

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**

**PROCLAMATION PRESENTED FOR  
NATIONAL HEALTH EDUCATION WEEK**

**PROCLAMATION PRESENTED FOR  
DOMESTIC VIOLENCE AWARENESS MONTH**

**RECOGNITION OF CALIFORNIA STATE LEGISLATIVE DELEGATION**

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. [10-1141](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and declare either Ordinance A or Ordinance B read the first time and laid over to the next regular meeting of the City Council for final reading. (Ordinance A, which reflects the Planning Commission's recommendation, would create in the City's Industrial zones Special Development Standards for certain trucking related uses. Ordinance B, which reflects City Staff's recommendation, would require in the City's Industrial zones the issuance of a Conditional Use Permit for such trucking related uses). (Citywide)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

2. [10-1142](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution confirming the Fourth Street Parking and Business Improvement Area annual report and continuing the assessment for the period of October 1, 2010 through September 30, 2011; and authorize City Manager to extend the agreement with the Fourth Street Business Improvement Association for a one-year term. (District 2)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

3. [10-1143](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution continuing the East Anaheim Street Parking and Business Improvement Area program and assessment for the period of October 1, 2010 through September 30, 2011; and authorize City Manager to execute an agreement with the East Anaheim Street Business Association for a one-year term. (Districts 3,4)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK**

[10-1177](#) Francis Emily Dawson Harris spoke regarding Matt's journey across the U.S. in a wheelchair; and submitted written comments.

[10-1178](#) Norma Aviles spoke regarding an exception to microchipping dogs; and submitted documentation.

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: (4 - 17)**

4. [10-1158](#) Recommendation to receive and file report on attendance at League of California Cities Annual Conference, September 15 - 17, 2010 in San Diego, CA.

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE,  
FIFTH DISTRICT

**Suggested Action:** Approve recommendation.

5. [10-1159](#) Recommendation to authorize City Attorney to pay sum of \$7,940.67 in full settlement of claim entitled Theresa Delvaux v City of Long Beach, Claim No. C10-0571.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

6. [10-1165](#) Recommendation to adopt resolution in support of the Family Violence Prevention and Services Act (H.R. 4116).

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

7. [10-1117](#) Recommendation to approve the minutes for the City Council Special Meeting held Tuesday, September 28, 2010 and the City Council Meeting held Tuesday, October 5, 2010.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

8. [10-1156](#) Recommendation to refer to City Attorney damage claims received between October 4, 2010 and October 11, 2010.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

9. [10-1144](#) Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the State of California, Department of Boating and Waterways, to receive and expend the 2011 Boating Safety and Enforcement Equipment Grant for the purchase of two diesel engines; and increase appropriations in the Marina Fund (TF 403) and in the Fire Department (FD) by \$75,000. (Districts 2,3)

**Office or Department:** FIRE

**Suggested Action:** Approve recommendation.

10. [10-1145](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents and amendments between the City of Long Beach and St. Mary Medical Center Foundation for the provision of Senior Links Program case management services in the amount of \$20,280 for the period of September 1, 2010 through June 30, 2011; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by the same amount. (Citywide)

**Office or Department:** HEALTH AND HUMAN SERVICES

**Suggested Action:** Approve recommendation.

11. [10-1146](#) Recommendation to adopt resolution in support of and authorizing a request for funds from the California Department of Public Health through the submission of an application to the Teen Pregnancy Prevention Community Challenge Grant Program, RFA 11-10018, to provide Community Challenge Grant Services. (Citywide)

**Office or Department:** HEALTH AND HUMAN SERVICES

**Suggested Action:** Approve recommendation.

12. [10-1147](#) Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and British Petroleum West Coast Products, LLC in the amount of \$325,000 for the Community Asthma and Air Quality Resource Education Program to address conditions caused or exacerbated by both indoor and outdoor air pollution throughout Long Beach, with a primary focus in West Long Beach; and increase appropriations in the Health Fund (SR-130) and the Department of Health and Human Services (HE) by \$325,000. (Citywide)

**Office or Department:** HEALTH AND HUMAN SERVICES

**Suggested Action:** Approve recommendation.

13. [10-1148](#) Recommendation to authorize City Manager, or designee, to execute all necessary agreements and any subsequent amendments between the City of Long Beach and the County of Los Angeles to accept a 12-month no-cost extension, through July 30, 2011, for the Public Health Emergency Response Program to support local H1N1 Influenza Preparedness and Response Activities. (Citywide)

**Office or Department:** HEALTH AND HUMAN SERVICES

**Suggested Action:** Approve recommendation.

14. [10-1149](#) Recommendation to authorize City Manager to execute all documents with the South Bay Center for Counseling to receive a \$39,360 Hire-A-Youth grant, and to execute any needed subsequent amendments that change the terms of the agreement. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

15. [10-1150](#) Recommendation to authorize City Manager to execute all documents with the California Department of Education in the amount of \$133,015 to operate the Even Start Family Literacy Program; to execute a contract with the Long Beach Unified School District in the amount of \$123,015 to provide family literacy services; and to execute any needed subsequent amendments. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

**REVISED**

16. [10-1119](#) Recommendation to authorize City Manager to renew a permit for use of space in the Main Library by the Long Beach Public Library Foundation, a California public benefit corporation, for a period of three years, with one additional three-year renewal option. (District 2)

**Office or Department:** LIBRARY SERVICES

**Suggested Action:** Approve recommendation.

17. [10-1124](#) Recommendation to authorize City Manager to execute the Fourteenth Amendment to Lease No. 22897 with Jan and Michael Todd, for a period of seven (7) weeks, from November 13, 2010, through December 31, 2010, for the sale of Christmas trees, using the portion of the former Pacific Electric right-of-way property located between ~~Appian Way~~ Park and Roycroft Avenues. (District 3)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

**UNFINISHED BUSINESS:**

37. [10-1121](#) Recommendation to authorize City Manager to execute subdivision agreements and find that all requirements of the final subdivision map for construction of a mixed-use development with 170 condominium units have been satisfied; and approve the final map for Tract No. 70974-01 located south of Anaheim Street and west of Long Beach Boulevard. (District 1)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

38. [10-1097](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of 7 Eleven Incorporated, dba 7 Eleven, for an original Alcoholic Beverage Control License, at 2001 East South Street, with conditions. (District 9)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

**REGULAR AGENDA**

**DEPARTMENT COMMUNICATIONS:**

18. [10-1162](#) Recommendation to receive and approve the Blue Ribbon Committee on Funding Arts and Culture's request for an extension of their 90-day term until November 18, 2010.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

19. [10-1163](#) Recommendation to review and approve the following Non-Charter Commission appointments.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

20. [10-1160](#) Recommendation to receive and file the Fourth Annual Fifth District Library Round-Up report.

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE,  
FIFTH DISTRICT

**Suggested Action:** Approve recommendation.

21. [10-1166](#) Recommendation to respectfully request City Attorney to draft a resolution recognizing October as National Arts and Humanities Month in Long Beach.

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL,  
FOURTH DISTRICT; COUNCILMEMBER  
ROBERT GARCIA, FIRST DISTRICT; VICE  
MAYOR SUJA LOWENTHAL, SECOND  
DISTRICT

**Suggested Action:** Approve recommendation.

**REVISED**

22. [10-1167](#) Recommendation to refer exploration of a potential greywater pilot project to the City Council's Environmental Committee for deliberation and consultation with stakeholders and request that they report back to the City Council regarding their recommendation.

**Office or Department:** COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; VICE MAYOR SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT

**Suggested Action:** Approve recommendation.

23. [10-1168](#) Recommendation to adopt Long Beach as a participating city in the national "Let's Move" campaign to reduce childhood obesity.

**Office or Department:** COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT

**Suggested Action:** Approve recommendation.

24. [10-1169](#) Recommendation to request a brief status report from the Arts Council on *Create Long Beach*, an update to the Long Beach Community Cultural Master Plan.

**Office or Department:** VICE MAYOR SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT

**Suggested Action:** Approve recommendation.

25. [10-1164](#) Recommendation to authorize City Manager to amend the contract with Ferguson Enterprises Inc., a Long Beach based business (Local), under Contract No. 31282 from Specifications PA-01509, in an amount not to exceed \$80,000 additional annually, plus a 10 percent contingency of \$8,000 for a total increase of \$88,000 bringing the total contract amount not to exceed \$585,200 to fund the purchase of plumbing supplies. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

26. [10-1093](#) Recommendation to adopt Specifications No. PA-03010 and award contracts to Trimming Land Co., Inc., of South Gate, California (MBE), and United Pacific Services, of La Habra, California (not an MBE, WBE, SBE or Local), for the Department of Parks, Recreation and Marine for as needed tree trimming services in the amount of \$420,000, 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; PARKS,  
RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

27. [10-1151](#)

Recommendation to adopt resolution to approve the Second Supplemental Senior Trust Indenture to the Master Senior Indenture and other related bond documents; authorize City Manager to execute documents for the issuance of Airport Senior Revenue Bonds Series 2010 A and B, in an aggregate amount not to exceed \$70,000,000 to refinance the design costs and finance the construction of the Phase I Terminal Improvements at the Long Beach Airport, pay off the balance of the Airport Commercial Paper Program and finance the cost of bond issuance;

Receive supporting documentation into the record regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing; and

Increase appropriations by \$38,876,000 (\$37,313,000 for the Phase I Terminal Improvements and \$1,563,000 to pay the first debt service payment) in the Airport Enterprise Fund (EF 320) in the Airport Department (AP). (District 5)

**Office or Department:** FINANCIAL MANAGEMENT; LONG BEACH AIRPORT

**Suggested Action:** Approve recommendation.

28. [10-1046](#)

Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the County of Los Angeles Chief Executive Office to receive and expend Department of Homeland Security grant funding for the 2009 State Homeland Security Grant Program; and increase appropriations by \$523,624 in the General Grants Fund (SR 120) in the Fire Department (FD). (Citywide)

**Office or Department:** FIRE

**Suggested Action:** Approve recommendation.

29. [10-1047](#) Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the City of Los Angeles to receive and expend Department of Homeland Security grant funding for the 2009 Urban Area Security Initiative (UASI) Grant, at an amount not to exceed \$5,000,692 for a period ending March 31, 2012; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$569,565, in the General Grants Fund (SR 120) in the Health and Human Services Department (HE) by \$43,417 and in the General Grants Fund (SR 120) in the Police Department (PD) by \$1,376,710. (Citywide)

**Office or Department:** FIRE

**Suggested Action:** Approve recommendation.

30. [10-1155](#) Recommendation to authorize City Manager to make payment for property and boiler and machinery insurance for the Southeast Resource Recovery Facility for the period of October 20, 2010 through October 20, 2011, for a premium not to exceed \$845,000, payable to Covanta Holding Corporation. (District 2)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

31. [10-1153](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Edward Clarence Snow, dba Eddies Jr Market, for an original Alcoholic Beverage Control License, at 2444 East 4th Street, with conditions. (District 2)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

32. [10-0235](#) 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 6310 East Pacific Coast Highway Suite A, with conditions. (District 3)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

33. [10-0238](#) 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 3570 Atlantic Avenue, with conditions. (District 7)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

34. [10-1154](#) Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for a Supplemental Agreement to Management Agreement No. 21667 with SMG, formerly known as Spectacor Management Group, for replacement of seats in the Terrace Theater 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.

**ORDINANCES:**

35. [10-1152](#) Recommendation to authorize City Manager to concur in the recommendation of the Parks and Recreation Commission to ban smoking in all outdoor areas improved or developed by or on behalf of the City of Long Beach that are open to the general public for park or open space use, including, but not limited to, public parks, picnic areas, playgrounds, sports or playing fields, walking paths, gardens, hiking trails, bike paths, and any other areas designated a park by the Director of the Department of Parks, Recreation and Marine; concur in the recommendation of the Department of Parks, Recreation and Marine to exempt City golf courses and permitted activities, including, but not limited to, filming and/or special events, from the smoking ban; and declare ordinance amending the Long Beach Municipal Code by adding Section 8.68.066 and Subsection 8.68.120.C relating to smoking prohibited in City parks and other recreation areas read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

**REVISED**

36. [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 Section 14.14.110, all relating to public walkways occupancy permits, read and adopted as read. (District 3)

**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.

37. Agenda Item No. 37 is listed under Unfinished Business (page 6).
38. Agenda Item No. 38 is listed under Unfinished Business (page 6).

39. [10-1172](#) Recommendation to request City Manager to provide a study session to the City Council on the Downtown Community Plan prior to the release of an Environmental Impact Report.

**Office or Department:** COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

41. [10-1171](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, October 15, 2010.

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

Tuesday, November 9, 2010 – Housing Authority at 4:30 P.M., Council Chamber.

**HEARING REMINDERS:**

Tuesday, November 9, 2010 – Hearing for Ashley’s Bar & Grill, LLC., dba Ashley’s Bar & Grill, for a Permit for Entertainment Without Dancing by Patrons, 1731 E. 4th Street. (District 2)

Tuesday, November 9, 2010 – Hearing for Michoacan Entertainment, a California Corporation, dba Copa Cabana Night Club, for a Permit for Entertainment With Dancing by Patrons, 2688 South Street. (District 8)

Tuesday, November 9, 2010 – Hearing to adopt amendments to the 2010 California Building Standards and the 1997 Uniform Housing Codes. (Citywide)

**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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If oral 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 Office of the City Clerk at (562) 570-6101, 24 business hours prior to the City Council meeting.

Kung humihiling ng pasalitang interpretasyon ng wika ng agenda at minutes ng Konseho ng Lungsod o kung humihiling ng isang natatanging pagtulong ayon sa Americans with Disabilities Act, mangyaring humiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 24 oras ng negosyo bago isagawa ang pulong ng Konseho ng Lungsod.

Si desea interpretación oral en otro idioma para las personas que no hablan inglés o si desea una adaptación especial en conformidad con la Ley de Estadounidenses con Discapacidades, haga su solicitud por teléfono a la oficina del secretario municipal al (562) 570-6101, 24 horas hábiles antes de la reunión del ayuntamiento de la ciudad.

បើមានការចង់បាននូវការបកប្រែភាសាផ្ទាល់មាត់សម្រាប់អ្នកមិនចេះនិយាយអង់គ្លេស

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If written language translation of the City Council agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the City Council meeting.

Kung humihiling ng nakasulat na pagsasalín ng wika ng agenda at minutes ng Konseho ng Lungsod para sa mga taong hindi nagsasalita ng Ingles, mangyaring humiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras bago isagawa ang pulong ng Konseho ng Lungsod.

Si desea obtener la traducción escrita en otro idioma de la agenda y las actas del ayuntamiento de la ciudad para las personas que no hablan inglés, haga su solicitud por teléfono a la oficina del secretario municipal al (562) 570-6101, 72 horas hábiles antes de la reunión del ayuntamiento de la ciudad.

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