

**CITY OF LONG BEACH
CITY COUNCIL REVISED 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, OCTOBER 12, 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

**RECOGNITION OF CITY OF LONG BEACH
RECEIVING HELEN PUTNAM AWARDS FROM
THE LEAGUE OF CALIFORNIA CITIES
FOR
LONG BEACH PUBLIC LIBRARY INFORMATION CENTER FOR
PEOPLE WITH DISABILITIES
AND
NEIGHBORHOOD RESOURCE CENTER**

**PROCLAMATION PRESENTED FOR NATIONAL LATINO AIDS
AWARENESS DAY – OCTOBER 15, 2004**

**PROCLAMATION PRESENTED FOR
NATIONAL HEALTH EDUCATION WEEK
OCTOBER 17-24, 2004**

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: FINANCIAL MANAGEMENT

SUBJECT: Application of 2706 South Street, LLC, dba Alibi Sports Bar, 2706 South Street, for a permit for entertainment without dancing by patrons at a existing Bar/Tavern/Lounge. (District 9)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing and grant the permit, with or without conditions, or deny the permit.

2. DEPARTMENT: PLANNING COMMISSION

SUBJECT: Two rezonings: 1) Zone change from R-3-S to CNR and 2) Zone change from R-1-S to Institutional, in order to facilitate improvements to properties that are not currently allowed under present zoning. (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-3-S (three-family residential) to CNR (neighborhood commercial and residential) for property located at 1780, 1760, 1750, 1746, 1738, 1728, 1716, and 1700 Martin Luther King Jr. Avenue, 1007 and 1013 East 17 th Street; and from R-1-S (single-family residential) to I (institutional) for property located at 1458, 1450, 1448, and 1430 Myrtle Avenue, 908 and 920 East New York Avenue, and 1471 Martin Luther King Jr. Avenue, in the City of Long Beach [Rezoning No. 0406-38]) (District 6)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the hearing.

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

3 DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution ordering the vacation of the five-foot wide alley east of Sixty-Seventh Place and south of Ocean Boulevard. (District 3)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, and find that area to be vacated is not needed for present or prospective public use.

Adopt resolution.

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 - 12)

4. DEPARTMENT: CITY CLERK
SUBJECT: Claims for Damages.
SUGGESTED ACTION:
Refer to City Attorney the damage claims received between September 30, 2004 and October 7, 2004.

5. DEPARTMENT: CITY CLERK
SUBJECT: Report of Hearing Officer on request for revocation of business license and adult entertainment permit issued to VM Associates, Inc., dba Flamingo Gentleman's Club, 2421 E. Artesia Boulevard, Long Beach. (District 9)
SUGGESTED ACTION:
Set date of hearing for Tuesday, November 16, 2004 at 5:00 P.M.

6. DEPARTMENTS: COMMUNITY DEVELOPMENT AND FINANCIAL MANAGEMENT
SUBJECT: Purchase and Sale agreement for property located at 200 Long Beach Boulevard – Downtown Redevelopment Project Area. (District 2)
SUGGESTED ACTION:
Approve and authorize City Manager to execute Agreement and all other related documents for \$333,645; and
Increase appropriations in Redevelopment Fund (RD) and Department of Community Development (CD) by \$461,742.

7. DEPARTMENT: FINANCIAL MANGEMENT
SUBJECT: Refund to Utility Customer Real Energy, Inc.
SUGGESTED ACTION:
Authorize issuance of a refund check in the amount of \$10,669.37.

8. DEPARTMENT: LAW
SUBJECT: Tammera L. Garner vs. City of Long Beach.
SUGGESTED ACTION:
Authorize City Attorney to pay \$10,000 for vocational rehabilitation in compliance with Appeals Board order.

9. DEPARTMENT: LAW

SUBJECT: Agreement with Patrick J. Power for special legal services on energy and utility matters.

SUGGESTED ACTION:

Authorize agreement commencing October 1, 2004 in the amount of \$100,000.

10. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications (Person-to-Person Transfers)

A. Application of G H A Incorporated, dba Arco AM-PM, for an off-sale beer and wine license at 1001 Redondo Avenue. (District 4)

B. Application of Linda Turlao Littlefield and Rigoberto Beto Ramirez, dba Linda Lee's Baracuda, for an on-sale beer and wine for public premises license at 2368 Santa Fe Avenue. (District 7)

SUGGESTED ACTION:

Receive and file with existing conditions.

11. DEPARTMENT: TECHNOLOGY SERVICES

SUBJECT: Agreement with BMC Software Inc. to provide maintenance for enterprise server software licenses. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute an agreement for a term of three years in an amount not to exceed \$65,900 annually.

12. DEPARTMENT: LEGISLATIVE

SUBJECT: Proclamations for National Latino AIDS Awareness Day, October 15, 2004, and for National Health Education Week, October 17-24, 2004.

SUGGESTED ACTION:

Approve.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

UNFINISHED BUSINESS:

13. DEPARTMENT: CITY CLERK
SUBJECT: Resolution approving and authorizing the destruction of certain records, papers and writings by the Department of the City Auditor. (Citywide)
SUGGESTED ACTION:
Approve destruction of records and adopt resolution.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

14. COUNCIL OFFICE: COUNCILWOMAN LAURA RICHARDSON, SIXTH DISTRICT
SUBJECT: Resolution in support of Proposition 61 – Children’s Hospital Bond Act.
SUGGESTED ACTION:
Request City Attorney to draft a resolution.
15. DEPARTMENT: FINANCIAL MANAGEMENT
SUBJECT: Biennial Report on Public Convenience and Necessity Regarding Taxicab Service. (Citywide)
SUGGESTED ACTION:
Receive and file report, determine that number of authorized taxicabs is sufficient, and direct that time period for filing of taxicab applications remain closed.
16. DEPARTMENT: PUBLIC WORKS
SUBJECT: Annual Long Beach Airport Noise Budget Analysis Report. (District 5)
SUGGESTED ACTION:
Receive and file report.

REVISED PAGE

RESOLUTIONS:

17. DEPARTMENT: LAW

SUBJECT: Resolution amending City Council Resolution No. C-27843 with respect to certain flight allocation procedures applicable to the Long Beach Municipal Airport in accordance with the Airport Noise Compatibility Ordinance set forth at Chapter 16.43 of the Long Beach Municipal Code.

SUGGESTED ACTION:

Adopt resolution.

18. DEPARTMENT: PLANNING AND BULIDING

SUBJECT: Resolution supporting the nomination of the Bembridge House for inclusion in the National Register of Historic Places. (District 1)

SUGGESTED ACTION:

Adopt resolution.

NEW BUSINESS:

19. COUNCIL OFFICE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT

SUBJECT: Resolution in opposition to increase of non-hazardous solid waste, greenwaste and recyclable materials at the Bel-Art Waste Transfer Station, located at 2501 E. 68th Street. (District 9)

SUGGESTED ACTION:

Request City Attorney to prepare resolution.

20.

21.

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:

October 19, 2004, Continued Hearing on 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)

October 19, 2004, Hearing on Fresh Ideas Daily, LLC, dba Fresh Ideas Daily, for a Permit for Entertainment with Dancing by Patrons at an Existing Hall Rental at 290 Cerritos Avenue. (District 2)

October 19, 2004, Hearing on Disposition and Development Agreement with Menorah Housing Foundation for northwest and southwest Corners of Atlantic Avenue and Vernon Street. (District 6)

October 19, 2004, Hearing on Consideration of an Appeal of the Planning Commission's Decision to Approve a Standards Variance for Construction of a Single Family Residence at 56 La Linda Drive. (District 8)

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