

Robert Garcia, 1st District  
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, 5th District  
Dee Andrews, 6th District  
Tonia Reyes Uranga, 7th District  
Rae Gabelich, 8th District  
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

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## **SPECIAL MEETING**

### **TIME OF CITY COUNCIL MEETING SET FOR 6:00 P.M.**

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. 09-0874 Recommendation to receive supporting documentation into the record, conclude the public hearing; and adopt resolution making certain findings regarding the construction of certain public improvements with redevelopment funds; and

- 09-0901 Adopt resolution approving an agreement for exchange of real property between the Redevelopment Agency of the City of Long Beach, California, and the State of California; finding that the consideration for the sale of certain real property in the Central Long Beach Redevelopment Project Area is not less than fair market value in accordance with covenants and conditions governing such sale; and approving the sale of the property and the agreement. (Districts 1,2)

**Office or Department:** DEVELOPMENT SERVICES

**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 6:00 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. 09-0893            Recommendation to authorize City Attorney to pay the sum of \$45,000 in full settlement of lawsuit entitled Able Garcia v. City of Long Beach, et al., Case No. CV07-2266 DDP.  
**Office or Department:** CITY ATTORNEY  
  
**Suggested Action:**    Approve recommendation.
  
- 3. 09-0895            Recommendation to approve the City Council and the Budget Workshop minutes for the meetings held Tuesday, August 11, 2009 and Tuesday, August 18, 2009.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:**    Approve recommendation.
  
- 4. 09-0899            Recommendation to refer to City Attorney damage claims received between August 10, 2009 and August 24, 2009.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:**    Approve recommendation.
  
- 5. 09-0894            Recommendation to approve the destruction of records for the Long Beach Police Department as shown in Exhibit A; and adopt resolution.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:**    Approve recommendation.

6. 09-0875 Recommendation to authorize City Manager to execute all necessary agreements with the State of California to receive \$114,253 in Workforce Investment Act funds to operate the Disability Program Navigator Initiative; to execute all necessary documents with partners in an amount totaling \$74,000; and to execute any subsequent needed amendments. (Citywide)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

7. 09-0876 Recommendation to authorize City Manager to execute all necessary documents with Long Beach Memorial Medical Center to operate a customized training program for Patient Care Assistants in an amount of \$70,000, and to execute any needed subsequent amendments. (Citywide)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

8. 09-0877 Recommendation to authorize City Manager to execute the Thirteenth Amendment to Lease No. 22897 with Jan and Michael Todd, for a period of three months, from October 1, 2009 through December 31, 2009, for the sale of Christmas trees, using the portion of the former Pacific Electric right-of-way property located between Ximeno and Tremont Avenues. (District 3)

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

**Suggested Action:** Approve recommendation.

9. 09-0878 Recommendation to authorize City Manager to execute a permit with Mr. Arnaud Vuillermet, an individual doing business as Kitemasters, to operate a kitesurfing concession for a two-year term. (District 3)

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

**Suggested Action:** Approve recommendation.

10. 09-0879            Recommendation to authorize City Manager to execute a license agreement with South Coast Ecumenical Council for use of City-owned property, west of Marina Drive, between Joe's Crab Shack restaurant and Marina Shipyard, to conduct a certified farmers' market for a five-year term, with one five-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.

11. 09-0880            Recommendation to authorize City Manager or designee to accept an easement deed for storm drain purposes; and authorize a quitclaim of the easement to the County of Los Angeles, related to the development of Douglas Park. (District 5)

**Office or Department:** PUBLIC WORKS

**Suggested Action:**    Approve recommendation.

12. 09-0896            Recommendation to receive and file minutes of:  
Civil Service Commission - July 29 and August 5, 2009.  
Parks and Recreation Commission - July 16, 2009.  
Planning Commission - July 16, 2009.

**Office or Department:** VARIOUS

**Suggested Action:**    Approve recommendation.

**REGULAR AGENDA**

**DEPARTMENTAL COMMUNICATIONS:**

13. 09-0897            Recommendation to respectfully request that City Council request the City Attorney to prepare and present a draft amendment to Long Beach Municipal Code Section 16.16.010 (E) Prohibited acts, to reflect the Santa Barbara and Eugene initiatives, creating a provision for Councilmembers with the help of City staff to designate discrete and distinct areas of their Council Districts where people would be allowed to park and sleep overnight to help Long Beach Economic Refugees; and

Respectfully request that City Council request the City Manager to instruct City departments in 60 days to:

- 1) Identify possible parking lot locations (City, nonprofit and for profit) throughout the City that can be used for overnight parking. Explore funding opportunities that would allow such specially designated areas to be matched with staffing, security, and social services, as is done in Santa Barbara County;
  
- 2) Establish conditions on how many nights a vehicle can park overnight in one of the lots, where information will be provided on transitioning to a more permanent housing program. For each area we should assess helping these people in their time of need. Staff should establish quality controls on the behavior of the parking lot users to protect residential and commercial neighbors and others staying in the same lot. Establish an economic means test and requiring proof of former residency in Long Beach; and
  
- 3) Staff should recommend areas for overnight parking. Staff should consider parking impact, noise, issues relating to access to restrooms and/or waste disposal, trash, security and access to social services for the overnight vehicle parking.

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

**Suggested Action:**    Approve recommendation.

14. 09-0898 Recommendation to respectfully request that City Council request the City Manager to update the existing Long Beach Victim Resource Guide information by utilizing the attached information and any other vital information to assist victims of crime; and report back to City Council in 60 days.

**Office or Department:** COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

**Suggested Action:** Approve recommendation.

15. 09-0906 Recommendation to approve a one-time waiver for the restriction of alcohol at the El Dorado Nature Center for a Partners of Parks-sponsored event commemorating the 40th Anniversary of the Center on September 26, 2009.

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

**Suggested Action:** Approve recommendation.

16. 09-0908 Recommendation to receive and file report on efforts to increase the recycling of fishing line by installing recycling containers in City of Long Beach parks.

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

**Suggested Action:** Approve recommendation.

17. 09-0882 Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2009 to September 30, 2010, for the Long Beach Tourism Business Improvement Area, declaring its intention to levy the annual assessment; and set date of hearing for Tuesday, September 22, 2009, at 5:00 p.m. (Districts 1,2,4,5)

**Office or Department:** CITY MANAGER

**Suggested Action:** Approve recommendation.

18. 09-0883 Recommendation to authorize City Manager to execute all documents with the State of California to receive \$185,277 in Workforce Investment Act funds to operate the California New Start/Prison-to-Employment program, and to execute any needed subsequent amendments. (Citywide)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

19. 09-0884 Recommendation to authorize City Manager to execute all necessary agreements with the U.S. Environmental Protection Agency to receive \$452,212 in American Recovery and Reinvestment Act (ARRA) funds to operate a Brownfields Job Training program; to execute all necessary documents with subcontractors in an amount totaling \$228,500; and to execute any needed subsequent amendments. (Citywide)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

20. 09-0885 Recommendation to adopt resolution making certain findings regarding the construction of certain public improvements with funds from the West Long Beach Industrial Redevelopment Project;

09-0886 Adopt resolution making certain findings regarding the construction of certain public improvements with funds from the North Long Beach Redevelopment Project; and

Authorize City Manager to amend the Fourth Amendment to the Amended and Restated Cooperation Agreement between the City of Long Beach and the Redevelopment Agency of the City of Long Beach. (Districts 1,2)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

21. 09-0887            Recommendation to receive and file the Fiscal Year 2009 Third Quarter Budget Performance Report. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
  
**Suggested Action:**    Approve recommendation.
22. 09-0888            Recommendation to receive and file the Fiscal Year 2009 Third Quarter Operational Performance Report. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
  
**Suggested Action:**    Approve recommendation.
23. 09-0889            Recommendation to receive and file Investment Report for Quarter Ending June 30, 2009. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
  
**Suggested Action:**    Approve recommendation.
24. 09-0890            Recommendation to adopt resolution authorizing the issuance of Tax and Revenue Anticipation Notes in an amount not to exceed \$60 million; and authorize City Manager to execute all necessary documents. (Citywide)  
**Office or Department:** FINANCIAL MANAGEMENT  
  
**Suggested Action:**    Approve recommendation.

25. 09-0892      Recommendation to authorize City Manager to execute agreements for as-needed architectural services with expertise in sustainable and LEED-certified designs with the City selected firms Gruen Associates, WWCOT, Transystems Corporation, and Gonzalez Goodale Architects, in the amount not to exceed \$200,000 per consultant, for a two-year term;
- Authorize City Manager to execute agreements for as-needed design firms for LEED-certified architectural design services with the Redevelopment Agency (RDA) selected firms Dougherty and Dougherty Architects, Sparano and Mooney Architects, and Gonzalez Goodale Architects in the amount not to exceed \$200,000 per consultant, for a two-year term;
- Authorize that all seven of the above as-needed design contracts can jointly be used by the City and by the RDA; and
- Execute amendments to the agreements, relative to extending the terms for up to two additional one-year terms, authorize additional services, if required, within the provisions of the agreements, and adjust the fee schedule of hourly rates for inflation as appropriate and if funds are available. (Citywide)
- Office or Department:** PUBLIC WORKS; DEVELOPMENT SERVICES
- Suggested Action:**    Approve recommendation.

**ORDINANCES:**

26. 09-0859      Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 8.68.075, relating to smoking prohibited at bus stops, read and adopted as read. (Citywide)
- Office or Department:** CITY ATTORNEY
- Suggested Action:**    Approve recommendation.
27. 09-0860      Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 8.68.085, relating to smoking prohibited at farmers' markets, read and adopted as read. (Citywide)
- Office or Department:** CITY ATTORNEY
- Suggested Action:**    Approve recommendation.

**BUDGET HEARING: 7:00 P.M. TO 8:30 P.M.**

28. 09-0900 Recommendation to conduct a budget hearing to review Fiscal Year 2010 departmental budget proposals; and to receive public input. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**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.

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**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:**

Monday, August 31, 2009 – Budget Oversight Committee at 5:00 P.M., Council Chamber.

Tuesday, September 1, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Monday, September 14, 2009 – Housing and Neighborhoods Committee at 3:30 P.M., Council Chamber.

Monday, September 14, 2009 – Budget Oversight Committee at 5:00 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).

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