

Robert Garcia, 1st District  
Suja Lowenthal, 2nd District  
Gary DeLong, 3rd District  
Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District  
Dee Andrews, 6th District  
Tonia Reyes Uranga, 7th District  
Rae Gabelich, 8th District  
Val Lerch, Vice Mayor, 9th District

Patrick H. West, City Manager  
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

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**REVISED**

**PRESENTATION FOR BLACK HISTORY MONTH**

**PRESENTATION FROM MOMBASA, KENYA SISTER CITIES ASSOCIATION**

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. [10-0165](#) Recommendation to conduct a public hearing on the Resolution of Necessity to determine the public interest and necessity for acquiring and authorizing the condemnation of a portion of real property at 6265 East 2nd Street, a portion of Assessor Parcel Numbers 7242-021-002 and 7242-021-003, including easements and improvements for the Pacific Coast Highway/2nd Street Improvement Project;  
  
Receive testimony from staff and property owner(s) with interest in the property (if required written requests to be heard have been received); and  
  
Adopt Resolution of Necessity making the findings required by law, including determining the public interest and necessity for acquiring, and authorizing the condemnation of a portion of certain real property within the City of Long Beach for the Pacific Coast Highway/2nd Street Improvement Project. (District 3)  
  
**Office or Department:** COMMUNITY DEVELOPMENT  
  
**Suggested Action:** Approve recommendation.

2. [10-0166](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, and declare ordinance amending the Land Use District Map of the City of Long Beach from CCA (Automobile-Oriented Commercial) to CCN (Community R-4-N) at 3232 and 3290 E. Artesia Boulevard, read the first time and laid over to the next regular meeting of the City Council for final reading; and

[10-0167](#) Adopt resolution amending the Land Use Element of the General Plan from LUD No. 8N to LUD No. 4 at 3232 and 3290 E. Artesia Boulevard, for the purpose of allowing the development of a three-story, 61-unit senior apartment building at 3290 E. Artesia Boulevard. (District 9)

**Office or Department:** DEVELOPMENT SERVICES

**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: (3 - 17)**

3. [10-0168](#) Recommendation to receive and file report on travel to the United States Conference of Mayors winter meeting in Washington, DC, January 19 - 22, 2010.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

4. [10-0169](#) 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) \$3,450 and also separate authority to pay 2) \$55,890 for the claim of Zade Michaels in compliance with the Appeals Board Order.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

5. [10-0195](#) Recommendation to authorize City Attorney to pay the sum of \$20,000 in full settlement of lawsuit entitled McDaniel Coley v. City of Long Beach, et al. (consolidated with USAA Casualty Insurance Company v. City of Long Beach, et al.), Case No. NC051971; and to pay the sum of \$12,000 in full settlement of lawsuit entitled USAA Casualty Insurance Company v. City of Long Beach, et al.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

6. [10-0170](#) Recommendation to approve the minutes for the City Council meeting held Tuesday, February 2, 2010.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

7. [10-0171](#) Recommendation to refer to City Attorney damage claims received between February 1, 2010 and February 8, 2010.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

8. [10-0197](#) Recommendation to authorize City Manager to execute a contract with K&H Integrated Print Solutions for mailing services and printing of official ballots, sample ballots and vote-by-mail materials in an amount not to exceed \$543,715, plus a seven percent contingency, with an option to authorize the provision of mailing services and printing of official ballots, sample ballots and vote-by-mail materials in an amount not to exceed \$135,877, plus a seven percent contingency, in administration of the April 13, 2010 Primary Nominating Election (PNE), and the June 8, 2010 General Municipal Election (GME). (Citywide)
- Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

9. [10-0172](#) Recommendation to authorize City Manager to execute any and all documents necessary for a lease between the State of California and the City of Long Beach for office space at the Torrance Career Center located at 1220 Engracia Avenue, Torrance, California, for a four-year term, at the fixed monthly base rent of \$2,020.36. (Citywide)
- Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

10. [10-0134](#) Recommendation to authorize City Manager to execute all necessary documents and amendments, including term extensions, with the California Emergency Management Agency to receive and expend grant funding for the Homeland Security Grant Program; increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$105,000; and adopt resolution authorizing City Manager to execute for and on behalf of the City of Long Beach, all necessary documents and amendments for the purpose of receiving and expending the Homeland Security Grant. (Citywide)
- Office or Department:** FIRE

**Suggested Action:** Approve recommendation.

11. [10-0173](#) Recommendation to authorize City Manager to execute all documents necessary for the Third Lease Extension Agreement No. 29211 between the City of Long Beach and Williams Scotsman, Inc., a Maryland corporation, for the continued lease of temporary modular building units at the Long Beach Airport in the amount of \$193,200 per year. (District 5)
- Office or Department:** LONG BEACH AIRPORT
- Suggested Action:** Approve recommendation.
12. [10-0174](#) Recommendation to receive and file the application of Ae Young Choe and Hyo Jun Choe, dba Liquor Town, for a person-to-person transfer of an Alcoholic Beverage Control License, at 4100 Atlantic Avenue, with existing conditions. (District 8)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
13. [10-0175](#) Recommendation to receive and file the application of Tieu Anh Tieu, dba Rose Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 6401 Cherry Avenue, with existing conditions. (District 9)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
14. [10-0176](#) Recommendation to authorize City Manager to execute an agreement and any subsequent amendments with Long Beach City College to provide instructional services to City employees with funds generated to be directed for Police and Fire Department training budgets. (Citywide)
- Office or Department:** POLICE; FIRE
- Suggested Action:** Approve recommendation.

15. [10-0177](#) Recommendation to authorize City Manager, or designee, to accept an easement deed for sidewalk and alley widening at 130-132 West Anaheim Street. (District 1)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
16. [10-0178](#) Recommendation to authorize City Manager, or designee, to accept an easement deed for the dedication of new street right-of-way related to the development of Douglas Park. (District 5)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
17. [10-0193](#) Recommendation to receive and file the minutes for: Civil Service Commission - January 27, 2010.  
**Office or Department:** VARIOUS  
**Suggested Action:** Approve recommendation.

## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

18. [10-0194](#) Recommendation to receive report by Dr. Santos Cortez, Chair of the Long Beach Children's Oral Health Task Force.  
**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT  
**Suggested Action:** Approve recommendation.

19. [10-0196](#) Recommendation to request City Manager to examine a program designed to leverage our contracts with companies for a local job and internship preference for Long Beach students.

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

**Suggested Action:** Approve recommendation.

20. [10-0179](#) Recommendation to adopt resolution in support of, and authorize City Manager to execute documents, accepting grant funding from the American Recovery and Reinvestment Act (ARRA) under the Energy Efficiency Community Block Grant Program (EECBG);

Increase appropriations in the General Capital Projects Fund (CP 201) in the Department of Public Works (PW), in the amount of \$3,838,473, representing the American Recovery and Reinvestment Act (ARRA) Energy Efficiency Community Block Grant (EECBG) funds that have been awarded for the Municipal Energy Efficiency Building Retrofit project; and

Allocate to the Development Services Fund (SR 137) in the Department of Development Services (DS) the amount of \$559,027, representing the American Recovery and Reinvestment Act (ARRA) Energy Efficiency Community Block Grant (EECBG) funds that have been awarded for the Residential Energy Efficiency Rebate project. (Citywide)

**Office or Department:** CITY MANAGER

**Suggested Action:** Approve recommendation.

**REVISED**

21. [10-0180](#)                    WITHDRAWN  
Recommendation to ~~authorize City Manager to execute the Third Amendment to Lease No. 23509 with BANCAP Marina Center, Inc. (BANCAP), 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. [10-0182](#)                    Recommendation to receive and file Investment Report for Quarter Ending December 31, 2009. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
  
**Suggested Action:**    Approve recommendation.
23. [10-0181](#)                    Recommendation to authorize City Manager to execute all necessary documents to reinstate a Sales Tax Incentive Program Agreement with HTL Automotive, Inc., dba Hooman Toyota of Long Beach. (District 4)  
**Office or Department:** FINANCIAL MANAGEMENT; CITY MANAGER  
  
**Suggested Action:**    Approve recommendation.
24. [10-0148](#)                    Recommendation to authorize City Manager to execute a contract with EF Recovery (of Oakland, CA, an SBE), in the amount not to exceed \$35,000 annually to provide billing and collection services for the Vehicle Accident Response and Mitigation Program for a period of one year, with the option to renew for two additional one-year periods at the discretion of the City Manager. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT; FIRE  
  
**Suggested Action:**    Approve recommendation.
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25. [10-0183](#) Recommendation to authorize City Manager to execute all documents necessary for the First Amendment to Agreement No. 30851 between the City of Long Beach and HNTB Corporation, a Delaware corporation, for as-needed airport planning, engineering and architectural consulting services at the Long Beach Airport in an amount not to exceed \$2,500,000. (District 5)
- Office or Department:** LONG BEACH AIRPORT
- Suggested Action:** Approve recommendation.
26. [10-0184](#) Recommendation to adopt Plans and Specifications No. G-270 for gas main and service line replacement; and authorize City Manager to execute a contract with ARB, Inc. in an amount not to exceed \$3,034,976 plus a 10 percent contingency, as necessary, to address unforeseen issues related to the construction of this project. (Citywide)
- Office or Department:** LONG BEACH GAS AND OIL
- Suggested Action:** Approve recommendation.
27. [10-0112](#) Recommendation to adopt resolution authorizing City Manager to adjust certain rates for natural gas service to reflect market conditions by implementing Gas Rate Schedules 1 through 5, 7, 9, and special conditions and incentives in Exhibits A and B. (Citywide)
- Office or Department:** LONG BEACH GAS AND OIL
- Suggested Action:** Approve recommendation.
28. [10-0185](#) Recommendation to adopt resolution authorizing City Manager to submit a grant application to California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, for the development of a new mini park at 851 Orange Avenue, at a total estimated cost of \$722,465. (District 1)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.

29. [10-0186](#) Recommendation to authorize City Manager to enter into a design-build contract with Bellingham Marine Industries, Inc., and execute all documents necessary for the design, engineering, and construction of Basin 4 in the Alamitos Bay Marina, in an amount not to exceed \$11,800,000; and increase appropriations in the Marina Fund in the Department of Parks, Recreation and Marine by \$11,800,000. (District 3)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
30. [10-0187](#) Recommendation to adopt resolution authorizing City Manager to submit a grant application to California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, for the construction of a new community center and community garden at Orizaba Park, at a total estimated construction cost of \$2.2 million. (District 4)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
31. [10-0188](#) Recommendation to adopt resolution authorizing City Manager to submit a grant application to California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, in the amount of \$5 million, for the construction of a community center and playground at Scherer Park, for a total estimated project cost of \$10 million. (District 8)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
32. [10-0189](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of The Vons Companies Incorporated, dba Vons, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at the south east corner of Broadway and Atlantic Avenue, with conditions. (District 2)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.

33. [10-0190](#) Recommendation to receive and file the application of Octopus Restaurant Long Beach Incorporated, dba Octopus Japanese Fusion Restaurant, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 200 Pine Avenue Suite C, with conditions. (District 2)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

34. [10-0191](#) Recommendation to authorize City Manager to administer and execute all necessary documents related to an amended agreement to participate in the Gateway Cities Council of Governments SR-91/I-605/I-405 Major Corridor Study. (Citywide)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**ORDINANCE:**

35. [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.

**REVISED**

**NEW BUSINESS:**

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

36. [10-0203](#) Recommendation to request City Manager to complete the Request for Information (RFI) process to make Long Beach a candidate for Google's broadband Internet service, and report back to City Council when the RFI is complete, and again when Google announces its decision.
- Office or Department:** COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; VICE MAYOR VAL LERCH, COUNCILMEMBER, NINTH DISTRICT
- Suggested Action:** Approve recommendation.
37. [10-0158](#) Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following appointment and reappointment: Civil Service Commission (1 appointment) and (1 reappointment).
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT, CHAIR; PERSONNEL AND CIVIL SERVICE COMMITTEE
- Suggested Action:** Approve recommendation.
38. [10-0202](#) Recommendation to adopt resolution authorizing a waiver of permit fees and other applicable fees for work in connection with recent flooding to properties in Long Beach. (Citywide)
- Office or Department:** DEVELOPMENT SERVICES
- Suggested Action:** Approve recommendation.

**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, February 9, 2010 – Public Safety Committee at 3:00 P.M., Council Chamber.

Tuesday, February 9, 2010 – Personnel and Civil Service Committee at 4:00 P.M., Council Chamber.

Tuesday, February 9, 2010 – Housing Authority at 4:30 P.M., Council Chamber.

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

Tuesday, March 9, 2010 – Housing and Neighborhoods Committee at 3:30 P.M., Council Chamber.

Tuesday, March 9, 2010 – Housing Authority at 4:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, March 2, 2010 – Hearing for Pike Restaurant, Inc., dba Pike, for a Permit for Entertainment Without Dancing by Patrons, 1836 E. 4th Street. (District 2)

Tuesday, March 9, 2010 – Hearing for an Owner Participation Agreement for sale of Agency-owned property to P & L Land and Development, Inc., dba Dion & Sons (Developer), 1601 West 17th Street. (District 1)

**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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