

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.**

**PROCLAMATION FOR EARTH WEEK AND ARBOR DAY**

**PRESENTATION ON BIKEFEST  
NATIONAL BIKE MONTH**

**PROCLAMATION FOR SEXUAL ASSAULT AWARENESS MONTH  
DENIM DAY**

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. [10-0394](#) Recommendation to receive supporting documentation into the record, approve the Assessment Report, conclude the hearing, and declare ordinance approving the East Anaheim Street Parking and Business Improvement Area program and assessment for the period of July 1, 2010 through September 30, 2010 read the first time and laid over to the next regular meeting of the City Council for final reading; and authorize City Manager to execute an agreement with the East Anaheim Street Business Association for a three-month term beginning July 1, 2010. (Districts 3,4)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

2. [10-0395](#) Recommendation to receive supporting documentation into the record, conclude the hearing and declare ordinance amending the Local Coastal Program and the Downtown Shoreline Planned Development District (PD-6) read the first time and laid over to the next regular meeting of the City Council for final reading; and

[10-0396](#) Adopt resolution forwarding the item to the California Coastal Commission. (District 2)

**Office or Department:** DEVELOPMENT SERVICES

**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: (3 - 14)**

3. [10-0399](#) Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$73,427.50 for the claim of James Espinosa; \$73,200 for the claim of Tamela Gregory-Davis; and \$63,600 for the claim of Ollie Washington, in compliance with the Appeals Board Orders.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

4. [10-0400](#) Recommendation to authorize City Attorney to accept the sum of \$500,000 in full settlement of lawsuit entitled City of Long Beach v. Robert Bein, William Frost & Associates; RBF Consulting, Inc.; URS, San Bernardino Case No. CIVDS904148; and to pay the sum of \$39,500 in full settlement of lawsuit entitled Thep Ngernwichit v. City of Long Beach, and \$12,100 in full settlement of lawsuit entitled Julio C. Pedraza, Marisol Morado, v. Cedric Foster, City of Long Beach, Case No. NC053021.  
**Office or Department:** CITY ATTORNEY  
  
**Suggested Action:** Approve recommendation.
5. [10-0401](#) Recommendation to approve the minutes of the City Council meeting and the Study Session held Tuesday, April 6, 2010.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
6. [10-0402](#) Recommendation to refer to City Attorney damage claims received between March 29, 2010 and April 12, 2010.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
7. [10-0403](#) Recommendation to approve the destruction of records for Financial Management Department Commercial Services Bureau, and Purchasing Division as shown in Exhibit A; and adopt resolution.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
8. [10-0404](#) Recommendation to approve Community Development Advisory Commission's funding recommendations for the Neighborhood Partners Program, which supports eleven neighborhood beautification and improvement projects, in the amount of \$50,819.17 for Fiscal Year 2010 (FY 10). (Districts 1,2,6,7)  
**Office or Department:** COMMUNITY DEVELOPMENT  
  
**Suggested Action:** Approve recommendation.

9. [10-0405](#) Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for the second amendment to St. Mary Physicians Center Medical Office Lease (City Contract No. 24687) with HTA - St. Mary Physicians Center, LLC, for the expansion of medical office space located at 1043 Elm Avenue, Suite 401, for the continued operation of the Department of Health and Human Services' Women, Infants, and Children Nutrition Program through October 31, 2016, at the initial monthly base rent of \$12,002. (District 6)
- Office or Department:** COMMUNITY DEVELOPMENT; HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
10. [10-0406](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents and subsequent amendments between the City of Long Beach and the Long Beach Community Foundation, to provide Weed and Seed Youth Leadership Program Services in Central Long Beach in the amount of \$14,000 for the period of March 1, 2010 through August 31, 2010. (Districts 1,6,7)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
11. [10-0408](#) Recommendation to authorize City Manager to execute a permit with Mr. Bart K. Miller, an individual doing business as Southern California Kiteboarding, to operate a kitesurfing concession for a two-year term. (District 3)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
12. [10-0409](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Carl Moyer Memorial Air Quality Standards Attainment Program; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$72,424. (Citywide)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.

13. [10-0410](#) Recommendation to authorize City Manager to execute an agreement with the City of Seal Beach to provide maintenance, repair and collection services for parking meters by the City of Long Beach. (Citywide)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

14. [10-0411](#) Recommendation to receive and file minutes for:  
Civil Service Commission - March 31, 2010.  
Cultural Heritage Commission - February 8, 2010.  
Planning Commission - February 18, 2010.  
Water Commission - March 4 and 18, 2010.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

15. [10-0412](#) Recommendation to designate April 2010 as the Month of the Young Child in the City of Long Beach to encourage the improvement of early learning opportunities that address all learning domains that can provide a foundation of learning for children in Long Beach.

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

**Suggested Action:** Approve recommendation.

16. [10-0447](#) Recommendation to request City Attorney to draft a resolution designating April 2010 as the Month of "No Texting While Driving" as a way to bring about important awareness of many dangerous consequences. More and more people are losing their lives or badly injured due to a significant increase in distracted driving.

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

**Suggested Action:** Approve recommendation.

17. [10-0446](#) Recommendation to adopt a minute order declaring a 120 day moratorium on the approval of applications to construct, modify or place wireless communication facilities in the City of Long Beach; and request City Attorney, in cooperation with the Development Services Department, to prepare an interim zoning ordinance for notice and placement on the City Council agenda in accordance with Long Beach Municipal Code Chapter 21.50. (Citywide)

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER GARY DELONG, THIRD DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

**Suggested Action:** Approve recommendation.

18. [10-0413](#) Recommendation to authorize City Manager to execute all necessary agreements, and any subsequent amendments thereto, with the South Coast Air Quality Management District (AQMD) to receive \$108,025 in grant funds to implement the Tree Planting Partnership Program; and increase appropriations in the Development Services Fund (SR 137) in the Department of Development Services (DV) by \$108,205. (Citywide)

**Office or Department:** CITY MANAGER

**Suggested Action:** Approve recommendation.

19. [10-0414](#) Recommendation to authorize City Manager to execute all documents with the State of California Governor's Office of Emergency Services, Program for Cities' Gang Reduction, Intervention and Prevention (Cal GRIP) grant, necessary to accept the grant award in the amount of \$382,639 for a period of two years; and any documents necessary for the implementation and administration of the program, including a required in-kind match of \$382,639; and to increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Community Development (CD) by \$382,639. (Districts 1,6,7,9)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.

**REVISED**

20. [10-0415](#) Recommendation to authorize City Manager to execute contracts and amendments totaling \$456,000 with various training and other service providers, including two Long Beach-based entities, in support of the Workforce Investment Network's One-Stop Career Centers that provide employment services to adult and dislocated worker residents. (Citywide)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.
21. [10-0180](#) Recommendation to authorize City Manager to execute any and all documents necessary for the Third Amendment to Lease No. 23509 with BANCAP Marina Center, Inc., a California corporation, for City-owned property at 241-255 Marina Drive, to decrease the monthly base rent from \$37,803 to \$34,803, for a two-year period, commensurate with an equivalent two-year reduction in the monthly rent paid to BANCAP by the Seal Beach Yacht Club. (District 3)
- Office or Department:** COMMUNITY DEVELOPMENT; PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
22. [10-0439](#) WITHDRAWN  
~~Recommendation to authorize City Manager to execute all related documents to implement a business and job retention loan using CDBG funds amortized over five years in the amount of \$250,000 with interest at five percent per year to Worthington Ford, Inc. (Citywide)~~
- Office or Department:** DEVELOPMENT SERVICES; COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.



23. [10-0416](#) Recommendation to receive supporting documentation into the record regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing, and adopt resolution approving the issuance of revenue bonds by the California Statewide Community Development Authority (CSCDA) to benefit SunEdison, LLC, in an amount not to exceed \$1,000,000. (District 2)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

24. [10-0440](#) Recommendation to request the Board of Harbor Commissioners to approve the transfer in full for the remaining \$4,020,993 of the \$16,083,972 transfer from the Harbor Revenue Fund (HR) to the Tidelands Operating Fund (TF) upon approval by the Board, and that all future approved transfers shall be made in whole at the beginning of each fiscal year in accordance with the City Charter. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

25. [10-0418](#) Recommendation to receive supporting documentation into the record regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing, and adopt resolution approving the issuance of revenue bonds by the California Statewide Community Development Authority (CSCDA) to benefit New Hope Home, L.P., in an amount not to exceed \$10,000,000. (District 6)

**Office or Department:** FINANCIAL MANAGEMENT; COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

26. [10-0419](#) Recommendation to adopt resolution transferring the City's allocation of Recovery Zone Economic Development Bonds to the Redevelopment Agency of the City of Long Beach (Agency), and approving the issuance of tax allocation bonds by the Agency in an amount not to exceed \$35,000,000 for its North Long Beach Project Area; and
- [10-0420](#) Adopt resolution making certain findings regarding the construction of the East Police Station with funds from the North Long Beach Redevelopment Project Area. (Districts 5,8,9)
- Office or Department:** FINANCIAL MANAGEMENT; DEVELOPMENT SERVICES
- Suggested Action:** Approve recommendation.
27. [10-0421](#) Recommendation to adopt resolution providing for a temporary amnesty program for waiving (\$30) late penalties for dog licenses for the period from May 1, 2010 through May 31, 2010. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
28. [10-0422](#) Recommendation to authorize City Manager to execute agreements with the cities of Cerritos, Los Alamitos, Seal Beach and Signal Hill, for the provision of animal care and control services by the City of Long Beach for the period of July 1, 2010 through June 30, 2011 in the amount of \$274,083 for the City of Cerritos; \$75,512 for the City of Los Alamitos; \$131,333 for the City of Seal Beach; \$63,441 for the City of Signal Hill; with an automatic increase tied to the Consumer Price Index for the second period of July 1, 2011 through June 30, 2012; and the option to extend the agreements for up to two consecutive two-year terms with fees established to achieve full cost recovery. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.

29. [10-0424](#) Recommendation to adopt resolution authorizing City Manager to submit an application for funding to the Los Angeles County Regional Park and Open Space District, in the amount of \$100,000, for the Drake/Chavez Greenbelt Project; and execute any documents necessary for implementation and administration of the project, for a total project cost of \$375,000. (District 1)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

30. [10-0425](#) Recommendation to adopt resolution authorizing City Manager to submit a grant application to the State of California Strategic Growth Council through the Urban Greening for Sustainable Communities Program, in the amount of \$1 million, for the development of open space in the Los Angeles County Flood Control District Market Street Detention Basin south of DeForest Park, for a total estimated project development cost of \$6 million. (Districts 8,9)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

31. [10-0426](#) Recommendation to receive and file the application of Ayres Grill Incorporated, dba Gaucho Grill, for an original Alcoholic Beverage Control License, at 200 Pine Avenue Suite 200 B, with conditions. (District 2)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

32. [10-0427](#) Recommendation to receive and file the application of La Creperie Pine Incorporated, dba La Creperie Cafe, for a fiduciary and premise-to-premise transfer of an Alcoholic Beverage Control License, at 130 Pine Avenue, with conditions. (District 2)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

33. [10-0428](#) Recommendation to receive and file the application of Spring Restaurant Group LLC, dba Super Mex Restaurant and Cantina, for an original Alcoholic Beverage Control License, at 6429 East Spring Street, with conditions. (District 5)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
34. [10-0429](#) Recommendation to adopt Plans and Specifications No. R-6781 for the rehabilitation of Wardlow Road between Clark Avenue and Palo Verde Avenue, and authorize City Manager to award and execute the contract with Sully Miller Contracting Company, in an estimated amount of \$1,380,291, plus a 10 percent contingency amount of \$138,029, if necessary, for a total of \$1,518,320, and any amendments thereto, except for an increase in the contract price; and increase appropriations by \$1,746,068, 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 5)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
35. [10-0430](#) Recommendation to adopt Plans and Specifications No. R-6829 for the Broadway and Third Street Protected Bikeway; award the project to and authorize City Manager to execute a contract with C.T. & F., Inc., in an estimated amount of \$639,594, plus a 10 percent contingency in the amount of \$63,960, if necessary and if funds are available, and to execute any necessary amendments thereto. (Districts 1,2)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.

36. [10-0431](#) Recommendation to adopt Plans and Specifications No. R-6830 for the Vista Street Bike Boulevard; award the project to and authorize City Manager to execute a contract with MG Construction & Development, Inc., in an estimated amount of \$659,747, plus a 10 percent contingency in the amount of \$65,975, if necessary and if funds are available, and to execute any necessary amendments thereto. (Districts 2,3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**ORDINANCES:**

37. [10-0433](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Subsection II to Section 10.22.080 relating to parking vehicles for sale read the first time and laid over to the next regular meeting of the City Council for final reading. (District 9)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

38. [10-0434](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking Districts "I" and "L" read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

39. [10-0378](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Subsection HH to Section 10.22.080 relating to parking vehicles for sale, read and adopted as read. (District 7)

**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 Monday afternoon.

40. [10-0456](#) Recommendation to request City Manager to create a Kroc Center Red Team utilizing all departments necessary for the purpose of:
- Creating a public awareness campaign on the value of having the Kroc Center in our City;
  - Expedite the resolution of all remaining issues regarding the land transfer and lease property. Successful completion of the land transfer and developer agreement needs to be in place no later than September of 2010; and
  - Help find solutions and support to reach the fundraising threshold of the \$18 million needed to trigger the funding of the Center.

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

**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:**

Monday, April 19, 2010 – State Legislation Committee at 5:00 P.M., Council Chamber.

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

Tuesday, April 27, 2010 – Budget Oversight Committee at 4:00 P.M., Council Chamber.

Tuesday, May 4, 2010 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, May 4, 2010 – Joint meeting of the Housing and Neighborhood Committee and Public Safety Committee at 3:30 P.M., Council Chamber.

Tuesday, May 11, 2010 – Housing Authority at 4:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, May 4, 2010 – Hearing for Choura Venue Services, dba The Grand Long Beach Event Center for a Permit for Entertainment With Dancing by Patrons, 4101 E. Willow Street. (District 5)

Tuesday, May 4, 2010 – Hearing to consider denying an appeal to overturn the Planning Commission decision to approve a Conditional Use Permit for the construction of a 756-square-foot attached self-service automated car wash at an existing gas station and AM/PM mini-market, 3401 Long Beach Boulevard. (District 8)

Tuesday, May 4, 2010 – Hearing for amending the Master Fee and Charges Schedule. (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 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).

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