

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

CITY COUNCIL REGULAR MEETING VIA TELECONFERENCE

24. [12-0784](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 31, 2012.

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: (1 - 10)

1. [12-0731](#) Recommendation to adopt minute order to grant an application from Herminia N. Estes for a widow's pension.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

2. [12-0768](#) Recommendation to authorize City Manager to execute an agreement with the firm of Calantuono & Levin, PC, in the matter entitled John W. McWilliams v. City of Long Beach, Case No. BC361469.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

3. [12-0732](#) Recommendation to approve the minutes for the City Council meetings held Tuesday, August 14 and 21, 2012, and the City Council Budget meeting held Tuesday, August 21, 2012.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

4. [12-0733](#) Recommendation to refer to City Attorney damage claims received between August 13, 2012 and August 27, 2012.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

5. [12-0734](#) Recommendation to approve the destruction of records for Long Beach Police Department, Internal Affairs Division, as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

6. [12-0735](#) Recommendation to approve the destruction of records for the Legislative Department as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

7. [12-0736](#) Recommendation to refer to Hearing Officer the business license revocation appeal by Suwarno Togi, Yujuan He and Huilin Tang, dba Rosemary Day Spa, located at 340-1/2 4th Street, and dba Golden Dragon Spa, located at 924 Pacific Avenue. (District 1)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

8. [12-0737](#) Recommendation to authorize City Manager to execute a License Agreement between the City of Long Beach and Southern California Edison for use of certain telephone/power poles located on City property for a ten-year term unless either party, at any time, elects to terminate the Agreement with a 60 day written notice to the other party. (District 1)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

9. [12-0738](#) Recommendation to authorize City Manager to accept a non-monetary donation of planning, labor, and materials for the improvement and ongoing maintenance of a vacant parcel in Orizaba Park; and to execute a right-of-entry permit and any related documents with the East Anaheim Street Business Alliance for the development and maintenance of the parcel, as recommended by the Parks and Recreation Commission, for a term of five years, with one five-year renewal option at the discretion of the City Manager or his designee. (District 4)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

10. [12-0740](#) Recommendation to receive and file minutes for:
Civil Service Commission - August 1, 2012.
Planning Commission - August 2, 2012.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

11. [12-0769](#) Recommendation to respectfully request to receive and file a report from the City Manager on the status of Long Beach's application for the Smarter Cities Challenge 2013.

Office or Department: COUNCILMEMBER SUJA LOWENTHAL,
SECOND DISTRICT

Suggested Action: Approve recommendation.

12. [12-0741](#) Recommendation to adopt Specifications No. PA-02412 and award a contract to Aardvark, of La Verne, CA (not an MBE, WBE, SBE or Local), for furnishing and delivering less lethal munitions, for an initial amount not to exceed \$200,000, for a period of one year, with the option to renew for two additional one-year periods for \$50,000 per year, at the discretion of the City Manager. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; POLICE

Suggested Action: Approve recommendation.

13. [12-0742](#) Recommendation to amend Contract No. 31757 with Friction Materials Company, Contract No. 31758 with Battery Systems, Inc., Contract No. 31760 with Napa Auto Parts, and Contract No. 31761 with C & C Automotive Distributors, all Long Beach-based businesses (not MBEs, WBEs or SBEs), and Contract No. 31759 with The Truck Lighthouse, of Santa Fe Springs, CA (not an MBE, WBE, SBE or Local), for the purchase of automotive parts, supplies and batteries, extending the terms for the second renewal option for a period of one year, and increasing the contract amount by \$840,000, bringing the combined total contract amount not to exceed \$2,520,000, inclusive of tax. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

14. [12-0646](#) Recommendation to adopt Specifications No. PA-03512 and award a contract to McCain, Inc., of Vista, CA (not an MBE, WBE, SBE or Local), to furnish and deliver traffic signal equipment, in an annual amount not to exceed \$350,000, for a 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.

15. [12-0743](#) Recommendation to authorize City Manager to execute the Fourth Amendment to Contract No. 31687 with Bellingham Marine Industries, Inc., for an additional \$8,013,618, plus a \$350,000 contingency, for a total of \$8,363,618 for Phase 2B of the Alamitos Bay Marina rebuild project, for a revised contract amount not to exceed \$30,767,615; execute all documents necessary to proceed with this phase of the reconstruction of Basin 1 in the Alamitos Bay Marina; and increase appropriations by \$4,682,000 in the Marina Fund (TF 403) in the Department of Parks, Recreation and Marine (PR). (District 3)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

16. [12-0744](#) Recommendation to authorize City Manager to request reimbursement from the State of California, Department of Boating and Waterways, for the design and engineering of Basins 2 and 3 in the Alamitos Bay Marina. (District 3)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

17. [12-0746](#) Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2012 to September 30, 2013, for the Long Beach Tourism Business Improvement Area, declaring its intention to levy the annual assessment and setting the date of hearing for Tuesday, October 2, 2012 at 5:00 p.m. (Districts 1,2,4,5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

18. [12-0745](#) Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2012 to September 30, 2013, for the Bixby Knolls Parking and Business Improvement Area, declaring its intention to levy the annual assessment and setting the date of hearing for Tuesday, October 2, 2012 at 5:00 p.m. (Districts 7,8)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

19. [12-0747](#) Recommendation to authorize City Manager to accept grant funds from California Department of Transportation (Caltrans) for the Safe Routes to School program in the amount of \$500,000, execute a grant agreement and any amendments thereto, and implement the grant by executing an agreement with Safe Moves in an amount not to exceed \$475,000, for a one year period, with two one-year options to extend at the discretion of the City Manager; and increase appropriations in the General Grants Fund (SR 120) in the Department of Public Works (PW) by \$500,000. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

20. [12-0748](#) Recommendation to authorize City Manager to execute an amendment to Agreement No. 23214 with Tiburon, Inc., to upgrade the current Police and Fire Computer-Aided Dispatch and Record Management Systems (CAD/RMS) for an amount not to exceed \$1,316,868. (Citywide)

Office or Department: TECHNOLOGY SERVICES; FIRE; POLICE

Suggested Action: Approve recommendation.

ORDINANCE:

21. [12-0713](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding District "AB" to Section 10.32.110 creating a new Preferential Parking District, read and adopted as read. (District 3)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

BUDGET HEARING:

22. [12-0749](#) Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2013 budget as listed in Attachment A. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

22. [12-0750](#)
1 Recommendation to adopt resolution approving the FY 13 budget for the Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on June 4, 2012. (A-1)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

22. [12-0751](#)
2 Recommendation to declare an emergency to exist. (A-2)

Suggested Action: Approve recommendation.

22. [12-0752](#)
3 Recommendation to declare ordinance approving Resolution No. WD-1299 establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on June 21, 2012, as an Emergency Ordinance, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-3)

Suggested Action: Approve recommendation.

22. [12-0753](#)
4 Recommendation to adopt resolution approving the FY 13 budget of the Long Beach Water Department as adopted by the Board of Water Commissioners on June 21, 2012. (A-4)

Suggested Action: Approve recommendation.

22. [12-0754](#)
5 Recommendation to adopt resolution amending the Master Fee and Charges Schedule for specified City services for citywide fees and charges for the City of Long Beach. (A-5)

Suggested Action: Approve recommendation.

22. [12-0755](#)
6 Recommendation to approve the FY 13 One-Year Capital Improvement Program. (A-6)

Suggested Action: Approve recommendation.

22. [12-0756](#)
7 Recommendation to adopt a motion approving the FY 13 budget for the Long Beach Housing Development Company in the amount of \$2,678,780. (A-7)

Suggested Action: Approve recommendation.

22. [12-0757](#) Recommendation to adopt a motion approving the estimated transfer of
8 \$16,825,000 from the Harbor Revenue Fund to the Tidelands Operating Fund. (A-8)

Suggested Action: Approve recommendation.

22. [12-0758](#) Recommendation to declare ordinance adopting an amendment to
9 Ordinance No. C-6496, adopted July 5, 1988, as amended on January 24, 1989, July 11, 1989, December 5, 1989, March 20, 1990, July 3, 1990, September 18, 1990, July 2, 1991, July 7, 1992, January 26, 1993, August 24, 1993, June 28, 1994, July 18, 1995, November 28, 1995, October 1, 1996, March 25, 1997, October 7, 1997, October 27, 1998, April 20, 1999, October 19, 1999, October 17, 2000, October 30, 2001, March 19, 2002, November 26, 2002, January 6, 2004, February 8, 2005, November 1, 2005, December 5, 2006, March 20, 2007, May 22, 2007, December 18, 2007, July 15, 2008, September 21, 2010, and September 13, 2011, relating to the Departmental Organization of the City of Long Beach, read and adopted as read. (A-9)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

22. [12-0759](#) Recommendation to adopt the amended Salary Resolution for FY 13.
10 (A-10)

Suggested Action: Approve recommendation.

22. [12-0760](#) Recommendation to adopt resolution adopting an appropriations limit
11 (Gann) for FY 13 pursuant to Article XIII (B) of the California Constitution. (A-11)

Suggested Action: Approve recommendation.

22. [12-0761](#) Recommendation to adopt the Mayor's proposed funding
12 recommendations, as amended, to the FY 13 Proposed Budget. (A-12)

Suggested Action: Approve recommendation.

22. [12-0762](#) Recommendation to adopt the Budget Oversight Committee's proposed
13 funding recommendations, as amended, to the FY 13 Proposed
Budget. (A-13)

Suggested Action: Approve recommendation.

22. [12-0763](#) Recommendation to adopt a motion amending the proposed FY 13
14 budget. (A-14)

Suggested Action: Approve recommendation.

22. [12-0764](#) Recommendation to declare an emergency to exist. (A-15)
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Suggested Action: Approve recommendation.

22. [12-0765](#) Recommendation to declare the Appropriations Ordinance for FY 13,
16 creating and establishing the funds of the Municipal Government and
appropriating money to and authorizing expenditures from said funds
and for said fiscal year as an Emergency Ordinance, read, and adopted
as read and laid over to the next regular meeting of the City Council for
final reading. (A-16)

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.

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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.

REVISED

STANDING COMMITTEE REMINDERS:

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

Tuesday, September 4, 2012 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Monday, September 10, 2012 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Thursday, September 13, 2012 – State Legislation Committee at 4:00 P.M., Council Chamber.

Tuesday, September 18, 2012 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach at 3:30 P.M., Council Chamber.

Tuesday, September 18, 2012 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, September 18, 2012 – Hearing for Ayres Grill, Inc., dba Gaucho Grill, for a Permit for Entertainment Without Dancing by Patrons, 200 Pine Avenue, No. B. (District 2)

Tuesday, September 18, 2012 – Hearing for proposed alley vacation, the east half of the east-west alley, south of 7th Street and west of Quincy Avenue. (District 3)

Tuesday, September 18, 2012 – Hearing to approve the levy of the annual assessment for the Belmont Shore Parking and Business Improvement Area. (District 3)

Tuesday, September 18, 2012 – Hearing to consider an appeal of a Planning Commission decision approving a Conditional Use Permit for a consumer finance lender, 2004 Ximeno Avenue, Suite 200. (Case No. 1203-23) (District 4)

REVISED

BUDGET MEETING REMINDERS:

Tuesday, September 4, 2012 – Budget Meeting during the 5:00 P.M. City Council meeting, Council Chamber.

Tuesday, September 11, 2012 – Budget Meeting at 3:30 P.M., Council Chamber.

Tuesday, September 11, 2012 – Budget Meeting during the 5:00 P.M. City Council meeting, Council Chamber.

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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