

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District

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



Beverly O'Neill, Mayor

**TUESDAY, JANUARY 4, 2005
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

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.

CONTINUED HEARING:

1. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Zone change from a Regional Highway Commercial District (CHW) to a Commercial Storage District (CS) for a portion of an existing self-storage facility at 4100 Cherry Avenue. (District 7) (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 23 of said map from CHW [Regional Highway District] to CS [Commercial Storage] for property located at 4100 Cherry Avenue, in the City of Long Beach [RZ-0406-18].)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the hearing;
Review and consider the material contained in Negative Declaration 20-04; and
Declare the ordinance changing the zone from CHW to CS read for the first time and laid over to the next meeting of City Council for final reading.

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: (2 - 19)

2. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages.

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between December 16, 2004 and December 30, 2004.

3. DEPARTMENT: COMMUNITY DEVELOPMENT AND HEALTH AND HUMAN SERVICES

SUBJECT: Second Amendment to Lease No. 28045 with Catholic Healthcare West, a California nonprofit public benefit corporation, for space at the West Facilities Center at 2125 Santa Fe Avenue. (District 7)

SUGGESTED ACTION:

Authorize City Manager to execute amendment to extend term for two years for a primary care clinic at the West Facilities Center.

4. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Agreement with State of California Department of Health Services for Chlamydia Screening Project and Syphilis Elimination Initiative and First Amendment to Agreement No. 28331 with California State University Long Beach Foundation to provide syphilis and chlamydia prevention outreach. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute all necessary documents to provide services under the Syphilis Elimination Initiative and the Chlamydia Screening Project Grant Programs and all subsequent amendments to these programs in an amount not to exceed \$117,500 for the initial one-year period;

Authorize City Manager to execute First Amendment to Agreement No. 28331 with California State University Long Beach Foundation, for a total of \$24,750 extending agreement for a one-year period; and

Increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by \$117,500.

5. 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 \$2,940 and \$38,080 in compliance with Appeals Board order for claim of Barry Bellovich; \$9,960 for claim of John Bennett; \$14,480 for claim of Donna Clement; \$8,556.25 for claim of John Davies; and \$45,262.50 for claim of Robert Schrock.

6. DEPARTMENT: POLICE

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

- A. Application of Fabiola Patricia Castorena and Jose Castorena, dba Los Primos, for an on-sale beer and wine for bonafide eating place license at 603 Atlantic Avenue. (District 1)
- B. Application of Number One Liquor Mart Incorporated, dba Stearn's Liquor, for an on-sale general license at 4360-62 East Stearns Street. (District 4)
- C. Application of Cung Quang Lam and Nga Thi Nguyen, dba K C Liquor, for an off-sale general license at 4128 Orange Avenue. (District 7)
- D. Application of Casita De Cuba LLC, dba Casita De Cuba, for an on-sale beer and wine for bonafide eating place license at 4280 Atlantic Avenue. (District 8)

SUGGESTED ACTION:

Receive and file with existing conditions.

7. DEPARTMENT: TECHNOLOGY SERVICES

SUBJECT: Agreement with Information Technology Resources, Inc. for as-needed professional computer services. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute an agreement for a term of one year, and to execute amendments for two additional periods of one year each with annual expenditures not to exceed \$180,000.

8. DEPARTMENT: TECHNOLOGY SERVICES

SUBJECT: Agreement with Long Beach Unified School District to provide radio equipment and systems maintenance and repair services. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute an agreement for a period of five years with annual revenue projected to be \$16,000.

9. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Voluntary incentive program to create housing for very low and low-income households.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communications be received and filed.
10. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Dedicate in perpetuity public park land owned and controlled by the City for park use only.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communications be received and filed.
11. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Report on local implementation of Proposition 36.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received and filed.
12. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Developing codes, enforcement programs, and penalties to combat litter.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communications be received and filed.
13. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Review of Federal Housing Vouchers (Section 8).
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received and filed.

14. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Presentation by City slogan project team.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received and filed.

15. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Police Department Action Plan regarding gang related violence in Long Beach.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received and filed.

16. COUNCIL COMMITTEE: COUNCILMEMBER DAN BAKER, SECOND DISTRICT, CHAIR, STATE LEGISLATION AND ENVIRONMENTAL AFFAIRS COMMITTEE
SUBJECT: Spiraling workers' compensation costs.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received and filed.

17. COUNCIL COMMITTEE: COUNCILMEMBER DAN BAKER, SECOND DISTRICT, CHAIR, STATE LEGISLATION AND ENVIRONMENTAL AFFAIRS COMMITTEE
SUBJECT: 2004 State Legislative Agenda.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received and filed.

18. ADVISORY BODY: BOARD OF HEALTH AND HUMAN SERVICES
SUBJECT: Recommendations of the Board of Health and Human Services for 2005 Social Services Grant Program. (Citywide)
SUGGESTED ACTION:
Approve and adopt recommendations of the Board of Health and Human Services to reallocate Social Services Grant Program funds and authorize City Manager to execute all necessary documents with South Bay Alcoholism Services in the amount of \$20,533.

19. DEPARTMENT: VARIOUS
SUBJECT: Minutes for filing:
Harbor Commission, December 13, 2004
Water Commission, December 9, 2004
SUGGESTED ACTION:
Receive and file.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

20. COUNCIL OFFICE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT
SUBJECT: Update on Fourteenth Street Park masterplan.
SUGGESTED ACTION:
Request City Manager to prepare report on progress of the Master Plan for Fourteenth Street Park, including anticipated next steps for gathering community input.
21. COUNCIL OFFICES: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT
COUNCILMEMBER DAN BAKER, SECOND DISTRICT
SUBJECT: Request for report on air quality initiatives from Port of Long Beach.
SUGGESTED ACTION:
Request City of Long Beach and Port of Long Beach develop a task force bringing in expertise to coordinate with Los Angeles to ensure a successful process for limiting pollution in the Port complex of Los Angeles and Long Beach and request report from Port on the timeline for establishing such a task force within 30 days.
22. COUNCIL OFFICE: COUNCILMEMBER FRANK COLONNA, THIRD DISTRICT
SUBJECT: Tsunami emergency preparedness.
SUGGESTED ACTION:
Request City Manager to prepare report within 30 days and request Fire Department and Police Department to work together to produce a tsunami emergency informational video to air on Charter Communication and to be available for public distribution.

23. COUNCIL OFFICE: COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
SUBJECT: LNG facility at Port of Long Beach
SUGGESTED ACTION:
Request a study session within 60 days to receive staff and public input on the appropriateness of locating an LNG facility in Long Beach.
24. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Relocation ordinance.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received; refer to the Planning Commission and the City Attorney to prepare a report and return to the City Council by February 8, 2005.
25. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Fencing of vacant lots.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communications be received and request City Attorney to prepare an amendment to the Municipal Code that enables the City to fence vacant lots after they have been determined to be a public nuisance.
26. COUNCIL COMMITTEE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT, CHAIR, HOUSING AND NEIGHBORHOODS COMMITTEE
SUBJECT: Homeless Services Advisory Committee Annual Report on the status of homeless services in Long Beach.
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received and refer to City Manager for implementation of the proposed ten-year homeless plan.
27. COUNCIL COMMITTEE: COUNCILMEMBER DAN BAKER, SECOND DISTRICT, CHAIR, STATE LEGISLATION AND ENVIRONMENTAL AFFAIRS COMMITTEE
SUBJECT: Proposed 2005 State Legislative Agenda
SUGGESTED ACTION:
Concur in recommendation of Committee that the communication be received and the proposed 2005 State Legislative Agenda adopted.

28. DEPARTMENT: COMMUNITY DEVELOPMENT AND PUBLIC WORKS

SUBJECT: Downtown Long Beach Property and Business Improvement District Annual Report and Assessment. (Districts 1,2)

SUGGESTED ACTION:

Approve Downtown Long Beach Property and Business Improvement District Annual Report for the period of January 1, 2005, through December 31, 2005, automatically extending the current agreement with Downtown Long Beach Associates for one year; and

Increase appropriations in the Civic Center Fund (IS 380) and the Department of Public Works (PW) by \$164,650. The City shall pay this amount after Developers Diversified Realty (DDR) pays the City the portion of the assessment attributable to DDR.

29. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Fiscal Year 2004 Year-End Budget Performance Report.

SUGGESTED ACTION:

Refer report to Budget Oversight Committee.

30. DEPARTMENT: POLICE

SUBJECT: Application of Luis Felipe Fula, dba Vegas Room, for an original on-sale beer and wine for public premises alcoholic beverage license at 2100 Long Beach Boulevard. (District 6)

SUGGESTED ACTION:

Receive and file application; and

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.

31. DEPARTMENT: PUBLIC WORKS

SUBJECT: Job Order Contract Document R-6669 and award Contract No. 4 to MTM Construction, Inc., and Contract Nos. 5 and 6 to Athena Engineering, Inc., for as-needed construction services. (Citywide)

SUGGESTED ACTION:

Adopt Job Order Contract Document No. R-6669 for Job Order Contracting (JOC).

Authorize City Manager to execute agreements for a minimum amount of \$50,000 and a maximum amount of \$1,000,000 with MTM Construction, Inc. for JOC Agreement No. 4, with a weighted average factor of 0.7000, Athena Engineering, Inc. for JOC Agreement No. 5, with a weighted average factor of 0.6890, and Athena Engineering, Inc. for JOC Agreement No. 6, with a weighted average factor of 0.6754.

Authorize City Manager to execute amendments for each JOC agreement for two renewable options of one year and up to \$1,000,000 per year.

32. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Interim Zoning Ordinance to temporarily prohibit alteration of multi-family dwelling units to create additional bedrooms on sites with nonconforming parking. (Citywide)

SUGGESTED ACTION:

Request City Attorney to prepare an interim Zoning Ordinance pursuant to Chapter 21.50 for notice and placement on the City Council Agenda for hearing at its third meeting following such adoption, and direct Planning Commission to commence a study regarding the adoption of a Zoning Ordinance related to the remodeling of the interior of existing multi-family residential units to create additional bedrooms.

NEW BUSINESS:

33.

34.

35.

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:

Economic Development and Finance Committee (Attorney/Client) in Council Lounge at 1:30 P.M.

Workshop regarding Airport Terminal Facilities Environmental Impact Report at 3:00 P.M. January 11, 2005, Hearing on proposed adjustment to Advanced Life Support (ALS) and Basic Life Support (BLS) ambulance rates.

January 11, 2005, Hearing on ordinances extending the time limits by one year for the Poly High, Downtown and West Beach Project Areas. (Districts 1,2,6)

January 11, 2005, Hearing to establish a street name ("Barbara London Drive") for an unnamed private street within the airport off Donald Douglas Drive (4100 Donald Douglas Drive) (Case No. 0410-13) (District 5)

January 18, 2004, Hearing on application of Higinio Michel, dba El Centenario, for Permit for Entertainment without Dancing by Patrons at an Existing Bar/Tavern/Lounge at 1650 Santa Fe Avenue. (District 1)

January 18, 2004, Hearing on application of Downtown Blue Café, Inc., dba Blue Café, for Permit for Entertainment with Dancing by Patrons and Pool Hall at an Existing Restaurant with Alcohol at 210 The Promenade. (District 2)

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. 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 phone the City Clerk Department at (562) 570-6101 by 12 noon Monday. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.