

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

## REVISED

## SPECIAL MEETING

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

### PRESENTATION FOR CESAR CHAVEZ DAY

### PRESENTATION FOR NATIONAL DONATE LIFE MONTH

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. [10-0300](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit with conditions on the application of Kenneth W. Parks, dba All American Melodrama Theatre and Music Hall, 429 Shoreline Village Drive, for Entertainment Without Dancing by Patrons. (District 2)  
**Office or Department:** FINANCIAL MANAGEMENT  
  
**Suggested Action:** Approve recommendation.
2. [10-0301](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with conditions on the application of Gaslamp Partners LLC., dba The Gaslamp Restaurant, 6251 E. Pacific Coast Highway, for Entertainment With Dancing by Patrons. (District 3)  
**Office or Department:** FINANCIAL MANAGEMENT  
  
**Suggested Action:** Approve recommendation.

3. [10-0302](#) Recommendation to receive supporting documentation into the record, conclude the hearing and request City Attorney to prepare an amendment to the Long Beach Municipal Code, modifying Preferential Parking Districts "I" and "L" as recommended by the City Traffic Engineer. (District 3)

**Office or Department:** PUBLIC WORKS

**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: (4 - 17)**

4. [10-0317](#) Recommendation to receive and file report on travel by the Federal Legislation Committee to Washington, D.C., February 22 - 25, 2010.

**Office or Department:** COUNCILMEMBER GARY DELONG, THIRD DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT

**Suggested Action:** Approve recommendation.

5. [10-0303](#) Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$68,872.80 for the claim of Daniel Tellez, in compliance with the Appeals Board Order.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

6. [10-0304](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, March 9, 2010.  
**Office or Department:** CITY CLERK  
**Suggested Action:** Approve recommendation.
7. [10-0305](#) Recommendation to refer to City Attorney damage claims received between March 8, 2010 and March 15, 2010.  
**Office or Department:** CITY CLERK  
**Suggested Action:** Approve recommendation.
8. [10-0334](#) Recommendation to approve the destruction of records for the Public Works Department Administration Bureau and Public Works Department Engineering Bureau as shown; and adopt resolution.  
**Office or Department:** CITY CLERK  
**Suggested Action:** Approve recommendation.
9. [10-0306](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents, including but not limited to, contracts, subcontracts and amendments, with the RAND Corporation to accept funding for the provision to develop and pilot test an acceptable, feasible, and sustainable intervention to reduce stigma in African American and Latino congregations, and to promote Human Immunodeficiency Virus (HIV) testing, for an amount up to \$104,988 for a period of up to two years. (Citywide)  
**Office or Department:** HEALTH AND HUMAN SERVICES  
**Suggested Action:** Approve recommendation.
10. [10-0307](#) Recommendation to authorize City Manager to execute an amendment to the existing agreement between the City of Long Beach and the State of California Department of Health Services for the Women, Infants and Children Nutrition Supplement Program, to accept additional funding in the amount of \$208,000 through September 30, 2011. (Citywide)  
**Office or Department:** HEALTH AND HUMAN SERVICES  
**Suggested Action:** Approve recommendation.

11. [10-0308](#) Recommendation to receive and file the report, "Elevation Changes in the City of Long Beach, May 2009 through October 2009." (Citywide)  
**Office or Department:** LONG BEACH GAS AND OIL  
  
**Suggested Action:** Approve recommendation.
12. [10-0309](#) Recommendation to authorize City Manager to execute an agreement with the Long Beach Unified School District for food preparation for the 2010 Summer Food Service Program; authorize City Manager to execute sponsor/site agreements with the agencies listed on Attachment A; and authorize City Manager to execute any future documents, including amendments, necessary to accept funds, implement, and administer the 2010 Summer Food Service Program. (Districts 1,2,4,6,7,8,9 and portions of Signal Hill)  
**Office or Department:** PARKS, RECREATION AND MARINE  
  
**Suggested Action:** Approve recommendation.
13. [10-0310](#) Recommendation to receive and file the application of Milanias Pizzeria Incorporated, dba Milanias New York Pizzeria, for a person-to-person transfer of an Alcoholic Beverage Control License, at 250 East 4th Street, with existing conditions. (District 1)  
**Office or Department:** POLICE  
  
**Suggested Action:** Approve recommendation.
14. [10-0311](#) Recommendation to receive and file the application of 7 Eleven Incorporated, dba (No Active DBA), 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.

15. [10-0312](#) Recommendation to receive and file the application of Chang Han Yoon and Gina Younae Yoon, dba Cherry Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3601 Cherry Avenue, with existing conditions. (District 7)  
**Office or Department:** POLICE  
**Suggested Action:** Approve recommendation.
16. [10-0313](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Kress Market located at 443 Pine Avenue. (District 1)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
17. [10-0314](#) Recommendation to authorize City Manager to enter into an agreement and any subsequent amendments with the South Coast Air Quality Management District to accept Fiscal Year 2008-09/Year 11 Carl Moyer program grant funds to partially offset the purchase costs to replace off-road equipment. (Citywide)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.

## REGULAR AGENDA

## DEPARTMENTAL COMMUNICATIONS:

18. [10-0315](#) Recommendation to suspend Council rule contained in Long Beach Municipal Code Section 2.03.020 (B) relating to the meeting schedule of the City Council in order to cancel the meeting of April 13, 2010 due to the Primary Nominating Election.  
**Office or Department:** MAYOR BOB FOSTER  
**Suggested Action:** Approve recommendation.

**REVISED**

19. [10-0316](#) Recommendation to request City Attorney to prepare an amendment to Long Beach Municipal Code Section 10.22.080, adding the prohibition of parking "for sale" vehicles on the entire block of Artesia Boulevard (both sides of the street).

**Office or Department:** VICE MAYOR VAL LERCH,  
COUNCILMEMBER, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

20. 10-0318 WITHDRAWN  
~~Recommendation to: A) Request City Manager to explore a "Business-Tax Holiday". This would include a 15% business license renewal discount from December 1st through January 31st;~~

~~B) Request City Manager to create a business licensing tax exemption for Long Beach Small Businesses Enterprises. A Long Beach Small Business Enterprise is defined in the Long Beach SBE program, Ordinance No. ORD-09-0005, as a qualifying Long Beach small business enterprise that is new or newly relocated to Long Beach will not be required to pay any business licensing fee for three years;~~

~~C) Request City Manager to explore tax/fee exemptions and incentives for businesses that create high paying jobs including film production, hospitality, and healthcare related industries, and respectfully request a report to City Council in 60 days; and~~

~~D) Request City Manager to report back to City Council in 60 days with a report that compares how our business taxes and fees are relative to neighboring cities and counties.~~

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; VICE MAYOR VAL LERCH, COUNCILMEMBER, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

21. [10-0319](#) Recommendation to adopt Resolution of Intention to form the East Anaheim Street Parking and Business Improvement Area, to set the date for public hearing for April 20, 2010 at 5:00 p.m., and to designate the Advisory Board; authorize City Manager to initiate majority protest proceedings; increase appropriations in the Parking and Business Area Improvement Fund (SR 132) in the Department of Community Development (CD) for \$33,178; and authorize City Clerk to receive written protests. (Districts 3,4)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

22. [10-0330](#) Recommendation to adopt Specifications No. PA-02310 and award a contract to FenceCorp, Inc., of Riverside, California (SBE) in the amount of \$173,300 for a one-time purchase for furnishing, delivering and installing the perimeter fence at the Marine Stadium at 5255 Paoli Way, Long Beach, with the option to add expenditures up to 10 percent (or \$17,330) above the contract amount, if necessary and if funds are available. (District 3)

**Office or Department:** FINANCIAL MANAGEMENT; PARKS,  
RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

23. [10-0320](#) Recommendation to receive and file the Fiscal Year 2010 First Quarter Budget Performance Report. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

24. [10-0321](#) Recommendation to adopt resolution providing for a temporary amnesty period for unlicensed businesses for the period from April 1, 2010 through April 1, 2011. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

25. [10-0322](#) Recommendation to receive a report on funding options for conducting Police Officer academies in Fiscal Year 2010, and receive City Council direction. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
**Suggested Action:** Approve recommendation.
26. [10-0257](#) Recommendation to adopt resolution authorizing the City of Long Beach, California to issue Harbor Revenue Bonds Series 2010, in an amount not to exceed \$630,000,000, acting by and through its Board of Harbor Commissioners (Board) to finance certain capital improvements at the Port of Long Beach, refund certain Harbor Revenue Bonds previously authorized by the City and issued by the Board, fund the reserve funds for the Series 2010 Bonds, and pay the cost of issuance of the Series 2010 Bonds. (District 2)  
**Office or Department:** FINANCIAL MANAGEMENT; HARBOR  
**Suggested Action:** Approve recommendation.
27. [10-0323](#) Recommendation to adopt Specifications No. PA-00510 to award contracts to Danny's Auto Painting, a local Long Beach-based business, and Laszlo's Sports Car Center Inc., a local Long Beach-based business, in a combined annual amount not to exceed \$615,000 to furnish and deliver light, medium and heavy-duty autobody repair services, with the option of adding expenditures up to 10 percent (or \$61,500) above the contract amount, if necessary, for the period commencing April 1, 2010 for one year, with the option to renew for one additional one-year period, at the discretion of the City Manager. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT; PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
28. [10-0324](#) Recommendation to receive and file the application of Sababa Entertainment Incorporated, dba Sababa, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 6527 East Pacific Coast Highway, with conditions. (District 3)  
**Office or Department:** POLICE  
**Suggested Action:** Approve recommendation.



**REVISED**

29. 10-0235            WITHDRAWN  
~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 6310 East Pacific Coast Highway, and submit a Public Notice of Protest. (District 3)~~  
**Office or Department:** POLICE  
  
**Suggested Action:**    Approve recommendation.
30. 10-0236            WITHDRAWN  
~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 3339 East Anaheim Street, and submit a Public Notice of Protest. (District 4)~~  
**Office or Department:** POLICE  
  
**Suggested Action:**    Approve recommendation.
31. 10-0237            WITHDRAWN  
~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 2627 Pacific Avenue, and submit a Public Notice of Protest. (District 6)~~  
**Office or Department:** POLICE  
  
**Suggested Action:**    Approve recommendation.
32. 10-0238            WITHDRAWN  
~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 3570 Atlantic Avenue, and submit a Public Notice of Protest. (District 7)~~  
**Office or Department:** POLICE  
  
**Suggested Action:**    Approve recommendation.

**REVISED**

33. 10-0239                      WITHDRAWN  
~~Recommendation to receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 5400 Cherry Avenue, and submit a Public Notice of Protest. (District 8)~~  
**Office or Department:** POLICE
- Suggested Action:**      Approve recommendation.
34. [10-0325](#)                      Recommendation to adopt Plans and Specifications No. R-6773 for the rehabilitation of Pacific Avenue between Ocean Boulevard and 7th Street; authorize City Manager to award and execute the contract with Griffith Company, in an estimated amount of \$726,733, plus a 10 percent contingency amount of \$72,673, if necessary, for a total of \$799,406, and any amendments thereto except for an increase in the contract price; and
- Increase appropriations by \$885,985 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (Districts 1,2)
- Office or Department:** PUBLIC WORKS
- Suggested Action:**      Approve recommendation.

**REVISED**

35. [10-0326](#) Recommendation to adopt Plans and Specifications No. R-6775 for the rehabilitation of Colorado Street between Havana Avenue and Bellflower Boulevard; authorize City Manager to award and execute the contract with Elite Bobcat Service, Incorporated in an estimated amount of \$249,094, plus a 10 percent contingency amount of \$24,909, if necessary, for a total of \$274,003, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$315,104 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (District 3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

36. [10-0327](#) Recommendation to adopt Plans and Specifications No. R-6790 for the rehabilitation of Broadway between Livingston Drive and Bay Shore Avenue; authorize City Manager to award and execute the contract with B & T Works, Incorporated, in an estimated amount of \$246,256, plus a 10 percent contingency amount of \$24,626, if necessary, for a total of \$270,882, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$310,099 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (District 3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**REVISED**

37. [10-0328](#) Recommendation to adopt Plans and Specifications No. R-6782 for the rehabilitation of Los Coyotes Diagonal between Outer Traffic Circle and Studebaker Road; authorize City Manager to award and execute the contract with Elite Bobcat Service, Incorporated, in an estimated amount of \$3,347,571, plus a 10 percent contingency amount of \$334,757, if necessary, for a total of \$3,682,328, and any amendments thereto except for an increase in the contract price; and
- Increase appropriations by \$4,154,260 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (Districts 4,5)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
38. [10-0329](#) Recommendation to adopt Plans and Specifications No. R-6780 for the rehabilitation of Atlantic Avenue between San Antonio Drive and 52nd Street; authorize City Manager to award and execute the contract with Sequel Contractors, Incorporated, in an estimated amount of \$1,797,781, plus a 10 percent contingency amount of \$179,778, if necessary, for a total of \$1,977,559, and any amendments thereto except for an increase in the contract price; and
- Increase appropriations by \$1,721,871 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from a combination of funds from the American Recovery and Reinvestment Act of 2009 (ARRA) and the Redevelopment Agency. (District 8)
- Office or Department:** PUBLIC WORKS; DEVELOPMENT SERVICES
- Suggested Action:** Approve recommendation.

**REVISED**

**ORDINANCE:**

39. [10-0335](#) Recommendation to declare ordinance approving, confirming, and ratifying Ordinance No. HD-2067 of the Board of Harbor Commissioners of the City of Long Beach, which authorizes the Executive Director of the Long Beach Harbor Department to execute an agreement between and among the City of Long Beach, the City of Los Angeles (acting through their respective Board of Harbor Commissioners) and the Alameda Corridor Transportation Authority (ACTA), read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1,2)

**Office or Department:** HARBOR

**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.

40. [09-1203](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 5.87 to implement the State Compassionate Use Act and State Medical Marijuana Program Act, read and adopted as read. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

41.

42.

**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, March 16, 2010 – Public Safety Committee at 3:00 P.M., Council Chamber.

Tuesday, March 16, 2010 – Budget Oversight Committee at 4:00 P.M., Council Chamber.

Wednesday, March 24, 2010 – State Legislation Committee at 4:30 P.M., Council Chamber.

Tuesday, March 30, 2010 – Tideland and Harbor Committee at 3:30 P.M., Council Chamber.

Tuesday, April 6, 2010 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, April 20, 2010 – Public Safety Committee at 3:00 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, April 6, 2010 – Hearing for appeal of the Planning Commission's decision to approve a modification to a Conditional Use Permit and Local Coastal Development Permit to upgrade an unmanned telecommunications facility at the Gaytonia Apartment Building, 212 Quincy Avenue. (District 3)

Tuesday, April 6, 2010 – Hearing for the expansion of Preferential Parking Districts "I" and "L". (District 3)

Tuesday, April 20, 2010 – Hearing for Sega Entertainment USA, Inc., dba Gameworks, 10 Aquarium Way, for a Permit for Entertainment Without Dancing by Patrons. (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 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](http://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](mailto:cityclerk@longbeach.gov).

nem