

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

REVISED

CITY COUNCIL REGULAR MEETING VIA TELECONFERENCE

[10-1021](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 3, 2010.

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: (1 - 14)

1. [10-0932](#) Recommendation to authorize City Attorney to pay sum of \$6,392.75 in full settlement of Claim No. C10-0166, Long Beach Transit v. City of Long Beach.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

2. [10-0933](#) Recommendation to adopt resolution supporting the California Air Resources Board's leadership in development and implementing strategies for reducing emissions from motor vehicles.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
3. [10-0934](#) Recommendation to approve the minutes for the City Council meetings and Budget Hearings held Tuesdays, August 17 and 24, 2010.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
4. [10-0935](#) Recommendation to refer to City Attorney damage claims received between August 16, 2010 and August 30, 2010.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
5. [10-0936](#) Recommendation to approve the destruction of records for Community Development Department Housing Authority Bureau as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
6. [10-0937](#) Recommendation to approve the destruction of records for the Development Services Department as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

7. [10-0938](#) Recommendation to approve the destruction of records for Financial Management Department Business License Section as shown in Exhibit A; and adopt resolution.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
8. [10-0931](#) Recommendation to receive and file the application of Munzer Abdou Abdolhai, Georges Abdulhay and George Roboz, dba Jones Liqueure, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2435 East Broadway, with existing conditions. (District 2)
Office or Department: POLICE

Suggested Action: Approve recommendation.
9. [10-0939](#) Recommendation to receive and file the application of J M Johnston and Associates Incorporated, dba 49RS Tavern, for a person-to-person transfer of an Alcoholic Beverage Control License, at 5660 East Pacific Coast Highway, with existing conditions. (District 3)
Office or Department: POLICE

Suggested Action: Approve recommendation.
10. [10-0940](#) Recommendation to receive and file the application of Bernardo Catahimikan Solano and Rodel Fullado Solano, dba Smittys Cocktail Lounge, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2332 Pacific Avenue, with existing conditions. (District 6)
Office or Department: POLICE

Suggested Action: Approve recommendation.

11. [10-0941](#) Recommendation to receive and file the application of Raul Galindo Ixtlahuac, dba Sipology Red A California Kitchen, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3403 & 3405 Orange Avenue, with existing conditions. (District 7)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
12. [10-0942](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Gaucho Grill, located at 200 Pine Avenue, Suite B. (District 2)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
13. [10-0943](#) Recommendation to authorize City Manager to execute subdivision agreements with Lennar Homes of California Inc., the new developer of the Aubry at Alamitos Ridge development located north of 20th Street and east of Obispo Avenue. (District 4)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
14. [10-0944](#) Recommendation to receive and file the minutes for:
Civil Service Commission - August 11, 2010.
Parks and Recreation Commission - July 22, 2010.
Planning Commission - June 3 and 17, 2010 and August 5, 2010.
- Office or Department:** VARIOUS
- Suggested Action:** Approve recommendation.

UNFINISHED BUSINESS:

15. [10-0808](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 14.14.010, and Subsections 14.14.020.D and 14.14.045.B; and by adding Section 14.14.110, all relating to public walkways occupancy permits read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. [10-0993](#) Recommendation to request City Clerk to implement a program to make campaign-related independent contributions and expenditures readily available to the public online as well as by request at City Hall.

Office or Department: COUNCILMEMBER JAMES JOHNSON,
SEVENTH DISTRICT; COUNCILMEMBER
STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

REVISED

17. [10-0994](#)

Recommendation to request City Manager to work with the City Attorney to utilize provisions within SB 1137 and develop a Foreclosure Ordinance that includes:

- A requirement for lenders to register foreclosures when they have issued a Notice of Default (NOD) that includes a registration fee in order to cover the cost incurred by the City of Long Beach for maintaining this registry. The existing maintenance requirements of the Vacant Building Monitoring Program must be met when these properties become vacant or at the time a foreclosure sale is finalized.
- Owners who have acquired properties through foreclosure or at a foreclosure sale should be given 30 days to fix unmaintained vacant properties before fines are issued.

The ordinance should complement the existing Vacant Building Monitoring Program, which would then be funded by the NOD registration fees.

Office or Department: COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

18. [10-0996](#)

Recommendation to receive and file report on the 2010 Fifth District Summer Youth Program.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

19. [10-0992](#) Recommendation to adopt resolution declaring a fiscal emergency.
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
20. [10-0949](#) Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2010 to September 30, 2011, for the Long Beach Tourism Business Improvement Area, declaring its intention to levy the annual assessment and setting a date for a public hearing for Tuesday, October 5, 2010 at 5:00 p.m. (Districts 1,2,4,5)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.
21. [10-0947](#) Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2010 to September 30, 2011, for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment and setting a date for a public hearing for Tuesday, October 5, 2010 at 5:00 p.m. (District 3)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.
22. [10-0948](#) Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2010 to September 30, 2011 for the Bixby Knolls Parking and Business Improvement Area, declaring its intention to levy the annual assessment and setting a date for a public hearing for Tuesday, October 12, 2010 at 5:00 p.m. (Districts 7,8)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

23. [10-0950](#) Recommendation to approve the Andy Street Multi-family Improvement District Annual Report and Assessment for the period of October 1, 2010 through September 30, 2011, automatically extending the Andy Street Multi-family Improvement District for a one-year period. (District 9)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

24. [10-0946](#) Recommendation to authorize City Manager to accept grant funding from the Lower Los Angeles and San Gabriel Rivers and Mountains Conservancy for the Colorado Lagoon Dredging Project; increase appropriations in the Tidelands Operation Fund (TF) in the Department of Community Development (CD) in the amount of \$1,100,000; execute a grant agreement and any amendments thereto; and execute an amendment to Agreement No. 30773 between the City of Long Beach and Moffatt & Nichol for extended engineering design and construction support services, in an amount not to exceed \$221,322, 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 in the extended term. (District 3)

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

Suggested Action: Approve recommendation.

25. [10-0945](#) Recommendation to authorize City Manager to execute all documents necessary with the Army Corps of Engineers to allow for the dredging, treatment and disposal of sediments from Colorado Lagoon; and to execute an Amendment to Agreement No. 30245 with Moffatt & Nichol in the amount of \$62,388 to allow for additional post-construction monitoring required by the State Water Resources Control Board, 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 in the extended term. (District 3)
- Office or Department:** COMMUNITY DEVELOPMENT; PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
26. [10-0951](#) Recommendation to receive and file the Fiscal Year 2010 Third Quarter Budget Performance Report. (Citywide)
- Office or Department:** FINANCIAL MANAGEMENT
- Suggested Action:** Approve recommendation.
27. [10-0952](#) Recommendation to adopt resolution to issue Water Revenue Bonds Series 2010A in an amount not to exceed \$26,000,000, acting through its Board of Water Commissioners (the Board), to refund certain Water Revenue Bonds Series 1997A, previously authorized by the City and issued by the Board, fund the Reserve Fund, and pay the cost of issuance for the Series 2010 Bonds. (Citywide)
- Office or Department:** FINANCIAL MANAGEMENT; WATER
- Suggested Action:** Approve recommendation.

28. [10-0953](#) Recommendation to authorize City Manager to purchase difference in conditions (earthquake insurance), covering City Hall and the Convention Center, for the period of July 1, 2010 through July 1, 2011, through Alliant Insurance Services, Inc., for a total premium not to exceed \$235,000. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

29. [10-0954](#) Recommendation to receive and file the application of Burt Anthony Wilhelm, dba El Torazo, for an original Alcoholic Beverage Control License, at 2801 East 10th Street, with conditions. (District 4)

Office or Department: POLICE

Suggested Action: Approve recommendation.

30. [10-0955](#) Recommendation to receive and file the application of Roxannes Incorporated, dba Roxannes, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 1115 & 1117 East Wardlow Road, with conditions. (District 7)

Office or Department: POLICE

Suggested Action: Approve recommendation.

31. [10-0956](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Chiseled Entertainment Incorporated, dba Pistons Bar, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 2020 East Artesia Boulevard, with conditions. (District 9)

Office or Department: POLICE

Suggested Action: Approve recommendation.

32. [10-0957](#) Recommendation to authorize City Manager to execute a Memorandum of Understanding, a Reimbursement Agreement, an Equitable Sharing Agreement and any subsequent amendments thereto; and all necessary documents with the Internal Revenue Service, Criminal Investigation (IRS, CI) for a joint task force with the Long Beach Police Department to develop and assist with criminal investigations and asset forfeitures of illegal activities in the Long Beach metropolitan and surrounding area. (Citywide)
Office or Department: POLICE
Suggested Action: Approve recommendation.
33. [10-0958](#) Recommendation to authorize City Manager to execute a new agreement between the Long Beach Police Department and the Long Beach Unified School District to staff School Resource Officers (SROs) for an amount not to exceed \$649,000. The net cost to the City's General Fund for the agreement is estimated to be \$47,000. (Citywide)
Office or Department: POLICE
Suggested Action: Approve recommendation.
34. [10-0959](#) Recommendation to increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$625,000 for infrastructure improvements. (Citywide)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.

ORDINANCES:

35. [10-0961](#) Recommendation to declare ordinance amending Sections 2.01.380 and 2.01.1020 of the Long Beach Municipal Code relating to officeholder accounts read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

36. [10-0817](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 10.41.010, 10.41.040, 10.41.060, 10.41.080, 10.56.020, 10.56.030, 10.56.040 and 10.56.060, all relating to overweight vehicles and cargo, read and adopted as read. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

BUDGET HEARING: 7:00 P.M.

37. [10-0962](#) Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2011 budget as listed in Attachment A. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

37. [10-0963](#)
1 Recommendation to adopt resolution approving the FY 11 budget for the Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on June 28, 2010. (A-1)

Suggested Action: Approve recommendation.

37. [10-0964](#) Recommendation to declare an emergency to exist. (A-2)
2

Suggested Action: Approve recommendation.

37. [10-0965](#) Recommendation to declare ordinance approving the Resolution No.
3 WD-1270 establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on June 24, 2010, as an emergency ordinance read and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-3)

Suggested Action: Approve recommendation.

37. [10-0966](#) Recommendation to adopt resolution approving the FY 11 budget of the
4 Long Beach Water Department as adopted by the Board of Water Commissioners on June 24, 2010. (A-4)

Suggested Action: Approve recommendation.

37. [10-0967](#) Recommendation to adopt resolution amending the master fee and
5 charges schedule for specified City services for Citywide fees and charges for the City of Long Beach. (A-5)

Suggested Action: Approve recommendation.

37. [10-0968](#) Recommendation to approve the FY 11 one-year Capital Improvement
6 Program. (A-6)

Suggested Action: Approve recommendation.

37. [10-0969](#) Recommendation to adopt a motion approving the budgets for the
7 Redevelopment Agency's Project Area Committees in the amounts of \$50,000 for Central Long Beach, \$80,000 for West Long Beach Industrial and \$50,000 for North Long Beach. (A-7)

Suggested Action: Approve recommendation.

37. [10-0970](#)
8 Recommendation to adopt resolution finding that the use of taxes allocated to the North Redevelopment Project on behalf of the Central Redevelopment Project for the purpose of increasing, improving and preserving the community's supply of low- and moderate-income housing will be of benefit to the North Redevelopment Project. (A-8)

Suggested Action: Approve recommendation.

37. [10-0971](#)
9 Recommendation to adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment funds (City Place Parking Structure debt service). (A-9)

Suggested Action: Approve recommendation.

37. [10-0972](#)
10 Recommendation to adopt a motion approving the budget for the Long Beach Housing Development Company in the amount of \$19,050,008. (A-10)

Suggested Action: Approve recommendation.

37. [10-0973](#)
11 Recommendation to adopt a motion approving the transfer of \$24,847,412 from the Harbor Revenue Fund to the Tidelands Operating Fund. (A-11)

Suggested Action: Approve recommendation.

37. [10-0974](#)
12 Recommendation to adopt a motion approving the use of the CalPERS Annual Lump Sum Prepayment Option for the employer portion of the City's CalPERS retirement benefit. The recommended prepayment, in the amount of \$52,063,000 should provide a budgetary savings of \$1,937,000 to the City. Of this amount, the General Fund should recoup a budgetary savings of \$1,225,000. (A-12)

Suggested Action: Approve recommendation.

37. [10-0975](#) Recommendation to adopt the ordinance amending the Departmental
13 Organization Ordinance. (A-13)

Suggested Action: Approve recommendation.

37. [10-0976](#) Recommendation to adopt the resolution adopting an appropriations
14 limit (Gann) for FY 11 pursuant to Article XIII (B) of the California
Constitution. (A-14)

Suggested Action: Approve recommendation.

37. [10-0978](#) Recommendation to adopt the Mayor's proposed funding
15 recommendations, as amended, to the FY 11 Proposed Budget. (A-15)

Suggested Action: Approve recommendation.

37. [10-0980](#) Recommendation to adopt the Budget Oversight Committee's proposed
16 funding recommendations, as amended to the FY 11 Proposed Budget.
(A-16)

Suggested Action: Approve recommendation.

37. [10-0983](#) Recommendation to adopt a motion amending the proposed budget.
17 (A-17)

Suggested Action: Approve recommendation.

37. [10-0986](#) Recommendation to declare an emergency to exist. (A-18)
18

Suggested Action: Approve recommendation.

37. [10-0989](#) Recommendation to declare the Appropriations Ordinance for FY 11, creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an emergency ordinance, read and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-19)

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.

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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, August 31, 2010 – Budget Oversight Committee at 4:30 P.M., Council Chamber.

Tuesday, September 7, 2010 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Wednesday, September 8, 2010 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Monday, September 13, 2010 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, September 7, 2010 – Budget Hearings at 3:30 P.M. and 7:00 P.M., Council Chamber.

Tuesday, September 14, 2010 – Budget Hearings at 3:30 P.M. and 7:00 P.M., Council Chamber.

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. 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.

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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