

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

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**REVISED**

[10-1360](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, December 10, 2010.

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. [10-1280](#) 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 issuance of permits for the installation, modification or relocation of wireless telecommunications facilities in the Residential and Institutional zones of the City; 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)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

2. [10-1349](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and declare ordinance amending the Long Beach Municipal Code by amending and restating Chapter 5.87 relating to Medical Marijuana Collectives read the first time and laid over to the next regular meeting of the City Council for final reading; and

[10-1350](#) Declare ordinance establishing a temporary moratorium on the issuance of permits, entitlements, licenses, and approvals regarding medical marijuana collectives; 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)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

3. [10-0840](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution making certain findings for an Owner Participation Agreement with Lester Box, Inc., for the development of 1463 Cota Avenue. (District 1)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

4. [10-1324](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and grant the Permit with conditions on the application of Ashley's Bar & Grill LLC, dba Ashley's Bar & Grill, 1731 E. 4th Street, for Entertainment Without Dancing by Patrons at an existing Restaurant. (District 2)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

5. [10-1325](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and grant a One-Year Short-Term Permit, with conditions on the application of Club Investment LP, dba Ice Bar, 49 South Pine Avenue, for Entertainment With Dancing by Patrons at an existing Restaurant. (District 2)

**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: (6 - 14)**

6. [10-1345](#) Recommendation to authorize City Manager to execute a 14th amendment to the agreement with The Law Offices of M. Brian McMahon, in the matter entitled Long Beach Oil Development Company vs. City of Long Beach, Case No. CV 03-6655; and Long Beach Oil Development Company vs. City of Long Beach, Case No. BC 375503.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

7. [10-1347](#) Recommendation to refer to City Attorney damage claims received between November 29, 2010 and December 6, 2010.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

8. [10-1348](#) Recommendation to adopt the revisions to the Financial Management Department Business Services Division Records Retention Titles (as shown in Exhibit A), and rescind the previously applicable Records Retention Titles.  
**Office or Department:** CITY CLERK  
**Suggested Action:** Approve recommendation.
9. [10-1326](#) Recommendation to receive and file annual reports on Community Facilities District No. 2007-1 - Douglas Park Commercial Area (CFD No. 2007-1); Community Facilities District No. 2007-2 - Belmont Shore (CFD No. 2007-2); Community Facilities District No. 5 - Long Beach Towne Center (CFD No. 5); and Community Facilities District No. 6 - Pike Public Improvements (CFD No. 6); to comply with the Local Agency Special Tax Bond and Accountability Act. (Districts 2,3,5)  
**Office or Department:** FINANCIAL MANAGEMENT  
**Suggested Action:** Approve recommendation.
10. [10-1327](#) Recommendation to authorize City Manager to execute a First Amendment to Agreement No. 30622 with Totum Corporation of Long Beach, CA, for as-needed materials testing and inspection, and construction management service for infrastructure and facility projects to extend the term of the agreement to December 31, 2011. (Citywide)  
**Office or Department:** PARKS, RECREATION AND MARINE; PUBLIC WORKS  
**Suggested Action:** Approve recommendation.
11. [10-1328](#) Recommendation to find that all requirements of the final subdivision map for construction of a 291 residential unit mixed-use development have been satisfied and approve the final map for Tract No. 66301 located north of Broadway and east of Magnolia Avenue. (District 1)  
**Office or Department:** PUBLIC WORKS  
**Suggested Action:** Approve recommendation.

12. [10-1329](#) Recommendation to declare the west 40 feet of Lot 8 in Block 7 of Tract No. 9686 in the City of Long Beach as surplus; and authorize City Manager to execute any and all documents necessary for the sale of the property to Ramon and Imelda Orozco for \$9,000. (District 7)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

13. [10-1330](#) Recommendation to authorize City Manager to accept fee title and execute all necessary documents to transfer title to 1195 East 15th Street, 998 East Pacific Coast Highway, and 1501 East Anaheim Street from the Redevelopment Agency of the City of Long Beach for permanent parkland. (District 6)

**Office or Department:** PUBLIC WORKS; PARKS, RECREATION AND MARINE; DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

14. [10-1346](#) Recommendation to receive and file minutes for: Civil Service Commission - November 17, 2010.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

15. [10-1342](#) Recommendation to request City Manager to report to City Council in 30 days the feasibility, costs and benefit analysis of eliminating the bicycle registration requirement and instead moving towards a voluntary registration program.

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

**Suggested Action:** Approve recommendation.

16. [10-1343](#) Recommendation to respectfully request that City Attorney draft a resolution for City Council's consideration that would recognize the various provisions of the Long Beach Municipal Code that regulate the illegal conversion of garages as the "**Aviles Law**." The Aviles Law will serve to educate the public and reinforce the dangers of these illegal, unpermitted and dangerous conversions; and request that City Council refer the Aviles Law to the State Legislation Committee for consideration for a resolution.

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

17. [10-1353](#) Recommendation to request City Manager to prepare a long-term capital improvement plan to be included with the Fiscal Year 2012 Budget.

**Office or Department:** COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

**Suggested Action:** Approve recommendation.

18. [10-1352](#) Recommendation to respectfully request City Manager to conduct a study session on a Long Beach Jobs Strategy to discuss information including, but not limited to, employment trends, business environment, and workforce retention.

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT

**Suggested Action:** Approve recommendation.

19. [10-1354](#) Recommendation to receive and file Walmart "Good Neighbor" donation.  
**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT  
**Suggested Action:** Approve recommendation.
20. [10-1356](#) Recommendation to request to rescind City Council action taken on November 9, 2010, to receive and file an original Alcoholic Beverage Control License for Beachwood BBQ, 210 E. 3rd Street, with conditions; and  
Request to receive and file the application with revised Alcoholic Beverage Control License conditions for Beachwood BBQ as follows:  
  1. Trash shall not be emptied between the hours of 10:00 p.m. and 7:00 a.m.
  2. The petitioner shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.**Office or Department:** VICE MAYOR SUJA LOWENTHAL, COUNCILMEMBER, SECOND DISTRICT  
**Suggested Action:** Approve recommendation.
21. [10-1331](#) Recommendation to authorize City Manager to execute all documents necessary to accept and expend the Transit Oriented Development funds and Infill Infrastructure Grant funds awarded by the State of California for the proposed development at 1235 Long Beach Boulevard. (District 1)  
**Office or Department:** DEVELOPMENT SERVICES  
**Suggested Action:** Approve recommendation.
22. [10-1332](#) Recommendation to receive and file the Investment Report for Quarter Ending September 30, 2010. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
**Suggested Action:** Approve recommendation.

23. [10-1333](#) Recommendation to adopt the annual Statement of Investment Policy for Calendar Year 2011 pursuant to Section 53646 (a) of the State of California Government Code. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

24. [10-1336](#) Recommendation to adopt resolution authorizing City Manager to execute a contract with Enterprise Rent-A-Car Company of Los Angeles, LLC, dba Enterprise Fleet Management of Los Angeles, CA (not an MBE, WBE, SBE or Local), for the lease of 13 police vehicles per the quote dated October 22, 2010, on the same terms and conditions afforded to the City of Santa Ana, Specification Nos. 02-076 and 08-074, in an amount not to exceed \$57,500 annually including tax and fees for a four-year lease period, plus a \$27,500 annual contingency, if necessary and if funds are available with an option to lease up to six additional units, pursuant to City Manager approval. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT; PUBLIC WORKS;  
POLICE

**Suggested Action:** Approve recommendation.

25. [10-1185](#) Recommendation to adopt Plans and Specifications No. R-6874 for the construction of Phase I Improvements to the Terminal Area at the Long Beach Airport; and authorize City Manager to award a contract and execute any and all necessary documents with Edge Development, Inc., in an estimated amount of \$24,757,741, plus a fifteen percent contingency amount of \$3,713,661, if necessary, totaling \$28,471,402, and any amendments thereto except for an increase in the total authorization. (District 5)

**Office or Department:** LONG BEACH AIRPORT; PUBLIC WORKS

**Suggested Action:** Approve recommendation.



26. [10-1337](#) Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for the First Amendment to the October 2010 Supplemental Agreement to Management Agreement No. 21667 with SMG, formerly known as Spectacor Management Group, for the completion of certain capital improvement projects at the Long Beach Convention and Entertainment Center located at 300 East Ocean Boulevard. (District 2)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
27. [10-1340](#) Recommendation to adopt resolution ordering the summary vacation of Cowles, 14th, 15th, and 16th Streets, all located east of San Francisco Avenue. (District 1)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
28. [10-1338](#) Recommendation to adopt Plans and Specifications No. R-6867 for the Bluff Erosion Control Improvement at 5th Place, award the project to and authorize City Manager to execute the contract with G. B. Cooke, Inc., in an estimated amount of \$276,103, plus a 15 percent contingency amount of \$41,415, if necessary, for a total of \$317,518 and any amendments thereto. (District 2)
- Office or Department:** PUBLIC WORKS; PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
29. [10-1339](#) Recommendation to adopt Plans and Specifications No. R-6668 for the Bluff Erosion Control Improvement at 7th Place, award the project to and authorize City Manager to execute the contract with G. B. Cooke, Inc., in an estimated amount of \$301,070, plus a 15 percent contingency amount of \$45,161, if necessary, for a total of \$346,231 and any amendments thereto. (District 2)
- Office or Department:** PUBLIC WORKS; PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.

**REVISED**

30. [10-1341](#) Recommendation to adopt resolution to participate in the Western States Contracting Alliance Participating Addendum (State of California Master Service Agreement No. 7-10-70-15) with Sprint Nextel to provide cellular telephone and Blackberry services; and authorize City Manager to execute a new agreement with Sprint Nextel. (Citywide)

**Office or Department:** TECHNOLOGY SERVICES

**Suggested Action:** Approve recommendation.

**ORDINANCES:**

31. [10-1344](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 18.24 relating to a Foreclosure Registry Program read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

32. [10-1305](#) Recommendation to declare an interim ordinance amending Ordinance No. ORD-09-0035 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 and adopted as read. (Ordinance No. ORD-10-0037) (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

33. [10-1282](#) Recommendation to declare ordinance creating The Toledo Underground Utility District pursuant to Long Beach Municipal Code Chapter 15.48, read and adopted as read. (District 3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**REVISED**

**NEW BUSINESS:**

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Monday afternoon.

34. 10-1355 Recommendation to suspend Council rule contained in Long Beach Municipal Code Section 2.03.020 (B) relating to the meeting schedule of the City Council in order to cancel the meeting of December 21, 2010.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

35. [10-1303](#) Recommendation to City Council to concur in recommendation of the Economic Development and Finance Committee to approve a resolution in support of “Business Friendly Principles” as part of the Southern California Association of Government’s (SCAG’s) development of a Southern California Economic Growth Strategy and forward a copy of the resolution to SCAG.

**Office or Department:** COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT, CHAIR; ECONOMIC DEVELOPMENT AND FINANCE COMMITTEE

**Suggested Action:** Approve recommendation.

36.

**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, 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.

Tuesday, January 4, 2011 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

**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](http://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](mailto: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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