

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, Vice Mayor, 3rd District
Dennis Carroll, 4th District

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



Beverly O'Neill, Mayor

**TUESDAY, JULY 6, 2004
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rob Webb, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

**PRESENTATION OF CERTIFICATE OF RECOGNITION
TO LONG BEACH AFTERSHOCK**

**PRESENTATION OF CERTIFICATES OF RECOGNITION
TO PARTICIPANTS IN 2004 ANNUAL AFRO-ACADEMIC,
CULTURAL, TECHNOLOGICAL AND SCIENTIFIC OLYMPICS (ACT-SO)**

**PRESENTATION TO 2004 LONG BEACH NAACP
SCHOLARSHIP RECIPIENTS**

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. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution ordering the vacation of a portion of the alley west of Long Beach Boulevard and north of Fourteenth Street, reserving easements for utilities.
(District 1)

SUGGESTED ACTION:

Continue public hearing to Tuesday, September 7, 2004.

2. DEPARTMENT: PUBLIC WORKS

SUBJECT: Establishment of Preferential Parking District N. (District 3)

SUGGESTED ACTION:

Receive supporting documentation, including petitions, into the record, conclude the hearing, and request City Attorney to prepare amendment to the Municipal Code, to establish Preferential Parking District "N" as recommended by City Traffic Engineer.

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: (3-16)

3. DEPARTMENT: CITY AUDITOR
SUBJECT: Animal control review.
SUGGESTED ACTION:

Receive and file.

4. DEPARTMENT: CITY CLERK
SUBJECT: Claims for Damages.
SUGGESTED ACTION:

Refer to City Attorney the damage claims received between June 17, 2004 and July 1, 2004.

5. DEPARTMENT: CITY CLERK
SUBJECT: Report of Hearing Officer on appeal of Precision Reflector Design, Inc., of denial of business license for 1553-1557 and 1561 Cota Avenue. (District 1)
SUGGESTED ACTION:

Set date of hearing for Tuesday, August 3, 2004, at 5:00 P.M.

6. DEPARTMENT: CITY MANAGER

SUBJECT: First Amendment to Agreement No. 28598 for Federal Legislative Advocacy Services. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to amend agreement with E. Del Smith and Company in the amount of \$52,400 for a total agreement of \$275,760.

7. DEPARTMENT: CITY MANAGER

SUBJECT: Purchase Order to International City Theatre for 2004 Summer Traveling Children's Theatre. (Citywide)

SUGGESTED ACTION:

Authorize issuance of purchase order in the amount of \$46,000.

8. DEPARTMENT: OIL PROPERTIES

SUBJECT: Amend Contract with Condor Earth Technologies, Inc., for design and installation of two additional Fixed Global Positioning System (GPS) Stations, support for Fixed GPS Station Monitoring System, and support for Semiannual Mobile GPS Survey. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute an amendment to Contract No. 28025, for design and installation of two additional fixed global positioning stations, support for fixed station monitoring system, and support for semiannual mobile GPS survey, not to exceed \$230,000 for the first year. For two additional years, the support for fixed stations will not exceed \$90,000 per year, and support for semiannual mobile GPS survey will not exceed \$45,000 per year, both with an additional two-year option to renew at City Manager's discretion. Contract as amended will be in effect from August 1, 2004 to July 31, 2007. Two-year option to renew will extend contract term to July 31, 2009.

9. DEPARTMENT: OIL PROPERTIES

SUBJECT: Extend Crude Oil Marketing Agreement with West Coast Energy Marketing, LLC. (Districts 1,2)

SUGGESTED ACTION:

Authorize City Manager to execute three-month extension of the agreement between City of Long Beach, as Long Beach Unit Operator, and West Coast Energy, LLC, changing termination date to October 31, 2004, and provide for City Manager to approve additional three-month extension, if required, to agreement for sale of oil allocated to Long Beach Unit Townlot Working Interest Owners.

10. DEPARTMENT: POLICE

SUBJECT: Agreement with CREA/PPC Long Beach Towne Center PO, LLB (formerly Vestar Property Management) to provide supplemental law enforcement services at Long Beach Towne Center (District 5)

SUGGESTED ACTION:

Authorize City Manager to execute agreement and any subsequent amendments, for six-month terms, as determined by Chief of Police; agreement may be terminated with 30 days' written notice by either party.

11. DEPARTMENT: POLICE

SUBJECT: Space Use Agreement between City and Los Angeles County Department of Children and Family Services (DCFS). (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute agreement, and any subsequent amendments, to provide office space and allow for telephone usage for the DCFS response team staff; agreement may be terminated with 30 days' written notice by either party.

12. DEPARTMENT: POLICE

SUBJECT: Memorandum of Understanding for participation in National Forensic Laboratory Information System (NFLIS). (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute Memorandum of Understanding, and any subsequent amendments, between RTI International and City for participation in NFLIS.

13. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications:

- A. Application of Renee Weiss Henderson and Zachary Mitchell Henderson, dba Ma N Pa Grocery, for a person-to-person transfer of an off-sale beer and wine license at 346 Roycroft Avenue. (District 3)
- B. Application of A and Cherry Enterprise Incorporated, dba A and Cherry Liquor Market, for a fiduciary transfer of an off-sale general license at 1934 East Anaheim Street. (District 4)
- C. Application of Ruth Yonsoon Mah and Steve Sungmin Mah, dba Joy Market, for a person-to-person transfer of an off-sale beer and wine license at 3667 Delta Avenue. (District 7)
- D. Application of Steven Eric Grunkemeyer, dba 5211, for a person-to-person transfer of an on-sale general for public premises license at 5211 Atlantic Avenue. (District 8)

SUGGESTED ACTION:

Receive and file with existing conditions.

14. ADVISORY BODY: PUBLIC SAFETY ADVISORY COMMISSION

SUBJECT: Annual Report of the Public Safety Advisory Commission.

SUGGESTED ACTION:

Receive and file report and continue Commission for another year.

15. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:

Civil Service Commission, June 16, 2004
Harbor Commission, June 14, and 21, 2004
Planning Commission, April 15, 2004
Water Commission, May 27, and June 3, 2004

SUGGESTED ACTION:

Receive and file.

16. DEPARTMENT: LEGISLATIVE

SUBJECT: Certificates of recognition to Long Beach Aftershock, 2004 Annual Afro-Academic, Cultural, Technological and Scientific Olympics, and 2004 Long Beach NAACP scholarship recipients.

SUGGESTED ACTION:

Approve.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

17. OFFICE: MAYOR BEVERLY O'NEILL

SUBJECT: City Manager Evaluation/Compensation.

SUGGESTED ACTION:

Commend Mr. Miller for his positive leadership contributions to the City of Long Beach during his first year as City Manager, and defer any evaluation of his compensation package until the City is in a better financial condition to support such an action.

18. COUNCIL OFFICES: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT
VICE MAYOR FRANK COLONNA, THIRD DISTRICT
COUNCILMEMBER DAN BAKER, SECOND DISTRICT

SUBJECT: Pocket bike concerns.

SUGGESTED ACTION:

Request City Manager to prepare report to include regulations governing the enforcement of pocket bikes, including retail and any required licensing and Police Department enforcement action and refer to Public Safety Advisory Commission for advisement and discussion.

19. COUNCIL OFFICE: COUNCILMEMBER DAN BAKER, SECOND DISTRICT

SUBJECT: Resolution opposing parole for Nathan Sims who was convicted for attempting to murder Long Beach Police Officer Abel Dominquez.

SUGGESTED ACTION:

Request City Attorney to prepare resolution.

20. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: FY 2004-2005 Action Plan for use of Community Development Block Grant (CDGB), Home Investment Partnership Grant (HOME), American Dream Downpayment Initiative (ADDI) and Emergency Shelter Grant (ESG) Funds. (Citywide)

SUGGESTED ACTION:

Approve City FY 2004-2005 Action Plan, authorize City Manager to execute and submit all necessary documents related to implementation to U.S. Department of Housing and Urban Development; and accept \$10,602,847 of new CDBG funds, \$5,387,947 of new HOME funds, \$415,657 of new ADDI funds, and \$393,266 of new ESG funds.

21. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Loan between City and Housing Authority to address funding issues.

SUGGESTED ACTION:

Authorize City Manager to execute all documents necessary to initiate a non-General Fund loan of Rental Rehabilitation Program dollars to Housing Authority to address anticipated funding shortfalls in an amount not to exceed \$2.9 million.

22. DEPARTMENT: LAW

SUBJECT: Settlement of a claim for pipeline fees and penalties and Assignment Consent Agreement with Paramount Petroleum.

SUGGESTED ACTION:

Authorize City Attorney to accept sum of \$188,354 in full settlement of claim and authorize City Manager to execute agreement.

23. DEPARTMENT: LAW

SUBJECT: First amendment to contract with legal counsel M. Brian McMahon in the matter entitled Long Beach Oil Development Company vs. Long Beach, et al.

SUGGESTED ACTION:

Authorize City Manager to execute first amendment to contract No. 28728 for an additional amount of \$100,000.

24. DEPARTMENT: TECHNOLOGY SERVICES

SUBJECT: Agreement to purchase an electronic claims administration software system from Valley Oak Systems, Inc., and purchase implementation project management services from Deloitte Consulting, LLP. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute agreement with Valley Oak Systems, Inc., in an amount not to exceed \$639,820, plus an additional 10 percent, if needed.

Authorize City Manager to execute agreement with Deloitte Consulting, LLP, in an amount not to exceed \$200,000.

RESOLUTIONS:

25. DEPARTMENT: CITY CLERK

SUBJECT: Resolution approving and authorizing the destruction of certain records, papers, and writings by the Public Works Department. (Citywide)

SUGGESTED ACTION:

Adopt resolution.

26. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Resolution authorizing the City Manager to purchase emergency vehicles through the contract between the County of Los Angeles and Wondries Fleet Group to purchase new emergency vehicles. (Citywide)

SUGGESTED ACTION:

Adopt resolution for purchase of 56 safety vehicles pursuant to the County of Los Angeles Purchase Order No. 31014705, on the same terms and conditions as are afforded to the County of Los Angeles, in an amount not to exceed \$1,368,485.

27. DEPARTMENT: LAW

SUBJECT: Resolution modifying the membership of the Project Area Committee for the Central Long Beach Redevelopment Project.

SUGGESTED ACTION:

Adopt resolution.

28. DEPARTMENT: LONG BEACH ENERGY

SUBJECT: Resolution authorizing City Manager to execute a contract with the State Lands Commission for removal of Natural Gas Line 1228. (Orange County)

SUGGESTED ACTION:

Adopt resolution authorizing City Manager to execute an agreement with California State Lands Commission to provide utility-related services to Long Beach Energy Department in order to effectuate the Bolsa Chica Wetlands Natural Gas Line 1228 Pipe Relocation and Removal Project as mandated by the State of California.

29. DEPARTMENT: TECHNOLOGY SERVICES

SUBJECT: Resolution authorizing the City Manager to purchase cellular telephone service through the contract between the Western States Contracting Alliance (WSCA) and Nextel of California, Inc. (Citywide)

SUGGESTED ACTION:

Adopt resolution authorizing City Manager to execute an agreement and all required documents to provide cellular telephone service for as long as WSCA contract is in effect or the City gives 30 days' notice of termination in the total annual aggregate amount not to exceed \$624,696.

ORDINANCES:

30. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code, by amending Section 10.32.110 relating to Preferential Parking District "F" and repealing District "N". (District 5)

SUGGESTED ACTION:

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

31. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 10.22.080 by adding Subsection Z relating to parking vehicles for sale.

SUGGESTED ACTION:

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

32. DEPARTMENT: PLANNING AND BUILDING

SUBJECT: Ordinance designating the Bluff Heights Historic Landmark District.
(Districts 2,3)

SUGGESTED ACTION:

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

33. DEPARTMENT: PUBLIC WORKS AND HUMAN RESOURCES

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Chapter 14.08 and by repealing Chapter 14.06, relating to excavations, street improvements and temporary occupation of rights of way. (Citywide)

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

34. DEPARTMENT: PUBLIC WORKS

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Sections 5.28.051 Subsection 5.28.071.C, 5.38.080, 5.38.090, 5.47.090, 5.50.010, Subsection 5.60.080.B, 5.61.080, Subsection 5.64.040.B, Subsection 5.66.060.K, 5.68.200, 5.80.050, Subsections C and M of Section 5.82.120, 5.86.120, 8.60.081, 10.60.040, Subsection 14.04.050.C, 14.14.080, 14.16.080, 15.44.190, 15.44.230, 15.74.050, Subsection 16.44.153.A.7, Subsections C and E of Section 16.47.030, 18.48.340, 18.48.360 and 18.52.130; by adding Section 2.84.030; and by repealing Section 5.04.080, all relating to insurance.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

NEW BUSINESS:

35.

36.

37.

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:

Housing and Neighborhoods Committee at 2:00 P.M., City Council Chambers.
Budget Oversight Committee at 2:00 P.M., 13th floor conference room.
Economic Development and Finance Committee (Attorney/Client) at 4:50 P.M.
July 13, 2004, Hearing on application of The Auld Dubliner, LLC, dba The Auld Dubliner
for a Permit for Entertainment Without Dancing by Patrons at 71 S. Pine Avenue.
(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 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.