

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

**TUESDAY, AUGUST 24, 2004
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

**PRESENTATIONS BY COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
IN RECOGNITION OF COMMUNITY MEMBERS AND ORGANIZATIONS
FOR THEIR SIGNIFICANT CONTRIBUTIONS TO THE EIGHTH DISTRICT**

**KKJZ RADIO PRESENTATION REGARDING
LONG BEACH BLUES FESTIVAL**

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. DEPARTMENT: PLANNING COMMISSION

SUBJECT: Amendment to Land Use Element of the General Plan. (Resolution adopting, after public hearing, amendments to the text of the Land Use Element of the General Plan of the City of Long Beach deleting the limitation of three Land Use Element amendments per year. (Citywide)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing and adopt resolution.

2. DEPARTMENT: PLANNING COMMISSION

SUBJECT: Amendment to the Land Use Element of the General Plan and amendment to the Alamitos Land Planned Development District (PD-17) to allow a 106-unit single-family residential development at 2080 Obispo Avenue. (Resolution adopting, after public hearing, amendments to the map of the Land Use Element of the General Plan of the City of Long Beach from LUD-7 [Mixed Use] to LUD-1 [Single Family] and LUD-10 [Institutional]) (Ordinance amending and restating the Los Alamitos Land Planned Development District [PD-17] in its entirety.) (District 4)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing;

Review and consider Environmental Impact Report EIR 35-01 and Statement of Overriding Considerations as certified by the Planning Commission on June 3, 2004;

Adopt resolution; and

Declare the ordinance, changing the Alamitos Land Planned Development District (PD-17) by amending subarea 2 and adding subarea 2A, read the first time and laid over to the next regular meeting of City Council for final reading.

3. DEPARTMENT: PLANNING COMMISSION

SUBJECT: General Plan Amendment from LUD 2 and LUD 8A to LUD 10 and zone change from R-2-N and CCP to I, in order to construct a neighborhood library (MacArthur Park Library). (Resolution adopting, after public hearing, amendments to the Land Use Element of the General Plan of the City of Long Beach relating to 1401 E. Anaheim Street.) (Ordinance amending the Use District Map of the City of Long Beach as said map has been established and amended by amending a portion of Part 10 of said map from R-2-N [Two-Family Residential] and CCP [Community Commercial-Pedestrian Oriented] to I [Institutional] for properties located at 1401, 1409 and 1427 E. Anaheim, 1315 and 1327 Peterson, and 1320 and 1324 Gundry Avenue, in the City of Long Beach [0207-22].) (District 6)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing and adopt resolution.

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

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 members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (4 - 15)

4. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages.

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between August 12, 2004 and August 19, 2004.

5. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: First Amendment to Lease No. 25776 with Coastal Long Beach Properties, L.L.C., for office space at 575-585 Pine Avenue to house certain veterans' organizations, and Second Amendment to related subleases between the City of Long Beach and Disabled American Veterans, Long Beach Chapter No. 17 (Sublease 25905); Fleet Reserve Association, Branch 43 (Sublease 25906); and Arthur L. Peterson Post No. 27, Inc., The American Legion, Department of California (Sublease 25907). (District 1)

SUGGESTED ACTION:

Authorize City Manager to execute First Amendment to Lease No. 25776 with Coastal Long Beach Properties, L.L.C., and Second Amendment to Subleases 25905, 25906 and 25907, at annual lease payments of \$45,158 plus the cost of utilities and maintenance.

6. DEPARTMENT: COMMUNITY DEVELOPMENT, ENERGY AND OIL PROPERTIES

SUBJECT: Second Amendment to Lease No. 23828 with Pacifica Downtown Plaza, L.P., for office premises at 211 East Ocean Boulevard, Suite 500, to house the Department of Oil Properties. (District 2)

SUGGESTED ACTION:

Authorize City Manager to execute amendment, and any subsequent amendments except those pertaining to rent, at the effective monthly rental rate of \$1.62 per rentable square foot for a term of five years with one option to renew for a period of five years with the approval of the City Council.

7. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Agreements with State of California Department of Health Services and Community Agencies for the provision of immunization services. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute all necessary documents;

Authorize City Manager to execute subcontracts with the following organizations for a period of one year; and authorize City Manager to extend the agreements for up to two consecutive one year terms subject to availability of funding and adequate performance in amounts as follows: Cambodian Association of America \$10,000; St. Mary Medical Center Foundation for Families in Good Health, \$24,000; and The Children's Clinic (Collaboration), \$29,515.

8. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: Agreement with State of California Department of Health Services; Agreement with Better World Advertising, Inc. and amendment of subcontract Agreements Nos. 28564, 28569, and 28617 to provide HIV/AIDS prevention services. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute all necessary documents with State of California Department of Health Services for the provision of HIV/AIDS education and prevention services;

Authorize City Manager to execute first amendments to subcontracts extending term for a one-year period, and to extend agreements for up to two consecutive one-year terms subject to availability of funding and adequate performances in amounts as follows: Being Alive \$144,000; Center for Behavioral Research and Services \$180,000; and One in Long Beach \$87,500; and

Authorize City Manager to execute subcontract agreement with Better World Advertising, Inc., in the amount of \$182,000 for a one-year period; and to extend agreement for up to two consecutive one-year terms subject to availability of funding and adequate performance.

9. DEPARTMENT: LAW

SUBJECT: Second amendment to contract with legal counsel Richards, Watson & Gershon in matter entitled Shell Chemical Company, et al. vs. County of Los Angeles, et al.

SUGGESTED ACTION:

Authorize City Manager to execute amendment to increase total amount of contract by an additional \$40,000.

10. DEPARTMENT: LAW

SUBJECT: Stipulations with Requests for Awards.

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$160,000 in compliance with Appeals Board order for claim of Paul Allen Bohnlein; \$6,475 and \$2,100 for claims of Delilah Gaye Brown; and \$18,317.50 for claim of Michelle Ferrill.

11. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications.

- A. Application of Vannak Peng, dba Best Market, for a person-to-person transfer of an off-sale beer and wine license at 2444 E. 4th Street. (District 2)
- B. Application of Downtown Blue Cafe Incorporated, dba Downtown Blue Cafe, for a stock transfer of an on-sale general for bonafide eating place license at 210-214 North Promenade. (District 2)
- C. Application of Pacific Fuel Company LLC, dba Shell, for a person-to-person transfer of an off-sale beer and wine license at 1790 Palo Verde Avenue. (District 3)
- D. Application of Jong Yeal Byean, dba Liquor Mill, for a person-to-person transfer of an on-sale general license at 5440 Long Beach Boulevard. (District 8)
- E. Application of David Joseph Clapper, Julia Ann Clapper, Judith Ann Davis and Jalinda Suzanne Pushea, dba Smelly Kat, for a person-to-person transfer of an on-sale general for public premises license at 1739 East Artesia Boulevard. (District 9)

SUGGESTED ACTION:

Receive and file with existing conditions.

12. DEPARTMENT: PUBLIC WORKS

SUBJECT: Final Subdivision Map for Tract No. 60109 located northerly of Seaside Way between Queen's Way and Chestnut Place. (District 2)

SUGGESTED ACTION:

Find that all requirements of the map have been satisfied; and approve the final subdivision map.

13. DEPARTMENT: PUBLIC WORKS

SUBJECT: Lease agreement between City of Long Beach and Cal West Industrial Properties for the installation of SkyTrak Long-Range Passur Radar System. (District 5)

SUGGESTED ACTION:

Authorize City Manager to execute agreement.

14. DEPARTMENT: PUBLIC WORKS AND WATER

SUBJECT: Easement for public sanitary sewer line to serve 6145 Long Beach Boulevard. (District 9)

SUGGESTED ACTION:

Request City Attorney to accept a grant of easement to provide for the extension of a sewer line.

15. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:

Harbor Commission, August 9, 2004

SUGGESTED ACTION:

Receive and file.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

UNFINISHED BUSINESS:

16. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Agreement with Marie Jones Consulting to prepare second phase of the Economic Development Strategic Plan. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute agreement in the amount of \$146,765.

BUDGET HEARING: 7:00 P.M.

17. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Proposed Fiscal Year 2005 Budget. (Public input and City Council deliberations.)

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

18. OFFICE: MAYOR BEVERLY O'NEILL

SUBJECT: Request for Personnel and Civil Service Committee to meet on or before September 7, 2004 to review recommended appointments to the following Charter Commissions: Citizen Police Complaint Commission and Parks and Recreation Commission.

SUGGESTED ACTION:

Refer to Personnel and Civil Service Committee.

19. OFFICE: MAYOR BEVERLY O'NEILL

SUBJECT: 2004 Nominations for Appointments to Non-Charter Commissions, Committees or Boards.

SUGGESTED ACTION:

Confirm appointments of Victor Perez and Lou Michael Santos to the Commission on Youth and Children; Maria Tanzer and Pearlie Nichols to the Long Beach Housing Authority; and Blanca Galvez to the Human Relations Commission.

20. OFFICE: MAYOR BEVERLY O'NEILL

SUBJECT: 2004-2006 Standing Committees, Authorities and Memberships.

SUGGESTED ACTION:

Approve appointments as recommended and request City Attorney to prepare resolution dissolving the City Council I-710 Oversight Committee, transferring all functions, issues and pending items into the existing Transportation and Infrastructure Committee.

21. OFFICE: MAYOR BEVERLY O'NEILL
SUBJECT: Resolution in support of Proposition 1A – Protection of Local Government Revenues.
SUGGESTED ACTION:
Endorse Proposition 1A and request City Attorney to prepare resolution in support.
22. COUNCIL OFFICE: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT
SUBJECT: Report regarding mosquito-borne West Nile Virus prevention activities.
SUGGESTED ACTION:
Request report by Department of Health and Human Services on current activities and long term plan and coordination with Greater Los Angeles County Vector Control District to address needs of the City and those residents in East Long Beach to combat the spread of the mosquito-borne West Nile Virus; and
Request report regarding precautionary measures taken to avoid stagnant water buildup and general overall maintenance of storm drains, culverts and open drainage in the Fourth District and throughout the City.
23. COUNCIL OFFICE: COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT
SUBJECT: Resolution in support of SB 1875 (Alpert).
SUGGESTED ACTION:
Request City Attorney to prepare resolution.
24. COUNCIL OFFICES: COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT
COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
SUBJECT: Report on General Plan update.
SUGGESTED ACTION:
Receive and file report.
25. DEPARTMENT: COMMUNITY DEVELOPMENT
SUBJECT: Commercial and Industrial Rehabilitation Revolving Loan Fund loan to MC2 Custom Alloys, Inc. (District 9)
SUGGESTED ACTION:
Authorize City Manager to execute seven-year, fully amortized loan (including personal guarantees of Alan Dolch, Jerund E. Dolch, Michael J. Aroney, Kelly R. Aroney and Albert Jimenez), in amount of \$200,000 at 5.75 percent interest.

26. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Specifications No. PA-01804 and award a contract to Oshkosh Truck Corporation to furnish and deliver an aircraft rescue firefighting vehicle. (Citywide)

SUGGESTED ACTION:

Adopt Specifications and award contract in an amount not to exceed \$814,209 plus tax, and up to 10 percent additional for unanticipated costs.

Authorize City Manager to execute amendment to the contract in order to purchase an additional unit for the Airport in accordance with the terms required to exercise the option in FY 05, if funding is available through the FAA or other grant sources.

27. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Fiscal Year 2004 June Budget Performance Report. (Citywide)

SUGGESTED ACTION:

Refer to Budget Oversight Committee.

28. DEPARTMENT: PLANNING AND BUILDING

SUBJECT: Second Amendment to Agreement No. 28404 with EIP Associates, to provide services to update the Land Use Element of the City's General Plan. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute amendment in an amount not to exceed \$510,000, and amend the scope of the agreement to accomplish public participation enhancements in preparation of the updated Land Use Element of the City's General Plan, and appropriate an additional \$40,000 for FY04 to the Planning and Building Department.

RESOLUTIONS:

29. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development (HCD) for funding under the CalHome Program; the execution of a Standard Agreement and any amendments thereto if selected for such funding; and the execution of any additional documents necessary to participate in the CalHome Program.

SUGGESTED ACTION:

Adopt Resolution for \$1,000,000 and authorize City Manager to execute all necessary documents upon funding approval.

30. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Resolution authorizing the City Manager to execute a contract with Dooley Enterprises, Inc., without advertising for bids, for furnishing ammunition for one year in the estimated sum of \$250,000 and with options to extend for two additional years.

SUGGESTED ACTION:

Adopt resolution in the estimated amount of \$250,000 for term of one year, with the option for two additional one-year periods; and

Authorize amendments to exercise the City's option to renew and authorize City Manager to execute the same.

31. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Resolution making certain findings and determinations and requesting the Board of Harbor Commissioners of the City of Long Beach to approve a transfer of \$6,850,777 from the Harbor Revenue Fund to the Tideland Operating Fund pursuant to the provisions of City Charter Section 1209(C)(4).

SUGGESTED ACTION:

Adopt resolution.

Request Board of Harbor Commissioners to make said transfer in equal quarterly installments on October 1, 2004, January 1, 2005, April 1, 2005 and July 1, 2005.

32. DEPARTMENT: LAW

SUBJECT: Resolution regarding the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.

SUGGESTED ACTION:

Adopt Resolution.

33. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution authorizing the City Manager to execute, on behalf of said City, a contract with Lochard Corporation without advertising for bids for the maintenance and upgrade of the City's Airport Noise and Operations Monitoring System ("ANOMS"). (District 5)

SUGGESTED ACTION:

Adopt resolution.

Authorize City Manager to execute maintenance agreement for maintenance, upgrade, and support of the Long Beach ANOMS in an amount not to exceed \$381,314.

Authorize City Manager to execute amendments to extend the term for two consecutive periods of one year each, at an amount not to exceed \$270,814 per year.

ORDINANCES:

34. DEPARTMENT: LAW

SUBJECT: Ordinance declaring BMX bike riding to be a hazardous recreational activity; and by amending the Long Beach Municipal Code by amending Subsections G and J of Section 16.16.015, and by adding Section 16.16.017, relating to the use of bicycles in skate parks.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

35. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Subsection 71 of Section 10.14.020.A, relating to one-way traffic operations.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

36. DEPARTMENT: HUMAN RESOURCES

SUBJECT: Ordinance authorizing an amendment to the contract between the City of Long Beach and the Board of Administration of the California Public Employees' Retirement System and authorizing the City Manager of said City to execute said amendment for and on behalf of the City of Long Beach. (Citywide)

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

NEW BUSINESS:

37.

38.

39.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

REMINDERS:

Budget Oversight Committee at 2:00 P.M.

September 7, 2004, Hearing on proposed Disposition and Development Agreement with Olson 737 - Long Beach 97, LLC. (District 2)

September 7, 2004, Continued hearing on Resolution ordering the vacation of a portion of the alley west of Long Beach Boulevard and north of Fourteenth Street, reserving easements for utilities. (District 1)

September 7, 2004, Hearing on Resolution of Intention to vacate the north-south alley west of Downey Avenue and north of South Street. (District 9)

September 7, 2004, Application of Network Development, LLC, dba The Vault, for a Permit for Entertainment with Dancing by Patrons at an Existing Restaurant with Alcohol at 350 Pine Avenue. (District 1)

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 Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802. You may view the agenda or documents on the Internet at www.longbeach.gov. E-Mail correspondence can be directed to cityclerk@longbeach.gov. Agenda items may be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please phone the City Clerk Department at (562) 570-6101 by 12 noon Monday. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.