

Dr. Robert Garcia, Vice Mayor, 1st District  
Dr. Suja Lowenthal, 2nd District  
Gary DeLong, 3rd District  
Patrick O'Donnell, 4th District



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

Bob Foster, Mayor

Gerrie Schipske, R.N.P./J.D., 5th District  
Dee Andrews, 6th District  
James Johnson, 7th District  
Al Austin, 8th District  
Steven Neal, 9th District

Charles Parkin, Acting City Attorney

## REVISED

### PLEDGE OF ALLEGIANCE

[13-0711](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 9, 2013.

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. [13-0676](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, and declare the ordinance amending and restating the City's regulation of on-premises signs (Chapter 21.44), as well as amendments related to sign definitions (Chapter 21.15) and conditional use findings for signs (Chapter 21.52) read the first time and laid over to the next regular meeting of the City Council for final reading;

[13-0677](#)

Adopt resolution directing staff to submit the ordinance amendments to the California Coastal Commission for a finding of conformance with the Certified Local Coastal Program; and

Accept Categorical Exemption CE-13-041. (Citywide)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

2. [13-0678](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of La Creperie Pine, Inc., dba La Shish, 130 Pine Avenue, for Entertainment With Dancing by Patrons. (District 2)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

3. [13-0679](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Suite Energy, Inc., dba The Executive Suite, 3428 East Pacific Coast Highway, for Entertainment With Dancing by Patrons. (District 4)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

4. [13-0680](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Regla Maria Sardinias, dba Copa Cabbana, 2688 East South Street, for Entertainment With Dancing by Patrons. (District 8)

**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.

**REVISED**

**CONSENT CALENDAR: (5 - 19)**

5. [13-0700](#) Recommendation to authorize City Manager to execute an agreement with the firm of Shute, Mihaly & Weinberger LLP, in the matter entitled City of Long Beach v. City of Los Angeles, et al Case No. BS143356 regarding the Southern California International Gateway (SCIG) litigation.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

6. [13-0701](#) Recommendation to adopt Specifications RFP No. HR-13-016 authorizing City Manager, or designee, to execute contracts and any necessary amendments thereto with Excel Managed Care and Disability Services, Inc. (EMCDS) to provide Utilization Review services and with Rehab West, Inc. (RWI) to provide Medical Case Management services for the City of Long Beach Workers' Compensation Program, in a total aggregate annual amount not to exceed \$212,000 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:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

7. [13-0681](#) Recommendation to refer to City Attorney damage claims received between July 29, 2013 and August 5, 2013.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

8. [13-0682](#) Recommendation to approve the destruction of records for Long Beach Police Department, Internal Affairs Division, as shown in Exhibit A; and adopt resolution.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

9. [13-0683](#) Recommendation to adopt resolution to apply for grant funds through the California Department of Resources Recycling and Recovery (CalRecycle), authorizing submittal of applications for all CalRecycle grants for which the City of Long Beach is eligible, effective for the next five years from the date of adoption of the resolution. (Citywide)

**Office or Department:** CITY MANAGER

**Suggested Action:** Approve recommendation.

10. [13-0684](#) Recommendation to adopt resolution certifying the 2012-2013 Local Development Report (LDR) and its conformance with the State-mandated Congestion Management Program (CMP). (Citywide)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

11. [13-0685](#) Recommendation to approve the 2013-2014 Sustainable City Commission Annual Work Plan. (Citywide)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

12. [13-0686](#) Recommendation to authorize City Manager to execute all necessary agreements with the County of Orange/Orange County Workforce Investment Board to receive \$33,000 in Assembly Bill 118 funds to implement the Alternative Fuels/Transportation Cluster Development Program under the Regional Industry Clusters of Opportunity (RICO); and to execute any needed subsequent amendments. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

13. [13-0687](#) Recommendation to authorize City Manager to execute all documents with the County of Orange/Orange County Workforce Investment Board to receive Workforce Investment Act funds up to \$180,000 for a Veterans Employment Assistance Program; and to execute any needed subsequent amendments. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

14. [13-0688](#) Recommendation to authorize City Manager to execute a new permit with Peabrain Adventures, Inc., a California Corporation, dba Kitesurfari, to continue its operation of an existing kitesurfing and stand-up paddleboarding concession on the beach for a two-year term, with one, two-year renewal option, at the discretion of the City Manager or his designee. (District 3)

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

**Suggested Action:** Approve recommendation.

15. [13-0689](#) Recommendation to adopt resolution and authorize City Manager or his designee to execute all necessary documents to receive and expend grant funding from the State of California Department of Alcoholic Beverage Control 2013 grant, and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$100,000. (Citywide)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

16. [13-0690](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the County of Los Angeles Real Estate Fraud Prosecution Program grant and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$94,500. (Citywide)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

17. [13-0691](#) Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2013 to September 30, 2014, for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and setting the date of hearing for Tuesday, September 17, 2013 at 5:00 p.m. (District 3)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

18. [13-0692](#) Recommendation to authorize City Manager to execute all documents necessary to amend Contract No. 31808 with BMC Software, Inc., of Houston, TX (not a MBE, WBE, SBE, or Local), extending the contract for providing workload automation software licenses and technical support services for one year, in the amount of \$145,000, with the option to renew for two additional one-year periods, with a five percent contingency for price increases, at the discretion of the City Manager. (Citywide)

**Office or Department:** TECHNOLOGY SERVICES; FINANCIAL  
MANAGEMENT

**Suggested Action:** Approve recommendation.

19. [13-0694](#) Recommendation to receive and file minutes for:  
Planning Commission - July 18, 2013.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

## REGULAR AGENDA

## DEPARTMENTAL COMMUNICATIONS:

20. [13-0702](#) Recommendation to cancel the regular City Council meeting of  
August 20, 2013.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

21. [13-0703](#)

Recommendation to request City Attorney to draft an interim ordinance that caps the number of Entertainment Permits in the Downtown Dining and Entertainment District (known as the "District") at its current level of active permits and prohibits businesses without a fully operating kitchen from applying for a permit for a period of up to one-year from the passage of the ordinance.

Request City Manager to conduct a one-year evaluation with regularly scheduled stakeholder workshops to address topics relating to the District, including but not limited to:

- Evaluation of Conditions of Operations and Tiered Regulations as the best means for ensuring the original tenets of the District formation, as follows:
  - Competitive parity between Pine Avenue, the Pike and Shoreline Village
  - Support residential development
  - Balance between retail and restaurant uses
  - Noise impacts
  - Automobile gridlock
- Expansion of District borders
- Consideration of distinct districts such as Dining, Entertainment, and Retail
- Survey of cities with entertainment areas and/or permitting processes to identify best practices for management and enforcement.

**Office or Department:** COUNCILMEMBER SUJA LOWENTHAL,  
SECOND DISTRICT

**Suggested Action:** Approve recommendation.



22. [13-0704](#) Recommendation to, by motion of the City Council, direct City Clerk to create a Campaign Ethics Guide specific to the City of Long Beach, and direct City Clerk to distribute the Guide for the April 2014 election by electronic and print.

**Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; VICE MAYOR ROBERT GARCIA, COUNCILMEMBER, FIRST DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT

**Suggested Action:** Approve recommendation.

23. [13-0693](#) Recommendation to adopt resolution approving a comprehensive Language Access Policy. (Citywide)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

24. [13-0695](#) Recommendation to authorize City Manager, or designee, to submit a grant application, through the Long Beach Department of Health and Human Services, to the U.S. Department of Housing and Urban Development (HUD) for the 2013 Continuum of Care for Homeless Assistance Program, and execute all necessary documents, subgrants and any amendments changing the amount of the award or extending the grant term upon receipt of HUD funding. The grant award amount will be between \$5.5 million and \$8 million, for a period of one to five years. (Citywide)

**Office or Department:** HEALTH AND HUMAN SERVICES;  
HOMELESS SERVICES ADVISORY  
COMMITTEE

**Suggested Action:** Approve recommendation.

25. [13-0696](#) Recommendation to authorize City Manager to execute any and all documents necessary for the Third Amendment to Lease No. 23033 with the Automobile Club of Southern California, a California corporation, for City-leased office space at 4800 Los Coyotes Diagonal, for the continued occupancy by the Long Beach Police Department, East Patrol Division. (District 4)

**Office or Department:** PUBLIC WORKS; CITY MANAGER; POLICE

**Suggested Action:** Approve recommendation.

26. [13-0697](#) Recommendation to adopt Resolution of Intention to establish the Uptown Property and Business Improvement District; set the date of Tuesday, October 8, 2013 at 5:00 p.m. for a Public Hearing; receive petitions; authorize City Manager to sign the subsequent ballot in favor and return the City's Ballot; and designate the Administrative Board. (Districts 8,9)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

27. [13-0705](#) Recommendation to authorize City Manager to execute all documents necessary to amend Contract No. 32995 with C.S. Legacy Construction, Inc. in order to add Musco track and field lighting, in an additional amount of \$719,727 for a revised not-to-exceed contract total of \$6,898,026; and

Authorize the early appropriation in FY 13 of up to \$719,727, if necessary, in the best interests of the City, of Chittick Field project funding included in the Proposed FY 14 Budget for the field lighting. Unused appropriation will carry forward for the Chittick Field project into FY 14. (District 6)

**Office or Department:** PUBLIC WORKS; FINANCIAL MANAGEMENT;  
PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

28. [13-0698](#) Recommendation to authorize City Manager to execute a Second Amendment to Contract No. 33031 with All American Asphalt for the Annual Contract for Street Improvements, increasing the contract amount by an additional \$15,000,000 for a revised not-to-exceed total contract of \$30,000,000, and extend the contract term to February 28, 2015, at the discretion of the City Manager. (Citywide)

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

**Suggested Action:** Approve recommendation.

**ORDINANCES:**

29. [13-0665](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 5.51.060; and by adding Section 5.51.065 all relating to the operation of ice cream trucks, read and adopted as read. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

30. [13-0641](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 21.57 relating to Alcohol Nuisance Abatement, read and adopted as read. (Citywide)

**Office or Department:** DEVELOPMENT SERVICES

**REVISED**

**NEW BUSINESS:**

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

31. [13-0710](#) Recommendation to respectfully requested that the Long Beach City Council receive and file the Recognition of the 50th Anniversary of Dr. Martin Luther King, Jr.'s "I Have a Dream" Speech and adopt a motion encouraging residents to acknowledge the August 28th Anniversary.

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

**Suggested Action:** Approve recommendation.

32.

33.

**PUBLIC COMMENT: 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, August 13, 2013 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

Tuesday, August 20, 2013 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Tuesday, August 27, 2013 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

**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>). Pursuant to the guidelines, members of the public are responsible for submitting their audio/visual presentations at least five (5) calendar days prior to the meeting (by 12:00 p.m. noon on Thursday). The audio/visual presentation and related comments are limited to three (3) minutes. For further information contact the City Clerk Department at (562) 570-6101.

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