CITY OF LONG BEACH CITY COUNCIL AGENDA

TUESDAY, NOVEMBER 18, 2014 333 W. OCEAN BOULEVARD COUNCIL CHAMBER, 5:00 PM

Lena Gonzalez, 1st District Dr. Suja Lowenthal, Vice Mayor, 2nd District Suzie A. Price, 3rd District Patrick O'Donnell, 4th District DE LONG PROCES

Patrick H. West, City Manager
Larry Herrera-Cabrera, City Clerk
Dr. Robert Garcia, Mayor

Stacy Mungo, 5th District Dee Andrews, 6th District Roberto Uranga, 7th District Al Austin, 8th District Rex Richardson, 9th District

Charles Parkin, City Attorney

REVISED

PLEDGE OF ALLEGIANCE

HELEN PUTNAM AWARD PRESENTATION

PRESENTATION FOR NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK

PRESENTATION FOR FIX LONG BEACH

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 14, 2014.

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.

HEARING:

1. 14-0935

Recommendation to receive supporting documentation into the record, conclude the hearing and grant an Entertainment Permit with conditions on the application of Casto Corporation, Inc., dba The Brit, 1744 East Broadway, for Entertainment With Dancing by Patrons. (District 2)

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: (2-7)

2. 14-0966

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 (1) \$63,977.79, and also (2) separate authority to pay \$30,000 for a Compromise and Release for the claim of Gregory Brand; authority to pay \$54,780.36 for the claim of Jack Dial; and authority to pay \$71,587.50 for the claim of Richard Yazzie, in compliance with the Appeals Board Orders.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

3. 14-0933

Recommendation to refer to City Attorney damage claims received between November 3, 2014 and November 10, 2014.

Office or Department: CITY CLERK

4. <u>14-0934</u>

Recommendation to adopt Specifications No. PA-05313 and authorize City Manager to execute a contract with Los Angeles Truck Center, LLC, of Whittier, CA, for the purchase of one natural gas powered, 20 cubic yard, rear-loading refuse truck, in a total amount not to exceed \$281,798, inclusive of taxes and fees. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

5. 14-0936

Recommendation to adopt Resolution of Intention to vacate the remaining portion of Esther Street located west of Judson Avenue, and set a date for a public hearing on the vacation for Tuesday, December 16, 2014 at 5:00 p.m.; and adopt and accept the Categorical Exemption CE-12-003. (District 1)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

6. 14-0937

Recommendation to authorize City Manager to execute a Grant of Easement to Southern California Edison (SCE) for the construction of the North Long Beach branch library located at 5870 Atlantic Avenue. (District 9)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

7. 14-0949

Recommendation to receive and file minutes for: Civil Service Commission - October 15, 2014.

Office or Department: VARIOUS

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

8. 14-0970

Recommendation to request City Manager and City Attorney to return in 90 days with a draft ordinance making it mandatory for dog owners to spay or neuter their pets unless they possess a medical exclusion or breeding permit from the Department of Parks, Recreation and Marine, Animal Care Services Bureau;

Request City Manager to include recommendations for supporting the successful introduction and implementation of the Mandatory Spay & Neuter Ordinance, including but not limited to public education, spay/neuter vouchers, mobile services and enforcement through administrative citations and license canvassing; and

Request City Attorney to draft an ordinance making it unlawful to sell dogs, cats or rabbits in any pet shop, retail business, or other commercial establishment, unless they were (1) obtained from the city animal shelter, humane society, or nonprofit rescue organization or (2) bred on the premises possessing a breeding permit.

Office or Department: VICE MAYOR SUJA LOWENTHAL,

COUNCILMEMBER, SECOND DISTRICT; COUNCILWOMAN SUZIE A. PRICE, THIRD

DISTRICT; COUNCILWOMAN STACY

MUNGO, FIFTH DISTRICT

Recommendation to request City Attorney to draft a resolution to commemorate National Family Caregivers Month and in recognition of the importance of the In-Home Care Provider Workforce.

Office or Department: COUNCILMAN AL AUSTIN, EIGHTH

DISTRICT; COUNCILMEMBER ROBERTO

URANGA, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

10. 14-0940

Recommendation to approve the Magnolia Industrial Group Property and Business Improvement District Annual Report and Assessment for the period of December 1, 2014 through November 30, 2015, automatically extending the current agreement with the Magnolia Industrial Group, Inc., for a one-year period; and authorize payment of \$1,488 in City property assessments from the General Fund (GF) in the Public Works Department (PW). (District 1)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

11. 14-0941

Recommendation to approve the Uptown Property and Business Improvement District Annual Report and Assessment for the period of January 1, 2015 through December 31, 2015, automatically extending the current agreement with the Uptown Property and Community Association for a one-year period; and authorize payment of \$27,589 in City property assessments from the General Fund (GF) in the Public Works Department (PW). (Districts 8,9)

Office or Department: CITY MANAGER

15. 14-0564

Recommendation to authorize City Manager to execute a Memorandum of Understanding (MOU) with Long Beach Transit in association with the Alamitos Bay Berth 3 Dock & Gangway Replacement Project to provide up to \$687,000 in funding support. (District 3)

Office or Department: CITY MANAGER; FINANCIAL

MANAGEMENT; PARKS, RECREATION AND

MARINE

Suggested Action: Approve recommendation.

13. <u>14-0942</u> Recommendation to receive and file the Investment Report for Quarter Ending September 30, 2014. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

14. <u>14-0943</u> Recommendation to adopt the Statement on Investment Policy for Calendar Year 2015 pursuant to Section 53646 (a) of the State of

California Government Code. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

Recommendation to adopt Specifications No. ITB LB14-083 and award a contract to Sunrise Concrete Cutting, of Long Beach, CA, for providing as-needed concrete cutting, coring and grinding, in an annual amount not to exceed \$260,000 for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager.

(Citywide)

Office or Department: FINANCIAL MANAGEMENT

Recommendation to adopt resolution authorizing City Manager to execute a contract with Merrimac Petroleum, Inc., dba Merrimac Energy Group, a Long Beach-based business, for furnishing and delivering unleaded and diesel fuel, on the same terms and conditions afforded to the City of Glendora, CA, in an annual amount of \$6,000,000, and authorize a 25 percent contingency in the amount of \$1,500,000 for a total annual amount not to exceed \$7,500,000 for a period of two years, with the option to renew for one additional year, at the discretion of the City Manager; and authorize City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

17. 14-0945

Recommendation to adopt Specifications No. ITB LB14-082 and award a contract to General Security Service, Inc., of Wilmington, CA, for providing security guard services, in an annual amount of \$325,000, and authorize a 10 percent contingency in the amount of \$32,500 for a total annual amount not to exceed \$357,500, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager; authorize City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto; and

Amend purchase order No. BPLB14000043 with General Security Services, Inc., by adding \$55,000 for a total amount not to exceed \$125,000. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Recommendation to adopt resolution authorizing City Manager to execute a contract with West Coast Arborists, Inc., of Anaheim, CA, for providing as-needed tree trimming services on the same terms and conditions afforded to the City of Tustin, CA, in an annual amount of \$2,135,000, and authorize a 25 percent contingency in the amount of \$533,750, for a total annual amount not to exceed \$2,668,750 for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager; authorize City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto; and

Amend purchase order No. BPPW14000026 with West Coast Arborists, Inc., by adding \$410,000 for a total amount not to exceed \$505,000. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; PARKS,

RECREATION AND MARINE; PUBLIC

WORKS

Recommendation to adopt resolution declaring a shelter crisis; suspending applicable provisions of local law, including those contained in the City's zoning ordinances and regulations; and authorizing the operation of a winter shelter between the dates of December 1, 2014 and March 15, 2015, inclusive; and

Authorize City Manager to execute any and all documents necessary for a Lease between Eddie N. John #1, a limited liability company (Lessor), and the City (Lessee), and a Sublease between the City (Sublessor) and the Long Beach Rescue Mission (Sublessee) and/or affiliated entities, and any necessary amendments at the discretion of the City Manager for approximately 12,000 rentable square feet of industrial space at 6845 Atlantic Avenue at the monthly base rent of \$6,000 for use as a winter shelter, and increase appropriations in the General Fund (GP) in the Department of Health and Human Services (HE) by \$21,000. (District 9)

Office or Department: HEALTH AND HUMAN SERVICES; CITY

MANAGER

Suggested Action: Approve recommendation.

20. 14-0489

Recommendation to authorize City Manager to execute an amendment to extend Agreement No. 32791 with Paradies-Long Beach II, LLC, and Agreement No. 32846 with Paradies-Long Beach, LLC, each for a period of five years at the Long Beach Airport, and reimburse a one-time total lump sum of \$200,000 for early opening assistance and other construction-related costs. (District 5)

Office or Department: LONG BEACH AIRPORT

Recommendation to increase appropriations in the Airport Fund (EF 320) in the Airport Department (AP) by \$10,697,988 for Passenger Facility Charges approved by the Federal Aviation Administration in Fiscal Year 2015 for various capital improvement projects. (District 5)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

22. 14-0951

Recommendation to authorize City Manager to execute any and all necessary documents to enter into contracts with Reynolds, Smith and Hills, Inc., dba RS&H California, Inc., of Los Angeles, CA, and Parsons Brinckerhoff, Inc., of Los Angeles, CA, for as-needed airfield construction management and other related services in an aggregate amount not to exceed \$6,000,000 for a period of two years, with the option to renew for two additional one-year periods, including any necessary amendments thereto, provided that the aggregate total is not exceeded. (District 5)

Office or Department: LONG BEACH AIRPORT; FINANCIAL

MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

23. 14-0952

Recommendation to adopt Specifications No. RFP GO14-137 and award a contract to D. Woolley & Associates, Inc., of Tustin, CA, for as-needed surveying services in an annual amount not to exceed \$300,000, for a period of two years, with the option to renew for two additional one-year periods at the discretion of the City Manager. (Citywide)

Office or Department: LONG BEACH GAS AND OIL; FINANCIAL

MANAGEMENT

Recommendation to authorize City Manager to execute the Eighteenth Amendment to Historical Site Lease No. 24291 with Rancho Los Alamitos Foundation to provide for the annual management fee for lease year 2014-2015. (District 3)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

25. 14-0955

Recommendation to authorize City Manager to execute a Fourth Amendment to Contract No. 32168 with BiTech Construction Company for the annual contract for concrete repairs and related improvements, increasing the contract amount by an additional \$3,000,000, for a total amount not to exceed \$15,000,000, and extend the contract term to December 30, 2015 at the discretion of the City Manager. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

26. 14-0956

Recommendation to authorize City Manager to execute a Third Amendment to Contract No. 32487 with CJ Concrete Construction, Inc., for the annual contract for concrete repairs and related improvements, increasing the contract amount by an additional \$5,000,000, for a total amount not to exceed \$18,000,000, and extend the contract term to December 30, 2015, at the discretion of the City Manager. (Citywide)

Office or Department: PUBLIC WORKS

27. <u>14-0957</u>

Recommendation to authorize City Manager to execute a five-year Agreement with CBS-Decaux to construct and maintain ad-bearing bus shelters, with an option to extend the agreement for two (2) additional five-year terms. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

28. 14-0958

Recommendation to adopt Plans and Specifications No. R-6930 for the Improvements on Ocean Boulevard, between Livingston Drive and Bay Shore Avenue; award the contract to All American Asphalt, of Corona, CA, in the amount of \$1,533,533, and authorize a 10 percent contingency in the amount of \$153,353, for a total contract amount not to exceed \$1,686,886; and authorize City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto. (District 3)

Office or Department: PUBLIC WORKS; FINANCIAL

MANAGEMENT

Recommendation to adopt Plans and Specifications No. R-6963 for the Rehabilitation of Pacific Avenue between Anaheim Street and Pacific Coast Highway; award the contract to Palp, Incorporated, dba Excel Paving Company, of Long Beach, CA, in the amount of \$594,165, and authorize a 15 percent contingency in the amount of \$89,125, for a total contract amount not to exceed \$683,290; authorize City Manager or designee to execute all documents necessary to enter into the contract, including any necessary amendments thereto; and

Increase appropriations in the Gas Tax Street Improvement Fund (SR 181) in the Public Works Department (PW) by \$311,695. (Districts 1,6)

Office or Department: PUBLIC WORKS; FINANCIAL

MANAGEMENT

Suggested Action: Approve recommendation.

30. 14-0960

Recommendation to adopt resolution to participate in the Western States Contracting Alliance Participating Addenda with Sprint Solutions (State of California Master Service Agreement #7-10-70-15), Verizon Wireless (State of California Master Service Agreement #7-10-70-16), and AT&T Mobility (State of California Master Service Agreement #7-11-70-17); and authorize City Manager to execute agreements with Sprint, Verizon, and AT&T to provide cellular broadband services and modems in an aggregate annual amount not to exceed \$482,000 for a period of three years. (Citywide)

Office or Department: TECHNOLOGY AND INNOVATION

Recommendation to adopt Specifications No. RFP TS 14-147 and award a contract to Windstream Corporation of Louisville, KY, for delivering Session Initiated Protocol (SIP) and Primary Rate Interface (PRI) Trunking Services, in a total amount not to exceed \$420,000, for a period of three years. (Citywide)

Office or Department: TECHNOLOGY AND INNOVATION;

FINANCIAL MANAGEMENT

ORDINANCES:

32. <u>14-0923</u>

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 18.10.020; and by repealing Section 18.10.030, relating to the Board of Examiners, Appeals and Condemnation and Disabled Access Appeals Board, read and adopted as read. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

33. 14-0926

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 2.01.210.B, 2.01.340.B, 2.01.370, 2.01.390, 2.01.420, 2.01.810, 2.01.1010, 2.01.1030, 2.01.1210, and 2.02.010; by adding Section 2.01.395; and by repealing Sections 2.01.330, 2.01.350, 2.01.610, 2.01.620, and 2.01.730, all relating to the Long Beach Campaign Reform Act and Campaign Disclosure Statements, read and adopted as read. (Citywide)

Office or Department: CITY ATTORNEY

REVISED

NEW BUSINESS:

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

34. 14-0980

Recommendation to approve use of Council District 4 funds for various parks and infrastructure improvement projects to be allocated as follows:

Eyes on Anaheim \$85,000

Cameras

Signage

Orizaba Park \$20,000

Cameras

Whaley Park Baseball Field \$410,000

Storage Structure

Field Stands

Stearns Park Baseball Field \$275,000

Baseball Field III Enhancement

ARC Field Enhancement

Office or Department: COUNCILMEMBER PATRICK O'DONNELL,

FOURTH DISTRICT; COUNCILWOMAN

SUZIE A. PRICE, THIRD DISTRICT;

COUNCILWOMAN STACY MUNGO, FIFTH DISTRICT; COUNCILMAN AL AUSTIN,

EIGHTH DISTRICT

REVISED

35. 14-0981

Recommendation to respectfully request City Manager to work with the Gateway Cities Council of Governments (GCCOG) to form an Artesia Boulevard Corridor Committee and develop an Artesia Boulevard Corridor Master Plan.

Office or Department: COUNCILMEMBER REX RICHARDSON,

NINTH DISTRICT; COUNCILMEMBER ROBERTO URANGA, SEVENTH DISTRICT;

COUNCILMAN AL AUSTIN, EIGHTH

DISTRICT

Suggested Action: Approve recommendation.

36.

PUBLIC COMMENT: 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 REMINDER:

Tuesday, November 18, 2014 – Federal Legislation Committee at 4:00 P.M., Council Chamber.

Tuesday, November 18, 2014 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

Tuesday, December 2, 2014 – Housing and Neighborhoods Committee at 3:30 P.M., Council Chamber.

HEARING REMINDER:

Tuesday, December 9, 2014 – Hearing to adopt resolutions to submit previously adopted Ordinances for Truck Terminals (ORD-10-0033), Wireless Telecommunication Facilities (ORD-11-0011) and Check Cashing (ORD-13-0018) to the California Coastal Commission. (Districts 2,3)

mw/pr

NOTE:

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Agenda items may also be reviewed in the City Clerk Department or online at the Main Library and at the Branch Libraries. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at www.longbeach.gov/enotify.

Persons interested in making an audio visual presentation during a City Council meeting are responsible for submitting their audio/visual presentations to the City Clerk Department at least five (5) calendar days prior to the meeting (by 12:00 p.m. noon on Thursday). The audio/visual presentation and related comments are limited to three (3) minutes. For further information contact the City Clerk Department at (562) 570-6101. E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

If oral 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.

Kung ang pasalitang pagsasalin-wika ng adyenda at mga katitikan ng Konseho ng Lunsod ay hinahangad o ang isang natatanging kaluwagan ay hinahangad alinsunod sa Batas sa mga Amerikanong May Kapansanan, mangyaring gawin ang iyong kahilingan sa pamamagitan ng telepono sa Kagawaran ng Klerk ng Lunsod sa (562) 570-6101, bago lumampas ang ika-12 ng tanghali sa Lunes, ang araw bago ang pulong ng Konseho ng Lunsod.

Si se desea interpretación verbal en otro idioma para personas que no hablan inglés o se necesita una adaptación especial en conformidad con la Ley de Estadounidenses con Discapacidades, haga su pedido por teléfono al Departamento del Secretario Municipal al (562) 570-6101, antes del lunes al mediodía, el día previo a la reunión del Concejo.

បើលោកអ្នកមិនចេះនិយាយភាសាអង់គ្លេស ហើយត្រូវការអ្នកបកប្រែផ្ទាល់មាត់ ឬបើលោកអ្នក ត្រូវការន្ធវការជួយសម្រូលពិសេសណាមួយ ទៅតាមច្បាប់ស្ដីពីជនជាតិអាមេរិកាំងមានពិការភាព (Americans with Disabilities Act) នោះសូមស្នើសុំមកនាយកដ្ឋានស្ញៀនសាលាក្រុង តាម ទូរស័ព្ទលេខ (562) 570-6101 អោយបានទាន់ម៉ោង 12 ថ្ងៃត្រង់នៅថ្ងៃច័ន្ទ មុនកិច្ចប្រជុំក្រុម ប្រឹក្សាត្រូវប្រារព្ធធ្វើឡើង។

If written language translation of the City Council agenda and minutes for non-English speaking persons is desired, please make your request by phone to the City Clerk Department at (562) 570-6101, 72 hours prior to the City Council meeting.

Kung ang nakasulat na pagsasalin-wika ng adyenda at mga katitikan ng Konseho ng Lunsod ay hinahangad para sa mga taong hindi nagsasalita ng Ingles, mangyaring gawin ang iyong kahilingan sa pamamagitan ng telepono sa Kagawaran ng Klerk ng Lunsod sa (562) 570-6101, 72 oras bago ang pulong ng Konseho ng Lunsod."

Si desea obtener la traducción lingüística escrita de la agenda y las actas del Concejo Municipal para las personas que no hablan inglés, realice su pedido por teléfono al Departamento de la Secretaría Municipal al (562) 570-6101, 72 horas antes de la reunión del Concejo Municipal.

បើលោកអ្នកមិនចេះនិយាយភាសាអង់គ្លេស ហើយត្រូវការរបៀបវារៈកិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលា ក្រុង និងរបាយការណ៍កិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង ជាសំណៅប្រែសម្រូលលាយលក្ខណ៍ អក្សរទៅជាភាសារបស់លោកអ្នក នោះស្ងមស្នើសុំមកនាយកដ្ឋានស្ញៀនសាលាក្រុង តាមទូរស័ព្ទ លេខ (562) 570-6101 អោយបាន 72 ម៉ោងមុនកិច្ចប្រជុំក្រុមប្រឹក្សាសាលាក្រុងត្រូវប្រារព្ធធ្វើ ឡើង។