

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

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## REVISED

[10-0928](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 24, 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 - 15)**

1. [10-0915](#) Recommendation to authorize City Attorney to pay the sum of \$40,000 in full settlement of lawsuit entitled Bruder v. City of Long Beach, et al., Case No. NC052959.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

2. [10-0830](#) Recommendation to adopt resolution in support of Proposition 22, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

3. [10-0916](#) Recommendation to receive and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to the Appropriations Limit Worksheet of the City of Long Beach, California for the year ended September 30, 2009.

**Office or Department:** CITY AUDITOR

**Suggested Action:** Approve recommendation.
4. [10-0896](#) Recommendation to approve the minutes for the City Council Meeting and Budget Meeting of Tuesday, August 10, 2010.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.
5. [10-0897](#) Recommendation to refer to City Attorney damage claims received between August 9, 2010 and August 16, 2010.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.
6. [10-0898](#) Recommendation to authorize Department of Development Services to process a refund in the amount of \$50,592 to Pacific Castle Long Beach LP for the property located at 6511 Pacific Coast Highway. (District 3)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.
7. [10-0899](#) Recommendation to receive and file the application of A N D Liquor Incorporated, dba Holdens Liquor Bay, 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.

8. [10-0900](#) Recommendation to receive and file the application of Ayres Grill Incorporated, dba Gaucho Grill, for a person-to-person transfer of an Alcoholic Beverage Control License, at 200 Pine Avenue Suite A & B, with existing conditions. (District 2)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

9. [10-0901](#) Recommendation to receive and file the application of Elan Horizon Incorporated, dba Elan Horizon, for a person-to-person transfer of an Alcoholic Beverage Control License, at 200 West Willow Street, with existing conditions. (District 6)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

10. [10-0912](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Creama located at 440 Pine Avenue. (District 1)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

11. [10-0911](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at the 4th Street Deli located at 450 Pine Avenue. (District 1)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

12. [10-0913](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Sushi Zen Maru located at 454 Pine Avenue. (District 1)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

13. [10-0902](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at the Congregation Ale House located at 201 East Broadway. (District 2)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

14. [10-0903](#) Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Boubouffe restaurant located at 5313 East Second Street. (District 3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

15. [10-0474](#) Recommendation to receive and file minutes for:  
Civil Service Commission - August 4, 2010.  
Cultural Heritage Commission - June 14, 2010.  
Planning Commission - July 15, 2010.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

16. [10-0918](#) Recommendation to request City Attorney to prepare a resolution declaring October Filipino-American History Month in Long Beach.

**Office or Department:** COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; VICE MAYOR SUJA LOWENTHAL, COUNCILMEMBER, SECOND DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT

**Suggested Action:** Approve recommendation.

17. [07-1394](#) Recommendation to City Council to concur in recommendation of the Elections Oversight Committee to amend Long Beach Municipal Code Section 2.01.380 concerning officeholder accounts to conform to State regulations requiring reporting of all expenditures and contributions of \$100 or more.

**Office or Department:** VICE MAYOR SUJA LOWENTHAL,  
COUNCILMEMBER, SECOND DISTRICT,  
CHAIR; ELECTIONS OVERSIGHT  
COMMITTEE

**Suggested Action:** Approve recommendation.

18. [10-0757](#) Recommendation to City Council to concur in recommendation of the Elections Oversight Committee to amend Long Beach Municipal Code Section 2.01.1020 concerning increasing the amount from five thousand dollars (\$5,000) to ten thousand dollars (\$10,000) that an officeholder may retain in Surplus Funds for expenditures associated with holding such office.

**Office or Department:** VICE MAYOR SUJA LOWENTHAL,  
COUNCILMEMBER, SECOND DISTRICT,  
CHAIR; ELECTIONS OVERSIGHT  
COMMITTEE

**Suggested Action:** Approve recommendation.

19. [10-0917](#) Recommendation to receive and file the Queen Mary Capital Improvements Audit, and revisit Save the Queen's performance of capital improvements subsequent to its final benchmark deadline of December 31, 2010.

**Office or Department:** CITY AUDITOR

**Suggested Action:** Approve recommendation.

20. [10-0904](#) Recommendation to adopt resolution authorizing City Manager to execute documents for the delivery of a new Letter of Credit agreement for the 2004 Series A Taxable Variable Rate Demand Revenue Bonds (Long Beach Towne Center Site Refinancing Project) and approving related documents at an annual cost not to exceed \$100,000. (District 5)  
**Office or Department:** FINANCIAL MANAGEMENT  
**Suggested Action:** Approve recommendation.
21. [10-0905](#) Recommendation to receive and file Investment Report for Quarter ending June 30, 2010. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
**Suggested Action:** Approve recommendation.
22. [10-0906](#) Recommendation to adopt resolution authorizing the issuance of Tax and Revenue Anticipation Notes in an amount not to exceed \$75 million; and authorize City Manager to execute all necessary documents. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
**Suggested Action:** Approve recommendation.
23. [10-0907](#) Recommendation to receive and file the application of Fresh & Easy Neighborhood Market Incorporated, dba Fresh & Easy Neighborhood Market, for an original Alcoholic Beverage Control License, at northeast corner Atlantic Avenue and 33rd Street, with conditions. (District 7)  
**Office or Department:** POLICE  
**Suggested Action:** Approve recommendation.
24. [10-0908](#) Recommendation to authorize Department of Public Works to convert one parking space in the public right-of-way in front of 443 Pine Avenue (Kress Market) into an on-street bike parking corral. (District 1)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.

25. [10-0909](#) Recommendation to increase the contract contingency for Contract No. 31640 with MG Construction & Development, Inc., for the Vista Street Bike Boulevard, Project No. R-6830 in the amount of \$70,000, to allow for additional street work needed due to unforeseen poor soil conditions, and concrete removal. (District 3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

26. [10-0910](#) Recommendation to adopt resolution approving the Traffic Mitigation Program Eighteenth Annual Report (Fiscal Year 2008-09). (Citywide)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**ORDINANCES:**

27. [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 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.

28. [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, 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.

**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:**

Monday, August 23, 2010 – Budget Oversight Committee at 4:00 P.M., Council Chamber.

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

Tuesday, September 14, 2010 – Housing Authority at 4:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, August 17, 2010 – Budget Hearing at 3:30 P.M., Council Chamber.

Tuesday, August 24, 2010 – Budget Hearing at 3:30 P.M., Council Chamber.

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

Tuesday, September 14, 2010 – Budget Hearings at 3:00 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](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).

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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