

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

SPECIAL MEETING

TIME OF CITY COUNCIL MEETING SET FOR 7:00 P.M.

**PROCLAMATION PRESENTED FOR DISABILITY MONTH
OCTOBER 2009**

**PRESENTATION DECLARING
DOMESTIC VIOLENCE AWARENESS MONTH
OCTOBER 2009**

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. 09-0715 Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution making certain findings for an Owner Participation Agreement with Cowelco Properties, Inc., for the development of 1328-1340 West Canal Avenue. (District 1)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

2. 09-0970 Recommendation to receive supporting documentation into the record, conclude the public hearing, declare ordinance amending the Douglas Park Planned Development (PD-32) read the first time and laid over to the next regular meeting of the City Council for final reading;

(Agenda Item No. 2 - continued on page 2)

09-0993 Adopt resolution amending the Land Use, Noise, and Transportation Elements of the General Plan and the Bicycle Master Plan for Douglas Park;

09-0994 Declare ordinance amending the Noise District Map read the first time and laid over to the next regular meeting of the City Council for final reading; and

09-0995 Declare ordinance approving the Amended and Restated Development Agreement and authorizing City Manager to execute it in substantially the same form as attached read the first time and laid over to the next regular meeting of the City Council for final reading. (District 5)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

3. 09-1030 Recommendation to receive supporting documentation into the record, conclude the public hearing, and request City Attorney to prepare an amendment to the Long Beach Municipal Code, modifying Preferential Parking Districts "O", "R", and "U" as recommended by the City Traffic Engineer. (District 4)

Office or Department: PUBLIC WORKS

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 7:00 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 - 18)

- 4. 09-1052 Recommendation to receive and file travel report for League of California Cities 2009 Annual Conference/Exposition and Latino Caucus Board Meeting held September 17 - 19, 2009.

Office or Department: COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

- 5. 09-1050 Recommendation to approve the City Council minutes for the meetings held Tuesday, September 8, 15 and 22, 2009; and the City Council Budget Hearing held Tuesday, September 15, 2009.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

- 6. 09-1058 Recommendation to refer to City Attorney damage claims received between September 14, 2009 and September 28, 2009.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

- 7. 09-1048 Recommendation to approve the destruction of records for Financial Management Department Payroll Division, and Financial Management Department Treasury Bureau as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

- 8. 09-1049 Recommendation to approve the destruction of records for the Public Works Department Administration Bureau and Public Works Department Engineering Bureau as shown in Exhibit A; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

- 9. 09-1031 Recommendation to authorize City Manager to execute any and all documents necessary for the first amendment to lease with the Judicial Council of California, Administrative Office of the Courts (collectively, AOC), for 162 parking spaces located within the Long Beach Courthouse parking lot at Ocean Boulevard and Magnolia Street for the continued use by the Long Beach Police Department for an additional five-year term at an initial monthly base rent of \$10,976. (District 1)

Office or Department: COMMUNITY DEVELOPMENT; POLICE

Suggested Action: Approve recommendation.

- 10. 09-1032 Recommendation to refer the Los Cerritos Wetlands Authority, Air Quality Management District (AQMD), Annual Financial Reports for the Airport Enterprise Fund and Airport Schedules for Passenger Facility Charges for the Fiscal Year ended September 30, 2008 to the Budget Oversight Committee. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

- 11. 09-1033 Recommendation to receive and file the report, "Elevation Changes in the City of Long Beach, November 2008 through April 2009." (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

- 12. 09-1034 Recommendation to authorize City Manager to execute Schedule A, Intrastate Transmission Service, which is an attachment to the current long-term Master Services Contract No. 26729 between the City and Southern California Gas Company for the transmission of natural gas. (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

13. 09-1035 Recommendation to authorize City Manager to execute a permit with Debby McCormick, an individual doing business as McCormick Divers, for the use of Belmont Plaza Pool, for the purpose of training divers for national and international competitions and to conduct diving competitions for a term of three years, 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.

14. 09-1036 Recommendation to authorize City Manager to execute a permit with Long Beach Swim Club, a California non-profit doing business as Beach Swim Club, for the use of Belmont Plaza Pool, for the purpose of training swimmers for national and international competitions and to conduct swimming competitions for a term of three years, 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. 09-1037 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Hole Mole Restaurant located at 421 Obispo Avenue. (District 2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

16. 09-0881 Recommendation to authorize City Manager, or designee, to accept an easement deed for street widening and an irrevocable offer to dedicate for future street purposes at 3756 and 3768 Long Beach Boulevard. (District 7)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

17. 09-1038 Recommendation to authorize City Manager to execute a one-year contract extension with MWH Americas, Inc., (MWH) in an amount not to exceed \$146,000 (with a net cost to the City of \$20,857) 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.

18. 09-1051 Recommendation to receive and file minutes of:
Civil Service Commission - September 9 and 16, 2009.
Cultural Heritage Commission - August 10, 2009.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

19. 09-1056 Recommendation to request City Manager to arrange for a public presentation by the Environmental Protection Agency On-Scene Coordinator, Robert Wise, before the City Council to discuss status of the contamination on the subject property being considered for acquisition from LCW, LLC by the City of Long Beach and the steps the City must take to protect itself from liability for any contamination should it acquire the subject property.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

20. 09-1057 Recommendation to request City Attorney and City Manager to return to the City Council in 90 days with a report on approaches to strengthen the local housing preference program in new and existing residential developments. Additionally, request that this 90-day process include discussions with community stakeholders, such as The Long Beach Housing Development Company, Legal Aid and developers.

Office or Department: COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER GARY DELONG, THIRD DISTRICT

Suggested Action: Approve recommendation.

21. 09-1039 Recommendation to approve the Andy Street Multi-family Improvement District Annual Report and Assessment for the period of October 1, 2009 through September 30, 2010, automatically extending the Andy Street Multi-family Improvement District for a one-year period, and authorize City Manager to execute an agreement with the Andy Street Community Association for administration of the Multi-family Improvement District Funds. (District 9)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

22. 09-1040 Recommendation to receive and file the Annual Report of the Downtown Long Beach Parking and Business Improvement Area; approve the proposed budget for Fiscal Year 2010 (FY 10); and authorize City Manager to execute a contract with the Downtown Long Beach Associates for the period of October 1, 2009 through September 30, 2010. (Districts 1,2)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

23. 09-1042 Recommendation to authorize City Manager to execute contracts totaling \$1,029,073, with service providers to operate Workforce Investment Act Youth Academies, for the period of October 1, 2009 through March 30, 2011; and to execute any needed subsequent amendments. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

24. 09-1043 Recommendation to authorize City Manager to execute any and all documents necessary for an amendment to Lease No. 7681 with the Alamitos Bay Yacht Club, a non-profit, public benefit corporation (ABYC), for City-owned land and improvements at 7201 East Ocean Boulevard, for an additional 25 years. (District 3)

Office or Department: COMMUNITY DEVELOPMENT; PARKS,
RECREATION AND MARINE

Suggested Action: Approve recommendation.

25. 09-1041 Recommendation to approve the Downtown Long Beach Property and Business Improvement District Annual Report for the period of January 1, 2010 through December 31, 2010, automatically extending the Agreement for Funding with the Downtown Long Beach Associates for one year; and authorize payment of \$404,380 in City property assessments from the Civic Center Fund (IS 380) in the Department of Public Works (PW). (Districts 1,2)

Office or Department: COMMUNITY DEVELOPMENT; PUBLIC
WORKS

Suggested Action: Approve recommendation.

26. 09-0849 Recommendation to receive and file a presentation from the Long Beach Airport regarding Capital Improvement Program status. (District 5)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

27. 09-0850 Recommendation to receive and file the status update regarding the Long Beach Airport QuieterHome® Program; and adopt the 2008 65 dB CNEL Airport noise contour for purposes of the Long Beach Airport QuieterHome® Program. (Districts 4,5)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

28. 09-1044 Recommendation to adopt resolution authorizing City Manager to implement Gas Rate Schedules 1 through 5, 7 and 9 and special conditions and incentives in Exhibits A and B. (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

29. 09-1045 Recommendation to adopt Plans and Specifications No. R-6784 for the rehabilitation of Spring Street between Clark Avenue and Claremore Avenue, and authorize City Manager to award and execute the contract to Elite Bobcat Service Inc., in an estimated amount of \$2,782,164, plus a 10 percent contingency amount of \$278,216, if necessary, for a total of \$3,060,380, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$3,477,705 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (Districts 4,5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

30. 09-1046 Recommendation to adopt Plans and Specifications No. R-6774 for the rehabilitation of California Avenue between Harding Street and Artesia Boulevard, and authorize City Manager to award and execute the contract with Nobest Incorporated, in an estimated amount of \$421,000, plus a 10 percent contingency amount of \$42,100, if necessary, for a total of \$463,100, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$526,250 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (District 9)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

31. 09-1047 Recommendation to adopt Plans and Specifications No. R-6797 for the rehabilitation of Harding Street between Deforest Avenue and Atlantic Avenue, and authorize City Manager to award and execute the contract with Silvia Construction, Inc., in an estimated amount of \$190,243, plus a 10 percent contingency amount of \$19,024, if necessary, for a total of \$209,267, and any amendments thereto except for an increase in the contract price; and

Increase appropriations by \$237,804 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW) for construction and construction inspection costs related to this project. Funding for this project is from the American Recovery and Reinvestment Act of 2009 (ARRA). (District 9)

Office or Department: PUBLIC WORKS

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.

32.

33.

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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:

Tuesday, October 6, 2009 – Economic Development and Finance Committee
(Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, October 13, 2009 – Housing Authority at 4:30 P.M., Council Chamber.

Tuesday, October 20, 2009 – Tidelands and Harbor Committee at 3:00 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, October 13, 2009 – Hearing for The Green Mango, Inc., dba Golden Villa Restaurant, for a Permit for Entertainment With Dancing by Patrons, 1360 E. Anaheim Street, No. 205. (District 2)

Tuesday, October 13, 2009 – Hearing for the Belmont Shore Parking and Business Improvement Area levy of the annual assessment. (District 3)

Tuesday, October 20, 2009 – Hearing to approve Owner Participation Agreement for sale of Redevelopment Agency-owned property at 1650 Seabright Avenue and 1881 W. 16th Street and in the West Long Beach Industrial Project Area to Parker Diving Service, Inc. (District 1)

Tuesday, October 20, 2009 – Hearing for the Fourth Street Parking and Business Improvement Area levy of the annual assessment. (District 2)

Tuesday, October 20, 2009 – Hearing to adopt Resolution of Necessity to determine the public interest and necessity for acquiring and authorizing the condemnation of real property at 6265 East 2nd Street for street improvements. (District 3)

Tuesday, October 20, 2009 – Hearing for the Bixby Knolls Parking and Business Improvement Area levy of 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.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

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