

Dr. Robert Garcia, 1st District
Dr. Suja Lowenthal, Vice Mayor, 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
Rae Gabelich, 8th District
Steven Neal, 9th District

Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Robert E. Shannon, City Attorney

REVISED

CITY COUNCIL REGULAR MEETING VIA TELECONFERENCE

[11-0962](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 16, 2011.

**PROCLAMATION RECOGNIZING 2011 GRADUATES OF
THE NEIGHBORHOOD LEADERSHIP PROGRAM**

**PRESENTATION BY THE LONG BEACH
INTERNATIONAL CITY BANK MARATHON**

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.

HEARING:

1. [11-0915](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution continuing the Belmont Shore Parking and Business Improvement Area program and assessment for the period of October 1, 2011 through September 30, 2012; and authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year term. (District 3)

Office or Department: PUBLIC WORKS

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: (2 - 12)

2. [11-0916](#) 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) \$129,937.50 for Stipulations with Request for Award, and also 2) to pay \$100.50 per week, subject to cost of living adjustments thereafter, in compliance with the Appeals Board Order for Cynthia Orel.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

3. [11-0917](#) Recommendation to approve the minutes for the City Council meeting and the Budget Hearing of Tuesday, September 6, 2011.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

4. [11-0918](#) Recommendation to refer to City Attorney damage claims received between September 2, 2011 and September 12, 2011.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

5. [11-0919](#) Recommendation to receive and approve changes to the Conflict of Interest Code of the City of Long Beach Human Resources Department.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

6. [11-0947](#) Recommendation to approve the destruction of records for the City Clerk Department as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

7. [11-0948](#) Recommendation to approve the destruction of records for Long Beach Police Department as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

8. [11-0851](#) Recommendation to receive and file Separately Issued Financial Statements, the Federal Single Audit, and the Auditor's communication with those charged with governance for the Fiscal Year ended September 30, 2010. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

9. [11-0920](#) Recommendation to receive and file the report, "Elevation Changes in the City of Long Beach, November 2010 through May 2011." (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

10. [11-0921](#) Recommendation to authorize City Manager to approve, on an as-needed basis, agreements for the short-term receipt of demonstration or evaluation test vehicles and equipment, especially new and innovative alternative fueled and advanced technology vehicles, whose value shall not exceed \$95,000. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

11. [11-0922](#) Recommendation to authorize City Manager to execute any and all documents necessary for the Sixth Amendment to Lease No. 26751 with 110 Pine Avenue Holdings, LLC, a Maryland limited liability company, as successor in interest to 110 Pine, LLC, an Arizona limited liability company, for office space at 110 Pine Avenue, Suite 1200. (District 2)

Office or Department: PUBLIC WORKS; DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

12. [11-0923](#)

Recommendation to receive and file minutes for:
Civil Service Commission - August 17, 2011.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REVISED

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

13. [11-0952](#) Recommendation to request City Manager to work with the City Attorney, in consultation with the Downtown Long Beach Associates (DLBA) and California ABC, to create a Downtown pilot program for patio dining on public sidewalks with flexible barrier requirements.

Office or Department: COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT

Suggested Action: Approve recommendation.

14. [11-0953](#) Recommendation to request City Manager to advocate for the Long Beach Boeing facility as a possible site for the 737 re-engining project.

Office or Department: COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

15. [11-0954](#) Recommendation to request City Manager to work with appropriate staff to report back to City Council in 30 days on the status of a Project Labor Agreement for the Gerald Desmond Bridge project.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

16. [11-0955](#) Recommendation to request City Attorney to draft a resolution recognizing the efforts of Californians for Green Dentistry and support for their mission to eliminate the use of mercury in dental practices;

Request that the resolution urge our State legislators to require the installation of dental amalgam separators to catch spilled mercury by a particular date based on discussions with dental associations and consumer groups; and

Request that the resolution encourage all dental practices located in the City of Long Beach to voluntarily cease use of Dental Amalgam, implement Best Management Practices and install dental amalgam separators to catch spilled mercury.

Office or Department: VICE MAYOR SUJA LOWENTHAL, COUNCILMEMBER, SECOND DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

17. [11-0912](#) Recommendation to City Council to concur in recommendation of the Budget Oversight Committee that the City Council direct the City Manager to proceed with an in-depth analysis of towing privatization, including a Proposition L analysis, to be conducted by the Department of Financial Management.

Office or Department: COUNCILMEMBER GARY DELONG, THIRD DISTRICT, CHAIR; BUDGET OVERSIGHT COMMITTEE

Suggested Action: Approve recommendation.

18. [11-0924](#) Recommendation to approve the Andy Street Multi-family Improvement District Annual Report and Assessment for the period of October 1, 2011 through September 30, 2012, automatically extending the Andy Street Multi-family Improvement District for a one-year period. (District 9)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

19. [11-0925](#) Recommendation to authorize City Manager to execute any and all documents necessary to complete the refinancing of the Evergreen Apartments and record new affordability covenants for a period of 55 years. (Districts 4,9)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

20. [11-0927](#) Recommendation to adopt Specifications No. PA-01011 and award contracts to Scher Tire, Inc. (SBE and Local), and Sudduth Tire Co., Inc. (SBE, WBE, and Local), for furnishing and delivering tires and service, in an amount not to exceed \$370,000, 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

Suggested Action: Approve recommendation.

21. [11-0928](#) Recommendation to adopt Specifications No. PA-01611 and award contracts to Worthington Ford (SBE and Local) and Boulevard Cadillac (SBE and Local), for furnishing and delivering Ford and Chevrolet/GMC automotive parts and service, in an amount not to exceed \$405,000, 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

Suggested Action: Approve recommendation.

22. [11-0929](#) Recommendation to adopt Specifications No. PA-03111 and award contracts to Walter's Wholesale Electric Company, of Long Beach, CA (not an MBE, WBE or SBE) and Consolidated Electrical Distributor, Inc. (CED), dba Metropolitan Electrical Distributors, of Los Angeles, CA (not an MBE, WBE, SBE or Local), for furnishing and delivering electrical supplies, in an annual amount not to exceed \$650,000, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

23. [11-0856](#) Recommendation to adopt the Fund Balance Policy; approve the Assignment and Commitment of Fund Balances; and approve new fund classifications and additions. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

24. [11-0930](#) Recommendation to approve the Fiscal Year 2011 fourth quarter departmental and fund budget appropriation adjustments in accordance with existing City Council policy. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

25. [11-0932](#) Recommendation to adopt Specifications No. PA-00311 and award a contract to Spectrum Medical X-Ray Company, of Santa Monica, CA (not an MBE, WBE, or SBE), and execute related lease financing documents with Banc of America Public Capital Corporation, for the purchase and delivery of a Digital X-Ray System for a total amount of \$337,263. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; HEALTH AND HUMAN SERVICES; HUMAN RESOURCES

Suggested Action: Approve recommendation.

26. [11-0933](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the County of Los Angeles to accept funding in the amount of \$889,184, for the period of August 10, 2011 through August 9, 2012 to provide bioterrorism preparedness and public health infrastructure development. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

27. [11-0934](#) Recommendation to adopt resolution approving the Amendment to the 2009-2014 Memoranda of Understanding with the Long Beach Police Officer's Association; and

- [11-0935](#) Adopt resolution for paying and reporting the lower value of the employer paid member contributions to the California Public Employees Retirement System employees represented by the Long Beach Police Officer's Association. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

28. [11-0936](#) Recommendation to authorize City Manager to execute contracts with Anthem Blue Cross for the Preferred Provider Organization (PPO), Health Maintenance Organization (HMO) and Medicare Supplement group health plans; and Scan Health Plan for the Medicare Advantage Plan;

Authorize City Manager to execute the renewal of contracts with United Healthcare for the Medicare Advantage Plan and closed-panel dental plan; Medco as the Prescription Benefit Manager (PBM) for the prescription drug plan; Delta Dental for the fee-for-service dental plan; Medical Eye Services (MES) for the vision plan; Standard Insurance Company for life insurance and Long- and Short-Term Disability; and Union Mutual Life Insurance Company (UNUM) through Larry Lambert & Associates Insurance Services, for the long-term care benefits; and

Authorize City Manager to execute any subsequent amendments and/or agreements necessary to maintain current benefit levels and remain in compliance with state and federal laws on all plans.
(Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

29. [11-0937](#) Recommendation to authorize City Manager to execute contracts and any amendments thereto with Langham Consulting Services, Inc., in the amount of \$885,000 for project management services, and Black & Veatch, in the amount of \$198,000 for quality assurance services in support of the implementation of a new utility customer information system. (Citywide)

Office or Department: LONG BEACH GAS AND OIL; FINANCIAL MANAGEMENT; PUBLIC WORKS; TECHNOLOGY SERVICES; WATER

Suggested Action: Approve recommendation.

30. [11-0938](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal FY 2011 Edward Byrne Memorial Justice Assistance Grant Program; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$294,754. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

31. [11-0939](#) Recommendation to adopt Plans and Specifications No. R-6856 for the Improvement of Broadway, between Termino Avenue and Livingston Drive, award the project to and authorize City Manager to execute all documents necessary to enter into a contract with EBS General Engineering, Inc., in the amount of \$913,506, plus a 10 percent contingency of \$91,350, for a total of \$1,004,856, and to execute necessary amendments thereto. (District 3)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

32. [11-0941](#) Recommendation to authorize City Manager to execute any and all documents necessary for the first Amendment to Sublease No. 30102 between AP-Long Beach Airport, LLC (Sublessor) and the City of Long Beach (Sublessee) to modify the subleased premises for hanger, warehouse and office space at 3205 Lakewood Boulevard at the Long Beach Airport for the Long Beach Fire Department Headquarters and the Long Beach Police Department Field Support Division. (District 5)

Office or Department: PUBLIC WORKS; FIRE; POLICE

Suggested Action: Approve recommendation.

REVISED

ORDINANCES:

33. [11-0946](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 9.35 relating to aggressive solicitation 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.

34. [11-0926](#) Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 18.24 relating to the City's 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: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

35. [11-0964](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 1.27 establishing and designating the districts of the Long Beach Unified School District read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: CITY CLERK

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.

36. [11-0965](#) Recommendation to respectfully request City Manager to amend the Master Fee and Charges Schedule resolution to reflect the reduced Administrative Use Permits and Tiered Conditional Use Permit Fees.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

37.

38.

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, September 20, 2011 – Transportation and Infrastructure Committee at 3:30 P.M., Council Chamber.

Tuesday, September 20, 2011 – Housing Authority at 4:30 P.M., Council Chamber.

Tuesday, September 27, 2011 – Elections Oversight Committee at 3:00 P.M., Council Chamber.

Tuesday, September 27, 2011 – Public Safety Committee at 3:30 P.M., Council Chamber.

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

Tuesday, October 11, 2011 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, October 4, 2011 – Hearing for the Long Beach Tourism Business Improvement Area levy of annual assessment. (Districts 1,2,4,5)

Tuesday, October 4, 2011 – Hearing to consider approval of the amended PD-19 Ordinance. (District 5)

Tuesday, October 4, 2011 – Hearing to consider denying an appeal to overturn the Planning Commission decision to approve a Conditional Use Permit for a short-term trucking container parking lot on the Southern California Edison right-of-way located at 6947 Sportsman Drive within the IM zone. (District 9)

Tuesday, October 11, 2011 – Hearing for the Bixby Knolls Parking and Business Improvement Area levy of annual assessment. (Districts 7,8)

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 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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