

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



Bob Foster, Mayor

Gerrie Schipske, R.N.P./J.D., 5th District  
Dee Andrews, 6th District  
James Johnson, 7th District  
Al Austin, 8th District  
Steven Neal, 9th District

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

Robert E. Shannon, City Attorney

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**REVISED**

**PLEDGE OF ALLEGIANCE**

[13-0169](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, February 15, 2013.

**PROCLAMATION REGARDING  
LONG BEACH READS ONE BOOK  
"THE ART OF RACING IN THE RAIN"**

**PROCLAMATION REGARDING BLACK HISTORY MONTH**

**PROCLAMATION REGARDING AMERICAN HEART MONTH**

**PRIME TIME FOR BUSINESS PRESENTATION  
1 OF A KHEIN**

**PRESENTATION BY THE HISTORICAL SOCIETY  
FOR THE NEW EXHIBIT "COMING OUT IN LONG BEACH"**

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.

**CONTINUED HEARINGS:**

1. [13-0042](#) Recommendation to receive supporting documentation into the record, conclude the hearing and deny the Permit on the application of Club Investments LP, dba Lush Lounge (previously known as Ice Bar), 49 South Pine Avenue, for Entertainment With Dancing by Patrons. (District 2)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

2. [13-0078](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of J.M. Johnston and Associates, Inc., dba 49rs Tavern, 5660 East Pacific Coast Highway No. A, for Entertainment Without Dancing by Patrons. (District 3)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

**HEARINGS:**

3. [13-0138](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Gaslamp Partners, LLC, dba Gaslamp Restaurant and Bar, 6251 E. Pacific Coast Highway, for Entertainment With Dancing by Patrons. (District 3)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

4. [13-0139](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Reggio Corporation, dba Cirivello's, 4115 Viking Way, for Entertainment Without Dancing by Patrons. (District 5)

**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: (5 - 11)**

5. [13-0158](#) Recommendation to authorize City Attorney to submit five Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$10,175, and 2) separate authority to pay \$71,587.50, and 3) separate authority to pay \$11,516.25, and 4) separate authority to pay \$30,550 for the claim of Timothy Ferrill; and authority to pay \$57,500 for the claim of Michael Frame in compliance with the Appeals Board Orders.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

6. [13-0160](#) Recommendation to authorize City Attorney to pay the sum of \$45,000 in full and final resolution of the lawsuit entitled *Francisca Favela, et al. vs. COLB, et al*; and to pay sum of \$15,576.96 in full and final resolution of the claim entitled *Geico c/o Kristy Nguyen v. City of Long Beach*.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

7. [13-0140](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, February 5, 2013.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

8. [13-0141](#) Recommendation to refer to City Attorney damage claims received between February 4, 2013 and February 11, 2013.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

9. [13-0123](#) Recommendation to adopt resolution authorizing City Manager to execute a contract with McNeilus Truck and Manufacturing, of Colton, CA (not an MBE, WBE, SBE, or Local), to provide refuse truck cab parts, in an annual amount not to exceed \$275,000, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

10. [13-0142](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal Bulletproof Vest Partnership Program grant and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$13,398. (Citywide)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

11. [13-0153](#) Recommendation to receive and file minutes for:  
Civil Service Commission - January 9, 16 and 30, 2013.  
Planning Commission - January 17, 2013.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

**REGULAR AGENDA**

**DEPARTMENTAL COMMUNICATIONS:**

12. [13-0162](#) Recommendation to receive and approve the following  
Commission/Board/Committee appointments to Non-Charter  
Commissions.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

**REVISED**

13. [13-0161](#) Recommendation to direct the City Clerk Department to proceed with procurement of technology that will provide for the live webcast of non-City Council regular meetings that take place in the City Hall Council Chamber.

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL,  
FOURTH DISTRICT; VICE MAYOR ROBERT  
GARCIA, COUNCILMEMBER, FIRST  
DISTRICT

**Suggested Action:** Approve recommendation.

14. [13-0159](#) WITHDRAWN  
~~Recommendation to City Council to concur in recommendation to receive and file report from the Chair of the Transportation and Infrastructure Committee to consider discussion and actions taken at the Committee meeting of February 13, 2013.~~

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL,  
FOURTH DISTRICT, CHAIR;  
TRANSPORTATION AND INFRASTRUCTURE  
COMMITTEE

**Suggested Action:** Approve recommendation.

15. [13-0155](#) Recommendation to approve the Fiscal Year 2013 first quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

16. [13-0145](#) Recommendation to receive and file the Investment Report for Quarter Ending December 31, 2012. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

17. [13-0015](#) Recommendation to authorize City Manager to execute all documents with the Wells Fargo Foundation on behalf of the Pacific Gateway Workforce Partnership, Inc., to receive \$100,000 in grant funding in support of ongoing business and jobseeker assistance; and execute any needed subsequent amendments. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

18. [13-0146](#) Recommendation to adopt resolution authorizing City Manager to adjust certain rates for natural gas service to reflect market conditions by implementing Gas Rate Schedules 1 through 5, 7, 9, and special conditions and incentives in Exhibits A and B. (Citywide)

**Office or Department:** LONG BEACH GAS AND OIL

**Suggested Action:** Approve recommendation.

19. [13-0147](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Gelsons Markets, dba Gelson Markets, for an original Alcoholic Beverage Control License, at 6255 East 2nd Street, with conditions. (District 3)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

20. [13-0148](#) Recommendation to receive and file the application of Great Mex Grill, LLC, dba Great Mex, for an original Alcoholic Beverage Control License, at 5530 Atherton Street. (District 4)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

21. [13-0149](#) Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the Marine Exchange of Los Angeles-Long Beach Harbors to receive and expend additional Department of Homeland Security grant funding for the 2010 Port Security Grant Program, in an amount not to exceed \$563,000 for a period ending May 31, 2013; and increase appropriations in the General Grants Fund (SR 120) and in the Police Department (PD) by \$563,000. (Citywide)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

22. [13-0163](#) Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the Marine Exchange of Los Angeles-Long Beach Harbors to receive and expend additional Department of Homeland Security grant funding for the 2011 Port Security Grant Program grant, in an amount not to exceed \$1,119,738 for a period ending August 31, 2014; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$1,119,738. (Citywide)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.



23. [13-0150](#)

Recommendation to adopt Specifications No. R-6940, award an as-needed contract to All American Asphalt for the annual contract for street improvements; and authorize City Manager to execute the contract and any necessary amendments thereto relative to the scope of work for a one-year term, and to extend the contract term for up to two additional years, and increase unit prices if necessary based on the inflation index, in an amount not to exceed \$15,000,000 over the three-year term. (Citywide)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**REVISED**

24. [13-0151](#) Recommendation to authorize City Manager to execute an amendment to Agreement No. 23214 with Tiburon, Inc., to provide software support services for Computer-Aided Dispatch and Records Management Systems for an additional 12-month period through February 2014, in an amount not to exceed \$367,706. (Citywide)

**Office or Department:** TECHNOLOGY SERVICES

**Suggested Action:** Approve recommendation.

25. [13-0152](#) Recommendation to authorize City Manager to execute contracts and any amendments thereto with Momentum Advanced Solutions, a division of OnX Enterprise Solutions Ltd., in the amount of \$112,186 for website design and implementation services; Ektron, in the amount of \$81,100 for software and training services; and Hubspot, Inc., in the amount of \$19,200 for email and social media delivery services. (Citywide)

**Office or Department:** TECHNOLOGY 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.

26. [13-0165](#) Recommendation to request City Council to adopt a minute order initiating a one-year, citywide moratorium against mortuaries and accessory crematoriums and directing the Planning Staff and the Planning Commission to undertake a study pursuant to Long Beach Municipal Code Chapter 21.50 to determine whether or not the City's current zoning regulations are appropriate or need further review or modification.

**Office or Department:** COUNCILMEMBER GARY DELONG, THIRD DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

**REVISED**

27.

28.

**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, February 19, 2013 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach, California at 3:30 P.M., Council Chamber.

Tuesday, March 5, 2013 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, March 12, 2013 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, March 5, 2013 – Hearing for United Sea Services, Inc., dba Long Beach Seaman's Club, for a Permit for Entertainment With Dancing by Patrons, 245 Pine Avenue No. 200. (District 2)

Tuesday, March 12, 2013 – Hearing for Shoreline Village, LLC, dba Shoreline Village, for a Permit for Entertainment With Dancing by Patrons, 429 Shoreline Village Drive. (District 2)

Tuesday, March 12, 2013 – Hearing for DDR Urban LP, dba The Pike at Rainbow Harbor, for a Permit for Entertainment With Dancing by Patrons, 95 S. Pine Avenue. (District 2)

**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>). Pursuant to the guidelines, members of the public are responsible for submitting their audio/visual presentations at least five (5) calendar days prior to the meeting (by 12:00 p.m. noon on Thursday). The audio/visual presentation and related comments are limited to three (3) minutes. For further information contact the City Clerk Department at (562) 570-6101.

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