

**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, NOVEMBER 9, 2004
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

**DR. ROBERT MAXSON, PRESIDENT OF CALIFORNIA STATE UNIVERSITY LONG
BEACH PRESENTING NEW CLASS OF PRESIDENT'S SCHOLARS**

**PROCLAMATION PRESENTED FOR
LONG BEACH PLAYHOUSE 75TH ANNIVERSARY**

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. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution of Intention to vacate east-west alley east of Elm Avenue and north of Broadway. (Resolution ordering the vacation of the east-west alley east of Elm Avenue and north of Broadway). (District 2)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, find that the area to be vacated is not needed for present or prospective public use and adopt the resolution ordering the vacation of public right-of-way.

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 - 17)

2. DEPARTMENT: CITY CLERK
SUBJECT: Claims for Damages.
SUGGESTED ACTION:
Refer to City Attorney the damage claims received between October 14, 2004 and November 4, 2004.

3. DEPARTMENT: CITY CLERK
SUBJECT: City Clerk Department Conflict of Interest Code.
SUGGESTED ACTION:
Receive and approve changes.

4. DEPARTMENTS: COMMUNITY DEVELOPMENT AND PLANNING AND BUILDING
SUBJECT: Reimbursement Agreement with Seaport Marina LLC for City costs related to the master planning of Seaport Marina's Eleven-Acre Site at the southwest corner of Second Street and Pacific Coast Highway. (District 3)
SUGGESTED ACTION:
Authorize City Manager to execute the Agreement and any amendments; and increase appropriations in the General Fund (GP) in the Department of Community Development (CD) by \$104,500.

5. DEPARTMENTS: COMMUNITY DEVELOPMENT AND HEALTH AND HUMAN SERVICES
SUBJECT: Fourth Addendum to Lease No. 25974 between Nancee D. Kioudjain, as trustee of the Hallaian Family Trust, and City of Long Beach for office space at 1400 Obispo Avenue for the Center for Families and Youth. (District 4)
SUGGESTED ACTION:
Authorize City Manager to execute addendum extending the term for two months with the right to terminate on 30 days' written notice.

6. DEPARTMENT: LAW
SUBJECT: Compromises and Releases.
SUGGESTED ACTION:
Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$40,000 in compliance with Appeals Board order for claim of Nghia Kim Huynh and \$32,500 for claim of Gary Lee McMillan.

7. 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 \$10,535 in compliance with Appeals Board order for claim of Theresa Gonzales; \$8,680 for claim of Thomas Keleher; and \$71,102.50 and \$5,915 for claim of Joseph McNicholl.

8. DEPARTMENT: LAW

SUBJECT: Claim by City of Long Beach for unpaid royalty on natural gas revenues.

SUGGESTED ACTION:

Authorize City Attorney to accept sum of \$60,913 in full settlement of claim.

9. DEPARTMENTS: PARKS, RECREATION AND MARINE AND COMMUNITY
DEVELOPMENT

SUBJECT: Lease agreement with Navy Yacht Club-Long Beach for rental of land and improvements at 223 Marina Drive. (District 3)

SUGGESTED ACTION:

Authorize City Manager to execute lease for a term of one year, with the option to renew for two additional one-year periods, at the discretion of the City Manager.

10. DEPARTMENTS: PARKS, RECREATION AND MARINE AND COMMUNITY
DEVELOPMENT

SUBJECT: Grant agreement with Watershed Conservation Authority for project management services. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute agreement and all amendments in the amount of \$100,000 for project management services through June 30, 2005; and increase appropriations in the General Grants Fund (SR 120) and the Department of Parks, Recreation and Marine (PR) by \$100,000.

11. DEPARTMENT: POLICE

SUBJECT: First Amendment to Contract No. 28437 with Long Beach Unified School District for jail food services. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute amendment extending term of agreement to March 31, 2005, at an estimated cost of \$186,000.

12. DEPARTMENT: POLICE

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

- A. Application of Patricia Garcia and Jose Garcia Chavez, dba Tony's French Dips, for a person-to-person transfer of an on-sale beer and wine for bonafide eating place license at 701 Long Beach Boulevard. (District 1)
- B. Application of Orion Sachan Corporation, dba La Mexicana Market, for a person-to-person transfer of an off-sale beer and wine license at 1318 Pine Avenue. (District 1)
- C. Application of Waho Bar Incorporated, dba The Paradise, for a person-to-person transfer of an on-sale general for public premises license at 1800 East Broadway. (District 2)
- D. Application of JMB 516 Incorporated, dba Shore House Cafe, for a person-to-person transfer of an on-sale beer and wine for bonafide eating place license at 5271 East 2nd Street. (District 3)
- E. Application of K3 LB Incorporated, dba Belmont Shore Mini Market, for a person-to-person transfer of an off-sale beer and wine license at 3955 East Ocean Boulevard. (District 3)
- F. Application of Annex of East Long Beach Incorporated, dba The Annex, for a person-to-person transfer of an on-sale beer for beerpub license at 4300 East Stearns Street. (District 4)
- G. Application of Lucas Max Chui, dba Liquor Mill, for a person-to-person transfer of an off-sale general license at 5440 Long Beach Boulevard. (District 8)

SUGGESTED ACTION:

Receive and file with existing conditions.

13. DEPARTMENT: PUBLIC WORKS

SUBJECT: Review application and request ordinance authorizing additional transportation improvement fee credit for improvements associated with the California State University Long Beach Foundation Technology Park at 2000 West 19th Street. (Districts 1,7)

SUGGESTED ACTION:

Find that a transportation improvement fee credit in the amount of \$92,750.90 is due to the California State University Long Beach Foundation in accordance with Section 18.17.110 of the Long Beach Municipal Code;

Request City Attorney to prepare an ordinance confirming the additional transportation improvement fee credit; and

Authorize City Manager to execute a contract with the CSULB Foundation granting the CSULB Foundation a transportation improvement fee credit in the amount of \$92,750.90 in consideration of transportation and landscaping improvements constructed on Pacific Coast Highway from Cota Avenue to 19th Street.

14. DEPARTMENT: PUBLIC WORKS

SUBJECT: Final Subdivision Map for Tract No. 60688, located between Esther Street and Pacific Coast Highway and Loma Avenue and Termino Avenue. (District 4)

SUGGESTED ACTION:

Find that all requirements of the map have been satisfied and approve the final subdivision map.

15. DEPARTMENT: PUBLIC WORKS

SUBJECT: Monthly Airport Activity Reports. (District 5)

SUGGESTED ACTION:

Receive and file reports.

16. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:

Harbor Commission, October 11, October 18 and October 25, 2004
Water Commission, September 30, and October 6, 2004

SUGGESTED ACTION:

Receive and file.

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17. DEPARTMENT: LEGISLATIVE

SUBJECT: Proclamation for Long Beach Playhouse 75th Anniversary.

SUGGESTED ACTION:

Approve.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

18. COUNCIL OFFICE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT

SUBJECT: Gas prices for Winter 2004-05.

SUGGESTED ACTION:

Request staff report regarding the fluctuation in gas prices this winter and how to conserve energy over the coming months.

19. COUNCIL OFFICE: COUNCILMEMBER FRANK COLONNA, THIRD DISTRICT

SUBJECT: Belmont Shore substandard garages.

SUGGESTED ACTION:

Refer to Planning Commission to investigate amending the Zoning Regulations in the Belmont Shore area to allow the replacement of one-car garages with carports.

20. COUNCIL OFFICE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT

SUBJECT: Designation of City Council as Redevelopment Agency.

SUGGESTED ACTION:

Request City Attorney to prepare an Ordinance, should the City Council establish itself the Redevelopment Agency Board to read as follows: "Require that any increase in the stipend received by the Redevelopment Agency Board shall not become effective until after the incumbent member is no longer in office."

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21. COUNCIL OFFICE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT
SUBJECT: Merger of Redevelopment Project Area Committee areas.
SUGGESTED ACTION:
Request City Attorney to prepare an Ordinance, should the City Council establish itself the Redevelopment Agency Board to read as follows: "Require that the merger of any of the Redevelopment PAC areas require a unanimous vote of ALL members of the Redevelopment Agency Board."
22. COUNCIL OFFICE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT
SUBJECT: Tax increment generated by Redevelopment Project Area.
SUGGESTED ACTION:
Request City Attorney to prepare an Ordinance, should the City Council establish itself the Redevelopment Agency Board to read as follows: "Require that property tax increments must be spent within the Redevelopment Project Area in which it was generated, except for low and moderate housing set-aside funds."
23. DEPARTMENTS: COMMUNITY DEVELOPMENT AND PARKS, RECREATION AND MARINE
SUBJECT: Agreement with Gruen Associates for planning and urban design services for development of a land-use strategy for the Downtown Tidelands Property east of the Long Beach Convention and Entertainment Center. (District 2)
SUGGESTED ACTION:
Authorize City Manager to execute a professional services agreement in an amount not to exceed \$195,000 for a term of two years; and
Increase appropriations in the Tidelands Fund (TF) in the Department of Community Development (CD) by \$125,000.
24. DEPARTMENT: FINANCIAL MANAGEMENT
SUBJECT: Specifications No. PA-00205 and award contract to Commercial Graphics to provide blueprinting and reprographics services. (Citywide)
SUGGESTED ACTION:
Adopt Specifications and award contract in estimated annual amount of \$335,000 for a term of one year, with the option for two additional one-year periods; and
Authorize amendments to exercise City's option to renew where noted and authorize City Manager to execute same.

25. DEPARTMENT: LONG BEACH ENERGY
SUBJECT: Update of Natural Gas Prices for 2004/2005. (Citywide)
SUGGESTED ACTION:
Receive and file.
26. DEPARTMENT: PARKS, RECREATION AND MARINE
SUBJECT: Agreement with County of Los Angeles for removal of debris emanating from the Los Angeles River. (Districts 2,3)
SUGGESTED ACTION:
Authorize City Manager to execute a two-year agreement for a sum of up to \$500,000 per year to assist in the cost of removing debris deposited on city beaches and marinas.
27. DEPARTMENT: PARKS, RECREATION AND MARINE
SUBJECT: Universally Accessible Playgrounds. (Citywide)
SUGGESTED ACTION:
Refer report to Parks and Recreation Commission and the Citizens Advisory Commission on Disabilities for public input and recommendation back to the City Council on the proposed sites and possible funding sources.
28. DEPARTMENT: POLICE
SUBJECT: Application of Luis Alberto Escobar and Rosa Marlene Escobar, dba El Gran Inka, for a person-to-person and premise-to-premise transfer of an on-sale general for bonafide eating place alcoholic beverage license at 145 West Broadway. (District 2)
SUGGESTED ACTION:
Receive and file application, with or without conditions; 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.

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29. DEPARTMENT: PUBLIC WORKS

SUBJECT: Amendment to Sections 10.12.010 and 10.12.020 of the Long Beach Municipal Code Relating to Speed Limits on City Streets.
(Districts 3,5,6,7,8,9)

SUGGESTED ACTION:

Request City Attorney to prepare amendments.

RESOLUTIONS:

30. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Resolution authorizing the City Manager to purchase commercial trash containers through the contract between the City of Ontario and Consolidated Fabricators Corporation. (Citywide)

SUGGESTED ACTION:

Adopt resolution pursuant to City of Ontario's Purchase Order 12593, under the terms and conditions afforded to the City of Ontario, in an estimated amount not to exceed \$300,000.

31. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution supporting a grant application by the Rancho Los Alamitos Foundation for restoration of the barns area and for improvements to the Education Center. (District 3)

SUGGESTED ACTION:

Adopt resolution.

32. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution amending Resolution No. C-28295 authorizing the City Manager to submit an application for and to enter an agreement and all amendments with the State Resources Agency for funding under the Safe Drinking Water, Cleanwater, and Watershed Protection and Flood Protection Bond Act of 2000 for acquisition of land to be developed as a park. (District 1)

SUGGESTED ACTION:

Adopt amended resolution in the amount of \$850,000 for the San Francisco Avenue Land Acquisition Project.

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33. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution approving an agreement with the State Department of Transportation to share electrical costs for certain traffic signals, and authorizing the execution thereof by the City Manager, for and on behalf of the City. (District 8)

SUGGESTED ACTION:

Adopt resolution.

NEW BUSINESS:

34. DEPARTMENT: CITY MANAGER

SUBJECT: Joint Powers Agreement with various public agencies for the Los Cerritos Wetlands Restoration Project. (District 3)

SUGGESTED ACTION:

Authorize City Manager to negotiate agreement.

35.

36.

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:

Public Safety Committee at 2:00 P.M.

Wednesday, November 10, 2004, I-170 Oversight Committee at 6:30 P.M.

November 16, 2004, Hearing on role of City Council in the Redevelopment process.

November 16, 2004, Hearing on Report of Hearing Officer on request for revocation of business license and adult entertainment permit issued to VM Associates, Inc., dba Flamingo Gentlemen's Club, 2421 E. Artesia Boulevard. (District 9)

November 23, 2004, Hearing on application of Laurence Garcia, dba La Hacienda Club, for permit for Entertainment with Dancing by Patrons at existing bar/tavern/lounge at 1551 Santa Fe Avenue. (District 1)

November 23, 2004, Hearing on application of Sharp Beach, Inc., dba Fern's Cocktails, for Permit for Entertainment without Dancing by Patrons and a pool hall at existing bar/tavern/lounge at 1253 E. 4th Street. (District 1)

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.