

**CITY OF LONG BEACH
REVISED CITY COUNCIL 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, DECEMBER 21, 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

**PRESENTATION OF KEY TO THE CITY TO
OLYMPIC GOLD MEDALIST MISTY MAY**

**RECOGNITION OF POLY HIGH SCHOOL FOOTBALL TEAM
CIF SOUTHERN SECTION DIVISION I CHAMPIONS**

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.

CONTINUED HEARING:

1. DEPARTMENT: CITY MANAGER

SUBJECT: Consider declaring the City Council to be the Redevelopment Agency.
(Related communications from Councilmember Val Lerch, Ninth District also provided.) (Citywide)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, and request the City Attorney to prepare Ordinance; or, receive and file report.

HEARING:

2. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Zone change from a Regional Highway Commercial District (CHW) to a Commercial Storage District (CS) for a portion of an existing self-storage facility at 4100 Cherry Avenue. (Case No. 0406-18) (District 7) (Ordinance amending the Use District Map of the City of Long Beach as said map has been established and amended by amending portions of Part 23 of said map from CHW (Regional Highway District) to CS [Commercial Storage] for property located at 4100 Cherry Avenue, in the City of Long Beach [RZ-0406-18].)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the hearing;
Review and consider the material contained in Negative Declaration 20-04; and
Declare the Ordinance changing the zone from CHW to CS read for the first time and laid over to the next meeting of City Council for final reading.

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: (3 - 11)

3. DEPARTMENT: CITY CLERK

SUBJECT: Amendment to Long Beach Municipal Code Section 2.03.040 authorizing placement of City Council resolutions on the Consent Calendar or Regular Agenda of weekly City Council agenda.

SUGGESTED ACTION:

Request City Attorney to prepare amendment to Long Beach Municipal Code.

4. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages.

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between December 9, 2004 and December 16, 2004.

5. DEPARTMENT: CITY CLERK

SUBJECT: Canvass and certification of election results.

SUGGESTED ACTION:

Request City Attorney to amend Ordinance C-7380 (Long Beach Municipal Code Section 1.21.010) to extend the canvass of each municipal election held in the City from 14 days to 21 days.

6. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Fifth Amendment to Contract No. 27206 between City of Long Beach and Foster Assessment Center and Testing Service, Inc. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute amendment extending the term to December 31, 2005.

7. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Contract with CCT Learning Solutions to provide customized training services to local businesses. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute contract for an amount not to exceed \$125,000.

8. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Annual Report on Community Facilities District No. 6 to comply with Local Agency Special Tax Bond and Accountability Act. (District 2)

SUGGESTED ACTION:

Receive and file report as required by State law.

9. DEPARTMENT: POLICE

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

- A. Application of Mario Jesus Gutierrez, dba Broke Ass Cantina and Grill, to drop a partner from an on-sale beer and wine for bonafide eating place license at 650 Pine Avenue. (District 1)
- B. Application of Nik Pheng and Maria Luisa Ramos-Pheng, dba Dear Heart Cafe, for an on-sale beer and wine for bonafide eating place license at 3832 East Anaheim Street. (District 4)
- C. Application of Jaturong Wattanachai and Watcharee Wattanachai, dba Little Ocha Restaurant, for an on-sale beer and wine for bonafide eating place license at 4124 Orange Avenue. (District 7)
- D. Application of Pov Thai and Chhoy Charles Yam, dba Lucky Liquor Market, for an on-sale general license at 1045 South Street. (District 9)

SUGGESTED ACTION:

Receive and file with existing conditions.

10. DEPARTMENT: PUBLIC WORKS

SUBJECT: Public Walkways Occupancy Permit for sidewalk dining at Wasabi Japanese Restaurant located at 200 Pine Avenue, Suite C. (District 2)

SUGGESTED ACTION:

Authorize City Manager to execute permit.

11. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:

Harbor Commission, December 6, 2004

Water Commission, November 18, 2004

SUGGESTED ACTION:

Receive and file.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

UNFINISHED BUSINESS:

12. OFFICE: MAYOR BEVERLY O'NEILL

SUBJECT: 2004 nominations for appointments and reappointments to non-charter Commissions, Committees, and Boards.

SUGGESTED ACTION:

Confirm appointment of Jocelyn Genoso to the Cable Communications Advisory Commission; appointment of Marty Isozaki to the Commission on Youth and Children; appointments of Chris Leonard and Joy Tsuhako to the Citizens Advisory Commission on Disabilities; appointment of Alex Cherin to the Economic Development Commission; reappointments of Brigida Knauer and Robert W. Parkin to the Long Beach Transportation Company Board of Directors; and appointments of Margo Hoffer and Janice Lee Ward to the Public Safety Advisory Commission.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

13. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Magnolia Industrial Group Property and Business Improvement District Annual Report and Assessment. (District 1)

SUGGESTED ACTION:

Approve Magnolia Industrial Group Property and Business Improvement District Annual Report and Assessment for the period of December 1, 2004, through November 30, 2005, automatically extending the current agreement with the Magnolia Industrial Group, Inc. for a one-year period.

14. DEPARTMENT: PLANNING AND BUILDING

SUBJECT: Revised findings to deny Conditional Use Permit to allow sale of beer and wine for off-premises consumption at a 7- Eleven Convenience Store.
(Case No. 0408-05) (District 7)

SUGGESTED ACTION:

Adopt revised findings to deny the Conditional Use Permit.

15. DEPARTMENT: POLICE

SUBJECT: Application of Christopher Clark Reece and Otilia Maria Reece, dba Pike, for an original on-sale general for bonafide eating place alcoholic beverage license at 1836 East 4th Street. (District 2)

SUGGESTED ACTION:

Receive and file application; and

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

16. DEPARTMENT: POLICE

SUBJECT: Application of Humera Sheikh, dba 62nd Place Peninsula Cafe, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 76 1/2 62nd Place. (District 3)

SUGGESTED ACTION:

Receive and file application; and

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

17. DEPARTMENT: POLICE

SUBJECT: Application of Motorcade Incorporated, dba Andy Shell, for an original off-sale beer and wine alcoholic beverage license at 1990 Del Amo Boulevard.
(District 8)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

18. DEPARTMENT: PUBLIC WORKS

SUBJECT: Plans and Specifications No. R-6535 and award contract to Murphy Industrial Coatings, Inc., for Second Street bridge repainting. (District 3)

SUGGESTED ACTION:

Adopt specifications and authorize City Manager to award contract in an estimated amount of \$944,500; and execute contract and all necessary documents related to the contract.

19. DEPARTMENT: PUBLIC WORKS

SUBJECT: Contract to RND Works, Inc. for construction of a replacement canopy over the north baggage claim area at Long Beach Airport. (District 5)

SUGGESTED ACTION:

Authorize City Manager to award contract in estimated amount of \$296,450; and execute contract and all necessary documents related to the contract.

RESOLUTION:

20. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Resolution authorizing the City Manager to execute, on behalf of said City, a contract with Haaker Equipment Company, without advertising for bids, for furnishing replacement parts for Elgin Street Sweepers for one year commencing November 1, 2004 for the estimated sum of two hundred fifty thousand dollars (\$250,000.00) plus an optional five percent (5%), if needed, with options to extend for two (2) additional one-year periods on the same terms and conditions if the sole source status of Haaker Equipment Company remains the same, with increases in the extension periods, if needed, by up to five percent (5%) of the previous year's expenditures. (Citywide)

SUGGESTED ACTION:

Adopt resolution in an estimated annual amount of \$250,000.

Authorize amendments to exercise City's option to renew where noted and authorize City Manager to execute same.

ORDINANCES:

21. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Ordinance amending the Use District Map of the City of Long Beach as said map has been established and amended by amending portions of Part 17 and 24 of said map from CCA (Community Automobile-Oriented District) and PD-19 (Douglas Aircraft Planned Development District) to PD-32 (Douglas Park Planned Development District) for property located at 3855 Lakewood Boulevard, in the City of Long Beach (RZ-0404-13).

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

22. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Ordinance amending and restating the Douglas Aircraft Planned Development District (PD-19).

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

23. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Ordinance establishing the Douglas Park Planned Development District (PD-32).

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

24. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 8.80.160 by amending the Noise District Map; and by amending Section 21.29.090 and Section 21.37.020 by adding No. 32 – Douglas Park (Planned Development District).

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

25. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Ordinance approving application for a development agreement in the vicinity of Lakewood Boulevard and Carson Street pursuant to Chapter 21.29 of the Long Beach Municipal Code, directing the City Attorney to prepare a development agreement embodying the application and authorizing and directing the City Manager to execute, on behalf of the City, a development agreement with McDonnell Douglas Corporation for the Douglas Park Project.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

26. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Sections 21.15.110.G and 21.15.607; and by adding Sections 21.51.226 and 21.51.237, relating to live nude modeling for the purpose of art drawing; and computer cafes as an accessory use.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

27. DEPARTMENT: LAW

SUBJECT: Ordinance finding and determining that a further credit is due against the Transportation Improvement Impact Fee applicable to the CSULB Foundation Technology Park located at 2000 West Nineteenth Street and authorizing the City Manager to execute an agreement regarding credit for transportation improvements made to Pacific Coast Highway from Cota Avenue to Nineteenth Street.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

NEW BUSINESS:

28. COUNCIL OFFICE: COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT

SUBJECT: Report regarding temporary housing and utilization of Transient Occupancy Tax.

SUGGESTED ACTION:

Request City Manager to prepare report on amount of Transient Occupancy Tax (TOT) paid by individuals and families identified as transitional and how the TOT is administered and allocated.

29. COUNCIL OFFICE: COUNCILMEMBER, FRANK COLONNA, THIRD DISTRICT

SUBJECT: Interim plan for City Council and Redevelopment Agency.

SUGGESTED ACTION:

Review and approve the following recommendations:

1. The Mayor create a new Neighborhood Redevelopment Council Committee or appoint an ad hoc committee of the City Council that will require the RDA Board to report their progress on projects in a systematic and timely manner in order that this committee can then provide a timely report to the City Council.
2. Empower this new committee to have the ability to make recommendations to the entire City Council on the status of projects in the pipeline, while also creating a vehicle by which any Council member can request a review of a project's status in any redevelopment area, and can recommend new projects for the RDA Board's merit and review.
3. Streamline the timelines associated with the projects from their inception to their completion in order to establish real time decision-making.
4. Establish a process to assess past projects and their impact, whether positive or negative, and better connect with the City Council on how to deal with problem areas adjacent to the RDA's geographic boundaries.
5. Explore an avenue of Council authority over and accountability from the RDA Board members.
6. Establish an evaluation process whereby a biannual assessment of RDA Board members and/or the Board's actions would be the subject of review at the will of the City Council or adopt alternate recommendations proposed by the independent study as to governance and accountability.

30.

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:

Housing and Neighborhoods Committee at 2:00 P.M.

State Legislation and Environmental Affairs Committee at 3:00 P.M.

Economic Development and Finance Committee (Attorney/Client) at 4:30 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 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.