

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

**PROCLAMATION FOR LONG BEACH READS ONE BOOK —
BOOK WEEK 2010**

PRESENTATION FROM CAMPFIRE USA FOR THEIR 100TH BIRTHDAY

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.

HEARING:

1. [10-0210](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant the permit with conditions on the application of Pike Restaurant, Inc., dba Pike, 1836 E. 4th Street, for Entertainment Without 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: (2 - 14)

2. [10-0217](#) Recommendation to receive and file report on travel to the Big Ten Mayors' meeting in San Jose, California, February 22, 2010.
Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

3. [10-0212](#) Recommendation to authorize City Manager to execute an agreement with Davis Wright Tremaine LLP for legal services during the period of February 1, 2010 through January 31, 2012, up to a maximum amount of \$75,000 each year, and subject to appropriation of funds in the second year.
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

4. [10-0213](#) Recommendation to approve the minutes for the City Council meetings of Tuesdays, February 9 and 16, 2010.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

5. [10-0214](#) Recommendation to refer to City Attorney damage claims received between February 8, 2010 and February 22, 2010.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

6. [10-0241](#) Recommendation to approve the destruction of records for Long Beach Police Department as shown in Exhibit A; and adopt resolution.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

7. [10-0211](#) Recommendation to authorize City Manager to execute a Revocable Permit granting the Grand Prix Association of Long Beach permission to occupy and use certain areas for parking and hospitality during the staging of the 2010 Toyota Grand Prix of Long Beach. (District 2)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

8. [10-0215](#) Recommendation to adopt resolution authorizing the temporary closure of certain streets, alleys, walkways, The Promenade, and the downtown shoreline bike path in order to conduct the 2010 Toyota Grand Prix of Long Beach. (District 2)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

9. [10-0218](#) Recommendation to authorize City Manager to execute a right-of-entry permit for Manson Construction Company to access the Catalina Landing Marina, located at 310-340 Golden Shore Street, to provide dredging services commencing March 5, 2010. (District 2)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

10. [10-0219](#) Recommendation to receive and file the application of Rubios Restaurants Incorporated, dba Rubios Fresh Mexican Grill 33, for a stock ownership transfer of an Alcoholic Beverage Control License, at 4700 East 2nd Street, with existing conditions. (District 3)

Office or Department: POLICE

Suggested Action: Approve recommendation.

11. [10-0220](#) Recommendation to receive and file the application of Deborah Lee White and Gary Lee White, dba The Crows Nest, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1912 West Willow Street, with existing conditions. (District 7)

Office or Department: POLICE

Suggested Action: Approve recommendation.

12. [10-0109](#) Recommendation to find that all requirements of the final subdivision map for construction of a 104 residential unit mixed-use development have been satisfied; and approve the final map for Tract No. 64636 located south of Third Street and west of Long Beach Boulevard. (District 2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

13. [10-0221](#) Recommendation to request City Manager, or designee, to accept an easement deed for street purposes at 4110 Santa Fe Avenue. (District 8)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

14. [10-0242](#) Recommendation to receive and file the minutes for:
Civil Service Commission - February 3, 2010.
Cultural Heritage Commission - January 11, 2010.
Parks and Recreation Commission - January 21, 2010.
Planning Commission - December 17, 2009.
Water Commission - December 17, 2009, and January 7 and 21, 2010.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS

15. [10-0143](#) Recommendation to receive and file the application of Wings Over Long Beach LLC, dba Hooters, for a premise-to-premise transfer and a LLC membership change of an Alcoholic Beverage Control License, at 71 Aquarium Way, The Pike at Rainbow Harbor, with conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. [10-0222](#) Recommendation to request City Manager to include the Long Beach Cultural Master Plan and its update entitled, "Create Long Beach" into the Long Beach 2030 General Plan to ensure our long-term commitment to arts and culture and sustainable economic development.
- Office or Department:** COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT
- Suggested Action:** Approve recommendation.
17. [10-0223](#) Recommendation to request City Manager to convene within 30 days a 7-9 member temporary Blue Ribbon Committee for the Funding of Arts and Culture with a charge to report back to City Council within 90 days. The Committee's membership would be jointly recommended by the Arts Council and the Economic Development and Cultural Affairs Bureau, with all members appointed by the Mayor and approved by City Council.
- Office or Department:** COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT
- Suggested Action:** Approve recommendation.

18. [10-0224](#) Recommendation to request City Attorney to work with Business Licensing to draft an ordinance within 60 days that provides exceptions to the entertainment licensing requirements, or creates an alternative process for entertainment permitting, for businesses that are not primarily entertainment venues, do not sell alcoholic beverages, admit all ages, and allow music only occasionally, not mainly for dancing, not at an excessively loud volume, and limited to certain hours, to be determined by City Council, so that it is easier for these businesses and venues to host performances.

Office or Department: COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

Suggested Action: Approve recommendation.

19. [10-0225](#) Recommendation to request City Attorney to work with Business Licensing to draft an ordinance within 60 days that provides exceptions to the business licensing requirements for artists who rent or own a space used primarily for the creation of art, with gross receipts below a reasonable threshold.

Office or Department: COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; VICE MAYOR VAL LERCH, COUNCILMEMBER, NINTH DISTRICT

Suggested Action: Approve recommendation.

20. [10-0226](#) Recommendation to request City Attorney to remove Long Beach Municipal Code Section 14.04.070, restricting street performance for compensation to permitted performers.

Office or Department: COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER GARY DELONG, THIRD DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; VICE MAYOR VAL LERCH, COUNCILMEMBER, NINTH DISTRICT

Suggested Action: Approve recommendation.

21. [10-0216](#) Recommendation to request City Manager to obtain a TEDx Long Beach license from TED as the first step in planning and holding an annual TEDx LongBeach event.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

22. [10-0245](#) Recommendation to request City Manager to work with the Office of Sustainability to establish a pilot rain barrel program to encourage the capture and re-use of rain water for watering of gardens and lawns.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

23. [10-0149](#) Recommendation to City Council to concur in recommendation of the Public Safety Committee to approve a Lateral Firefighter Training Academy.

Office or Department: VICE MAYOR VAL LERCH, COUNCILMEMBER, NINTH DISTRICT, CHAIR; PUBLIC SAFETY COMMITTEE

Suggested Action: Approve recommendation.

- 24. [10-0227](#) Recommendation to adopt the Statement on Investment Policy for Calendar Year 2010 pursuant to Section 53646 (a) of the State of California Government Code. (Citywide)
Office or Department: FINANCIAL MANAGEMENT
Suggested Action: Approve recommendation.
- 25. [10-0229](#) Recommendation to adopt Specifications No. PA-00410; and authorize the sale of one used Portable Liquefied Natural Gas (LNG) Fueling System to California Cartage Company, LLC, a local Long Beach-based business, for the amount of \$230,000. (Citywide)
Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS
Suggested Action: Approve recommendation.
- 26. [10-0230](#) Recommendation to authorize City Manager to purchase additional property and boiler/machinery insurance for the Southeast Resource Recovery Facility (SERRF) related to the re-appraisal of SERRF associated with the Assignment of the Operating Agreement to Covanta, in an amount not to exceed \$150,000, payable to Covanta Holding Corporation. (District 2)
Office or Department: HUMAN RESOURCES
Suggested Action: Approve recommendation.
- 27. [10-0231](#) Recommendation to authorize City Manager to submit an application for Airport Improvement Program Grant(s) for Fiscal Year 2010 to the Federal Aviation Administration (FAA) to fund the Phase 2 Improvements to the Air Carrier Ramp, Improvements to Taxiway G East of Runway 12-30, and Runway 7L-25R Runway Safety Area Improvements; and accept such grant(s), execute and amend grant documents and amounts from the FAA for entitlement and discretionary funds. (District 5)
Office or Department: LONG BEACH AIRPORT
Suggested Action: Approve recommendation.

28. [10-0232](#) Recommendation to approve and adopt the Long Beach Unit Annual Plan (July 1, 2010 - June 30, 2011). (Citywide)
Office or Department: LONG BEACH GAS AND OIL
Suggested Action: Approve recommendation.
29. [10-0233](#) Recommendation to authorize City Manager to execute a permit with Wake Experience, LLC, to establish a wakeboard/waterski concession at Marine Stadium in the City of Long Beach for a one-year term, with two, one-year renewal options at the discretion of the City Manager or his designee. (District 3)
Office or Department: PARKS, RECREATION AND MARINE
Suggested Action: Approve recommendation.
30. [10-0234](#) Recommendation to receive and file the application of Forty Niner Shops Incorporated, dba Forty Niner Shops Incorporated, for an original Alcoholic Beverage Control License, at 4700 Deukmejian Drive, with conditions. (District 3)
Office or Department: POLICE
Suggested Action: Approve recommendation.
31. [10-0240](#) Recommendation to authorize City Manager to execute the Twenty-Second Amendment to Agreement No. 23214 with Tiburon, Inc. to provide software maintenance services for computer-aided dispatch and record management systems for an additional 12-month period through February 2011 in an amount not to exceed \$332,680. (Citywide)
Office or Department: TECHNOLOGY SERVICES
Suggested Action: Approve recommendation.

ORDINANCES:

32. [10-0159](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 2.08 regarding Regulation of Persons who Lobby Public Officials 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.

33. [10-0166](#) Recommendation to declare ordinance amending the Use District Map of the City of Long Beach as said Map has been established and amended by amending portions of Part 30 of said Map from CCA (Community Commercial Automobile-Oriented) to CCN (Community R-4-N Commercial), read and adopted as read. (District 9)

Office or Department: DEVELOPMENT 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.
35.
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, March 2, 2010 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, March 9, 2010 – Housing and Neighborhoods Committee at 3:30 P.M., Council Chamber.

Tuesday, March 9, 2010 – Housing Authority at 4:30 P.M., Council Chamber.

Monday, March 15, 2010 – Elections Oversight Committee at 5:00 P.M., Council Chamber.

Tuesday, March 16, 2010 – Public Safety Committee at 3:00 P.M., Council Chamber.

Tuesday, March 16, 2010 – Budget Oversight Committee at 4:00 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, March 9, 2010 – Hearing for an Owner Participation Agreement for sale of Redevelopment Agency-owned property to P&L Land and Development, Inc., dba Dion & Sons (Developer), 1601 West 17th Street. (District 1)

Tuesday, March 16, 2010 – Hearing for Panama Joe's, Inc., dba Panama Joe's Café, for a Permit for Entertainment Without Dancing by Patrons, 5100 E. 2nd Street. (District 3)

Tuesday, March 16, 2010 – Hearing for Gaslamp Partners LLC., dba The Gaslamp Restaurant, for a Permit for Entertainment Without Dancing by Patrons, 6251 E. Pacific Coast Highway. (District 3)

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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