

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

REVISED

PLEDGE OF ALLEGIANCE

**PROCLAMATION FOR NATIONAL HUNGER AND HOMELESSNESS
AWARENESS WEEK - NOVEMBER 10 - 18, 2012**

**PROCLAMATION DECLARING NOVEMBER AS
PANCREATIC CANCER AWARENESS 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.

CONTINUED HEARINGS:

1. [12-0840](#) Recommendation to receive supporting documentation into the record, conclude the hearing and adopt resolution approving the Long Beach Tourism Business Improvement Area program and assessment for the period of October 1, 2012 through September 30, 2013; and authorize City Manager to execute an agreement with the Long Beach Area Convention and Visitors Bureau for a one-year term. (Districts 1,2,4,5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

2. [12-0793](#) Recommendation to receive supporting documentation into the record, conclude the hearing, deny the appeal by Lee Fukui and Mauna Eichner, and uphold the decision of the Planning Commission approving a Conditional Use Permit to establish a consumer finance lender located at 2004 Ximeno Avenue, Suite 200, within the Community Automobile-Oriented (CCA) zoning district. (District 4)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

HEARING:

3. [12-0940](#) Recommendation to receive supporting documentation into the record regarding the issuance of Long Beach Bond Finance Authority (LBBFA) Refunding Bonds, conclude the hearing and adopt resolution approving proceedings by the LBBFA for the issuance of 2012 Lease Revenue Refunding Bonds Series A and B, in a total amount not to exceed \$90,000,000, to refund the 1998 Series B Temple and Willow, 2005 Series A Temple and Willow, 2001 Plaza Parking Facility, 2002 Public Safety Facilities, 2003 Skylinks Golf Course, and the 2004 Series A Long Beach Towne Center Site bonds, and approving related documents and actions. (Districts 1,2,3,5)

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: (4 - 19)

4. [12-0945](#) Recommendation to authorize City Manager to execute a contract and any necessary amendments thereto with Pharmaceutical Technologies, Incorporated, (“PTI”) for the administration and delivery of Workers’ Compensation Pharmacy Products and Services through a network of pharmacies (referred to as the “NPS System”) for the City of Long Beach Workers Compensation Program for the period beginning January 1, 2013 through December 31, 2013, with automatic one-year renewal options, unless terminated by either party at least sixty days before the end of the current term.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

5. [12-0941](#) Recommendation to approve the minutes for the City Council meetings of Tuesday, October 16 and 23, 2012.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

6. [12-0942](#) Recommendation to refer to City Attorney damage claims received between October 15, 2012 and November 5, 2012.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

7. [12-0943](#) Recommendation to approve the destruction of records for Financial Management Department, Accounting Operations Division as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

8. [12-0975](#) Recommendation to approve the destruction of records for the Human Resources Department as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

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9. [12-0944](#) Recommendation to approve the destruction of records for Long Beach Police Department as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

10. [12-0973](#) Recommendation to adopt California Form 806 as required by Fair Political Practices Commission (FPPC) Regulation 18705.5, and direct City Clerk to post and maintain Form 806 on the City Clerk Department home page.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

11. 12-0947 WITHDRAWN
~~Recommendation to authorize City Manager, or designee, to execute an agreement and any subsequent amendments between the City of Long Beach and the University of California San Diego, for the term of April 1, 2012 to March 31, 2013, with the option of three one-year extensions based on funding availability, in the amount of \$206,700, to participate in a California HIV/AIDS Research Program (CHRP) study assessing linkage, engagement, and retention to care to reduce the transmission of HIV; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) in the amount of \$206,700. (Citywide)~~

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

12. [12-0948](#) Recommendation to authorize City Manager to execute all documents necessary to enter into an agreement with United States Department of Agriculture, Wildlife Services Division, to provide wildlife mitigation at the Long Beach Airport in an annual amount not to exceed \$40,000, for a one year period, with four one-year renewal options at the discretion of the City Manager. (District 5)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

13. [12-0949](#) Recommendation to authorize City Manager to enter into (i) an agreement between the City of Long Beach and SecurityPoint Media for advertising at the Long Beach Airport for one five-year term, with up to five one-year renewal options, at the discretion of the City Manager, and (ii) authorize City Manager to enter into a Memorandum of Understanding between the City of Long Beach and the Transportation Security Administration, to run concurrent with the SecurityPoint Media agreement, for the use of screening bins provided by SecurityPoint Media for passenger screening at the Long Beach Airport. (District 5)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

14. [12-0950](#) Recommendation to authorize City Manager to amend Permit No. 27276 with Harbor Breeze Corporation, for the use of docks in Rainbow Harbor for charters, harbor cruises, and whale watching tours for a term of 15 years, with two five-year renewal options at the discretion of the City Manager or his designee. (District 2)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

15. [12-0951](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend funding from the LBPD Solving Cold Cases with DNA 12 grant cooperative agreement; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$157,922. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

16. [12-0952](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the University of California Berkeley Safe Transportation Research and Education Center administering the Sobriety Checkpoint grant funds for the California Office of Traffic Safety; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$121,500. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

17. [12-0953](#) Recommendation to adopt resolution and authorize City Manager to execute an agreement and any subsequent amendments with Forensic Nurse Specialists, Inc., for Sexual Assault Response Team services for a period of one year, in the amount of \$120,000, with the option for two additional one-year extension periods, at the discretion of the City Manager. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

18. [12-0967](#) Recommendation to authorize City Manager, or designee, to grant an easement to the Aquarium of the Pacific, a California nonprofit public benefit corporation, to facilitate the construction of seawater intake pipeline. (District 2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

19. [12-0955](#) Recommendation to receive and file minutes for:
Planning Commission - October 4, 2012.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REVISED

UNFINISHED BUSINESS:

20. 12-0812 WITHDRAWN
~~Recommendation to adopt Resolution of Intention to re-establish the Andy Street Multi family Improvement District (AMID), set the date for a public hearing of Tuesday, January 8, 2013 at 5:00 p.m., receive petitions and designate Andy Street Community Association (ASCA) as the owners' association for the AMID. (District 9)~~

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

21. [12-0920](#) Recommendation to receive and file the application of Social Services Staffing, Incorporated, dba The Beach Cafe, for an original Alcoholic Beverage Control License, at 703 East Artesia Boulevard. (District 9)

Office or Department: POLICE

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

22. [12-0946](#) Recommendation to, by motion of the City Council, request City Manager to report to the City Council what steps are necessary to create a Clean Technology Enterprise Zone in Long Beach that would provide opportunities, incentives and training for clean tech businesses willing to locate here.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; VICE MAYOR ROBERT GARCIA, COUNCILMEMBER, FIRST DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

23. [12-0976](#) Recommendation to, by motion of the City Council, request City Manager and Fire Chief to provide an update at a City Council meeting on impacts of budget cuts on response times of the Fire Department since 2007 for the 5 call categories: All Fire Calls, Structure Fire Calls, "Bravo" Medical Calls, and both types of "Charlie" Medical Calls.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:** Approve recommendation.
24. [12-0956](#) Recommendation to request City Manager to reappropriate \$350,000 of Upland Oil funds currently budgeted for gunfire location services technology to the Long Beach Police Department to be utilized for FY 13 overtime costs.
- Office or Department:** COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; VICE MAYOR ROBERT GARCIA, COUNCILMEMBER, FIRST DISTRICT
- Suggested Action:** Approve recommendation.
25. [12-0974](#) Recommendation to authorize City Manager to continue to meet and confer on proposed ballot measure regarding compensation reform for non public safety City employees and give further direction as to the specific nature of the measure.
- Office or Department:** CITY ATTORNEY
- Suggested Action:** Approve recommendation.
26. [12-0977](#) Recommendation to consider adopting the Fraud Prevention and Reporting Policy as an addition to the Ethics Guide for Long Beach City Officials and Employees.
- Office or Department:** CITY AUDITOR
- Suggested Action:** Approve recommendation.

27. [12-0978](#) Recommendation to request City Manager to direct each department to post and display Fraud Hotline educational posters and brochures within 30 days in prominent areas of all City locations for City employees and members of the public to view.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.

28. [12-0850](#) Recommendation to authorize City Manager to execute the Tenth Amendment to Agreement No. 28164 with the Long Beach Area Convention and Visitors Bureau, Inc., to provide funding in the amount of \$3,428,676 for Fiscal Year 2013. (Citywide)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

29. [12-0957](#) Recommendation to receive and file the Investment Report for Quarter Ending September 30, 2012. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

30. [12-0958](#) Recommendation to adopt the Statement on Investment Policy for Calendar Year 2013 pursuant to Section 53646 (a) of the State of California Government Code. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

31. [12-0960](#) Recommendation to adopt Specifications No. RFP FM12-055 and award a contract to RT Lawrence Corporation, of Whittier, CA (not an MBE, WBE, SBE or Local), for the purchase and installation of remittance processing equipment, in an amount not to exceed \$335,000. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

32. [12-0961](#) Recommendation to authorize City Manager to execute all necessary documents to amend Contract No. 31822 with EFS West for design and construction of the Phase II portion of the Shoreline Marina Fuel Dock and Underground Storage Tank (UST) Improvement Project, increasing the contract by \$199,953, for a total contract amount not to exceed \$2,113,535. (District 2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

33. [12-0962](#) Recommendation to authorize City Manager to amend Contract No. 32082 with American Reprographics Company, a Long Beach-based business (Local; not an MBE, WBE or SBE), by adding \$400,000, bringing the total annual contract amount not to exceed to \$574,000, for providing blueprinting and reprographic services. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

34. [12-0963](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Walgreens Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 3339 East Anaheim Street. (District 4)

Office or Department: POLICE

Suggested Action: Approve recommendation.

35. [12-0964](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Walgreens Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 2627 Pacific Avenue. (District 6)

Office or Department: POLICE

Suggested Action: Approve recommendation.

36. [12-0966](#) Recommendation to approve the Magnolia Industrial Group Property and Business Improvement District Annual Report and Assessment for the period of December 1, 2012 through November 30, 2013, automatically extending the current agreement with the Magnolia Industrial Group, Inc., for a one-year period. (District 1)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

37. [12-0968](#) Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for a Supplemental Agreement to Management Agreement No. 21667 with SMG (formerly known as Spectacor Management Group) for the completion of certain capital improvement projects at the Long Beach Convention and Entertainment Center (Center) located at 300 East Ocean Boulevard. (District 2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

38. [12-0970](#) Recommendation to adopt Plans and Specifications No. R-6886 for the Rehabilitation of Pacific Avenue between Willow Street and Spring Street, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with All American Asphalt, the lowest responsible bidder, and any necessary amendments thereto relative to the scope of work, in an estimated amount of \$917,917, with a 15 percent contingency in the amount of \$137,688 if necessary and if funds are available, for a total of \$1,055,605. (Districts 6,7)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

39. [12-0872](#) Recommendation to authorize City Manager to execute an agreement for installation of Electrical Vehicle Charging Stations with Electric Transportation Engineering Corporation, dba ECOtality North America, in a no-cost contract for a three-year term with an option for an additional two-year extension; and to execute subsequent amendments and only related documents including utility easements and to authorize additional no-cost services, if required. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

40. [12-0971](#) Recommendation to adopt Plans and Specifications No. R-6941 for the annual contract for Public Works Repairs and Minor Improvements, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with Palp, Inc., dba Excel Paving Company, and any necessary amendments thereto relative to the scope of work or to extend the contract term for up to two additional one-year terms and increase unit prices, if necessary, for inflation, in the amount of \$9,200,000. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

ORDINANCES:

41. [12-0926](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 10.33 relating to a Temporary Construction Preferential Parking District, read, adopted as read and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof and declaring that this ordinance shall take effect immediately. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

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42. [12-0932](#) Recommendation to declare an urgency ordinance imposing a moratorium on permitting and zoning action relating to new payday lending, vehicle title loan, or check cashing businesses; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-12-0016) (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.

43. [12-1010](#) Recommendation to receive and file a report from the City Manager on the City of Long Beach's actions to assist in Super Storm Sandy relief efforts.

Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

44.

45.

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, November 13, 2012 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, November 13, 2012 – State Legislation Committee at 3:30 P.M., Council Chamber.

Tuesday, November 13, 2012 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

Tuesday, November 20, 2012 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach, California at 4:00 P.M., Council Chamber.

Tuesday, November 27, 2012 – Environmental Committee at 5:00 P.M., Council Chamber.

Tuesday, December 4, 2012 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, December 4, 2012 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach, California at 4:30 P.M., Council Chamber.

REVISED

HEARING REMINDERS:

Tuesday, November 20, 2012 – Continued Hearing for vacation of the east/west alley, west of Quincy Avenue and south of 7th Street. (District 3)

Tuesday, November 20, 2012 – Hearing for the Amended and Restated Owner Participation Agreement with Shoreline Gateway, LLC, 777 E. Ocean Boulevard, 645 E. Ocean Boulevard, 19 Lime Avenue, and 619 E. Ocean Boulevard. (District 2)

Tuesday, November 20, 2012 – Hearing to consider an appeal of the Planning Commission’s decision to approve a Standards Variance to rebuild a demolished second unit and denial of a Standards Variance for the rebuild height to exceed the 25-foot maximum, 237 Roycroft Avenue. (District 3)

Tuesday, November 20, 2012 – Hearing to consider an appeal by Kirt Ramirez of the Planning Commission’s decision to approve a Conditional Use Permit for an AT&T Wireless rooftop-mounted telecommunications site, 4205 E. Anaheim Street. (District 4)

Tuesday, November 20, 2012 – Hearing to consider an appeal of the Planning Commission’s decision to not approve a Conditional Use Permit for an “other financial service” (auto title loan) business, 201 W. Pacific Coast Highway. (District 6)

Tuesday, December 4, 2012 – Hearing for Key Disposal Inc., to review and consider the hearing officer’s report concerning the revocation of Business License No. BU20919340, 11412 S. Taylor Avenue, Montebello. (District 2)

Tuesday, December 4, 2012 – Hearing for Purchase and Sale Agreement and Escrow Instruction for sale of property at 101 East Pacific Coast Highway and 1814 Pine Avenue to Pine PCH, LLC. (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 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. 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.

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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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