

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

REVISED

**RECOGNITION OF THE 30TH ANNIVERSARY
OF THE HARBOR AREA FARMERS' MARKET**

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.

[10-1334](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, December 3, 2010.

HEARINGS:

1. [10-1305](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and declare ordinance relating to the extension of the temporary limitation (moratorium) on the approval of permits for billboards, supergraphic signs and the conversion of existing billboard/sign displays into electronic or digital billboards; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read, adopted as read and laid over to the next regular meeting of the City Council for final reading. (Citywide)

[see media](#)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

2. [10-1281](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution amending the Master Fee and Charges Schedule. (Citywide)

[see media](#)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

3. [10-1282](#) Recommendation to receive supporting documentation into the record, conclude the hearing and determine that it is in the general public interest to mandate the undergrounding of utilities, as specified in City of Long Beach Assessment District No. 08-01; and declare ordinance creating an underground utility district along The Toledo between Second Street and the Geneva Walkway read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)

[see media](#)

Office or Department: PUBLIC WORKS

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 - 18)

4. [10-1299](#) Recommendation to authorize City Attorney to submit two Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$86,261.90 and a separate authority to pay \$80,787.50 for the claim of David Ellis, in compliance with the Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

5. [10-1300](#) Recommendation to authorize City Attorney to pay the sum of \$335,000 in full settlement of lawsuit entitled *Aichen Chen v. City of Long Beach, et al.*
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
6. [10-1304](#) Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending June 30, 2010.
Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.
7. [10-1302](#) Recommendation to approve the minutes for the City Council meetings held on Tuesday, November 9 and 16, 2010 and the City Council Special Meeting held Tuesday, November 9, 2010.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
8. [10-1306](#) Recommendation to refer to City Attorney damage claims received between November 8, 2010 and November 29, 2010.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
9. [10-1313](#) Recommendation that City Council receive and approve changes to department and commission Conflict of Interest Codes filed, in compliance with State law, as of October 1, 2010.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

10. [10-1283](#) Recommendation to authorize City Manager, or designee, to execute an agreement and any necessary amendments between the City of Long Beach and Kaiser Foundation Hospitals to develop the Young Men of Strength: Building Community through Strength of Character curriculum in the amount of \$5,000 for the period of October 1, 2010 through September 30, 2011. (Citywide)
Office or Department: HEALTH AND HUMAN SERVICES
Suggested Action: Approve recommendation.
11. [10-1284](#) Recommendation to authorize City Manager, or designee, to execute an agreement and any necessary subsequent amendments between the City of Long Beach and Kaiser Foundation Hospitals to implement the Long Beach Diabetes Prevention, Detection, and Education Program in the amount of \$15,000 for the period of July 1, 2010 through June 30, 2011. (Citywide)
Office or Department: HEALTH AND HUMAN SERVICES
Suggested Action: Approve recommendation.
12. [10-1285](#) Recommendation to receive and file the application of Ashleys Bar & Grill LLC, dba Ashleys Bar & Grill, for a fiduciary transfer of an Alcoholic Beverage Control License, at 1731 East 4th Street, with existing conditions. (District 2)
Office or Department: POLICE
Suggested Action: Approve recommendation.
13. [10-1286](#) Recommendation to receive and file the application of Eat Drink & Be Merry Incorporated, dba Number Nine, for a stock transfer of an Alcoholic Beverage Control License, at 2118 East 4th Street, with existing conditions. (District 2)
Office or Department: POLICE
Suggested Action: Approve recommendation.

14. [10-1287](#) Recommendation to receive and file the application of Barjr Incorporated, dba Quinns Irish Pub & Grill, for a person-to-person transfer of an Alcoholic Beverage Control License, at 200 Nieto Avenue Suite A, with existing conditions. (District 3)
Office or Department: POLICE
Suggested Action: Approve recommendation.
15. [10-1288](#) Recommendation to receive and file the application of S C Fish Grille Limited, dba Khourys Restaurant, for a fiduciary transfer of an Alcoholic Beverage Control License, at 110 North Marina Drive, with existing conditions. (District 3)
Office or Department: POLICE
Suggested Action: Approve recommendation.
16. [10-1289](#) Recommendation to receive and file the application of Ruth Hildegard Stevens, dba Rick & Brians Cafe, for a person-to-person transfer of an Alcoholic Beverage Control License, at 632 Redondo Avenue, with existing conditions. (District 3)
Office or Department: POLICE
Suggested Action: Approve recommendation.
17. [10-1290](#) Recommendation to request City Manager, or designee, to accept two easement deeds for additional sidewalk widths adjacent to bus stops at 602 East Anaheim Street and 5000 Long Beach Boulevard. (Districts 6,8)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.

18. [10-1301](#) Recommendation to receive and file minutes for:
Civil Service Commission - November 3 and 10, 2010.
Cultural Heritage Commission - October 11, 2010.
Parks and Recreation Commission - October 21, 2010.
Planning Commission - October 21, 2010.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

19. [10-1314](#) Recommendation to adopt Resolution, Articles of Incorporation, Bylaws, and Agreement for Services in support of formation of the Pacific Gateway Partnership, Inc. (Partnership), a California non-profit corporation, for purposes of enhancing Workforce Investment strategies that support the development needs of residents and businesses; and approve execution of all other necessary documents in the formation of the Corporation. (Citywide)

[see media](#)

Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

20. [10-1315](#) Recommendation to request City Attorney to prepare an amendment to the Council Rules contained in the Long Beach Municipal Code to require a fiscal impact statement for items agendized by City Council.

[see media](#)

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

Suggested Action: Approve recommendation.

21. [10-1316](#)

Recommendation to request City Attorney to prepare an amendment to the Council Rules contained in the Long Beach Municipal Code to allow all committee members to add items to committee agendas for consideration before their committees.

[see media](#)

Office or Department: COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; VICE MAYOR SUJA LOWENTHAL, COUNCILMEMBER, SECOND DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT

Suggested Action: Approve recommendation.

22. [10-1317](#)

Recommendation to request City Attorney and City Manager to draft language for consideration of Los Angeles County's Final Environmental Impact Report entitled, "*Proposed Ordinances to Ban Plastic Carryout Bags in Los Angeles County*,"

Request City Attorney and City Manager to draft an ordinance duplicating Los Angeles County's adopted ordinance for unincorporated cities, and closely resembling AB 1998 (Brownley) which includes, but is not limited to, the following elements:

- Bans plastic carryout bags at all supermarkets and other grocery stores, convenience stores, food marts, pharmacies and drug stores, while requiring stores that provide recyclable paper carryout bags to impose a charge of ten (10) cents to a customer to cover reasonable costs associated with the ordinance.
- Paper bags must be made from a minimum of 40% post-consumer, recycled content.
- An exemption for those customers who are participating either in the California Supplemental Food Program for Women, Infants and Children or the Supplemental Food Program.
- A start date for compliance with the ordinance of July 1, 2011 for larger stores (as defined in the County's ordinance) and January 1, 2012 for all others, allowing the City of Long Beach and stores an opportunity to provide employee training and outreach;

Request City Manager to develop a public education campaign (website and hotline) for affected businesses to receive information about the ordinance and residents to learn about the benefits of a ban to a coastal city such as Long Beach and report violations; and

Request City Manager to develop, and the ordinance include a monitoring and compliance process that uses existing health or environmental related monitoring activities of the affected stores.

[see media](#)

Office or Department: VICE MAYOR SUJA LOWENTHAL,
COUNCILMEMBER, SECOND DISTRICT;
COUNCILMEMBER ROBERT GARCIA, FIRST
DISTRICT; COUNCILMEMBER GARY
DELONG, THIRD DISTRICT

Suggested Action: Approve recommendation.

23. [10-1309](#) Recommendation to adopt resolution declaring results of the Special Municipal Election held on November 2, 2010. (Citywide)

[see media](#)

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

24. [10-1308](#) Recommendation to authorize City Manager to execute a contract with FIS, also known as Metavante Corporation and Link2Gov, 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)

[see media](#)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

25. [10-1293](#) Recommendation to adopt resolution authorizing City Manager to execute a contract and any amendments thereto with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner Western Star of Whittier, CA (not an MBE, WBE, SBE or Local), for the purchase of two liquefied natural gas (LNG) powered Versalift large aerial trucks per quotes dated July 21, 2010, on the same terms and conditions afforded to the City of Glendale Request for Quote (RFQ) #4000001088 and the City of Los Angeles RFQ #1992, in a total amount not to exceed \$541,154 including tax. (Citywide)

[see media](#)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

26. [10-1294](#) Recommendation to authorize City Manager to execute a Memorandum of Understanding (MOU) with Long Beach Transit (LBT) to reimburse the City for the purchase of a refuse vehicle to be used to service litter containers at bus stops; and

Adopt resolution authorizing City Manager to execute a contract and any amendments thereto with Los Angeles Truck Centers, LLC, dba Los Angeles Freightliner Western Star of Whittier, CA (not an MBE, WBE, SBE or Local), for the purchase of one liquefied natural gas (LNG) powered side-loader refuse truck per quote dated September 14, 2010, on the same terms and conditions afforded to the State of California, Department of Transportation (Cal-Trans), Solicitation No. 5439, in a total amount not to exceed \$245,435 including tax. (Citywide)

[see media](#)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

27. [10-1295](#) Recommendation to authorize City Manager to execute all necessary documents, between the City of Long Beach and the State Department of Health Services for funding the provision of HIV/AIDS preventive health services for an amount not to exceed \$4,219,218 for a period of three years, to be appropriated on an annual basis in the Health Fund (SR 130) and the Department of Health and Human Services (HE). (Citywide)

[see media](#)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

28. [10-1296](#) Recommendation to adopt Plans and Specifications No. R-6858 for the North Air Carrier Ramp Reconstruction at the Long Beach Airport; and authorize City Manager to award a contract and execute any and all necessary documents with Palp, Inc., dba Excel Paving Company, in an estimated amount of \$3,983,405, plus a twenty-five percent contingency amount of \$995,851, if necessary, totaling \$4,979,256, and any amendments thereto except for an increase in the total authorization. (District 5)

[see media](#)

Office or Department: LONG BEACH AIRPORT; PUBLIC WORKS

Suggested Action: Approve recommendation.

REVISED

29. [10-1297](#) Recommendation to authorize City Manager to execute the 10th Amendment to the Long Beach Harbor Tidelands Parcel and Parcel "A" Oil Contract with the California State Lands Commission, allowing for drilling of oil production wells from subject lands into adjacent West Wilmington oil producing areas. (District 2)

[see media](#)

Office or Department: LONG BEACH GAS AND OIL

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.

30. [10-1322](#) Recommendation to respectfully request City Council to receive and file the Cambodia Water Festival Disaster and adopt a motion encouraging residents to support the Long Beach Chapter of People to People International Disaster Relief in support of the disaster victims.

[see media](#)

Office or Department: COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; VICE MAYOR SUJA LOWENTHAL, COUNCILMEMBER, SECOND DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT

Suggested Action: Approve recommendation.

31. [10-1323](#) Recommendation to authorize City Attorney to pay the sum of \$11,130 in full settlement of a claim by Avalon Boat and Yacht Sales.

[see media](#)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

REVISED

32. [10-1291](#) Recommendation to receive and file the Fiscal Year 2010 Year-End Budget Performance Report; and

Increase appropriations in the Gas Prepay fund (EF 303) in the Department of Long Beach Gas and Oil by \$57,925,000 and in the Tideland Oil Revenue Fund (NX 420) in the Department of Long Beach Gas and Oil by \$36,256,283 to reflect actual year-end performance. (Citywide)

[see media](#)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

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, December 6, 2010 – State Legislation Committee at 3:30 P.M., Council Chamber.

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

Tuesday, December 14, 2010 – Housing and Neighborhoods Committee at 3:30 P.M., Council Chamber.

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

HEARING REMINDERS:

Tuesday, December 14, 2010 – Hearing to authorize the approval and execution of an Owner Participation Agreement (OPA) for the sale of Agency-owned property to Lester Box & Manufacturing (Owner), 1463 Cota Avenue (West Long Beach Industrial Project Area). (District 1)

Tuesday, December 14, 2010 – Hearing for Club Investments, LP., dba Ice Bar, for a Permit for Entertainment With Dancing by Patrons, 49 S. Pine Avenue. (District 2)

Tuesday, December 14, 2010 – Hearing for Ashley’s Bar & Grill, LLC., dba Ashley’s Bar & Grill, for a Permit for Entertainment Without Dancing by Patrons, 1731 E. 4th Street. (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. 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.

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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