

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



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

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

Robert E. Shannon, City Attorney

**REVISED**

**CALIFORNIA CONFERENCE FOR EQUALITY AND JUSTICE (CCEJ)  
AND  
SEASON FOR NON-VIOLENCE (SNV)  
MINI GRANT PRESENTATION**

**BIKE-FRIENDLY COMMUNITY AWARD PRESENTATION**

**ACADEMIC, CULTURAL, TECHNOLOGICAL AND  
SCIENTIFIC OLYMPICS (ACT-SO) PRESENTATION**

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. [09-0538](#) Recommendation to receive supporting documentation into the record, conclude the hearing and adopt resolution making certain findings; approving and authorizing the execution of the Disposition and Development Agreement between the Long Beach Housing Development Company and LINC Housing Corporation; finding that the consideration for the lease of certain real property in the Central Long Beach Project Area is not less than Fair Market Value in accordance with covenants and conditions governing such lease; and approving the lease of the property and the Disposition and Development Agreement and lease. (District 4)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

2. [09-0539](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with conditions on the application of Pacific Sailing, LLC, dba Pacific Sailing & Yacht Club, 423 Shoreline Village Drive #D, for a Social Club Permit. (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.

**CONSENT CALENDAR: (3 - 19)**

3. [09-0530](#) Recommendation to authorize City Attorney to pay the sum of \$6,000 in full settlement of lawsuit entitled John Hokanson, by and through his Guardian ad Litem Margaret Hokanson, Case No. NC051084.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

4. [09-0531](#) Recommendation to adopt resolution to support SB 696 by Senator Rod Wright and sponsored by the South Coast Air Quality Management District (AQMD) to resolve the air quality permit moratorium caused by a State court decision. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

5. [09-0532](#) Recommendation to adopt resolution temporarily suspending the activities and operations of the Public Safety Advisory Commission.  
**Office or Department:** CITY ATTORNEY  
  
**Suggested Action:** Approve recommendation.
6. [09-0562](#) Recommendation to receive and file the 3rd and 4th Quarter FY 2008 Investments Audit for the quarters ending June 30, 2008, and September 30, 2008.  
**Office or Department:** CITY AUDITOR  
  
**Suggested Action:** Approve recommendation.
7. [09-0536](#) Recommendation to approve City Council minutes for the meetings held Tuesday, May 12, 2009 and Tuesday, May 19, 2009 and the Budget meeting held Tuesday, May 12, 2009.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
8. [09-0537](#) Recommendation to refer to City Attorney damage claims received between May 11, 2009 and May 22, 2009.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
9. [09-0540](#) Recommendation to authorize City Manager to execute an agreement with the California Franchise Tax Board (FTB) for records obtained from the FTB Taxpayer Information System and Business Entity Tax System, at a cost of \$0, with a term of June 1, 2009 through December 31, 2011. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
  
**Suggested Action:** Approve recommendation.

10. [09-0541](#) Recommendation to adopt Specifications No. PA-01609 and award contracts to Elster Perfection and Carolina Moldings, Inc., for the purchase of meter parts and supplies in the annual contract amount of \$155,000 for a period of one year, with the option of renewing for two additional one-year periods, at the discretion of the City Manager, with the option of adding expenditures up to 10 percent (or \$15,500) above the annual contract amount, if necessary and if funds are available. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT; LONG BEACH  
GAS AND OIL

**Suggested Action:** Approve recommendation.

11. [09-0542](#) Recommendation to authorize City Manager to execute a fifth amendment to Agreement No. 28619 with Heritage Architecture and Planning to design a visitor center, caretaker residence, and various entryway and landscaping improvements at Rancho Los Cerritos Historic Site; and to extend the term of the Agreement through May 1, 2011. (District 8)

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

**Suggested Action:** Approve recommendation.

12. [09-0543](#) Recommendation to authorize City Manager to execute an agreement with the Long Beach Unified School District for food preparation for the 2009 Summer Food Service Program; authorize City Manager to execute sponsor/site agreements with the agencies listed on Attachment A; and authorize City Manager to execute any future documents, including amendments, necessary to accept funds, implement, and administer the 2009 Summer Food Program. (Districts 1,2,4,6,7,8,9 and portions of Signal Hill)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

13. [09-0544](#) Recommendation to receive and file the 2008 Parks and Recreation Commission Annual Report. (Citywide)  
**Office or Department:** PARKS, RECREATION AND MARINE; PARKS AND RECREATION COMMISSION  
**Suggested Action:** Approve recommendation.
14. [09-0545](#) Recommendation to receive and file the application of Pacific Real Estate Investment Group Incorporated, dba Holdens, for a person-to-person transfer of an Alcoholic Beverage Control License, at 401 Redondo Avenue, with existing conditions. (District 2)  
**Office or Department:** POLICE  
**Suggested Action:** Approve recommendation.
15. [09-0546](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at the Omelette Inn restaurant located at 318 Pine Avenue. (District 1)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
16. [09-0547](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Trimana Grill located at 95 Pine Avenue. (District 2)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.

17. [09-0548](#) Recommendation to find that all requirements of the final subdivision map for the Douglas Park Office Development project have been satisfied and approve the final map for Tract No. 69908 located in Block 2 of the Douglas Park site, bounded by Cover Street to the north, Worsham Avenue to the east, Conant Street to the south, and Schaufele Avenue to the west. (District 5)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
18. [09-0550](#) Recommendation to authorize City Manager to accept funds from Research and Development Solutions, LLC (RDS) in the amount of \$17,500 to be used for promoting the U.S. Department of Energy's (DOE) Clean Cities Program (Program), execute all related documents; and increase appropriations in the Fleet Fund (IS 386) in the Department of Public Works (PW) by \$17,500. (Citywide)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
19. [09-0535](#) Recommendation to receive and file the minutes for: Civil Service Commission - May 6, 2009.  
**Office or Department:** VARIOUS  
**Suggested Action:** Approve recommendation.

## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

20. [09-0555](#) Recommendation to request City Attorney to prepare an ordinance amending Long Beach Municipal Code Section 2.84.030, Local preference, as reflected in Exhibit A, and return to the City Council for the June 9, 2009 meeting.  
**Office or Department:** MAYOR BOB FOSTER  
**Suggested Action:** Approve recommendation.

21. [09-0564](#) Recommendation to receive and approve the Commission/Board/Committee reappointments and new appointments to Non-Charter Commissions.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

22. [09-0565](#) Recommendation to approve a commission reduction in concurrence with the recommendation from the Senior Citizen Advisory Commission from 15 to 9 members.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

23. [09-0534](#) Recommendation to request City Attorney to prepare a resolution in opposition to AB 1139 (Enterprise Zone Tax Credits).

**Office or Department:** VICE MAYOR VAL LERCH,  
COUNCILMEMBER, NINTH DISTRICT;  
COUNCILMEMBER GARY DELONG, THIRD  
DISTRICT

**Suggested Action:** Approve recommendation.

24. [09-0560](#) Recommendation to request that the issue of developing an ordinance to provide local regulation of mortgage modification consultants be referred to the Housing and Neighborhoods Committee for further review and study.

**Office or Department:** VICE MAYOR VAL LERCH,  
COUNCILMEMBER, NINTH DISTRICT;  
COUNCILMAN DEE ANDREWS, SIXTH  
DISTRICT

**Suggested Action:** Approve recommendation.

25. [09-0405](#) Recommendation to receive and file report on the actions taken at the Metropolitan Water District Board meeting held on May 12, 2009.

**Office or Department:** COUNCILMEMBER SUJA LOWENTHAL,  
SECOND DISTRICT

**Suggested Action:** Approve recommendation.

26. [09-0554](#) Recommendation to approve a resolution finding a severe fiscal hardship will exist for the City of Long Beach if additional City property taxes are seized and additional unfunded mandates are adopted by the State of California.

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER GARY DELONG, THIRD DISTRICT; VICE MAYOR VAL LERCH, COUNCILMEMBER, NINTH DISTRICT

**Suggested Action:** Approve recommendation.



27. [09-0556](#)

Recommendation to respectfully request that the Board of Harbor Commissioners include the following Council priorities into the Port of Long Beach's oversight and construction of the Middle Harbor Project:

1. Research and implement progressive, groundbreaking environmental policy.
2. Provide the City Council with semi-annual reports with information regarding the "Community Health: Port of Long Beach Grant Programs" and the status of grant applications and funding allocations.
3. Review the need for additional grant allocations after fully allocating the \$5 million in each of the three programs in the "Community Health: Port of Long Beach Grant Programs".
4. Begin outreach to stakeholders within 30 days and provide a transparent process for the "Community Health: Port of Long Beach Grant Programs" in order to further develop the Harbor's commitment to being a responsible community partner.
5. Incorporate the use of additional proven technologies such as electric trucks into the Middle Harbor Redevelopment Project as they become available and prove feasible.
6. Incorporate necessary changes at the Middle Harbor Terminal to reflect alterations made to the draft San Pedro Bay-wide Standards, if needed, after the South Coast Air Quality Management District, the California Air Resources Board and the US Environmental Protection Agency complete their review of the document and the Standards are finalized.
7. Continue to encourage and incentivize the use of alternative fuels as outlined in the Clean Air Action Plan.
8. Evaluate the benefits of a project labor agreement for construction contracts associated with the Middle Harbor Redevelopment Project.

**Office or Department:** COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER GARY DELONG, THIRD DISTRICT

**Suggested Action:** Approve recommendation.

28. [09-0566](#) Recommendation to request the Board of Harbor Commissioners to adopt the Port of Long Beach Middle Harbor Redevelopment Project Mitigation Measures.  
**Office or Department:** COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT  
**Suggested Action:** Approve recommendation.
29. [09-0549](#) Recommendation that City Council communicate to our representatives in the State Legislature the City of Long Beach's opposition to further reductions to Supplemental Security Income, In-Home Supportive Services, and Medi-Cal Optional Benefits.  
**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT  
**Suggested Action:** Approve recommendation.
30. [09-0563](#) Recommendation to request City Attorney to draft a resolution requesting the California Department of Transportation (Caltrans) to post community signs for Bixby Knolls on the 405 Freeway at Atlantic Avenue pursuant to Section 101.12 of the Streets and Highways Code.  
**Office or Department:** COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT; COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT  
**Suggested Action:** Approve recommendation.
31. [06-1359](#) Recommendation to City Council to concur in recommendation of the Housing and Neighborhoods Committee related to amending the Noise Ordinance restricting hours of operation for certain construction equipment and for residential noise.  
**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT, CHAIR; HOUSING AND NEIGHBORHOODS COMMITTEE  
**Suggested Action:** Approve recommendation.

**REVISED**

32. [09-0551](#) Recommendation to approve a third amendment to the Fiscal Year 2008-2009 Action Plan incorporating the American Recovery and Reinvestment Act's (ARRA) Community Development Block Grant-Recovery (CDBG-R); and authorize City Manager to: 1) execute all necessary documents with the U.S. Department of Housing and Urban Development (HUD) and other entities necessary to receive CDBG-R funds, 2) increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Community Development (CD) by \$2,332,444, and 3) execute all necessary documents with approved contractors necessary for CDBG-R implementation. (Districts 1,7)

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

**Suggested Action:** Approve recommendation.

33. [09-0552](#) Recommendation to receive and file the Fiscal Year 2009 Second Quarter Operational Performance Report. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

34. [09-0553](#) Recommendation to receive and file the Fiscal Year 2009 Second Quarter Budget Performance Report. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

35. [09-0507](#) Recommendation to adopt Specifications No. FM 09-014 and award a contract to Cardon Solutions, LLC to provide technical and functional maintenance support and development services for the City's suite of Financial Accounting Management Information Systems (FAMIS) and Simpler Suite (EZ FAMIS) financial software applications in an amount not to exceed \$225,000 for a period of 18-months, plus an additional \$90,000 for the Harbor Department, for a total of \$315,000 in the 18-month period, with the option to renew for two additional one-year periods, at the discretion of the City Manager, and with the option to add expenditures up to 10 percent (or \$31,500) above annual contract amount, if necessary and if funds are available. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

36. [09-0557](#) 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 \$532,000. The net cost to the City's General Fund for the agreement is estimated to be \$379,945. (Citywide)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

37. [09-0558](#) Recommendation to authorize an amendment to Contract No. 29391 with Earth Tech, Inc. (Earth Tech) to expend additional funds in the amount of \$360,435 through September 30, 2009, for the purpose of providing environmental consulting services at various fuel site locations. (Districts 4,5,6,8)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

38. [09-0559](#) Recommendation to adopt resolution approving issuance by the Board of Water Commissioners, on behalf of the City of Long Beach, of up to \$20,000,000 of Senior Sewer Revenue Commercial Paper Notes secured by revenues of the City's sewer system. (Citywide)

**Office or Department:** WATER; FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

**ORDINANCE:**

39. [09-0533](#) Recommendation to declare ordinance repealing Long Beach Municipal Code Section 10.58.030 related to Pedestrian Angle of Crossing 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.

**NEW BUSINESS:**

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Monday afternoon.

40.

41.

42.

**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, May 26, 2009 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Tuesday, June 2, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th floor conference room.

**HEARING REMINDERS:**

Tuesday, June 9, 2009 – Hearing for Frisco’s Food Services, Inc., dba Frisco’s Carhops Bar & Grill Restaurant, for a Permit for Entertainment with Dancing by Patrons at 4750 E. Los Coyotes Diagonal. (District 4)

Tuesday, June 9, 2009 – Hearing for Sam Sengchan, dba Dragon Sea, for a Permit for Entertainment with Dancing by Patrons at 1223 E. Anaheim. (District 6)

Tuesday, June 16, 2009 – Hearing for consideration of proposed code amendments regarding noticing of public hearings. (Citywide)

**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.

The City Council agenda and supporting documents are available on the Internet at [www.longbeach.gov](http://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](mailto:cityclerk@longbeach.gov).

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