

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

**PROCLAMATION PRESENTED FOR
WORLD AIDS DAY
2004**

**PRESENTATION OF PROCLAMATION TO THE 2003-2004
AMERICAN BASKETBALL ASSOCIATION LEAGUE CHAMPION
LONG BEACH JAM**

**RECOGNITION OF PIONEERING SIXTH DISTRICT RESIDENTS,
ERNIE MCBRIDE, A FOUNDING MEMBER OF THE NAACP
AND REVEREND JOE CHANEY, CO-PASTOR
OF THE ANTIOCH BAPTIST CHURCH**

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. DEPARTMENT: CITY CLERK

SUBJECT: Report of Hearing Officer on request for revocation of Business License and Adult Entertainment Permit issued to V.M. Associates, Inc., dba Flamingo Gentleman's Club, 2421 E. Artesia Boulevard. (District 9)

SUGGESTED ACTION:

Receive supporting documentation into the record, consider Hearing Officer's report, conclude hearing, adopt Hearing Officer's recommendations in full and revoke Adult Entertainment Permit No. BU20253680 issued to V.M. Associates, Inc. and take no action as a result of this hearing with regard to Business License No. BU20253430; or

Receive supporting documentation into the record, consider Hearing Officer's report, conclude hearing, deny Hearing Officer's recommendations in full and grant Adult Entertainment Permit No. BU20253680 and Business License No. BU20253430 issued to V.M. Associates, Inc.

HEARINGS:

2. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Application of Laurence Garcia, dba La Hacienda Club, 1551 Santa Fe Avenue, for a Permit for Entertainment with Dancing by Patrons at an Existing Bar/Tavern/Lounge. (District 1)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude hearing, and grant permit with or without conditions; or deny permit.

3. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Application of Sharp Beach, Inc., dba Fern's Cocktails, 1253 E. 4th Street, for a Permit for Entertainment without Dancing by Patrons and a Pool Hall at an Existing Bar/Tavern/Lounge. (District 2)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude hearing and grant permits, with or without conditions; or deny permits.

4. DEPARTMENT: PLANNING AND BUILDING AND FINANCIAL MANAGEMENT

SUBJECT: Resolution adopting fees for the continuance of the surcharge to finance the development services center computer system replacement and on-going annual maintenance costs of the City of Long Beach. (Citywide)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude hearing and adopt the resolution.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

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 members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (5 - 25)

5. DEPARTMENT: CITY MANAGER

SUBJECT: Contract for Federal Legislative Advocacy Services. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute contract with E. Del Smith and Company, Inc., in the amount of \$113,760 for a period of one year.

6. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages.

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between November 11, 2004 and November 18, 2004.

7. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Adopt Specifications No. PA-01404 and award contract to All Pro Fence Company to furnish and deliver temporary and permanent fencing. (Citywide)

SUGGESTED ACTION:

Adopt Specifications and award contract in the estimated annual amount of \$175,000 for one year, with the option for two additional one-year periods.

Authorize amendments to exercise the City's option to renew where noted and authorize City Manager to execute same.

8. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Agreement with City of Seal Beach for provision of full animal control services by the City of Long Beach.

SUGGESTED ACTION:

Authorize City Manager to execute agreement for the 19-month period of December 1, 2004 through June 30, 2006 for \$194,906, and increase appropriations in the General Fund (GP) and the Department of Health and Human Services (HE) in the amount of \$108,000 for fiscal year 2005.

Authorize City Manager to extend agreement for up to two consecutive periods of two years each, with price escalation for each two-year term tied to the Consumer Price Index.

9. DEPARTMENT: LAW

SUBJECT: Compromises and Releases.

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$55,000 in compliance with Appeals Board order for claim of Juan M. Hernandez; and \$8,000 for claim of Gary Shindler.

10. DEPARTMENT: LAW

SUBJECT: Stipulations with Requests for Awards.

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$52,062.50 and \$3,780 in compliance with Appeals Board order for claim of Linda Marie Attardo; \$35,700 for claim of Joseph Colunga; \$17,297.50 and \$3,360 for claim of Stephen Floyd Dougan; \$9,320 for claim of Joe Ensign; \$9,320 for claim of Ryan Kent Ford; \$16,787.50 for claim of Daniel Griego; \$19,337.50 and \$9,960 for claim of Mirtha Esther Guevara; \$6,755, \$19,337.50 and \$5,915 for claim of David Brian Leslie; \$30,940 for claim of Cornelio Mapote; \$9,320 for claim of Maria Luisa Monserrat; and \$32,130 and \$4,235 for claim of Idolph Elton Williams.

11. DEPARTMENT: OIL PROPERTIES

SUBJECT: Memorandum of Understanding between Department of Oil Properties and Harbor Department. (Districts 1,2)

SUGGESTED ACTION:

Receive and file.

12. DEPARTMENT: OIL PROPERTIES

SUBJECT: Agreement between Signal Hill Petroleum, Inc., and City of Long Beach for mineral interests. (District 5)

SUGGESTED ACTION:

Authorize City Manager to enter into a five-year agreement.

13. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Permit with Gene and Jan Todd for use of a portion of the former Pacific Electric Right-of-Way property located between 7th Street and Ximeno Avenue. (District 3)

SUGGESTED ACTION:

Authorize City Manager to execute permit for rent of \$200 per month, and for a term of one year; and

Authorize City Manager to execute amendment to extend the permit term for an additional year following the conclusion of the initial one-year term.

14. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications (Person-to-Person Transfers).

A. Application of Chea Michael Lim and Huong Lim, dba Bud Liquor Market, for an off-sale general license at 1298 East 4th Street. (District 2)

B. Application of HDL Holding LLC, dba Daily Grill, for an on-sale general for bonafide eating place license at 2 World Trade Center. (District 2)

C. Application of David Sun and Shusan Chang Sun, dba Ray and Roy Market, for an off-sale beer and wine license at 2093 Pacific Avenue. (District 6)

D. Application of Wendy Hill, dba Eagle Market, for an off-sale beer and wine license at 2336 Pacific Avenue. (District 6)

SUGGESTED ACTION:

Receive and file with existing conditions.

15. DEPARTMENT: PUBLIC WORKS

SUBJECT: Easement Deed to provide for widening of sidewalk adjacent to 2210 West Gaylord Street. (District 1)

SUGGESTED ACTION:

Request City Attorney to accept an easement deed.

16. DEPARTMENT: PUBLIC WORKS

SUBJECT: Easement Deed to provide for widening of alleys between Willow Street and Burnett Avenue and an irrevocable offer to dedicate for future widening of Atlantic Avenue adjacent to 434 East Willow Street. (District 6)

SUGGESTED ACTION:

Request City Attorney to accept easement deed.

17. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE

SUBJECT: Report on local implementation of Proposition 36.

SUGGESTED ACTION:

Concur in recommendation of Committee that the communication be received and filed.

18. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE

SUBJECT: Port Security Task Force progress report and preliminary recommendations and letter to the Port of Long Beach Harbor Commissioners and the Los Angeles Board of Harbor Commissioners.

SUGGESTED ACTION:

Concur in recommendation of Committee that the communications be received and filed.

19. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE

SUBJECT: Analysis of police department staffing report.

SUGGESTED ACTION:

Concur in recommendation of Committee that the communication be received and filed.

20. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE

SUBJECT: Marine patrol and harbor patrol.

SUGGESTED ACTION:

Concur in recommendation of Committee that the communications be received and filed.

21. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE

SUBJECT: Megan's Law: California Sexual Offender Reporting System protecting the children of Long Beach.

SUGGESTED ACTION:

Concur in recommendation of Committee that the communication be received and filed.

22. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE

SUBJECT: Annual report of the Citizen Police Complaint Commission for calendar year 2000.

SUGGESTED ACTION:

Concur in recommendation of Committee that the communication be received and filed.

23. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE

SUBJECT: Police Department Action Plan regarding gang related violence in Long Beach.

SUGGESTED ACTION:

Concur in recommendation of Committee that the communications be received and filed.

24. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:

Harbor Commission, November 8, 2004

SUGGESTED ACTION:

Receive and file.

25. DEPARTMENT: LEGISLATIVE

SUBJECT: Proclamation for World AIDS Day and recognition of Long Beach Jam and Sixth District residents Ernie McBride and Pastor Joe Chaney.

SUGGESTED ACTION:

Approve.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

26. COUNCIL OFFICE: VICE MAYOR JACKIE KELL, FIFTH DISTRICT
SUBJECT: Library Donation Campaign.
SUGGESTED ACTION:
Receive and file.
27. COUNCIL OFFICE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT
SUBJECT: World AIDS Day presentation.
SUGGESTED ACTION:
Receive and file.
28. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE
SUBJECT: Alley closures.
SUGGESTED ACTION:
Concur in recommendation of Committee to receive communications regarding alley closures and refer to the Housing and Neighborhoods Committee an updated report from the City Attorney.
29. COUNCIL COMMITTEE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT, CHAIR,
PUBLIC SAFETY COMMITTEE
SUBJECT: Ordinance amending the Long Beach Municipal Code relating to smoking in the work place and public places.
SUGGESTED ACTION:
Concur in recommendation of Committee to receive communication; the exception for bars, taverns, and gaming facilities deleted from the Municipal Code; and break rooms added to the amended ordinance.

30. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Third Amendment to Contract No. 27524 with Contact Security, Inc., for security guard services at various City sites. (Districts 1,2,5,7,8)

SUGGESTED ACTION:

Make Proposition "L" findings and determinations pursuant to Section 1806 of the City Charter regarding contracting of security guard services at designated sites as certified herein, and authorize City Manager to execute amendment for a one-year period in an annual amount not to exceed \$785,690.

31. DEPARTMENT: PLANNING AND BUILDING

SUBJECT: Report on current standards related to bedroom sizes and possible remedies to address habitable bedroom space in new and renovated buildings. (Citywide)

SUGGESTED ACTION:

Refer proposed amendment of the "Nonconformities" Chapter of the Municipal Code, related to parking requirements, to the Planning Commission for review and recommendation.

32. DEPARTMENT: POLICE

SUBJECT: Application of Broadlind Lounge LLC, dba The Basement, for an original on-sale general for bonafide eating place alcoholic beverage license at 149 Linden Avenue Basement. (District 2)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control.

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

33. DEPARTMENT: POLICE

SUBJECT: Application of Rainbow Rocket Incorporated, dba Rainbow Rocket, for an original on-sale general for boat alcoholic beverage license at 200 Aquarium Way B, Dock 7. (District 2)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control.

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

34. DEPARTMENT: POLICE

SUBJECT: Agreement between City of Long Beach and Nestor Traffic Systems to continue to provide an automated red light camera program. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute an agreement, and any subsequent amendments, for a period of three years, with two one-year renewal options, for \$240,000 annually.

RESOLUTIONS:

35. DEPARTMENT: CITY CLERK

SUBJECT: Resolution approving and authorizing the destruction of certain records, papers, and writings by the Department of the City Auditor.

SUGGESTED ACTION:

Adopt resolution.

36. DEPARTMENT: POLICE AND FINANCIAL MANAGEMENT

SUBJECT: Resolution regarding the authority of the City Purchasing Agent with respect to the purchase of LiveScan fingerprint services and summary criminal histories and county prisoner booking services. (Citywide).

SUGGESTED ACTION:

Adopt Resolution exempting City Purchasing Agent from Municipal Code Section 2.84.010 and increasing authority of City Purchasing Agent to issue a \$200,000 purchase order solely with respect to State of California Department of Justice for LiveScan fingerprinting services and a \$200,000 purchase order solely with respect to Los Angeles County Sheriff for prisoner booking and maintenance charges with written approval of and in accordance with procedures provided by the City Manager.

ORDINANCE:

37. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Subsections 4a, 10c, 26b, 34e, 34f, 35b, 36c of Section 10.12.010; by amending Subsections 4a, 8d, 8e, 11a, 11e, and 44a of Section 10.12.010; and by adding Subsection 71 to Section 10.12.010; all relating to speed limits on City streets.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

NEW BUSINESS:

38.

39.

40.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

REMINDERS:

Public Safety Committee at 2:00 P.M.

Housing Authority at 4:30 P.M.

December 7, 2004, Hearing on Local Coastal Amendment to expand boundaries of Shoreline Park and Marina Green Park. (District 2)

December 7, 2004, Hearing on application of A Side Inc., dba Cohiba Night Club, for Permits for Entertainment with Dancing by Patrons and a Pool Hall at an Existing Bar/Tavern/Lounge at 110 E. Broadway. (District 2)

December 7, 2004, Hearing on appeal of Planning Commission decision to approve Conditional Use Permit for sale of beer and wine for off-premise consumption at 7-Eleven Convenience Store located at 3410 Long Beach Boulevard. (District 7)

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 Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802. You may view the agenda or documents on the Internet at www.longbeach.gov. E-Mail correspondence can be directed to cityclerk@longbeach.gov. Agenda items may be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please phone the City Clerk Department at (562) 570-6101 by 12 noon Monday. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.