

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

REVISED

[10-1075](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, September 17, 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.

HEARING:

1. [10-1026](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Entertainment Permit, with conditions, on the application of LJB Bishop Enterprises, Inc., dba Shore Ultra Lounge, 6400 E. Pacific Coast Highway, for Entertainment With Dancing by Patrons at an existing bar/tavern/lounge. (District 3)

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: (2 - 14)

2. [10-1029](#) Recommendation to authorize City Attorney to submit Joint Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$56,540 for the claim of Janet Harris, in compliance with the Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
3. [10-1032](#) Recommendation to authorize City Attorney to pay the sum of \$6,000 in full settlement of lawsuit entitled Capili v. City of Long Beach, et al; and to pay the sum of \$7,734.20 in full settlement of lawsuit entitled 21st Century Insurance Company v. City of Long Beach; Michael Christopher Garcia.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
4. [10-1065](#) Recommendation to authorize City Manager to amend the agreement with KPMG, LLC to exercise the two one-year options to perform the audit of the Comprehensive Annual Financial Report (CAFR) and perform the Federal Single Audit for the City of Long Beach and related reporting entities in an amount not to exceed \$994,865 per year covering fiscal years 2010 and 2011; and extend the term of the agreement to September 30, 2012.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.
5. [10-1066](#) Recommendation to receive and file the quarterly report of Cash and Investments for the quarter ending December 31, 2009.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.

6. [10-1027](#) Recommendation to approve the minutes for the City Council meeting and Budget Hearing held Tuesday, September 7, 2010.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
7. [10-1028](#) Recommendation to refer to City Attorney damage claims received between September 3, 2010 and September 13, 2010.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
8. [10-1030](#) Recommendation to receive and file the Separately Issued Financial Statements for the Los Cerritos Wetlands, Gas Enterprise Fund, Airport Enterprise Fund, Airport Schedules for Passenger Facility Charges, and the Auditor's communication with those charged with governance for the Fiscal Year ended September 30, 2009. (Citywide)
Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.
9. [10-1031](#) Recommendation to adopt Specifications No. PA-02710 to award a contract to Anvil International, L.P., of University Park, IL (not an MBE, WBE, SBE or Local), for a one-time purchase in the amount not to exceed \$162,000, for furnishing and delivering gas pipe fittings and equipment. (Citywide)
Office or Department: FINANCIAL MANAGEMENT; LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.
10. [10-1033](#) Recommendation to receive and file the report, Elevation Changes in the City of Long Beach, November 2009 through April 2010. (Citywide)
Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

11. [10-1034](#) Recommendation to receive and file the application of Pravinchandra Shankerbhai Patel and Ranjanbala Pravinchandra Patel, dba Belmont Heights Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3500 East Broadway Suite A, with existing conditions. (District 3)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
12. [10-1035](#) Recommendation to receive and file the application of Falcone Family Limited Partnership, dba Fora Restaurant, for a person-to-person transfer of an Alcoholic Beverage Control License, at 5730 East 2nd Street, with existing conditions. (District 3)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
13. [10-1036](#) Recommendation to authorize City Manager to execute a one-year contract extension with MWH Americas, Inc., (MWH), in an amount not to exceed \$122,500 (with a net cost to the City of \$17,500) to provide statistical and data gathering services for the California Multi-Agency Capital Improvement Program (CIP) Benchmarking Study Group in which the City of Long Beach participates. (Citywide)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
14. [10-1037](#) Recommendation to receive and file the minutes for: Planning Commission - August 19, 2010.
- Office or Department:** VARIOUS
- Suggested Action:** Approve recommendation.

REVISED

UNFINISHED BUSINESS:

41. [10-1009](#) Recommendation to receive and file a new list of City Council Standing Committees.
Office or Department: MAYOR BOB FOSTER
Suggested Action: Approve recommendation.
42. [10-1010](#) Recommendation to receive and approve the revised appointments to the City Council Authorities and Memberships.
Office or Department: MAYOR BOB FOSTER
Suggested Action: Approve recommendation.
43. [10-0808](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 14.14.010, and Subsections 14.14.020.D and 14.14.045.B; and by adding Subsection 14.14.110, all relating to public walkways occupancy permits 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.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

15. [10-1038](#) Recommendation to receive and approve the following Non-Charter Commission Appointments.
Office or Department: MAYOR BOB FOSTER
Suggested Action: Approve recommendation.

16. [10-1067](#) Recommendation to request that City Council refer the naming of a portion of Whaley Park "Cherry Tree Peace Grove" to the Housing and Neighborhoods Committee and the Parks and Recreation Commission.
Office or Department: COUNCILMEMBER PATRICK O'DONNELL,
FOURTH DISTRICT

Suggested Action: Approve recommendation.
17. [10-1068](#) Recommendation to request that the following curfew hours be established at Rose Park in the interest of community members and public safety:
 - Summer (May 1 through September 30) Hours: Dusk to Dawn
 - Fall (October 1 through April 30) Hours: 7:00 p.m. to Dawn**Office or Department:** VICE MAYOR SUJA LOWENTHAL,
COUNCILMEMBER, SECOND DISTRICT

Suggested Action: Approve recommendation.
18. [10-1039](#) Recommendation to authorize City Manager, or designee, to execute any and all documents including the Purchase and Sale Agreement (PSA) with Lyon Capital Ventures, LLC, a California limited liability company, for the sale of City-owned property at 100 Long Beach Boulevard (City Hall East) in an amount of \$4,000,000; and to authorize the close of escrow. (District 2)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.
19. [10-1040](#) Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2010 to September 30, 2011 for the East Anaheim Street Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting a date for a public hearing for Tuesday, October 19, 2010 at 5:00 p.m. (Districts 3,4)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

20. [10-1041](#) Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2010 to September 30, 2011 for the Fourth Street Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting a date for a public hearing for Tuesday, October 19, 2010 at 5:00 p.m. (District 2)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

21. [10-1042](#) Recommendation to approve and adopt the funding recommendations of the Community Development Advisory Commission for the Fiscal Year 2011 (FY 11) Social Service Grant Program; and authorize City Manager to execute all necessary documents with 16 various nonprofit organizations approved for FY 11 Social Service Grant Program in the total amount of \$200,000 for the period from October 1, 2010 through September 30, 2011. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

22. [10-1061](#) Recommendation to authorize City Manager to execute all documents necessary with Urban Innovations (Urban), based in Pittsburgh, Pennsylvania, to enter one or more agreements and to submit one or more applications to seek pre-application and pre-development grant funding from the Metropolitan Transportation Authority and the Federal Transit Agency for the preparation of an Alternative Transportation Analysis. (District 2)

Office or Department: COMMUNITY DEVELOPMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

23. [10-1044](#) Recommendation to adopt Specifications No. PA-01810 and award a contract to Contact Security, Inc., of Brea, CA (MBE, WBE), in an estimated annual amount of \$350,000, for providing security guard services for a one-year period; with the option to renew for one additional one-year period, at the discretion of the City Manager. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

24. [10-1048](#) Recommendation to adopt resolution amending the Long Beach Marina Rules and Regulations pursuant to the provisions of Section 16.08.970 of the Long Beach Municipal Code. (Districts 2,3)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

25. [10-1049](#) Recommendation to authorize City Manager to execute an agreement with the Long Beach Unified School District for the operation of the 21st Century Community Learning Centers Program, Long Beach Winners Reaching Amazing Potential after school enrichment program, at Los Cerritos Elementary School; authorize the required 15 percent General Fund in-kind match; and authorize City Manager to execute any future documents, including amendments, necessary to accept, implement and administer the agreement. (District 8)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

REVISED

26. [10-1050](#) Recommendation to authorize City Manager to execute agreements with the Long Beach Unified School District for the operation of the After School Education and Safety Program at Burbank, Edison, Garfield, Grant, King, Lafayette, and Lee Elementary and Hudson K-8 school sites; increase appropriations by \$284,314 in the General Grants Fund (SR 120) in the Department of Parks, Recreation and Marine (PR); authorize the required 15 percent in-kind match in the form of Community Development Block Grant and General Fund monies; and authorize City Manager to execute any future documents, including amendments, necessary to accept, implement and administer the agreements. (Districts 1,2,4,6,7,9)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

27. [10-1051](#) WITHDRAWN
~~Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Walgreen Company, dba Walgreens, for an original Alcoholic Beverage Control License, at 600 Long Beach Boulevard, and submit a Public Notice of Protest. (District 1)~~

Office or Department: POLICE

Suggested Action: Approve recommendation.

28. [10-1052](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Broadlind Lounge LLC, dba Basement Lounge, for an exchange of an Alcoholic Beverage Control License, at 149 Linden Avenue, with conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

29. [10-1053](#) Recommendation to receive and file the application of Me Soo Hungry Incorporated, dba Me Soo Hungry, for an original Alcoholic Beverage Control License, at 5372 East 2nd Street, with conditions. (District 3)
Office or Department: POLICE
Suggested Action: Approve recommendation.
30. [10-1054](#) Recommendation to receive and file the application of New Craft Industries LLC, dba New Craft Cellars, for an original Alcoholic Beverage Control License, at 7002 East Rendina Street, with conditions. (District 3)
Office or Department: POLICE
Suggested Action: Approve recommendation.
31. [10-1055](#) Recommendation to receive and file the application of Tony Tung Dang, dba Acapulco Hawaiian Fish Chicken Grill, for an original Alcoholic Beverage Control License, at 1022 Long Beach Boulevard, with conditions. (District 6)
Office or Department: POLICE
Suggested Action: Approve recommendation.
32. [10-1056](#) Recommendation to receive and file the application of Distinctive Spirits LLC, dba Distinctive Spirits LLC, for an original Alcoholic Beverage Control License, at 4101 North Virginia Road, with conditions. (District 8)
Office or Department: POLICE
Suggested Action: Approve recommendation.
33. [10-1057](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Super Center Concepts Incorporated, dba Superior Grocers, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 5450 Cherry Avenue, with conditions. (District 8)
Office or Department: POLICE
Suggested Action: Approve recommendation.

34. [10-1058](#) Recommendation to receive and file the application of Carlos Abelardo Cortez and Oscar Javier Ramirez, dba El Pollo Imperial, for an original Alcoholic Beverage Control License, at 5991 Atlantic Avenue, with conditions. (District 9)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
35. [10-1059](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal FY 2010 Edward Byrne Memorial Justice Assistance Grant Program; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$363,219. (Citywide)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
36. [10-1060](#) Recommendation to authorize City Manager to approve a Memorandum of Agreement (MOA) with the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (LA Gateway Authority) for the preparation of the Los Cerritos Channel Metals Total Maximum Daily Load (TMDL) Coordinated Implementation Plan, monitoring program, and special studies. (Districts 3,4,5,7,8,9)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.

REVISED

ORDINANCES:

37. [10-0965](#) Recommendation to declare ordinance approving Resolution No. WD-1270, a resolution of the Board of Water Commissioners of the City establishing the rates and charges to be charged for water and sewer service and declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 a.m. on October 1, 2010, read and adopted as read. (Ordinance No. ORD-10-0026) (Citywide)
- Office or Department:** FINANCIAL MANAGEMENT
- Suggested Action:** Approve recommendation.
38. [10-0975](#) Recommendation to declare ordinance relating to adopting an amendment to Ordinance No. C-6496, adopted July 5, 1988, and 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, and July 15, 2008, relating to Departmental Organization of the City of Long Beach, read and adopted as read.
- Office or Department:** FINANCIAL MANAGEMENT
- Suggested Action:** Approve recommendation.

REVISED

39. [10-0989](#) Recommendation to declare ordinance approving and adopting the Official Budget of the City of Long Beach for the Fiscal Year 2010-2011, creating and establishing the funds of the Municipal Government of the City of Long Beach and appropriating money to and authorizing expenditures from said funds for said fiscal year; declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 a.m. on October 1, 2010, read and adopted as read. (Ordinance No. ORD-10-0029) (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

40. [10-1008](#) Recommendation to declare interim ordinance amending Ordinance Nos. ORD-10-0015 and ORD-10-0020 relating to the temporary limitation on the issuance of discretionary permits for the installation, modification or relocation of wireless facilities within residential and institutional use zones, respectively; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-10-0027) (Citywide)

Office or Department: CITY ATTORNEY

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.

41. Agenda Item No. 41 is listed under Unfinished Business (page 5).
42. Agenda Item No. 42 is listed under Unfinished Business (page 5).
43. Agenda Item No. 43 is listed under Unfinished Business (page 5).

REVISED

44. [10-1070](#) Recommendation to respectfully request City Attorney to draft a resolution in support of the Federal DREAM Act on behalf of the City of Long Beach.

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

Suggested Action: Approve recommendation.

45. [10-1043](#) Recommendation to approve Fiscal Year 2010 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.

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 21, 2010 – Personnel and Civil Service Committee at 3:30 P.M., Council Chamber.

Tuesday, October 5, 2010 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, October 12, 2010 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, September 28, 2010 – Hearing for an appeal to the Draft EIR Assessment and Application Summary Report for the Gerald Desmond Bridge Replacement Project.

Tuesday, October 5, 2010 – Hearing for the Long Beach Tourism Business Improvement Area, declaring its intention to levy the annual assessment. (Districts 1,2,4,5)

Tuesday, October 5, 2010 – Hearing for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment. (District 3)

Tuesday, October 12, 2010 – Hearing for Club Investments, LP, dba Ice Bar, for a One-Year Short-Term Permit, with or without conditions, 49 S. Pine Avenue. (District 2)

Tuesday, October 12, 2010 – Hearing for the Bixby Knolls Parking and Business Improvement Area, declaring its intention to levy the 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.

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