

Robert Garcia, 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

SPECIAL MEETING

TIME OF CITY COUNCIL MEETING SET FOR 6:00 P.M.

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 6:00 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: (1 - 7)

- [09-0913](#) Recommendation to approve the City Council Budget Workshop minutes for the meeting held Tuesday, August 25, 2009.
Office or Department: CITY CLERK
Suggested Action: Approve recommendation.
- [09-0914](#) Recommendation to refer to City Attorney damage claims received between August 24, 2009 and August 31, 2009.
Office or Department: CITY CLERK
Suggested Action: Approve recommendation.

3. [09-0915](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents with the State of California Department of Public Health to provide Beach Water Quality Monitoring and Public Notification activities in the amount of \$79,528 for the period of July 1, 2008 through June 30, 2010. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

4. [09-0916](#) Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the California Department of Education in the amount of \$1,788 for the provision of health and sanitation inspections for the Summer Food Service Program for a period of three months. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

5. [09-0917](#) Recommendation to receive and file the application of L B Ocean Corporation, dba L B Ocean Corporation, for a person-to-person transfer of an Alcoholic Beverage Control License, at 805 East Ocean Boulevard, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

6. [09-0918](#) Recommendation to receive and file the application of Speedy LK Liquor Incorporated, dba Speedy Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3036 East 4th Street, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

7. [09-0919](#) Recommendation to receive and file minutes for:
Civil Service Commission - August 12 and 19, 2009.
Water Commission - August 6, 2009.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

8. [09-0945](#) Recommendation to convene the Charter Amendment Committee on September 22, 2009 to explore the feasibility of implementing a “Rainy Day Fund,” and place a proposed Charter amendment on the April 2010 ballot, including a discussion on the recommendations:

- The amount of annual transfers from the General Fund to the Rainy Day Fund, the total annual Fund Balance;
- The conditions under which Rainy Day Funds may be spent, including a cap on the total amount that may be spent; and
- The maximum amount, if any, that the Rainy Day Fund should reach before excess funds could be spent for one-time purposes.

Suggested amendment: A Charter amendment to create a “Rainy Day” Reserve in the City’s budget. In any given year when revenue growth is in excess of five (5) percent over the previous year, 50 percent of the excess will be placed into a Reserve. During lean fiscal times, the City would be able to withdraw up to 50 percent of the Reserve funds in a given year, but no more than the revenue decline from the previous year. The Reserve would be capped at 40 percent of General Fund.

Office or Department: VICE MAYOR VAL LERCH,
COUNCILMEMBER, NINTH DISTRICT;
COUNCILMEMBER GARY DELONG, THIRD
DISTRICT

Suggested Action: Approve recommendation.

9. [09-0920](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Kress Market LLC, dba Kress Market, for an original Alcoholic Beverage Control License, at 443 Pine Avenue, with conditions. (District 1)

Office or Department: POLICE

Suggested Action: Approve recommendation.

10. [09-0922](#) Recommendation to certify Negative Declaration for the River Avenue Drain Project in accordance with the California Environmental Quality Act (CEQA), and approve a Finding of No Significant Impact (FONSI) in accordance with the National Environmental Policy Act (NEPA);

Adopt Plans and Specifications No. R-6796 for the River Avenue Drain Phase II, award the project, and authorize City Manager to execute all documents necessary to enter into a contract with Vasilj Inc., the lowest responsible bidder, in an estimated amount of \$1,021,675, plus a 25 percent contingency of \$255,419 if necessary, and execute any necessary amendments; and

Increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) in the amount of \$1,479,200 representing the American Recovery and Reinvestment Act (ARRA) Community Development Block Grant (CDBG-R) funds from Housing and Urban Development (HUD) that have been dedicated to this project. (District 7)

Office or Department: PUBLIC WORKS; COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

BUDGET HEARING: 7:00 PM

11. [09-0923](#) Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2010 budget as listed in Attachment A of the letter. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

11. [09-0926](#) Recommendation to adopt resolution approving the FY 10 budget for
1 the Long Beach Harbor Department as adopted by the Board of Harbor
Commissioners on May 18, 2009.

Suggested Action: Approve recommendation.

11. [09-0927](#) Recommendation to declare an emergency to exist.
2

Suggested Action: Approve recommendation.

11. [09-0928](#) Recommendation to declare ordinance approving Resolution No.
3 WD-1257 establishing the rates and charges for water and sewer
service to all customers, as adopted by the Board of Water
Commissioners on July 24, 2009, as an emergency ordinance, read and
adopted as read and laid over to the next regular meeting of the City
Council for final reading.

Suggested Action: Approve recommendation.

11. [09-0929](#) Recommendation to adopt resolution approving the FY 10 budget of the
4 Long Beach Water Department as adopted by the Board of Water
Commissioners on July 10, 2009.

Suggested Action: Approve recommendation.

11. [09-0930](#) Recommendation to adopt resolution amending the master fee and
5 charges schedule for specified City services for citywide fees and
charges and the City Clerk, City Prosecutor, Community Development,
Development Services, Financial Management, Fire, Gas and Oil,
Health and Human Services, Library Services, Long Beach Airport,
Parks, Recreation and Marine, Police, and Public Works Departments.

Suggested Action: Approve recommendation.

11. [09-0931](#) Recommendation to approve the FY 10 One-Year Capital Improvement
6 Program.

Suggested Action: Approve recommendation.

11. [09-0932](#) Recommendation to adopt resolution approving the budgets for the
7 Redevelopment Agency's Project Area Committees in the amounts of
\$50,000 for Central Long Beach, \$80,000 for West Long Beach
Industrial and \$44,895 for North Long Beach.

Suggested Action: Approve recommendation.

11. [09-0933](#) Recommendation to adopt resolution finding that the use of taxes
8 allocated to the North Redevelopment Project on behalf of the Central
Redevelopment Project for the purpose of increasing, improving and
preserving the community's supply of low- and moderate-income
housing will be of benefit to the North Redevelopment Project.

Suggested Action: Approve recommendation.

11. [09-0934](#) Recommendation to adopt a motion approving the budget for The Long
9 Beach Housing Development Company in the amount of \$14,771,161,
which is included in the budget of the Department of Community
Development.

Suggested Action: Approve recommendation.

11. [09-0935](#) Recommendation to adopt a motion approving the transfer of
10 \$16,083,972 from the Harbor Revenue Fund to the Tidelands Operating
Fund.

Suggested Action: Approve recommendation.

11. [09-0943](#) Recommendation to adopt a motion approving the use of the CalPERS
11 Annual Lump Sum Prepayment Option for the employer portion of the
City's CalPERS retirement benefit. The recommended prepayment, in
the amount of \$46,013,000, should provide a budgetary savings of
\$1,749,730 to the City. Of this amount, the General Fund should
recoup a budgetary savings of \$1,049,400.

Suggested Action: Approve recommendation.

11. [09-0936](#) Recommendation to adopt resolution adopting an appropriations limit
12 (Gann) for FY 10 pursuant to Article XIII (B) of the California
Constitution.

Suggested Action: Approve recommendation.

11. [09-0937](#) Recommendation to adopt the Mayor's proposed funding
13 recommendations, as amended, to the FY 10 Proposed Budget.

Suggested Action: Approve recommendation.

11. [09-0938](#) Recommendation to adopt the Budget Oversight Committee's proposed
14 funding recommendations, as amended, to the FY 10 proposed Budget.

Suggested Action: Approve recommendation.

11. [09-0940](#) Recommendation to adopt a motion amending the proposed budget.
15

Suggested Action: Approve recommendation.

11. [09-0941](#) Recommendation to declare an emergency to exist.
16

Suggested Action: Approve recommendation.

11. [09-0942](#) Recommendation to declare Appropriations Ordinance for FY 10,
17 creating and establishing the funds of the Municipal Government and
appropriating money to and authorizing expenditures from said funds
and for said fiscal year as an Emergency Ordinance, read and adopted
as read and laid over to the next regular meeting of the City Council for
final reading.

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.

12. [09-0957](#) Recommendation that budget hearings shall be set for September 10 and 14, 2009, at times convenient of the public.
Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
Suggested Action: Approve recommendation.
13. [09-0947](#) Recommendation to adopt resolution proclaiming, calling, giving notice of and providing for the holding of a Special Election to be held in the City of Long Beach on Tuesday, the 29th day of December, 2009, for the Election of Governing Board Member of the Long Beach Unified School District Area 3 for the remainder of the term of office terminating on the third Monday of July, 2010; and

[09-0948](#) Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Election to be held on Tuesday, December 29, 2009.
Office or Department: CITY CLERK
Suggested Action: Approve recommendation.
- 14.

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, September 1, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, September 8, 2009 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Tuesday, September 22, 2009 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, September 15, 2009 – Budget Hearing at 7:00 P.M., Council Chamber.

Tuesday, September 22, 2009 – Hearing for the Long Beach Tourism Business Improvement Area levy of the annual assessment. (Districts 1,2,4,5)

Tuesday, September 22, 2009 – Hearing for the extension of Preferential Parking District “Z” along Litchfield Avenue between Fidler Avenue and Calderwood Street. (District 4)

Tuesday, September 22, 2009 – Hearing to approve an application to revise the Douglas Park Development Agreement, 3855 Lakewood Boulevard. (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.

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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