

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

**PROCLAMATION DECLARING MAY 1 - 7, 2011 AS  
NATIONAL MUNICIPAL CLERKS WEEK**

**PROCLAMATION HONORING CROSSING GUARD  
SANDRA THOMPSON**

**PROCLAMATION FOR ASIAN PACIFIC ISLANDER  
AMERICAN HERITAGE MONTH**

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. [11-0405](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with conditions on the application of Ayres Grill, Inc., dba Gaucho Grill, 200 Pine Avenue No. B, 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.

**CONSENT CALENDAR: (2 - 15)**

2. [11-0406](#) Recommendation to authorize City Attorney to pay sum of \$115,000 in full settlement of lawsuit entitled Allen v. City of Long Beach, Case No. NC052425.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

3. [11-0319](#) Recommendation to adopt resolution in support of Healthy School Zones in the City of Long Beach.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

4. [11-0408](#) Recommendation to approve the minutes for the City Council meetings held Tuesday, April 12 and 19, 2011.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

5. [11-0409](#) Recommendation to refer to City Attorney damage claims received between April 11, 2011 and April 25, 2011.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

6. [11-0410](#) Recommendation to approve the destruction of records for the Health and Human Services Department, Housing Authority as shown in Exhibit A; and adopt resolution.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

7. [11-0407](#) Recommendation to authorize City Manager to accept \$45,716 in residual grant funds, available through the Los Angeles County Proposition A Grant Program, for the Silverado Park Community Center Improvements Project; increase appropriations in the Capital Projects Fund (CP) in the Department of Parks, Recreation and Marine (PR) by \$45,716; and execute any documents necessary for the implementation and administration of the project. (District 7)

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

**Suggested Action:** Approve recommendation.

8. [11-0257](#) Recommendation to adopt resolution authorizing City Manager to submit an application for funding to the Los Angeles County Regional Park and Open Space District, in the amount of \$100,000, for the Sleepy Hollow Greenbelt Project; increase appropriations in the Capital Projects Fund (CP) in the Department of Parks, Recreation and Marine (PR) by \$100,000; and execute any documents necessary for implementation and administration of the project. (District 8)

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

**Suggested Action:** Approve recommendation.

9. [11-0411](#) Recommendation to authorize City Manager to execute all necessary documents with the LA84 Foundation to accept Summer Swim 2011 grant funds in the amount of \$25,000, for summer aquatic programs for economically disadvantaged youth at Martin Luther King, Jr. pool, Silverado Pool, Millikan High School pool, Jordan High School pool, and Belmont Plaza Pool, from June 27, 2011 to August 28, 2011; and authorize City Manager to execute all necessary documents to implement and administer the grant and any amendments. (Districts 3,5,6,7,9)

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

**Suggested Action:** Approve recommendation.

10. [11-0412](#) Recommendation to authorize City Manager to execute a lease and all necessary documents with Long Beach Organic, Inc., for the development and management of Mary Molina Community Garden, formerly known as Molina Park, as approved and recommended by the Parks and Recreation Commission and approved by the City Council's Housing and Neighborhoods Committee, for a term of three years, with two, three-year renewal options at the discretion of the City Manager. (District 1)

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

**Suggested Action:** Approve recommendation.

11. [11-0413](#) Recommendation to authorize City Manager to execute an agreement and any subsequent amendments with the County of Los Angeles Probation Department to provide a full-time Deputy Probation Officer for gang crime suppression services in an amount of \$150,000 for a 12-month term with an option for two, one-year renewals subject to fund availability. (Citywide)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

12. [11-0051](#) Recommendation to authorize City Manager to terminate and rescind License Agreement No. 8103 and enter into a new license agreement with the International Tower Owners Association (ITOA), a California corporation, for use of City-owned property located at 700 E. Ocean Boulevard. (District 2)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

13. [11-0414](#) Recommendation to determine that the granting of Facility/Pipeline Permit Supplement No. S-1-11, under existing Facility/Pipeline Permit No. P-239-11 to The Boeing Company, will not be contrary to the public interest; and authorize City Manager to issue said permit supplement in accordance with Section 15.44.060, Permit Issuance, of the Long Beach Municipal Code. (District 5)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

14. [11-0415](#) Recommendation to authorize City Manager to execute any and all documents necessary for the Fourth Amendment to Lease No. 23828 with Behringer Harvard Downtown Plaza LP, a Delaware limited partnership, and any successors in interest, for office space at 211 East Ocean Boulevard, Suite 500, for the continued occupancy by the Long Beach Gas and Oil Department's Oil Properties, for an additional three-month term. (District 2)

**Office or Department:** PUBLIC WORKS; LONG BEACH GAS AND OIL

**Suggested Action:** Approve recommendation.

15. [11-0416](#) Recommendation to receive and file the minutes for:  
Civil Service Commission - April 6 and 13, 2011.  
Cultural Heritage Commission - March 14, 2011.  
Parks and Recreation Commission - March 17, 2011.  
Planning Commission - March 17, 2011.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

**REGULAR AGENDA**

**DEPARTMENTAL COMMUNICATIONS:**

16. [11-0429](#) Recommendation to request City Attorney to prepare a resolution declaring May 17, 2011 as "C-17 Day."

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

17. [11-0417](#) Recommendation to request City Manager to provide a report prior to the end of the school year that outlines:

1. The involvement of the Long Beach Unified School District (LBUSD) and the Long Beach Community College District (LBCC) in redevelopment areas in the City of Long Beach;
2. Pass through agreements (amounts and time frames of pass through) between the Redevelopment Agency (RDA) and the LBUSD and the LBCC;
3. Annual formula determined amounts that are transferred by RDA to LBUSD or LBCC; and
4. Any amounts of redevelopment funds that could be transferred to LBUSD or LBCC to prevent the massive lay-offs of teachers and the extensive cancellation of classes due to the short-fall of funds.

Finally, it would be helpful to know what percentage of property assessed in the entire City of Long Beach has been placed under redevelopment and an estimate of how much property taxes are not going into the general fund but instead going to redevelopment.

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

**Suggested Action:** Approve recommendation.

18. [11-0425](#) Recommendation to adopt a minute order declaring a one year moratorium against the issuance of any new permits for the installation of publicly accessible exterior pay telephone phones on private property; and requesting City Attorney, together with the staff from the Development Services Department and the Police Department, to develop recommendations relating to the possible amendment of Long Beach Municipal Code Chapter 5.71 ("Publicly Accessible Exterior Pay Telephones") to better regulate the permitting and installation of such pay telephones.

**Office or Department:** COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

19. [11-0426](#) Recommendation to request City Manager, subsequent to the adoption of the Capital Improvement Program on an annual basis, to present Councilmembers with recommendations for residential street work allocating 50 percent of each District's residential street repair funding to preventative street maintenance and 50 percent to street repaving or rebuilding.

**Office or Department:** COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; VICE MAYOR SUJA LOWENTHAL, COUNCILMEMBER, SECOND DISTRICT; COUNCILMEMBER GARY DELONG, THIRD DISTRICT

**Suggested Action:** Approve recommendation.

20. [11-0418](#) Recommendation to request City Attorney to amend the Long Beach Municipal Code to permanently establish the Small Business Enterprise (SBE) program and make further changes as directed by the City Council. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

21. [11-0419](#) Recommendation to authorize City Manager to execute all necessary documents with FIS to provide credit card processing services for City services for a period of three 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.

22. [11-0420](#) Recommendation to adopt Specifications No. PA-00911 and award a contract to ARB, Inc., of Lake Forest, CA (not an MBE, WBE, SBE, or Local), for providing G-281 gas pipeline remediation and relocation, in an amount not to exceed \$1,667,958, with the option to add expenditures up to 15 percent (or \$250,194) above the contract amount, if necessary and if funds are available, at the discretion of the City Manager. (Citywide)

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

**Suggested Action:** Approve recommendation.

23. [11-0421](#) Recommendation to adopt Plans and Specifications No. R-6880 for Cape Seal - 1st Street from Junipero Avenue to Orizaba Avenue; Josie Avenue from Rendina Street to De Leon Street; and Anaheim Road from Clark Avenue to El Prado Avenue; and award the project to, and authorize City Manager to execute the contract with Intermountain Slurry Seal, Inc., in an estimated amount of \$219,924, plus a 15 percent contingency amount of \$32,989, if necessary, for a total of \$252,913, and any amendments thereto except for an increase in the contract price. (District 3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.



24. [11-0422](#) Recommendation to authorize City Manager to allocate Public, Education, and Government (PEG) fee revenue equally among the three categories of cable access providers, each receiving one-third of the total available; and authorize City Manager to enter into an agreement with the Long Beach Community Foundation for a period of two years and commit PEG funds reserved for Public Access television as a match to secure operational funding, up to \$225,000 a year, from the Knight Foundation's *Community Information Challenge Grant*. (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.

25.

26.

27.

**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 3, 2011 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Monday, May 9, 2011 – Budget Oversight Committee at 4:00 P.M., Council Chamber.

Tuesday, May 10, 2011 – Housing Authority at 4:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday May 17, 2011 – Hearing for the plastic bag ban ordinance. (Citywide)

Tuesday, May 17, 2011 – Hearing for changes to the Zoning Regulations regarding wireless telecommunications facilities. (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 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.

nem