

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

**TUESDAY, DECEMBER 15, 2009
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER, 5:00 PM**

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

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



Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

PRESENTATION TO THE LONG BEACH K-9 OFFICERS ASSOCIATION

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. 09-1275 Recommendation to receive supporting documentation into the record, conclude the hearing, and declare an urgency ordinance extending a temporary limitation (moratorium) on smoking lounges for one additional (1) year; declaring the urgency thereof; and declaring this ordinance shall take effect immediately, read, adopted as read 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.

2. 09-1301 Recommendation to receive supporting documentation into the record, conclude the hearing and adopt resolutions modifying parking fees; authorize City Manager to establish event parking rates and an on-line monthly parking permit system; and adopt resolution granting permission to members of the public to park in the Civic Center parking garages, establishing fees related thereto and amending and restating the conditions and regulations with respect to said parking;

09-1339 Adopt resolution granting permission to members of the public to park in the City Place Parking Garage and establishing conditions and regulations with respect to said parking;

(Agenda Item No. 2 is continued on Page 2)

09-1340 Adopt resolution granting permission to members of the public to park in the Aquarium Parking Structure and to revise fees with respect thereto; and

09-1341 Adopt resolution granting permission to members of the public to park in the City owned parking lots located on Broadway between Long Beach Boulevard and Elm Avenue and establishing fees with respect thereto. (Districts 1,2)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

3. 09-1302 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with conditions on the application of Keller Enterprises LLC, dba Kavikas, 95 Aquarium Way, for Entertainment with Dancing by Patrons. (District 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.

REVISED

CONSENT CALENDAR (21 and 4 - 14)

21. [09-1349](#) Recommendation to receive and file Parks, Recreation and Marine Purchasing and Competitive Bidding Process Audit Report.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.

4. [09-1303](#) Recommendation to approve the minutes for the City Council and Study Session meetings of Tuesday, December 1, 2009.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

5. [09-1304](#) Recommendation to refer to City Attorney damage claims received between November 23, 2009 and December 7, 2009.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

6. [09-1305](#) Recommendation to adopt Specifications No. PA-02609 and authorize City Manager to award a contract to Shunt Electric Motor Corporation for the repair of electric motors and generators in the amount of \$133,500 for the period commencing December 15, 2009 for one year, with the option to renew for one additional one-year period, at the discretion of the City Manager. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

REVISED

7. [09-1345](#) Recommendation to authorize City Manager to execute a contract with the City of Los Angeles for the Health Department to perform fee-for-service housing-related testing services for one year with revenues estimated at \$40,000 per year, and to execute any other necessary documents, amendments or subsequent renewal options to extend the contract for two additional years at the discretion of the City Manager. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

8. [09-1318](#) Recommendation to authorize City Manager, or designee, to execute all documents with the Orange County Transportation Authority (OCTA) necessary to relocate a segment of City-owned natural gas pipeline in connection with OCTA's widening of the Seal Beach Boulevard Bridge and State Route 22 (SR 22). (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

9. [09-1319](#) Recommendation to authorize City Manager to enter into miscellaneous agreements with Orange County Transportation Authority (OCTA) and the California Department of Transportation (CalTrans) in order to protect a segment of City-owned natural gas pipeline in connection with the widening of State Route 22 (SR 22) between Seal Beach Boulevard and Bolsa Chica Road in the County of Orange. (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

10. [09-1306](#) Recommendation to receive and file the application of Veronica Anile, dba (no active dba), for a person-to-person transfer of an Alcoholic Beverage Control License, at 329 Pacific Avenue, with existing conditions. (District 1)

Office or Department: POLICE

Suggested Action: Approve recommendation.

11. [09-1307](#) Recommendation to receive and file the application of Isela Luqueno Devera, Jorge Vera and Margarito Vera, dba Veras Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3667 Delta Avenue, with existing conditions. (District 7)

Office or Department: POLICE

Suggested Action: Approve recommendation.

12. [09-1308](#) Recommendation to find that all requirements of the final subdivision map for condominium conversion have been satisfied and approve the final map for Tract No. 71057 located north of 4th Street and west of Linden Avenue. (District 1)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

13. [09-1309](#) Recommendation to authorize City Manager, or designee, to accept an easement deed for sidewalk widening adjacent to the California National Guard Armory located at 2100 Redondo Avenue. (District 5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

14. 09-1310 Recommendation to request City Manager, or designee, to accept easement deeds for alley and storm drain purposes at 3140 Long Beach Boulevard. (District 7)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

15. 09-1347 Recommendation to receive and approve Commission/Board/Committee Reappointments and New Appointments to Non-Charter Commissions.

Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

16. 09-1290

Recommendation to respectfully request City Council to adopt the following three strategies to address homelessness and vehicular occupation in conjunction with the City's current "Homeless Prevention and Rapid Re-Housing Program" (HPRP):

Prevention: Assist people who are within three months of being evicted, and could be at risk of being homeless. This includes:

- Identify the issuance of utility shut-off notices in order to assess households that may be at risk for losing their housing. (Long Beach City Gas and Oil Department and Water Department)
- Provide rental and utilities assistance for this target population. (The City of Long Beach is currently contracting with Catholic Charities to assess households for eligibility for the Homeless Prevention component.)
- Provide case management and support services to address issues that may link the household as at risk of homelessness. (This is linked to rental and utilities assistance.)

Outreach: Reach out to people who are living in vehicles on the streets of Long Beach in order to identify who they are, what their needs are, and how to connect them to services and housing. This includes:

- Since law enforcement is typically the first responders, provide law enforcement with Pocket Guide Resource Directories that list services at the City's Multi-Service Center; and also provide to neighborhood and business associations.
- Begin to track the incidence of Vehicular Occupancy to learn about who is living in their vehicles and what their needs are.
- Support current City street Outreach teams to regularly canvass neighbors reaching out to people living in vehicles.
- Assign an existing Outreach staff person at the City's Multi-Service Center to assist in coordinating and strategizing outreach to people living in vehicles.

Rapid Re-Housing: Refer people in vehicles to Beyond Shelter located at the Multi-Service Center to access services and housing for people already homeless and living in vehicles. This includes:

- "Outreach" as described above.
- Link people in vehicles to services at the City's Multi-Service Center; services such as employment, case management, health care, mental health care, food, etc.
- Provide people with housing locator assistance, rental assistance and move-in costs for 6 months. This would be

- linked with intensive case management and employment placement services.
- Provide people with direct access to emergency and transitional shelters for people who do not qualify for Rapid Re-Housing Program.

This adopted strategy allows the City of Long Beach to immediately serve and house people who are living in vehicles as a first priority.

Office or Department: COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

17. [09-1348](#)

Recommendation to request City Manager and City Attorney to work with appropriate staff to ban the sale of alcohol at self-checkout counters in the City of Long Beach.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

18. 09-1350

1) Recommendation to respectfully request The Long Beach Housing Development Company to consider the following:

a. To allow the funds already allocated for homeowners assistance to include low income applicants.

b. To change the requirements of Long Beach residents only to preferred Long Beach residents. The owner would demonstrate good faith best efforts to attract Long Beach residents.

2) All City resources, with zero net general fund cost, should be utilized to attract new home ownership opportunities in Long Beach which would include but not limited to:

Email Blasts	Port Newsletters
Neighborhood Newsletters	Heart of the City Program Segment
Community Meetings	Weed and Seed Outreach
Section 8 Housing Materials	Workforce Development Outreach
Utility Bills and Public Mailers	Community Health Worker Outreach
Printed Materials at City Facilities	City Website
On Hold Messages	City Council Meeting "Crawlers"
Electronic Message Boards	Printed Materials at City Facilities

Office or Department: COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

Suggested Action: Approve recommendation.

19. 09-1351

Recommendation to request City Attorney to draft an ordinance that will achieve the following goals:

• To guarantee to the residents of the City that the City of Long Beach (City) continues the highest ethical work environment for the residents of the City and the City's elected officials and employees; and

• In the spirit of open and transparent government, to allow the public to know and better understand the relationship between its elected officials and lobbyist's clients.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT

Suggested Action: Approve recommendation.

REVISED

20. 09-1334

WITHDRAWN

~~Recommendation to authorize City Attorney to pay sum of \$45,000.00 in full settlement of lawsuit entitled Williams vs. Cummings, et al.~~

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

21. Agenda item No. 21 has been moved to the Consent Calendar.

22. 09-1311

Recommendation to authorize City Manager to execute an agreement with Public Corporation for the Arts of the City of Long Beach, Inc., a California Nonprofit Corporation, dba Arts Council of Long Beach, in the amount of \$370,000 to fund arts and cultural activities for a period of one year. (Citywide)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

23. 09-1312

Recommendation to authorize City Manager to execute a contract with BigBelly Solar for the implementation of a Solar Powered Trash Compactor and Bottle/Can Recycling Pilot Program. (Districts 2,3,8)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

24. [09-1300](#) Recommendation to adopt Plans and Specifications No. R-6806 for the Colorado Lagoon Restoration Project; and authorize City Manager to award and execute the contract with ARB Inc. in an estimated amount of \$3,787,238, plus a 20 percent contingency amount of \$757,448, if necessary and if funds are available, for a total of \$4,544,686, and any necessary amendments thereto; authorize City Manager to accept \$1,300,000 from the Port of Long Beach and \$1,116,131 from the State Water Resources Control Board for construction of the Colorado Lagoon improvements, and execute all documents necessary to accept the funds; and increase appropriations in the Tidelands Operation Fund (TF) in the Department of Community Development (CD) in the amount of \$2,416,131. (District 3)

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

Suggested Action: Approve recommendation.

25. [09-1314](#) Recommendation to receive and file the Fiscal Year 2009 Year-End Operational Performance Report. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

26. [09-1316](#) Recommendation to adopt resolution establishing the need to receive summary criminal history information on all Emergency Medical Technicians employed by the City of Long Beach, including any volunteer or contract employees, and establishing the authorization to access local, state and federal level summary Criminal Offender Record Information and Subsequent Arrest Notifications from the Department of Justice for current and newly hired employees. (Citywide)

Office or Department: FIRE

Suggested Action: Approve recommendation.

27. [09-1317](#) Recommendation to authorize City Manager to execute all necessary documents to apply to the Federal Aviation Administration (FAA) for new Passenger Facility Charge (PFC) program, and to accept, implement, administer, collect and expend the new PFCs related to the Airport Capital Improvement Program (CIP), within the existing authorized PFC level of \$4.50 per enplaned passenger. (District 5)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

28. [09-1321](#) Recommendation to receive and file the application of Shannons On Pine Incorporated, dba Shannons On Pine, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 209 Pine Avenue No. A and B, with conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

29. [09-1322](#) Recommendation to receive and file the application of Avina Wine Company LLC, dba Avina, for an original Alcoholic Beverage Control License, at 3260 Petaluma Avenue, with conditions. (District 5)

Office or Department: POLICE

Suggested Action: Approve recommendation.

30. [09-1323](#) Recommendation to receive and file the application of Santiago Perez Escobar, dba Portofino Pizzeria, for an original Alcoholic Beverage Control License, at 5900 East Spring Street Suite B, with conditions. (District 5)

Office or Department: POLICE

Suggested Action: Approve recommendation.

31. [09-1324](#) 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) and Juvenile Car Officers for an amount not to exceed \$602,000. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

32. [09-1325](#) Recommendation to adopt Plans and Specifications No. R-6763 for the construction of storm drain pollution trap (vortex separation system) at pump station No. 11; and authorize City Manager to award and execute the contract with Clarke Contracting Corporation in an estimated amount of \$264,275 plus a 15 percent contingency in the amount of \$39,641, if necessary and if funds are available, for a total of \$303,916, and any amendments thereto. (District 9)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

33. [09-1326](#) Recommendation to adopt Plans and Specifications No. R-6755 for the construction of storm drain pollution trap nets at pump station No. 12; and authorize City Manager to award and execute the contract with Humphrey Constructors, in an estimated amount of \$245,500 plus a 15 percent contingency in the amount of \$36,825, if necessary and if funds are available, for a total of \$282,325, and any amendments thereto. (District 9)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

34. [09-1327](#) Recommendation to adopt Plans and Specifications No. R-6809 for the construction of storm drain pollution trap nets at pump station No. 13; and authorize City Manager to award and execute the contract with Humphrey Contractors, in an estimated amount of \$367,900 plus a 15 percent contingency in the amount of \$55,185, if necessary and if funds are available, for a total of \$423,085, and any amendments thereto. (District 9)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

35. [09-1328](#) Recommendation to adopt Plans and Specifications No. R-6814, award an as-needed contract to Martinez Concrete Inc., for the Annual Contract for Concrete Repairs and Related Improvements in an amount not to exceed \$6,500,000; and authorize City Manager to execute the contract and any necessary amendments thereto with Martinez Concrete Inc. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

36. [09-1329](#) Recommendation to adopt Plans and Specifications No. R-6819; award an as-needed contract to All American Asphalt, for the Annual Contract for Street Improvements in an amount not to exceed \$6,000,000; and authorize City Manager to execute the contract and any necessary amendments thereto with All American Asphalt. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

37. [09-1330](#) Recommendation to adopt Plans and Specifications No. R-6821 for Furnishing Citywide Bike Parking Equipment;

Award the project and authorize City Manager to execute a contract with Dero Bike Racks, and any necessary amendments thereto relative to the scope of work, in an estimated amount of \$837,764, for the purchase of approximately 1,800 bike racks and shelters; and

Increase appropriations in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) in the amount of \$837,764. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

38. [09-1332](#) Recommendation to authorize City Manager to execute a contract with Mark Sauer Construction for construction of a visitor education center and restoration of the arroyo at Rancho Los Cerritos in an estimated amount of \$1,943,636, plus a 10 percent contingency amount of \$194,364, for a total of \$2,138,000, and execute any documents necessary for the implementation and administration of the project;

Increase appropriations in the amount of \$275,000 in Capital Projects Fund (CP 201) in the Department of Public Works (PW) to budget a Rivers and Mountains Conservancy (RMC) state grant; and

Authorize City Manager to submit an application to the Rancho Los Cerritos Foundation (Foundation) and receive a gift of grant funds in the amount of \$1,232,733 from the Foundation, and increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) in the amount of \$1,232,733. (District 8)

Office or Department: PUBLIC WORKS; PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

REVISED

ORDINANCES:

39. [09-1295](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking Districts "O", "R" and "U", read and adopted as read. (District 4)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

40. [09-1296](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsections 8.68.020.R and 8.68.060.B; and by adding Chapter 5.88 all relating to smoking lounge regulations, read and adopted as read. (Citywide)

Office or Department: CITY ATTORNEY

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.

41. [09-1292](#) Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communication and confirm the following appointments and reappointments: Citizen Police Complaint Commission (1 appointment); Harbor Commission (1 appointment); and Parks and Recreation Commission (2 reappointments).

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT, CHAIR; PERSONNEL AND CIVIL SERVICE COMMITTEE

Suggested Action: Approve recommendation.

REVISED

42. [09-1357](#) Recommendation to refer to the Charter Amendment Committee a discussion of possible measures to stabilize the budget for the Tidelands Operating Fund.

Office or Department: COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

43.

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, December 8, 2009 – Personnel and Civil Service Committee at 3:00 P.M., Council Chamber.

Tuesday, December 15, 2009 – Housing and Neighborhoods Committee at 3:30 P.M., Council Chamber.

Tuesday, December 15, 2009 – Housing Authority at 4:30 P.M., Council Chamber.

Tuesday, December 22, 2009 – State Legislation Committee at 2:30 P.M., Council Chamber.

Tuesday, January 5, 2010 – Public Safety Committee at 3:00 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.

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