

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

Charles Parkin, Acting City Attorney

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**REVISED**

**PLEDGE OF ALLEGIANCE**

[13-0638](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, July 19, 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.

**HEARINGS:**

1. [13-0608](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, consider the appeal from Debora Dobias, and uphold the decision of the Planning Commission to approve a Site Plan Review for the west phase of the Shoreline Gateway Project, consisting of a 17-story, 224-unit residential tower with 9,182 square feet of retail space and 275 parking spaces, located at 635 East Ocean Boulevard located in PD-30 (Downtown Plan). (District 2)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

2. [13-0332](#) Recommendation to receive and file the Biennial Report on Public Convenience and Necessity Regarding Taxicab Service; the Taxicab, Auto-for-Hire Inspection process; determine that the number of authorized taxicabs is sufficient; and direct that the time period for filing of taxicab applications remains closed. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

3. [13-0609](#) Recommendation to receive supporting documentation into the record, conclude the hearing to consider the re-establishment of the Magnolia Industrial Group Property and Business Improvement District (MIG-PBID); direct City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council during the July 23, 2013 City Council meeting; and, if a majority of ballots received are in favor of the re-establishment of the MIG-PBID, adopt resolution to re-establish the MIG-PBID for an additional term of ten years, effective December 1, 2013 through November 30, 2022. (District 1)

**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 - 12)**

4. [13-0616](#) Recommendation to authorize City Attorney to pay sum of \$14,000 in full and final resolution of the lawsuit entitled *Eddy, et al. v. COLB*.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

5. [13-0617](#) Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$125,000 in compliance with the Appeals Board Order for Christopher Bates.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

6. [13-0618](#) 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 \$66,067.50 for the claim of David Foltz; and authority to pay 1) \$22,153.75, 2) \$20,926.25, and 3) \$13,680 for the claim of Maurice Weiner, in compliance with the Appeals Board Orders.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

7. [13-0619](#) Recommendation to authorize City Attorney to submit Joint Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$203,377.50 for Joint Stipulations with Request for Award, and also 2) to pay \$231.92 per week, subject to cost of living increases as determined by the Workers' Compensation Appeals Board, for a Life Pension thereafter in compliance with the Appeals Board Order for Michael Horan.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

8. [13-0614](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, July 9, 2013.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

9. [13-0615](#) Recommendation to refer to City Attorney damage claims received between July 8, 2013 and July 15, 2013.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

10. [13-0620](#) Recommendation to authorize City Manager to execute a new Fitness Provider Permit with Steven Ting, an individual doing business as Shoreside Fitness, for the provision and operation of outdoor fitness classes at Bluff Park for a term of three years. (District 3)

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

**Suggested Action:** Approve recommendation.

11. [13-0621](#) Recommendation to adopt amended and restated resolution authorizing City Manager, or his designee, to submit an application to the Clean Beaches Initiative (CBI) Grant Program. (Districts 2,3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

12. [13-0622](#) Recommendation to receive and file minutes for:  
Civil Service Commission - June 26, 2013

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

**REGULAR AGENDA**

**DEPARTMENTAL COMMUNICATIONS:**

13. [13-0390](#) Recommendation to City Council to amend the 2013 State Legislative Agenda to include language that supports strengthening gun control legislation; and support SB 374 (Steinberg), SB 396 (Hancock), SB 47 (Yee), SB 755 (Wolk) and SB 567 (Jackson) in the 2013 State Legislative Session.

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL,  
FOURTH DISTRICT, CHAIR; STATE  
LEGISLATION COMMITTEE

**Suggested Action:** Approve recommendation.

14. [13-0624](#) Recommendation to authorize City Manager, or his designee, to accept a Transit Oriented Development Planning Grant award from the Los Angeles County Metropolitan Transportation Authority in the amount of \$183,500; execute all necessary documents; and commit in-kind matching funds, not to exceed \$45,875, for the preparation of a Transit Oriented Development Pedestrian Master Plan with a particular focus on greater Downtown transit stations; and

Increase appropriations in the General Grants Fund (SR 120) in the Department of Development Services (DV) by \$183,500.  
(Districts 1,2,6,7)

**Office or Department:** DEVELOPMENT SERVICES; PUBLIC WORKS

**Suggested Action:** Approve recommendation.

15. [13-0625](#) Recommendation to authorize the early expenditure of items included in the Proposed FY 14 Budget, in the best interests of the City, up to \$560,850 for the commencement of the proposed FY 14 Fire Academy in FY 13; and, up to \$600,000 to supplement Police Department gang enforcement activities in FY 13, at the Police Chief's discretion. Unused appropriation will carry over for these same purposes into FY 14. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT; FIRE; POLICE

**Suggested Action:** Approve recommendation.

16. [13-0626](#) Recommendation to authorize City Manager to execute all documents necessary to return \$122,043 in remaining grant funds and interest earnings of \$170,339, plus any other interest that may be due at the time of payment to the State of California, Department of Boating and Waterways, under Agreement No. 24446, for the renovation of the boat launching area located at the east end of Marine Stadium; and

Execute all documents necessary to return \$10,684 in remaining grant funds and interest earnings of \$122,996, plus any other interest that may be due at the time of payment to the State of California, Department of Boating and Waterways, under Agreement No. 26289, for the improvements of the boat launching area located at the east end of Marine Stadium. (District 3)

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

**Suggested Action:** Approve recommendation.

17. [13-0627](#) Recommendation to adopt resolution and authorize City Manager to execute all necessary documents to receive and expend funding from the City of Gardena, acting on behalf of the State of California Board of State and Community Corrections (BSCC), and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$525,092. (Citywide)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

18. [13-0628](#) Recommendation to adopt Plans and Specifications No. R-6933 for improvement of Bayshore North, Bayshore South and 62nd Place Restrooms (Tidelands Beach Restrooms-Bid Package 2); award to and authorize City Manager to execute the contract with Sunpeak Construction, Inc., in an amount of \$750,000 plus a 15 percent contingency amount of \$112,500, if necessary, for a total not to exceed \$862,500, and any amendments thereto. (District 3)

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

**Suggested Action:** Approve recommendation.

**REVISED**

19. [13-0629](#) Recommendation to adopt Plans and Specifications No. R-6934 for improvement of Granada, Junipero and Mothers Beach South Restrooms (Tidelands Beach Restrooms-Bid Package 3); award to and authorize City Manager to execute the contract with NEI Contracting & Engineering, in an amount of \$988,015 plus a 15 percent contingency amount of \$148,202, if necessary, for a total not to exceed \$1,136,217, and any amendments thereto. (District 3)

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

**Suggested Action:** Approve recommendation.

20. [13-0630](#) Recommendation to adopt resolution authorizing City Manager to execute contracts with Verizon Business Network Services, Inc., and authorize City Manager to execute contracts with Time Warner Cable, and Verizon Wireless to provide local and long distance telephone, data communications, and Internet services in an annual aggregate amount not to exceed \$1,670,000 for a period of three years with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

**Office or Department:** TECHNOLOGY SERVICES; FINANCIAL  
MANAGEMENT

**Suggested Action:** Approve recommendation.

**ORDINANCE:**

21. [13-0404](#) WITHDRAWN  
~~Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 6.16.010, Chapter 6.20, and Section 6.24.010, all relating to livestock and other animals, read and adopted as read. (Citywide)~~

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

**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.

22. [13-0635](#) Recommendation to request City Attorney to draft a resolution in support of negotiations between SEIU Healthcare Workers West and Telecare La Casa Mental Health and Rehabilitation Center, in an effort to seek safety improvement to the workplace for the caregivers, patients, and the surrounding community.

**Office or Department:** COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMAN AL AUSTIN, EIGHTH DISTRICT

**Suggested Action:** Approve recommendation.

23. [13-0636](#) Recommendation to authorize City Attorney to settle the matters of Rindone v. City of Long Beach, et al. Case No. CV12-2181 (Federal) and Rindone, Root and Scherratt v. City of Long Beach BC480754 (State).

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

24. [13-0637](#) Recommendation to authorize City Attorney to pay the sum of \$475,000 in full and final resolution of the lawsuit entitled *Jose Zaragoza vs. COLB, et al.*

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

**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.

**REVISED**

**STANDING COMMITTEE REMINDERS:**

Tuesday, July 23, 2013 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Tuesday, August 6, 2013 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, August 6, 2013 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, August 6, 2013 – Hearing for Suwarno Togi, Yujuan He, and Huilin Tang, dba Rosemary Day Spa, for a revocation of Business License No. BU21137190, 340 ½ 4th Street. (District 1)

Tuesday, August 6, 2013 – Hearing for the Uptown Property and Business Improvement District. (Districts 1,2)

Tuesday, August 6, 2013 – Hearing for the Alcohol Nuisance Abatement Ordinance (ANAO). (Citywide)

Tuesday, August 13, 2013 – Hearing for the Zoning Amendment Case 1008-18. (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).

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>). Pursuant to the guidelines, members of the public are responsible for submitting their audio/visual presentations 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.

pr/dg