

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

**PATRICK VOGEL PENNY FARTHING SCULPTURE DEDICATION  
"LONG BEACH, THE MOST BICYCLE FRIENDLY CITY IN AMERICA"**

**NATIONAL LEAGUE OF CITIES 2009 GOLD AWARD FOR MUNICIPAL EXCELLENCE  
CREATING A YOUTH DRIVEN CAREER CENTER**

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. [09-1214](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution making certain findings for a Disposition and Development Agreement with Tierra Concepts, Inc. and the Long Beach Redevelopment Agency for development of residential property at 226 West 10th Street. (District 1)  
**Office or Department:** DEVELOPMENT SERVICES  
  
**Suggested Action:** Approve recommendation.
  
2. [09-1215](#) Recommendation to receive supporting documentation into the record; find that the public convenience and necessity requires the operation of pedicabs as prescribed in the application; find that the rate of \$1.00 for each 1/10 of a mile is just, reasonable and nondiscriminatory; and adopt Specifications RFP FM 09-039 authorizing City Manager to approve and execute a permit and amendments thereto for the operation of three pedicabs by Green Machine Pedicab Service. (Districts 1,2)  
**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: (3 - 20)**

3. [09-1202](#) Recommendation to authorize City Attorney to pay sum of \$7,500 in full settlement of lawsuit entitled Aguayo v. City of Long Beach; and to pay the sum of \$24,000 (\$12,000 for each of two plaintiffs) in full settlement of lawsuit entitled Olmos, et al. v. City of Long Beach.  
**Office or Department:** CITY ATTORNEY  
**Suggested Action:** Approve recommendation.
4. [09-1216](#) Recommendation to approve the minutes of the City Council meeting of Tuesday, November 3, 2009.  
**Office or Department:** CITY CLERK  
**Suggested Action:** Approve recommendation.
5. [09-1217](#) Recommendation to refer to City Attorney damage claims received between November 2, 2009 and November 9, 2009.  
**Office or Department:** CITY CLERK  
**Suggested Action:** Approve recommendation.
6. [09-1244](#) Recommendation to approve the destruction of records for Long Beach Police Department as shown in Exhibit A; and adopt the resolution.  
**Office or Department:** CITY CLERK  
**Suggested Action:** Approve recommendation.

7. [09-1243](#) Recommendation to adopt resolution in support of and authorizing an application to the State of California Energy Commission's State Energy Program Grant for the Municipal and Commercial Building Targeted Measure Retrofit Program. (Citywide)  
**Office or Department:** CITY MANAGER  
**Suggested Action:** Approve recommendation.
8. [09-1218](#) Recommendation to authorize City Manager to execute any and all documents necessary for the Second Amendment to Lease No. 26453 between Charles L. Truitt and Donald K. Truitt, successors in interest of the Donald B. Truitt Family Trust, and the City of Long Beach for office space at 425 Atlantic Avenue, for the continued operation of the Department of Community Development, Neighborhood Services Bureau's Neighborhood Resource Center, for an additional five-year term, at an initial monthly base rent of approximately \$2,987. (District 1)  
**Office or Department:** COMMUNITY DEVELOPMENT  
**Suggested Action:** Approve recommendation.
9. [09-1219](#) Recommendation to adopt resolution authorizing City Manager to approve the purchase of Personal Protective Equipment (PPE) from Hagemeyer North America, Inc. in an amount not to exceed \$148,800 including tax, to be funded by Homeland Security Grant UASI-07. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT; POLICE  
**Suggested Action:** Approve recommendation.
10. [09-1220](#) Recommendation to adopt Specifications PA-02109; and award a contract to Excelsior Elevator, Inc., Reliable Elevator, Inc., and Schindler Elevator, Inc., in the amount of \$150,000 for the period of one year, with the option to renew for one additional year, at the discretion of the City Manager. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT; PUBLIC WORKS  
**Suggested Action:** Approve recommendation.

11. [09-1221](#) Recommendation to authorize City Manager to execute all necessary agreements, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Proposition 10 Commission - First 5 LA in an amount not to exceed \$172,964 to augment the Long Beach Department of Health and Human Services Black Infant Health program. (Districts 1,6,7,9)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
12. [09-1222](#) Recommendation to adopt resolution in support of, and authorizing an application to, the California Department of Public Health Office of Family Planning to provide Community Challenge Grant Services. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
13. [09-1223](#) Recommendation to adopt resolution in support of, and authorizing an application with, Los Angeles County to apply to the Federal Health and Human Services Department for American Recovery and Reinvestment Act of 2009 (ARRA) Community Prevention and Wellness funding to provide Community Prevention and Wellness Services. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
14. [09-1224](#) Recommendation to authorize City Manager, or designee, to execute all necessary agreements, and any subsequent amendments, between the City of Long Beach and the South Bay Center for Counseling to provide Partnership for Families - First 5 LA activities and services in an amount not to exceed \$60,488 for the period of July 1, 2009 through June 20, 2010. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.

15. [09-1225](#) Recommendation to receive and file the application of El Sauz Family Restaurant Incorporated, dba El Sauz Family Restaurant, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1614-1620 East Anaheim Street, with existing conditions. (District 2)  
**Office or Department:** POLICE  
**Suggested Action:** Approve recommendation.
16. [09-1226](#) Recommendation to receive and file the application of Gaslamp Partners LLC, dba Gaslamp, for a person-to-person transfer of an Alcoholic Beverage Control License, at 6251 East Pacific Coast Highway, with existing conditions. (District 3)  
**Office or Department:** POLICE  
**Suggested Action:** Approve recommendation.
17. [09-1227](#) Recommendation to receive and file the application of Win Global Group Incorporated, dba London Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 6350 Long Beach Boulevard, with existing conditions. (District 9)  
**Office or Department:** POLICE  
**Suggested Action:** Approve recommendation.
18. [09-1228](#) Recommendation to adopt resolution authorizing City Manager to execute an agreement and any subsequent amendments with Forensic Nurse Specialists, Inc. for Sexual Assault Response Team services for a period of one year, in the amount of \$120,000, with the option for two additional one-year extension periods, executed at the discretion of the City Manager. (Citywide)  
**Office or Department:** POLICE  
**Suggested Action:** Approve recommendation.

19. [09-1229](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Pizza Pi located at 649 East Broadway. (District 2)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

20. [09-1237](#) Recommendation to receive and file minutes for: Civil Service Commission - October 28, 2009.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

21. [09-1245](#) Recommendation to receive and approve the appointments of Councilmember Robert Garcia and Vice Mayor Val Lerch as board members to the Southeast Resource Recovery Facility Authority (SERRF).

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

22. [09-1246](#) Recommendation to request City Council to allocate \$65,000 of the Public, Education and Government fee revenue to California State University, Long Beach.

**Office or Department:** COUNCILMEMBER GARY DELONG, THIRD DISTRICT; VICE MAYOR VAL LERCH, COUNCILMEMBER, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

**REVISED**

23. [09-1248](#)

WITHDRAWN

~~Recommendation to approve the City Attorney and Port of Long Beach to provide an "on agenda" report to the City Council regarding the Stipulated Settlement between the Port of Long Beach and the American Trucking Association involving the Clean Trucks Program.~~

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

**Suggested Action:** Approve recommendation.

24. [09-1249](#)

Recommendation to respectfully request the convening of the Charter Amendment Committee to discuss and consider establishing an even-year/odd-year June-November election cycle.

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

**Suggested Action:** Approve recommendation.

25. [09-1247](#)

Recommendation to City Council to concur in recommendation of the Economic Development and Finance Committee to consider the following recommendations of implementing of Equal Benefits Ordinance (EBO):

A. Phase-In:

Year One: Ordinance would apply to City public works, construction or improvements contracts and contracts for the purchase of goods or services over \$100,000.

Year Two: Ordinance would apply to City contracts over \$25,000.

B. Would not apply to non-profit entities.

C. Would apply to new leases of public property in which the City is lessor where the City receives more than \$350,000 in annual gross receipts. Would not apply to leases in which the City is lessee; would not apply to subtenants. Would apply to new leases only, not options to extend.

D. Harbor, Water, Redevelopment and Housing Development Company boards would have to adopt EBO separately.

**Office or Department:** COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT, CHAIR; ECONOMIC DEVELOPMENT AND FINANCE COMMITTEE

**Suggested Action:** Approve recommendation.

26. [09-1230](#)

Recommendation to authorize City Manager to execute an amendment to Agreement No. 30773 between the City of Long Beach and Moffatt & Nichol Engineers for engineering professional services for the Colorado Lagoon Restoration Project, in an amount not to exceed \$79,293, and any amendments to the contract necessary to extend the term, amend the scope of work or adjust the fee schedule of hourly rates for inflation for any term extensions. (District 3)

**Office or Department:** COMMUNITY DEVELOPMENT; PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.



27. [09-1231](#) Recommendation to amend Contract No. 29910 with Danny Jones Auto Painting to increase the annual contract amount by \$155,000 for a total annual contract amount of \$505,000 for furnishing and delivering auto body repair services, at the discretion of the City Manager. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT; PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
28. [09-1232](#) Recommendation to adopt resolution authorizing City Manager to execute a contract and any amendments thereto for providing graffiti removal services from Graffiti Protective Coatings, Inc., in an amount not to exceed \$1,081,000 for the 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  
**Suggested Action:** Approve recommendation.
29. [09-1233](#) Recommendation to receive and file a presentation by the United States Environmental Protection Agency's (EPA) On-Scene Coordinator (OSC), Robert Wise, before the City Council to discuss the status of the investigation into contamination from PCB's on the subject property being considered for acquisition from LCW Partners, LLC by the City of Long Beach. (Citywide)  
**Office or Department:** HEALTH AND HUMAN SERVICES  
**Suggested Action:** Approve recommendation.

30. [09-1240](#) Recommendation to adopt resolution approving the amendment to the Memorandum of Understanding with the International Association of Machinists and Aerospace Workers; adopt the Amendment to the October 1, 2007 through September 30, 2012 Memorandum of Understanding with the International Association of Machinists and Aerospace Workers and allow those matters that affect compensation to be implemented on the effective dates set forth in the October 1, 2007 through September 30, 2013 Amended Memorandum of Understanding with the International Association of Machinists and Aerospace Workers. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

31. [09-1235](#) Recommendation to receive and file the application of Saldana Mex LLC, dba Super Mex Express, for an original Alcoholic Beverage Control License, at 7547 Carson Boulevard, with conditions. (District 5)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

32. [09-1236](#) Recommendation to approve the conversion of Henderson Avenue between 15th Street and Pacific Coast Highway to a one-way street, and request City Attorney to prepare the required amendment to Section 10.14.020 of the Long Beach Municipal Code adding the following new subsection:

“(Northbound) Henderson Avenue between 15th Street and Pacific Coast Highway.” (District 1)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**REVISED**

**ORDINANCE:**

33. [09-1234](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by repealing Chapter 5.81; by amending Subsection 8.68.060.B.; by repealing Sections 8.68.130 and 8.68.150; and by adding Chapters 8.69 and 8.70, all relating to smoking in public places, tobacco retail permit and smoking lounge permit, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

**Office or Department:** HEALTH AND HUMAN SERVICES

**Suggested Action:** Approve recommendation.

**NEW BUSINESS:**

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

34. [09-1184](#) Recommendation to City Council to concur in recommendation of the Economic Development and Finance Committee to support staff's recommendations with the following adjustments:
- 1) Financial Management, Business License Division as the lead department with involvement from the Health Department;
  - 2) Food and beverage regulations - only limited to sales;
  - 3) Special consideration be given to current operating smoking lounges who currently have separate ventilation systems installed, and those that operate in stand-alone buildings be exempt from the ventilation system requirement;
  - 4) Smoking lounge permit revocations may be appealed to the City Council;
  - 5) Reinstate the section allowing the granting of exemptions based on undue financial hardship; and
  - 6) Extend the moratorium for an additional year.

**Office or Department:** COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT, CHAIR; ECONOMIC DEVELOPMENT AND FINANCE COMMITTEE

**Suggested Action:** Approve recommendation.

**REVISED**

35. [09-1207](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 21.42.060, relating to landscaping standards for public right-of-way, read and adopted as read. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

36.

**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, November 10, 2009 – Housing and Neighborhoods Committee at 3:30 P.M., Council Chamber.

Tuesday, November 10, 2009 – Housing Authority at 4:30 P.M., Council Chamber.

Wednesday, November 11, 2009 – Economic Development and Finance Committee at 3:00 P.M., Council Chamber.

Wednesday, November 11, 2009 – Transportation and Infrastructure Committee at 4:30 P.M., Council Chamber.

Tuesday, November 17, 2009 – Public Safety Committee at 2:00 P.M., Council Chamber.

Tuesday, December 1, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

**HEARING REMINDERS:**

Tuesday, December 1, 2009 – Hearing to vacate a portion of the alley west of Long Beach Boulevard and south of Anaheim Street. (District 1)

Tuesday, December 1, 2009 – Hearing to declare the intention of the Belmont Shore Parking and Business Improvement Area to levy the annual assessment. (District 3)

Tuesday, December 8, 2009 – Hearing for Casbah LBCA, LLC, dba Sgt. Peppers Dueling Piano Café, 91 S. Pine Avenue C150, for a Permit for Entertainment Without Dancing by Patrons. (District 2)

**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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