

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

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. [09-0080](#) Recommendation to rescind the City Council action taken on October 21, 2008 to approve a One-Year Short-Term Entertainment Permit with conditions to Lucky Luke, Inc., dba The Copacabana, at 2688 South Street; and

Adopt a motion to approve a Permit with conditions for Entertainment With Dancing by Patrons at a restaurant to Lucky Luke, Inc., dba The Copacabana, at 2688 South Street. (District 8)

Office or Department: COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

2. [09-0056](#) Recommendation to receive supporting documentation into the record, conclude the public hearing; deny the appeal of Robert and Shirley Rayhill and uphold the Planning Commission decision to: (1) certify Negative Declaration ND 14-08, (2) approve Site Plan Review, (3) approve five Standards Variances, (4) approve Lot Merger, and (5) adopt a Finding of General Plan Conformity for Alley Vacation for a new City fire station located at 1199 E. Artesia Boulevard;

Declare ordinance amending the Use District Map of the City of Long Beach by amending portions of Part 29 of said Map from CCA (Automobile-Oriented Commercial) and R-1-N (Single-Family Residential) to I (Institutional) read the first time and laid over to the next regular meeting of the City Council for final reading; and

(Agenda Item No. 2 continued on next page.)

[09-0057](#)

Adopt resolution amending the Land Use Element of the General Plan from Land Use District Nos. 8A and 1 to Land Use District No. 10. (District 9)

Office or Department: DEVELOPMENT SERVICES

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: (3 - 15)

3. [09-0070](#) Recommendation to authorize City Attorney to pay the sum of \$10,530 in full settlement of the governmental claim for damages of Rosalva Tepos.
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.
4. [09-0071](#) Recommendation to adopt resolution in support of Religious Freedom Day 2009. (Citywide)
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.
5. [09-0072](#) Recommendation to approve the City Council, the Budget Briefing and the Special Meeting minutes for the meetings held Tuesday, January 6, 2009.
Office or Department: CITY CLERK
Suggested Action: Approve recommendation.

6. [09-0075](#) Recommendation to refer to City Attorney damage claims received between January 5, 2009 and January 12, 2009.
Office or Department: CITY CLERK
Suggested Action: Approve recommendation.
7. [09-0073](#) Recommendation to approve the destruction of records for the Long Beach Gas & Oil Department as shown in Exhibit A; and adopt the resolution.
Office or Department: CITY CLERK
Suggested Action: Approve recommendation.
8. [09-0058](#) Recommendation to authorize City Manager to execute all documents with the South Bay Center for Counseling to receive Workforce Investment Act funds totaling \$64,139 for the portion of a Veterans Employment Assistance Program, and to execute any subsequent grant and contract amendments that change the terms or funding. (Citywide)
Office or Department: COMMUNITY DEVELOPMENT
Suggested Action: Approve recommendation.
9. [09-0059](#) Recommendation to authorize City Manager to execute all documents with the U.S. Department of Labor to receive a Workforce Investment Act grant in the amount of \$133,624, to execute a contract with the South Bay Center for Counseling in the amount of \$90,000 to deliver employment services to residents around the energy industry, and to execute any subsequent grant and contract amendments that change the terms or funding. (Citywide)
Office or Department: COMMUNITY DEVELOPMENT
Suggested Action: Approve recommendation.

10. [09-0064](#) Recommendation to authorize City Manager to execute all documents with the Harbor Department of the City of Los Angeles to provide employment services to the Port, with cost reimbursement totaling \$138,958 for the term of October 1, 2008 through September 30, 2009, and to execute any subsequent amendments that change the terms or reimbursement. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

11. [09-0060](#) Recommendation to adopt resolution authorizing City Manager to execute a contract with Simpler Systems, Inc., for maintenance of the City's Financial Accounting Information System (FAMIS) and as-need software consulting services, for a one-year term in the annual amount not to exceed \$150,000 with two one-year options to renew the agreement, at the City Manager's discretion. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

12. [09-0061](#) Recommendation to authorize City Manager to execute an amendment with Siemens Healthcare Diagnostics, Inc. to extend the contract to purchase diagnostic test kits through December 31, 2009, for an amount not to exceed \$150,000, plus a ten percent contingency for additional test kits if necessary and if funds are available. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

13. [09-0062](#) Recommendation to adopt resolution authorizing City Manager to amend the existing agreement with Dresser Roots Meters & Instruments, dba DMD Dresser, to provide rotary-type gas meters and other services and parts in an amount up to \$250,000 annually. The contract is in the first renewal term ending May 1, 2009, with the option for one additional one-year extension period, which will be executed at the discretion of the City Manager. (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

REVISED

14. [09-0063](#) Recommendation to receive and file the application of Mosammat Parvin Akhter, dba Elbys Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3337 East South Street, with existing conditions. (District 9)

Office or Department: POLICE

Suggested Action: Approve recommendation.

15. [09-0074](#) Recommendation to receive and file the minutes of:
Parks and Recreation Commission - November 20, 2008.
Water Commission - December 18, 2008.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. 09-0018 WITHDRAWN
~~Recommendation to respectfully recommend that the City of Long Beach request of the California Integrated Waste Management Board's authority to continue to allow its residents to dispose of household sharps waste. In doing so, this would allow Long Beach residents to dispose of household sharps in the same manner as they had prior to the new law (SB 1305 Medical Waste Management Act) with the assurance that such waste is not dumped in a landfill but incinerated at high temperatures; and~~

~~In the interim of receiving approval by California Integrated Waste Management Board to allow continued disposal in household trash, the City of Long Beach needs to distribute information through its Refuse Collection Services as to how and where residents can dispose of their needles, syringes and other sharps.~~

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

REVISED

17. [09-0079](#) Recommendation to refer review of the Long Beach Municipal Code Chapter 10.40 regarding definition and prohibition of commercial vehicles on residential streets to the City Council Transportation and Infrastructure Committee for further discussion and review for possible modification including, but not limited to, placing the item on the 2010 ballot.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:** Approve recommendation.
18. [09-0081](#) Recommendation to request City Manager to send a letter to the U.S. Housing and Urban Development Department requesting that a waiver be granted to the City of Long Beach regarding the requirement to accommodate the homeless providers with property in light of the fact that the City currently provides a higher than required amount of services to this population;
- In the alternative, the City of Long Beach should be permitted to provide the cash equivalent of the property offered at Burnett Street and Grand Avenue to the homeless services provider as a full accommodation; and
- Include this item on the City's Federal Legislative priorities list.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
- Suggested Action:** Approve recommendation.
19. 09-0078 WITHDRAWN
~~Recommendation to receive and file the City Clerk Department report regarding commission, board, and committee membership compliance with Long Beach Municipal Code Section 2.07.020 relating to ethics training. (Citywide)~~
- Office or Department:** CITY CLERK
- Suggested Action:** Approve recommendation.

20. [09-0065](#) Recommendation to authorize City Manager to execute all documents with the Orange County Workforce Investment Board to receive Workforce Investment Act funds totaling \$519,008 for a Veterans Employment Assistance Program, to execute a contract with the California State University Long Beach Foundation in the amount of \$253,000, and to execute any subsequent grant and contract amendments that change the terms or funding. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

21. [09-0066](#) Recommendation to authorize City Manager to execute the First Amendment to Contract No. 30978 and all necessary amendments, including term extensions, with the City of Los Angeles to receive and expend Department of Homeland Security grant funding for the 2006 Urban Area Security Initiative (UASI) Grant, at an amount not to exceed \$1,792,934 for a total grant amount of \$8,159,974; extend the term of the Contract to March 31, 2009; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$1,792,934. (Citywide)

Office or Department: FIRE

Suggested Action: Approve recommendation.

22. [09-0067](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents and subsequent amendments between the City of Long Beach Department of Health and Human Services and the State of California Department of Health Services to provide funding for the Women, Infants and Children Nutrition Supplement Program, in the amount of \$15,845,000 for a period of three years, from October 1, 2008 to September 30, 2011. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

REVISED

23. [09-0068](#) Recommendation to authorize City Manager to execute all necessary documents between the City of Long Beach Department of Health and Human Services and the State of California Department of Health Services for funding of up to \$900,000 to enable the City to provide services for Viral Load Testing, for a three-year period; and execute any other necessary documents or subsequent amendments to extend contract term or increase reimbursement amount. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

24. [09-0069](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Fresh & Easy Neighborhood Market Incorporated, dba Fresh & Easy Neighborhood Market Store 1372, for an original Alcoholic Beverage Control License, at 1340 East 7th Street, with conditions. (District 2)
- Office or Department:** POLICE

Suggested Action: Approve recommendation.

ORDINANCE:

25. 09-0077 WITHDRAWN
~~Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 8.68.020.R, Section 8.68.060, and Subsection 8.68.1110.A; and by adding Subsection 8.68.020.S, and Section 8.68.210, all relating to smoking in public places 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 Thursday afternoon.

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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:

Monday, January 26, 2009 – Budget Oversight Committee at 5:00 P.M., Council Chamber.

Tuesday, January 27, 2009 – Joint Personnel and Civil Service Committee and Transportation and Infrastructure Committee at 3:45 P.M., Council Chamber.

Tuesday, January 27, 2009 – Transportation and Infrastructure Committee at 4:30 P.M., Council Chamber.

Tuesday, February 3, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, February 10, 2009 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, February 3, 2009 – Hearing for Guadalupe Perez, dba Mariscos Brite Spot, for appeal of revocation of Business License No. BU92006270 and Entertainment Permit No. BU20345190, 1616 East Anaheim Street. (District 2)

Tuesday, February 3, 2009 – Hearing for Northside LLC., dba Total Fighting Alliance for a Permit for Boxing/Wrestling/Mixed Martial Arts event, 1250 Bellflower Boulevard. (District 4)

Tuesday, February 3, 2009 – Hearing for first quarter fee adjustments. (Citywide)

Tuesday, February 10, 2009 – Hearing on vacation of a portion of Lakewood Boulevard north of the Traffic Circle adjacent to 1919 Lakewood Boulevard. (District 4)

Tuesday, February 10, 2009 – Hearing for consideration of changes to the Zoning Regulations concerning provision of notice of public hearings. (Citywide)

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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