

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

Robert E. Shannon, City Attorney

REVISED

PLEDGE OF ALLEGIANCE

**RECOGNITION OF THE
MONTFORD POINT MARINE ASSOCIATION**

**PRESENTATION REGARDING
DELTA SIGMA THETA SORORITY'S 100TH ANNIVERSARY**

[13-0127](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, February 1, 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.

CONTINUED HEARING:

1. [13-0042](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Club Investments LP, dba Lush Lounge (previously known as Ice Bar), 49 South Pine Avenue, for Entertainment With Dancing by Patrons. (District 2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

HEARINGS:

2. [13-0076](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permits with conditions on the application of DDRC Pike Entertainment, LLC, dba KDB Long Beach, 10 Aquarium Way, for Entertainment With Dancing by Patrons and Pool Hall. (District 2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

3. [13-0077](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of S.C. Fish Grille Ltd., dba Khoury's Restaurant, 110 N. Marina Drive, for Entertainment With Dancing by Patrons. (District 3)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

4. [13-0078](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of J.M. Johnston & Associates, Inc., dba 49rs Tavern, 5660 East Pacific Coast Highway No. A, for Entertainment Without Dancing by Patrons. (District 3)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

5. [13-0079](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution amending the Master Fee and Charges Schedule. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

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: (6 - 17)

6. [13-0080](#) Recommendation to receive and file the Proposition H Audit Report for the fiscal year ending September 30, 2012.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.

7. [13-0081](#) Recommendation to approve the minutes for the City Council meetings of Tuesday, January 15 and January 22, 2013.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

8. [13-0082](#) Recommendation to refer to City Attorney damage claims received between January 14, 2013 and January 28, 2013.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

9. [13-0087](#) Recommendation to approve the destruction of records for Financial Management Department, Administrative Services Division, as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

10. [13-0089](#) Recommendation to approve the destruction of records for Financial Management Department, Business License Section, as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

11. [13-0091](#) Recommendation to approve the destruction of records for Financial Management Department, Commercial Services Bureau, as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

12. [13-0083](#) Recommendation to approve the destruction of records for the Department of Health and Human Services, Housing Authority Bureau, as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

13. [13-0084](#) Recommendation to approve the destruction of records for the Human Resources Department as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

14. [13-0095](#) Recommendation to approve the destruction of records for Long Beach Police Department, Internal Affairs Division, as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

15. [13-0085](#) Recommendation to approve and authorize Department of Development Services to process a refund in the amount of \$21,033 to Studebaker LB, LLC, for the property located at 400 North Studebaker Road. (District 3)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

16. [13-0097](#) Recommendation to authorize City Manager to execute all necessary documents to receive, accept and expend grant funding from the California Emergency Management Agency Paul Coverdell Forensic Science Improvement Program grant, and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$9,000. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

17. [13-0098](#) Recommendation to receive and file minutes for:
Civil Service Commission - December 19, 2012.
Planning Commission - December 20, 2012.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

18. [13-0100](#) Recommendation to direct City Manager to investigate costs and benefits of including WiFi as a cost of construction as new city parks are built; investigate private/public partnerships with WiFi providers to install wireless connectivity in new and current city parks; complete report and forward to Parks and Recreation Commission in 90 days before it returns to City Council for discussion and action.

Office or Department: VICE MAYOR ROBERT GARCIA,
COUNCILMEMBER, FIRST DISTRICT;
COUNCILMEMBER SUJA LOWENTHAL,
SECOND DISTRICT; COUNCILWOMAN
GERRIE SCHIPSKE, FIFTH DISTRICT;
COUNCILMEMBER STEVEN NEAL, NINTH
DISTRICT

Suggested Action: Approve recommendation.

19. [13-0038](#) Recommendation to request the City Council to refer consideration of the California Finance Lender's Law to the State Legislation Committee in order to amend the City's legislative agenda to advocate for the elimination of the loophole that allows for unregulated loans exceeding \$2,500.

Office or Department: COUNCILMEMBER JAMES JOHNSON,
SEVENTH DISTRICT; COUNCILWOMAN
GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

20. [13-0110](#) Recommendation to request City Manager to present an updated report to the City Council on the status of our infrastructure and the funding of ongoing maintenance within 60 days.

Office or Department: COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; MAYOR BOB FOSTER; COUNCILMEMBER GARY DELONG, THIRD DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT

Suggested Action: Approve recommendation.

21. [13-0111](#) Recommendation to respectfully request City Manager to work with appropriate staff to report to City Council on a potential policy and plan by which public safety enterprise fund services and weighted costs are addressed appropriately by all departments.

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

Suggested Action: Approve recommendation.

22. [13-0101](#)

Recommendation to accept the assignment by the Successor Agency of Successor Agency obligations under the Agreement Containing Covenants Affecting Real Property with Olson 737 - Long Beach 2, LLC;

Accept the assignment by the Successor Agency of Successor Agency obligations under the Agreement Containing Covenants Affecting Real Property with Lennar Long Beach Promenade Partners, LLC;

Accept the assignment by the Successor Agency of Successor Agency obligations under the Agreement Containing Covenants Affecting Real Property with Lyon Promenade, LLC;

Accept the assignment by the Successor Agency of Successor Agency obligations under the Agreement Containing Covenants Affecting Real Property with Temple Creative Realty, LLC; and

Approve and authorize City Manager to execute and take all actions reasonably necessary to enter into maintenance contracts with selected vendors for maintenance of the Promenade Maintenance District, not to exceed the funds available in the Promenade Maintenance District fund. (District 2)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

23. [13-0086](#)

Recommendation to authorize City Manager or his designee to execute a negotiated resolution regarding the commercial/industrial business license revocation for license number BU07048000 issued to John W. Mitchell, located at 1742 East Broadway. (District 2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

24. [13-0054](#) Recommendation to receive and file the Fiscal Year 2012 Year-End Budget Performance Report, and increase appropriations in various funds across many departments for various purposes to reflect final expenditures. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

25. [13-0057](#) Recommendation to authorize City Manager to execute a contract 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 2012 Urban Area Security Initiative (UASI) Grant, in an amount not to exceed \$2,585,251 for a period ending May 31, 2014; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$1,277,451, in the General Grants Fund (SR 120) in the Health and Human Services Department (HE) by \$265,000, and in the General Grants Fund (SR 120) in the Police Department (PD) by \$1,042,800. (Citywide)

Office or Department: FIRE; HEALTH AND HUMAN SERVICES;
POLICE

Suggested Action: Approve recommendation.

26. [13-0102](#) Recommendation to receive and file the application of Michael's Pizzeria Promenade, LLC, dba Michael's Pizzeria Promenade, for an original Alcoholic Beverage Control License, at 210 East 3rd Street, Suite C. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

27. [13-0103](#) Recommendation to receive and file the application of 7-Eleven, Incorporated, dba 7-Eleven, Store 35874, for an original Alcoholic Beverage Control License, at 4323 East Anaheim Street. (District 4)

Office or Department: POLICE

Suggested Action: Approve recommendation.

REVISED

28. [13-0104](#) Recommendation to authorize City Manager to execute all documents necessary for the Second Amendment to Lease No. 20968 between the City of Long Beach (Landlord) and the Hansen Bypass Trust, the Hansen Marital Trust, and the C and D Hansen Revocable Trust (collectively, Tenant) for the continued leasing of City-owned property at 25 39th Place adjacent to the Belmont Brewing Company. (District 3)

Office or Department: PUBLIC WORKS; PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

ORDINANCE:

29. [13-0105](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsections 14.20.200.C and 14.20.220.C all relating to newsrack pilot program areas 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.

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Monday afternoon.

30. [13-0126](#) Recommendation to, by motion of the City Council, direct City Manager to allow Library Services to continue to work with the Friends of the Long Beach Public Libraries in implementing "I Love My Public Library" and Library Round Up citywide.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; COUNCILMAN AL AUSTIN, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

31.

32.

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:

Tuesday, February 5, 2013 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, February 5, 2013 – Personnel and Civil Service Committee at 4:00 P.M., Council Chamber.

Tuesday, February 12, 2013 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

Tuesday, February 19, 2013 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach, California at 3:30 P.M., Council Chamber.

Tuesday, February 19, 2013 – Environmental Committee at 4:00 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, February 12, 2013 – Hearing for Cuban Pete's Rhythm Lounge LLC., dba Cuban Pete's Mojito Lounge, for a Permit for Entertainment With Dancing by Patrons, 245 Pine Avenue No. 290. (District 2)

Tuesday, February 12, 2013 – Hearing for RM Acapulco LLC, dba Acapulco, for a Permit for Entertainment With Dancing by Patrons, 6270 E. Pacific Coast Highway. (District 3)

Tuesday, February 12, 2013 – Hearing for Cyclo LLC, dba La Lune Palace, for a Permit for Entertainment With Dancing by Patrons, 2801 E. Spring Street No. 300. (District 5)

Tuesday, February 12, 2013 – Hearing for Augie Doggie Enterprises LLC, to review and consider the hearing officer's report concerning the revocation of Business License No. BU07066691, 3401 Orange Avenue. (District 7)

Tuesday, February 19, 2013 – Hearing for Gaslamp Partners LLC, dba Gaslamp Restaurant and Bar, for a Permit for Entertainment With Dancing by Patrons, 6251 E. Pacific Coast Highway. (District 3)

Tuesday, February 19, 2013 – Hearing for Reggio Corporation, dba Cirivello's, for a Permit for Entertainment Without Dancing by Patrons, 4115 Viking Way. (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 Department, City Hall Plaza Level, 333 W. Ocean Boulevard, 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.

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Persons interested in making an audio visual presentation during a City Council meeting should refer to the Audio/Visual Guidelines in the Options list on the City Clerk web page at (<http://www.longbeach.gov/cityclerk/default.asp>) or contact the City Clerk Department at (562) 570-6101.

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