Office or Department:** COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT
- Suggested Action:** Approve recommendation.
18. [13-0802](#) Recommendation to authorize City Manager to execute any and all documents necessary or desirable to enter real property occupancy agreements with public or private parties for terms not to exceed six months, with a right of one six-month extension at the sole discretion of the City Manager, to provide immediate occupancy rights to City-owned property. (Citywide)
- Office or Department:** CITY MANAGER
- Suggested Action:** Approve recommendation.
19. [13-0803](#) Recommendation to receive and file the Investment Report for Quarter Ending June 30, 2013. (Citywide)
- Office or Department:** FINANCIAL MANAGEMENT
- Suggested Action:** Approve recommendation.

20. [13-0804](#) Recommendation to adopt resolution authorizing the issuance of Tax and Revenue Anticipation Notes in an amount not to exceed \$22 million, and authorize City Manager to execute all documents necessary for such issuance. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

21. [13-0805](#) Recommendation to approve the Fiscal Year 2013 third quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

22. [13-0806](#) Recommendation to receive and file the Fiscal Year 2013 Third Quarter Budget Performance Report. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

23. [13-0807](#) Recommendation to authorize City Manager to execute all documents necessary to amend Contract No. 32212 with General Security, Inc., of Wilmington, CA (not an MBE, WBE, SBE or Local), adding funds in an amount not to exceed \$269,762 and extending the contract for security guard services to July 15, 2014. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

24. [13-0808](#) Recommendation to authorize City Manager to execute agreements with the Long Beach Unified School District for the operation of the After School Education and Safety Program at Burbank, Edison, Garfield, Grant, King, Lafayette, and Lee Elementary and Hudson K-8 school sites; authorize the required 15 percent in-kind match of \$207,929 in the form of Community Development Block Grant and General Fund monies; execute any future documents, including amendments, necessary to accept, implement, and administer the agreements; and increase appropriations in the General Grants Fund (SR 120) in the Parks, Recreation and Marine Department (PR) by \$1,103,000. (Districts 1,2,4,6,7,9)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

25. [13-0809](#) Recommendation to adopt Specifications No. PA-00413 and award a contract to Merchants Landscape Services, Inc., of Santa Ana, CA (not an MBE, WBE, SBE or Local), for providing grounds maintenance services, in an annual amount of \$640,075, for a period of two years, with the option of adding expenditures up to 15 percent (or \$96,011) above the annual contract amount, if necessary, for a total annual amount not to exceed \$736,086 with the option of renewing for two additional one-year periods, at the discretion of the City Manager; and

Authorize City Manager to execute all documents necessary to amend Contract No. 33071, with Azteca Landscape, Inc., of Ontario, CA (MBE and WBE), increasing the annual contract amount by \$1,023,300, for an annual amount of \$1,929,720, with option of adding expenditures up to 15 percent (or \$289,458) above the annual contract amount, if necessary, for a total annual amount not to exceed \$2,219,178 with the option of renewing for two additional one-year periods, at the discretion of the City Manager. (Citywide)

Office or Department: PARKS, RECREATION AND MARINE;
FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

26. [13-0810](#) Recommendation to receive and file the application of Eleno Machuca, dba Birdcage Coffee House, for an original Alcoholic Beverage Control License, at 224 West 4th Street, with conditions. (District 1)

Office or Department: POLICE

Suggested Action: Approve recommendation.

27. [13-0811](#) Recommendation to receive and file the application of Gelsons Markets, dba Gelson Markets, for an original Alcoholic Beverage Control License, at 6255 East 2nd Street, with conditions. (District 3)

Office or Department: POLICE

Suggested Action: Approve recommendation.

28. [13-0812](#) Recommendation to receive and file the application of Baja Fish Tacos, dba Baja Fish Tacos, for an original Alcoholic Beverage Control License, at 5224 East 2nd Street, with conditions. (District 3)

Office or Department: POLICE

Suggested Action: Approve recommendation.

29. [13-0813](#) Recommendation to request City Attorney to prepare an amendment to the Long Beach Municipal Code, Sections 10.12.010 and 10.12.020 relating to Speed Limits on City Streets as recommended by the City Traffic Engineer. (Districts 4,5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

30. [13-0814](#) Recommendation to adopt resolution to adopt the Gateway Integrated Regional Water Management Plan. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

31. [13-0815](#) Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for the First Amendment to Agreement No. 33043 with Overland, Pacific and Cutler, Inc., for the one time addition of \$400,000, for acquisition, relocation, demolition, property management and related services, for a revised not-to-exceed total contract amount of \$700,000. (Citywide)

Office or Department: PUBLIC WORKS; DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

32. [13-0816](#) Recommendation to authorize City Manager to execute a Second Amendment to Contract No. 32631 with BOA Architecture Government Services, of San Pedro, CA, an SBE (not an MBE, WBE or Local), for architectural and engineering design services associated with the beach restrooms and Leeway Sailing Center replacement projects; to make any amendments necessary to extend the term and amend the scope of work, and by adding \$490,000, all within the approved project budgets, bringing the total contract amount not to exceed \$1,664,000. (Districts 2,3)

Office or Department: PUBLIC WORKS; FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

33. [13-0817](#) Recommendation to authorize City Manager to execute agreements for engineering consulting services with Infrastructure Management Services (IMS), of Tempe, AZ (not an MBE, WBE, SBE or Local), for the Pavement Maintenance and Management System (PMMS), in an amount of \$631,293, plus a 15 percent contingency of \$94,694, for a total not to exceed amount of \$725,987; and to execute amendments to the agreements relative to the extension of the term, authorize additional services, if required, within the provision of the agreement, at the discretion of the City Manager. (Citywide)

Office or Department: PUBLIC WORKS; FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

ORDINANCE:

34. [13-0822](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 8.68.060.B and Section 5.88.065, all relating to smoking lounge permits, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: CITY ATTORNEY

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 Monday afternoon.

35. [13-0243](#) Recommendation to City Council for consideration to allocate funds from Assembly Bill 678 to restore three structural restorations to Engine 8, Rescue 12, and Engine 101; and fund retroactive payments from 2010 in the amount of \$4.4 million dollars to support ten new rescues and five agent fire engines.

Office or Department: COUNCILMEMBER GARY DELONG, THIRD DISTRICT, CHAIR; BUDGET OVERSIGHT COMMITTEE

Suggested Action: Approve recommendation.

36. [13-0836](#) Recommendation to request City Attorney to draft a resolution in support of the "Every Student Matters " campaign for Restorative Justice, other alternatives to exclusionary practices, and one consistent discipline policy for all schools.

Office or Department: COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT; VICE MAYOR ROBERT GARCIA, COUNCILMEMBER, FIRST DISTRICT; COUNCILMAN AL AUSTIN, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

37.

PUBLIC COMMENT: 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, September 17, 2013 - City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach, California at 3:15 P.M., Council Chamber.

Tuesday, September 17, 2013 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, October 1, 2013 – Hearing to consider a Zone Change to establish the East Division Police Substation at Schroeder Hall. (District 5)

Tuesday, October 1, 2013 – Hearing for the Long Beach Tourism Business Improvement Area, declaring its intention to levy the annual assessment. (Districts 1,2,4,5)

NOTE:

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Agenda items may also be reviewed in the City Clerk Department or online at the Main Library and at the Branch Libraries. 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>.

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 p.m. noon on Monday, the day prior to the Council meeting.

Persons interested in making an audio visual presentation during a City Council meeting are responsible for submitting their audio/visual presentations at least five (5) calendar days prior to the meeting (by 12:00 p.m. noon on Thursday). The audio/visual presentation and related comments are limited to three (3) minutes. For further information contact the City Clerk Department at (562) 570-6101.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

pr/dg