

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

Robert E. Shannon, City Attorney

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**REVISED**

**PLEDGE OF ALLEGIANCE**

**PRESENTATION FOR  
THE GROWING EXPERIENCE URBAN FARM**

**PRIME TIME FOR BUSINESS PRESENTATION  
IGNIFY**

[12-0927](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, October 12, 2012.

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.

**CONTINUED HEARING:**

1. [12-0795](#) Recommendation to continue the hearing of the vacation of the east/west alley located west of Quincy Avenue and south of 7th Street to the City Council meeting of Tuesday, November 20, 2012 at 5:00 p.m. (District 3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**HEARINGS:**

2. [12-0554](#) Recommendation to receive supporting documentation into the record, conclude the hearing and adopt the hearing officer's recommendation to revoke Business License Nos. BU00083820 and BU20208110 issued to Dorothy Shubin, dba 24 Hour Cafe, located at 1715 West Anaheim Street. (District 1)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

3. [12-0888](#) Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution confirming the Fourth Street Parking and Business Improvement Area annual report and continuing the assessment for the period of October 1, 2012 through September 30, 2013; and authorize City Manager to extend the agreement with the Fourth Street Business Improvement Association for a one-year term. (District 2)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

4. [12-0889](#) Recommendation to receive supporting documentation into the record, conclude the hearing, adopt resolution continuing the East Anaheim Street Parking and Business Improvement Area program and assessment for the period of October 1, 2012 through September 30, 2013; authorize City Manager to execute an agreement with the East Anaheim Street Business Association for a one-year term; and increase appropriations in the Parking and Business Area Improvement Fund (SR 132) in the Department of Public Works (PW) by \$15,170. (Districts 3,4)

**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: (5 - 11)**

- 5. [12-0903](#) Recommendation to authorize City Attorney to pay the sum of \$6,000 in full settlement of the Claim of Rafael Arroyo, Jr., Claim No. C12-0426; \$100,000 in full settlement of lawsuit entitled Alvaro Garza v. City of Long Beach, Case No. 30-2010-00436310-CU-PA-CJC; and \$8,000 in full and final resolution of the lawsuit entitled Mairena, et al. v. COLB, et al.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

- 6. [12-0890](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, October 2, 2012.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

- 7. [12-0891](#) Recommendation to refer to City Attorney damage claims received between October 1, 2012 and October 8, 2012.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

8. [12-0892](#) Recommendation to approve Community Development Advisory Commission funding recommendations for Fiscal Year 2012 Neighborhood Partners Program to support eight neighborhood beautification and improvement projects in the amount of \$37,939. (Districts 1,2,4,6,9)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

9. [12-0893](#) Recommendation to adopt Specifications No. ITB12000097 and enter into a lease agreement with Pitney Bowes, Inc., of Lake Forest, CA (not an MBE, WBE, SBE or Local), for a postage meter system, in an annual amount not to exceed \$11,615, for a five-year period, for a total amount not to exceed \$58,075. (Citywide)

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

**Suggested Action:** Approve recommendation.

10. [12-0894](#) Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the State of California, Department of Boating and Waterways, to receive and expend the 2013 Boating Safety and Enforcement Equipment Grant for the purchase of equipment; and increase appropriations in the Marina Fund (TF 403) in the Fire Department (FD) by \$55,525. (Districts 2,3)

**Office or Department:** FIRE

**Suggested Action:** Approve recommendation.

11. [12-0887](#) Recommendation to receive and file minutes for:  
Civil Service Commission - September 5, 19 and 26, 2012.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

**UNFINISHED BUSINESS:**

12. [12-0812](#) Recommendation to adopt Resolution of Intention to re-establish the Andy Street Multi-family Improvement District (AMID) and set the date of Tuesday, December 4, 2012 at 5:00 p.m. for a public hearing, receive petitions and designate Andy Street Community Association (ASCA) as the owners' association for the AMID. (District 9)

**Suggested Action:** Approve recommendation.

**REGULAR AGENDA**

**DEPARTMENTAL COMMUNICATIONS:**

13. [12-0895](#) 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 November 6, 2012, due to the General Election.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

14. [12-0905](#) Recommendation to request the inclusion of information in the *Long Beach City Officials and Employees Handbook* related to violations of the Brown Act involving disclosure of details discussed in Closed Session; and

Request City Attorney to outline possible punishment for unethical behavior leading to public disclosure of details discussed in Closed Session.

**Office or Department:** COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMAN AL AUSTIN, EIGHTH DISTRICT

**Suggested Action:** Approve recommendation.

15. [12-0896](#) Recommendation to authorize City Manager to amend Contract No. 30987 with Azteca Landscape, Inc., of Ontario, CA (MBE and WBE), and Contract No. 31001 with Mariposa Horticultural Enterprises, of Irwindale, CA (MBE), extending the contracts for landscaping and maintenance services, to March 31, 2013 and adding funds in a combined amount not to exceed \$1,009,052. (Citywide)

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

**Suggested Action:** Approve recommendation.

16. [12-0897](#) Recommendation to authorize City Manager to make payment for property and boiler and machinery insurance for the Southeast Resource Recovery Facility for the period of October 20, 2012 through October 20, 2013, for a premium not to exceed \$985,000, payable to Covanta Holding Corporation. (District 2)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

17. [12-0898](#) Recommendation to authorize City Manager to enter into a Physical Gas Commodity Option Agreement pursuant to the International Swap and Derivatives Association (ISDA) Master Agreements to provide natural gas price protection with terms that meet or exceed the following conditions: 1) a term of no more than three years; 2) pricing terms indexed at the Southern California border; and 3) a market price ceiling of not greater than \$8.00 per MMBtu. (Citywide)

**Office or Department:** LONG BEACH GAS AND OIL

**Suggested Action:** Approve recommendation.

18. [12-0899](#) Recommendation to receive and file the application of Stephanie Lyn Carlough, dba Steamed Organic Vegetarian Cuisine, for an original Alcoholic Beverage Control License, at 801 East 3rd Street. (District 1)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

19. [12-0900](#) Recommendation to authorize City Manager, or designee, to execute a one-year agreement between the City of Long Beach and the Long Beach Public Transportation Company for the disbursement of transportation funds for July 1, 2012 through June 30, 2013. (Citywide)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

20. Intentionally omitted.

**REVISED**

**NEW BUSINESS:**

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

21. [12-0928](#) Recommendation to receive and file the City Council Authorities and Membership list.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.



22. [12-0926](#)

Recommendation to request City Attorney to prepare an ordinance amending the Long Beach Municipal Code to implement a temporary Construction Preferential Parking District (PPD), for areas of the City subject to severe parking impacts due to temporary construction activity.

The ordinance will allow the creation of a temporary preferential parking program for residents adjacent to construction sites, with following parameters:

- Construction activity must be for a duration of no less than 2 weeks and no more than 6 months, with the possibility of 2 six-month extensions if construction continues; otherwise, the PPD terminates upon completion of construction.
- Traffic Engineer's Office will administer, include determining appropriate boundaries for district; confirming severity of impact; verifying construction dates; and issuing temporary parking permits.
- District must be posted with signs indicating limited parking and requiring permit before warnings and citations can be issued.
- Up to three permits per residence, at no charge due to the temporary nature of the district.

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

**Suggested Action:** Approve recommendation.

**REVISED**

23. [12-0885](#) Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following appointment: Charter Commission (1 appointment).

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT, VICE CHAIR; PERSONNEL AND CIVIL SERVICE COMMITTEE

**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, October 23, 2012 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach at 4:30 P.M., Council Chamber.

Tuesday, November 13, 2012 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, November 13, 2012 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, October 23, 2012 – Hearing to consider an appeal of a Planning Commission’s decision approving a Standards Variance for a second dwelling on a single-family lot, 213 Roswell Avenue. (Case No. 1205-12) (District 3)

Tuesday, October 23, 2012 – Hearing for Bentech, LLC, for a revocation of Business License No. BU93014571, 3721 E. Anaheim Street. (District 4)

Tuesday, November 13, 2012 – Hearing for Long Beach Tourism Business Improvement Area Program and Assessment for the period of October 1, 2012 through September 30, 2013. (Districts 1,2,4,5)

Tuesday, November 13, 2012 – Hearing to consider an appeal by Lee Fukui and Mauna Eichner of the Planning Commission’s decision on a Conditional Use Permit, 2004 Ximeno Avenue, Suite 200. (District 4)

Tuesday, November 13, 2012 – Hearing for the issuance of refunding bonds. (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>) or contact the City Clerk Department at (562) 570-6101.

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