

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District

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



Beverly O'Neill, Mayor

**TUESDAY, SEPTEMBER 21, 2004
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

PRESENTATION OF COLORS BY BALLET FOLKLORICO

**PRESENTATIONS BY COUNCILWOMAN LAURA RICHARDSON, SIXTH DISTRICT, IN
RECOGNITION OF COMMUNITY MEMBERS AND ORGANIZATIONS FOR THEIR
SIGNIFICANT CONTRIBUTIONS TO THE SIXTH DISTRICT**

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: COMMUNITY DEVELOPMENT

SUBJECT: Belmont Shore Parking and Business Improvement Area Annual Program and Assessment and an Agreement with Belmont Shore Business Association. (Resolution confirming, following hearing, the Annual Report of the Belmont Shore Parking and Business Improvement Area Advisory Commission, imposing and continuing the level of annual assessment as set forth in said report and setting forth other related matters.) (District 3)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, and adopt resolution approving the Belmont Shore Parking and Business Improvement Area Program and Assessment for the period of October 1, 2004, through September 30, 2005; and

Authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year period in an amount not to exceed \$85,500 to promote and market the Belmont Shore commercial area.

2. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Bixby Knolls Parking and Business Improvement Annual Program and Assessment and an Agreement with Bixby Knolls Business Improvement Association. (Resolution confirming, following hearing, the Annual Report of the Bixby Knolls Parking and Business Improvement Area Advisory Commission, continuing the level of annual assessment as set forth in said report and setting forth other related matters.) (Districts 7,8)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, and adopt resolution approving the Bixby Knolls Parking and Business Improvement Area Program and Assessment for the period of October 1, 2004, through September 30, 2005; and

Authorize City Manager to execute agreement with the Bixby Knolls Business Improvement Association for a one-year period in an amount not to exceed \$145,000 to promote and market the Bixby Knolls commercial area.

3. DEPARTMENT: PLANNING COMMISSION

SUBJECT: Amendments to the Downtown Long Beach Planned Development District (PD-30). (Districts 1,2)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing and declare the ordinance read the first time and laid over to the next regular meeting of City Council for final reading.

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: (4 - 14)

4. DEPARTMENT: CITY CLERK
SUBJECT: Claims for Damages.
SUGGESTED ACTION:
Refer to City Attorney the damage claims received between September 9, 2004 and September 16, 2004.

5. DEPARTMENT: COMMUNITY DEVELOPMENT
SUBJECT: Lease with Patricia A. Waters for office space located at 910 Daisy Avenue for use as a Community Police Center. (District 1)
SUGGESTED ACTION:
Authorize City Manager to execute lease for a term of two years, at an annual cost of \$12,036; and authorize City Manager to exercise any extension options provided for in the lease.

6. DEPARTMENT: FINANCIAL MANGEMENT
SUBJECT: Second Amendment to Contract with SunGard Treasury Systems. (Citywide)
SUGGESTED ACTION:
Authorize City Manager to execute Second Amendment, extending the term for three years at the rate of \$864 per month for the first year, plus CPI adjustments for the last two years.

7. DEPARTMENT: FINANCIAL MANGEMENT
SUBJECT: Fiscal Year 2004 July Budget Performance Report. (Citywide)
SUGGESTED ACTION:
Refer to Budget Oversight Committee.

8. DEPARTMENT: LAW
SUBJECT: Lindley Marcus vs. City of Long Beach, et al.
SUGGESTED ACTION:
Authorize City Attorney to pay sum of \$40,000 in full settlement.

9. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Application to the Federal Department of Housing and Urban Development for funding for an outdoor restroom at Stearns Champions Park. (District 4)

SUGGESTED ACTION:

Authorize City Manager to submit application and execute any necessary documents to secure funding for the Stearns Champions Park outdoor restroom project; and, increase appropriations in the Capital Projects Fund (CP) and in the Department of Parks, Recreation and Marine (PR) in the amount of \$149,115.

10. DEPARTMENT: POLICE

SUBJECT: Memorandum of Understanding between the City of Long Beach and the California Department of Justice, Bureau of Narcotics Enforcement, for participation in the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force, Long Beach Airport Narcotics Enforcement Team. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute agreement and any subsequent amendments, for a term of three years, and either party may terminate the agreement with thirty (30) days' written notice to the other party.

11. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications (Person-to-Person Transfers)

- A. Application of Irene Torres and Ramon Ledezma Torres, dba La Fiesta Bar, for an on-sale general for public premises license at 136 East Anaheim Street. (District 1)
- B. Application of Dae Kee Lee and Kum Ju Lee, dba Squire Liquor, for an off-sale general license at 2218 E. 7th Street. (District 2)
- C. Application of Amin Haji Dato and Sadruddin Mohammed Lakhani, dba Sim's Liquor, for an off-sale general license at 552 E. Willow Street. (District 6)

SUGGESTED ACTION:

Receive and file with existing conditions.

12. DEPARTMENT: PUBLIC WORKS

SUBJECT: Public Walkways Occupancy Permit for Sidewalk Dining at the Caffé La Strada Restaurant located at 4716 East Second Street. (District 3)

SUGGESTED ACTION:

Authorize City Manager to execute the Public Walkways Occupancy Permit.

13. DEPARTMENT: PUBLIC WORKS

SUBJECT: First Amendment to Contract No. 28303 with Inspection Engineering Construction, Inc., for Project No. R-6596, for installing and modifying traffic control signals at various intersections in the City of Long Beach.
(Districts 1,2,3,4,5,6,8,9)

SUGGESTED ACTION:

Authorize City Manager to execute a First Amendment, increasing the contract amount by \$54,975, for a total contract amount not to exceed \$671,920. Authorize City Manager to execute all necessary documents.

14. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:
Harbor Commission, September 7, 2004 (2)

SUGGESTED ACTION:

Receive and file.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

UNFINISHED BUSINESS:

15. DEPARTMENT: POLICE

SUBJECT: Application of Uka's Big Saver Foods Incorporated, dba Big Saver Foods, for an off-sale general alcoholic beverage license at 1500 West Willow Street.
(District 7)

SUGGESTED ACTION:

Receive and file the application, with existing conditions.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. INTENTIONALLY LEFT BLANK

17. DEPARTMENT: CITY CLERK

SUBJECT: Biennial Conflict of Interest Code Review—Department and Commissions.

SUGGESTED ACTION:

Approve the amended Conflict of Interest Codes as prescribed by Government Code Section 87306.5 for the City Departments and advisory bodies.

18. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Contract with Downtown Long Beach Associates (DLBA) for Fiscal Year 2005 to accomplish promotional activities using Downtown Business Assessment Funds. (Districts 1,2)

SUGGESTED ACTION:

Authorize City Manager to execute contract for the period of October 1, 2004 through September 30, 2005, in an amount not to exceed \$500,000 to promote and market the Downtown Long Beach commercial area.

19. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Amendment to City Contract No. 28872 with ProForce Marketing, Inc., to purchase additional tasers. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute amendment.

20. DEPARTMENT: POLICE AND HEALTH AND HUMAN SERVICES

SUBJECT: Police Department Policy Manual Section on Medical Marijuana. (Citywide)

SUGGESTED ACTION:

Receive and file the Manual Section.

21. DEPARTMENT: POLICE

SUBJECT: Application of Bubba Gump Shrimp Company Restaurants, Incorporated, dba Mai Tai Bar, for person-to-person and premise-to-premise transfer of an on-sale general for public premises alcoholic license at 97 Aquarium Way. (District 2)

SUGGESTED ACTION:

- Receive and file the application, with or without conditions; and
- Determine if application would serve the public convenience and necessity; and
- Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or
- Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

22. DEPARTMENT: POLICE

SUBJECT: Application of Stefano's Davinci Ristorante LLC, dba Stefano's Davinci Restaurant, for a person-to-person and premise-to-premise transfer of an on-sale general for bonafide eating alcoholic beverage license at 2801 East Spring Street, Suite 300. (District 5)

SUGGESTED ACTION:

- Receive and file the application, with or without conditions; or
- Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or
- Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

23. DEPARTMENT: POLICE

SUBJECT: Application of Rina Lorena Coreas and Emilio Garrido, dba Northtown Tavern, for an original alcoholic beverage license at 1048 South Street. (District 8)

SUGGESTED ACTION:

- Receive and file the application, with or without conditions; and
- Determine if application would serve the public convenience and necessity;
- Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or
- Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

24. DEPARTMENT: POLICE

SUBJECT: Application of Antonio Hernandez Estrada, dba Cancun Authentic Mexican Restaurant, for an original alcoholic beverage license at 5991 Atlantic Avenue. (District 9)

SUGGESTED ACTION:

Receive and file the application, with or without conditions; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

25. DEPARTMENT: PUBLIC WORKS

SUBJECT: Debit City of Long Beach Rule 20A Utility Undergrounding Account for The Toledo Project Design Engineering. (District 3)

SUGGESTED ACTION:

Authorize City Manager to execute Preliminary Design and Engineering Agreement authorizing Southern California Edison to debit the City by \$10,000 for the required preliminary engineering design work.

RESOLUTIONS:

26. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution authorizing the City Manager to submit an application to enter an agreement and all amendments with the State Department of Parks and Recreation for funding under the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for the San Gabriel River West Riparian Restoration Project. (Districts 4,5)

SUGGESTED ACTION:

Adopt resolution.

Authorize City Manager to submit a grant for \$100,000; and to execute any documents necessary for the implementation and administration of the project.

27. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution authorizing the City Manager to submit an application for and to enter an agreement and all amendments with the State Department of Parks and Recreation for funding under the Recreational Trails Program for the San Gabriel River West Trail Project. (Districts 4,5)

SUGGESTED ACTION:

Adopt resolution.

Authorize City Manager to submit a Habitat Conservation Fund Program, Trails, Programs and Urban Access grant application for \$532,600; and to execute any documents necessary for the implementation and administration of the project.

28. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution authorizing the City Manager to submit an application for and to enter an agreement and all amendments with the State Department of Parks and Recreation for funding under the Habitat Conservation Fund Program of the California San Gabriel River West Trail Project. (Districts 4,5)

SUGGESTED ACTION:

Adopt resolution.

Authorize City Manager to submit a Recreational Trails Program application for \$532,600 and to execute any documents necessary for the implementation and administration of the project.

ORDINANCES:

29. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Sections 6.16.090, 6.16.210 and 6.16.310 providing for the exercise of dogs upon a designated portion of the beach of the City of Long Beach and providing for the enforcement thereof. (District 3)

SUGGESTED ACTION:

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

30. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by adding Subsections 98 and 99 to Section 10.24.076, relating to the parking of oversized vehicles.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

NEW BUSINESS:

31.

32.

33.

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:

Economic Development and Finance Committee (Attorney/Client) at 3:30 P.M.

October 5, 2004, Hearing on El Dorado Restaurant and Lounge, LLC, dba El Dorado Restaurant, for a Permit for Entertainment with Dancing by Patrons at an Existing Restaurant with Alcohol at 3014 Studebaker Road, Unit C. (District 5)

October 5, 2004, Hearing on Disposition and Development Agreement with Menorah Housing Foundation for northwest and southwest Corners of Atlantic Avenue and Vernon Street. (District 6)

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.