

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

[12-0632](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, July 20, 2012.

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. [12-0230](#) Recommendation to receive the supporting documentation into the record, conclude the hearing, consider the appeal by applicant, Joyce Frazier, and either:
 - (1) Uphold the decision of the Planning Commission to deny a Conditional Use Permit request for the sale of beer and wine for off-site consumption (Type 20 license) at an existing convenience store located at 1030 East Pacific Coast Highway within the Commercial Highway zone; or
 - (2) Approve the Conditional Use Permit request for the sale of beer and wine for off-site consumption (Type 20 license) at an existing convenience store located at 1030 East Pacific Coast Highway within the Commercial Highway zone.
(District 6)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

2. [12-0599](#) Recommendation to receive supporting documentation into the record, conclude the hearing and deny the Permit on the application of Panama Joe's, Inc., dba Panama Joe's Café, 5100 E. 2nd Street, for Entertainment With Dancing by Patrons. (District 3)

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: (3 - 16)

3. [12-0595](#) Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay (1) \$203,728.98 for Stipulations with Request for Award, and also (2) to pay \$185.54 per week thereafter for a Life Pension, which is subject to cost of living adjustments to be determined by the Workers' Compensation Appeals Board, in compliance with the Appeals Board Order for Mark Boone.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

4. [12-0596](#) Recommendation to authorize City Attorney to pay the sum of \$8,000 in full and final resolution of lawsuit entitled *Castaneda, et al. v. COLB, et al.*; the sum of \$7,380 in full settlement of lawsuit entitled *Jesus Gonzalez v. City of Long Beach et al.*, Case No. 12S00785; the sum of \$9,000 in full settlement of lawsuit entitled *Kabbaj v. City of Long Beach, et al.* Case No. NC056728; the sum of \$650,000 in full settlement of the lawsuit entitled *Macey Taylor Kibbee v City of Long Beach et al.*, Case No. NC055238 and the sum of \$10,500 in full settlement of lawsuit entitled Miguel Angel Solis v. City of Long Beach, et al.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

5. [12-0571](#) Recommendation to adopt resolution ordering, calling and providing for and giving notice of a Special Municipal Election to be held on Tuesday, November 6, 2012, for the purpose of submitting a ballot proposition to a vote of the qualified electors of the City;

[12-0622](#) Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of a Citywide Special Municipal Election with the Statewide General Election to be held on Tuesday, November 6, 2012, and determining and declaring the City will pay to the County reasonable and actual expenses incurred by the County on account of the consolidation of this Election; and

[12-0623](#) Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, November 6, 2012.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

6. [12-0597](#) Recommendation to approve the minutes for the City Council meetings of Tuesday, July 3 and 10, 2012, and City Council Budget meeting of Tuesday, July 3, 2012.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

7. [12-0598](#) Recommendation to refer to City Attorney damage claims received between July 2, 2012 and July 16, 2012.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

8. [12-0601](#) Recommendation to authorize Department of Development Services to process a refund in the amount of \$10,537 to Lyon Communities for the property located at 6701 East Pacific Coast Highway. (District 3)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

9. [12-0602](#) Recommendation to authorize City Manager to execute all documents with Kaiser Permanente to accept a grant award in the amount of \$15,000 for a period of one year to disseminate the Violence Prevention Plan Community Survey; authorize City Manager to execute any and all necessary documents for the implementation and administration of the grant; and increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Development Services (DV) by \$15,000. (Citywide)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

10. [12-0603](#) Recommendation to adopt resolution directing the Los Angeles County Auditor-Controller to include on the 2012-13 Secured Tax Roll certain levies made pursuant to the provisions of the Long Beach Municipal Code for weed and debris removal, administrative citations, securing of buildings, and vacant buildings in the amount of \$220,759. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

11. [12-0604](#) Recommendation to adopt resolution establishing an annual special tax of \$0.12 per square foot for Community Facilities District No. 2007-2 for commercial properties in Belmont Shore for Fiscal Year 2013 and authorizing the Los Angeles County Auditor-Controller to include on the 2012-13 Secured Tax Roll. (District 3)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

12. [12-0605](#) Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the California Department of Education in the amount of \$2,285 for the provision of health and sanitation inspections for the Summer Food Service Program for a period of three months. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

13. [12-0606](#) Recommendation to authorize City Manager, or designee, to execute the Sixth Amendment to Contract Agreement No. H-300266 and any subsequent amendments or necessary documents, between Los Angeles County and the City of Long Beach to accept funding in the amount of \$160,467 for the term of July 1, 2012 through June 30, 2013, to provide Community Outreach, Enrollment, Utilization and Retention (COEUR) services for the benefit of low to moderate income families to gain affordable medical insurance. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

14. [12-0607](#) Recommendation to authorize City Manager to execute all documents with the County of Los Angeles to receive funds totaling \$133,000 to operate a Summer Youth Employment Program that will assist approximately 96 youth ages 14-21; increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Human Resources by \$93,100; and execute any needed subsequent amendments. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

15. [12-0609](#) Recommendation to authorize City Manager to execute all necessary documents with the Long Beach Public Transportation Company for a six (6) month extension of a trial Belmont Shore Employee Rider Pass Program to provide valid transit access to all eligible persons employed by Belmont Shore businesses on all established Long Beach Transit bus service routes. (District 3)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

16. [12-0610](#) Recommendation to adopt resolution authorizing City Manager, or designee, to execute Local Programs Assistance Right-of-Way Certifications to Caltrans for selected, federally funded roadway construction projects. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

17. [12-0625](#) Recommendation to receive and approve Commission/Board/Committee appointments and reappointments to Non-Charter Commissions.

Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

18. [12-0608](#) Recommendation to request the Planning Commission to review the City's current Zoning Regulations as they relate to existing liquor stores that have Type 21 (Off Sales General) licenses Citywide; to consider the feasibility of implementing performance standards and/or a Conditional Use Permit (CUP) requirement for those stores that currently are not regulated by a CUP or are otherwise not regulated by any current meaningful performance standards; and to recommend possible incentives that could be offered to existing businesses that are willing to immediately accept the imposition appropriate regulations, with a specific request that North Long Beach be established as a pilot study area for the proposed action.

The purpose of this request is to protect and promote the public health, safety, comfort, convenience and general welfare of the community by imposing anti-nuisance related operating conditions on existing Type 21 establishments that currently have legal nonconforming use status in the City.

Office or Department: COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT; COUNCILMAN AL AUSTIN, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

19. [12-0624](#) Recommendation to request City Manager to work with the City Attorney to draft a comment letter to the recently released I-710 project Draft Environmental Impact Report expressing support for the alternative with the least immediate impact to the I-710 study area in Long Beach, and to explore various mitigation options that serve and improve the immediate community, such as local hiring preferences, increased green space and aesthetics, as well as traffic and environmental mitigations. The comment letter shall take into consideration comments and concerns expressed by the community during the public review period.

Office or Department: COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

20. [12-0626](#) Recommendation to request City Manager to work with the Department of Parks, Recreation and Marine and the Human Relations Commission to craft an anti-bullying policy for all City youth programs and facilities.

Office or Department: COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

21. [12-0627](#) Recommendation to request City Attorney to draft an ordinance amending Long Beach Municipal Code Section 15.36.120(A), clarifying that residents of sub-metered households be deemed as "service customers."

Office or Department: COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; COUNCILMAN AL AUSTIN, EIGHTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

22. [12-0611](#) Recommendation to authorize City Manager to amend the term of the extended 10-Year Key Tenant Loan with Marina Pacifica, LLC, to allow for the elimination of the interest rate. (District 3)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

23. [12-0562](#) Recommendation to authorize City Manager to enter into a Memorandum of Understanding with the City of Signal Hill and the Spring Street Corridor Joint Powers Authority; a 15-year Sales Tax Sharing Agreement with the City of Signal Hill; and a 15-year Economic Development Agreement with Office Depot, City of Signal Hill, and LBSH Parcel I, LLC. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

24. [12-0612](#) Recommendation to authorize City Manager to amend Contract No. 30774 with Xerox/ACS State & Local Solutions, Inc., and extend the term date to June 30, 2013, for collection services of delinquent parking violations for a period of one year. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

25. [12-0613](#) Recommendation to adopt Specifications No. PA-00212 Rebid and award a contract to Clean Energy, of Seal Beach, CA (not an MBE, WBE, SBE or Local), for furnishing and delivering liquefied natural gas fuel, in an annual amount not to exceed \$800,000, for the period of one year, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

26. [12-0614](#) Recommendation to adopt resolution to issue Second Lien Water Revenue Bonds Series 2012A, in an amount not to exceed \$15,000,000, acting through its Board of Water Commissioners to refund the City of Long Beach Subordinate Water Revenue Commercial Paper Notes, Series A. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; WATER

Suggested Action: Approve recommendation.

27. [12-0615](#) Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the County of Los Angeles to receive and expend Department of Homeland Security grant funding for the 2011 Homeland Security Grant Program; and increase appropriations by \$287,610 in the General Grants Fund (SR 120) in the Fire Department (FD). (Citywide)

Office or Department: FIRE

Suggested Action: Approve recommendation.

28. [12-0565](#) Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the City of Los Angeles to receive and expend Department of Homeland Security grant funding for the 2011 Urban Area Security Initiative (UASI) Grant, in an amount not to exceed \$3,406,101 for a period ending April 30, 2014; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$845,964, in the General Grants Fund (SR 120) in the Health and Human Services Department (HE) by \$235,369, and in the General Grants Fund (SR 120) in the Police Department (PD) by \$1,871,494. (Citywide)

Office or Department: FIRE; HEALTH AND HUMAN SERVICES;
POLICE

Suggested Action: Approve recommendation.

29. [12-0616](#) Recommendation to authorize City Manager, or designee, to execute a first amendment to the current agreement between the City of Long Beach and the State Department of Health Services, in an amount not to exceed \$4,528,768, for the provision of HIV/AIDS preventive health services for a period of three years, and any subsequent amendments that increase future funding levels; and increase appropriations in the Health Fund (SR 130) in the Health and Human Services Department (HE) by \$250,472. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

30. [12-0302](#) Recommendation to authorize City Manager to implement the policy giving restaurant operators discretion in allowing pet dogs on restaurant patios where food is served. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

31. [12-0617](#) Recommendation to authorize City Manager to execute all documents and any subsequent amendments with the City of Los Angeles, to receive funds totaling \$837,674 to continue operations of the Harbor WorkSource Center, for the term of July 1, 2012 through June 30, 2013; and authorize City Manager, or designee, to execute agreements and amendments with necessary Workforce Investment Act training provider vendors. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

32. [12-0619](#) 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 Department of Homeland Security grant funding for the 2011 Port Security Grant Program, in an amount not to exceed \$4,420,262 for a period ending August 31, 2014; and increase appropriations in the General Grants Fund (SR 120) and in the Police Department (PD) by \$4,420,262. (Citywide)

Office or Department: POLICE; FIRE

Suggested Action: Approve recommendation.

33. [12-0620](#) Recommendation to authorize City Manager to execute all documents necessary for the First Amendment to Lease No. 29995 between CityPlace Long Beach, LLC; CityPlace Long Beach TIC 1, LLC; CityPlace Long Beach TIC 2, LLC, all Delaware limited liability companies, as tenants in common (Landlord), and the City of Long Beach (Tenant) for the relocation of City-leased office space to 295 East Third Street, Suite No. A-100, for the offices of certain veterans' organizations; and

Authorize City Manager to execute all documents necessary to amend Sublease No. 30276 with the Arthur L. Peterson Post No. 27, Inc., The American Legion, Department of California; Sublease No. 30277 with Long Beach Chapter No. 17, Disabled American Veterans, Inc.; and Sublease No. 30278 with the Fleet Reserve Association, Branch 43, (collectively, Subtenants), for the sublease of City-leased office space at 295 East Third Street, Suite No. A-100. (District 1)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

34. [12-0569](#) Recommendation to adopt Plans and Specifications No. R-6906 for the Improvement of Livingston Drive between Termino Avenue and 2nd Street, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with EBS General Engineering, Inc., in an estimated amount of \$1,254,000, plus a 15 percent contingency of \$188,100, for a total of \$1,442,100, and any necessary amendments thereto. (District 3)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

REVISED

35. [12-0621](#) Recommendation to authorize City Manager to execute on-call agreements with Lidgard and Associates, Inc., R. P. Laurain and Associates, Inc., Hawran and Malm, LLC, Valentine Appraisal and Associates, Inc., and BTI Appraisal, for as-needed real estate appraisal services in an aggregate total amount not to exceed \$300,000 of contract authority for a three year term, and to execute any necessary amendments to the agreements, relative to extending the terms for up to one additional one-year term, reallocating the contract dollar amounts, authorizing additional services, if required, within the provisions of the agreements, and adjusting the fee schedules for inflation, all provided that the aggregate total amount of contract authority is not exceeded. (Citywide)

Office or Department: PUBLIC WORKS

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.

36. [12-0592](#) Recommendation to City Council to concur in the recommendation of the Personnel and Civil Service Committee to receive and confirm appointments to the Citizen Police Complaint Commission (2 appointments); the Parks and Recreation Commission (1 appointment); and the Planning Commission (1 appointment).

Office or Department: COUNCILWOMAN GERIE SCHIPSKE, FIFTH DISTRICT, CHAIR; PERSONNEL AND CIVIL SERVICE COMMITTEE

Suggested Action: Approve recommendation.

37.

38.

REVISED

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, July 24, 2012 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach at 4:30 P.M., Council Chamber.

Tuesday, August 7, 2012 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, August 7, 2012 – Tidelands and Harbor Committee at 3:30 P.M., Council Chamber.

Monday, August 13, 2012 – Budget Oversight Committee at 3:45 P.M., Council Chamber.

Tuesday, August 14, 2012 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, August 7, 2012 – Hearing for Downtown Long Beach Property and Business Improvement District. (Districts 1,2)

Tuesday, August 7, 2012 – Hearing for the establishment of a new Preferential Parking District “AB” for area on Anaheim Road east of Studebaker Road and west of Almada Street. (District 3)

Tuesday, August 7, 2012 – Hearing to consider appeal of the Planning Commission’s decision to deny a Conditional Use Permit for the sale of beer and wine for off-site consumption at an existing convenience store, 1821 Martin Luther King Junior Avenue. (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.

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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