

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



Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

**DOWNTOWN LONG BEACH ASSOCIATES PRESENTATION
FOR INTERNATIONAL DOWNTOWN ASSOCIATION
BIKE MASTER PLAN AWARD**

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. 09-1084 Recommendation to receive supporting documentation into the record, adopt resolution confirming the Fourth Street Parking and Business Improvement Area annual report and continuing the assessment for the period of October 1, 2009 through September 30, 2010, conclude the hearing, 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: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

2. 09-1085 Recommendation to receive supporting documentation into the record, adopt resolution confirming the Bixby Knolls Business Improvement Area annual report, continuing the levy of assessment for the period of October 1, 2009 through September 30, 2010, conclude the hearing, and authorize City Manager to extend the agreement with the Bixby Knolls Business Improvement Association for one-year. (Districts 7,8)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

3. 09-1086 Recommendation to conduct a public hearing on the Resolution of Necessity to determine the public interest and necessity for acquiring and authorizing the condemnation of a portion of real property at 6265 East Second Street, a portion of Assessor Parcel Numbers 7242-021-002 and 7242-021-003, including easements and improvements for the Pacific Coast Highway/Second Street Improvement Project;

Receive testimony from staff and property owner(s) with interest in the property (if required written requests to be heard have been received); and

Adopt Resolution of Necessity making the findings required by law, including determining the public interest and necessity for acquiring, and authorizing the condemnation of a portion of certain real property within the City of Long Beach for the Pacific Coast Highway/Second Street Improvement Project. (District 3)

Office or Department: COMMUNITY DEVELOPMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

4. 09-1087 Recommendation to direct City Attorney to draft amendments to Long Beach Municipal Code Chapter 8.60 regarding operating rules and regulations and the implementation of the Refuse Hauler Business Fee for private refuse haulers;

Receive supporting documentation into the record, conclude the public hearing, declare the ordinance read the first time and laid over to the next meeting of the City Council for second reading;

(Agenda Item No. H-4 - continued on page 3)

09-0817

Adopt resolution establishing the Refuse Hauler Business Fee;

Authorize City Manager to develop and execute agreements of up to ten years with all private refuse haulers currently operating in compliance with their Refuse Transportation Permit; and

Authorize Director of Public Works to:

- a. Develop and implement rules and regulations as required for the successful execution, implementation and administration of the agreements and to ensure compliance with federal, state and local regulations;
- b. Limit the number of permits to be issued to the 16 existing permitted haulers only;
- c. Collect any and all fees as authorized by the City Council, including the currently authorized AB 939 fee and the proposed Refuse Hauler Business Fee;
- d. Require private refuse haulers to utilize alternative fuel vehicles when operating in the City after September 30, 2015; and
- e. Continue to require private refuse haulers to provide recycling services to all multi-family and commercial accounts as determined by the Director of Public Works. (Citywide)

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 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: (5 - 20)

5. 09-1089 Recommendation to receive and file report on the Southern California Association of Governments (SCAG) Regional Council Meeting in Los Angeles, October 1, 2009.
Office or Department: VICE MAYOR VAL LERCH,
COUNCILMEMBER, NINTH DISTRICT
Suggested Action: Approve recommendation.
6. 09-1106 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$64,056.25 for the claim of Mike Moran; 1) \$67,118 for Stipulations with Request for Award with a life pension thereafter of \$21 per week, 2) separate authority to pay \$4,800, and separate authority to pay \$10,000 to resolve vocational rehabilitation benefits for the claim of Ajay Sarin; and \$55,128.89 for the claim of Johnny Silva; in compliance with the Appeals Board Orders.
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.
7. 09-1109 Recommendation to adopt minute order to grant an application for Edna M. Bansemer for a widow's pension.
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.
8. 09-1090 Recommendation to authorize City Attorney to pay sum of \$9,500 in full settlement of lawsuit entitled Felix Alvarado Flores & Yessica Garcia v. City of Long Beach et al.
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.

9. 09-1091 Recommendation to approve City Council and Study Session minutes for the meetings of Tuesday, October 6, 2009.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

10. 09-1092 Recommendation to refer to City Attorney damage claims received between October 5, 2009 and October 12, 2009.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

11. 09-1088 Recommendation to authorize City Manager to execute all documents and amendments necessary for a lease between the Redevelopment Agency of the City of Long Beach and the City of Long Beach for the use of 5643 Atlantic Avenue to house the Pacific Gateway Workforce Investment Network Youth Academy Project at an annual rental rate of \$1.00 for a term of one year with two optional one-year extensions. (District 8)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

12. 09-1093 Recommendation to adopt Specifications No. PA-02409; and authorize City Manager to award a contract to Cummins Cal Pacific, LLC for the purchase and installation of eight Emission Control Devices (Diesel Particulate Traps) for the City's heavy-duty on-road diesel trucks in the contract amount of \$122,857 including tax. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

13. 09-1108 Recommendation to authorize City Manager, or designee, to execute a Memorandum of Understanding, and all other necessary documents, between the City of Long Beach and the Long Beach Unified School District for participation in the State Supplied Vaccine Program and Oversight of Vaccination Activities. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

14. 09-1094 Recommendation to receive and file the application of Santino Development Investment Incorporated, dba The Ravens Nest, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2941 East Broadway, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

15. 09-1095 Recommendation to receive and file the application of Crab Addison Incorporated, dba Joes Crab Shack, for a fiduciary transfer of an Alcoholic Beverage Control License, at 6550 East Marina Drive, with existing conditions. (District 3)

Office or Department: POLICE

Suggested Action: Approve recommendation.

16. 09-1096 Recommendation to receive and file the application of Bottoms Up Bar & Entertainment Incorporated, dba Bottoms Up Tavern, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1739 East Artesia Boulevard, with existing conditions. (District 9)

Office or Department: POLICE

Suggested Action: Approve recommendation.

17. 09-1097 Recommendation to authorize City Manager to execute all necessary documents to receive and expend funding from the Next Generation Click It or Ticket Grant from the University of California, Berkeley Traffic Safety Center with funding from the State of California Office of Traffic Safety; and increase appropriations in the General Grants Fund (SR 120) and in the Police Department (PD) by \$26,399. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

18. 09-1098 Recommendation to authorize City Manager to execute all necessary documents to receive and expend funding from the LBPD Solving Cold Cases with DNA 09 grant cooperative agreement; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$286,402. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

19. 09-1099 Recommendation to authorize City Manager to execute a Contribution Agreement with the State of California Department of Transportation (Caltrans) for the Temple Avenue Bridge Repair between 29th Street and Spring Street in the amount of \$147,000, including any related documents and amendments; increase appropriations by \$147,000 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW);

Accept City of Signal Hill's contribution of \$30,000 for the Temple Avenue Bridge Repair between 29th Street and Spring Street; and increase appropriations by \$30,000 in the Gas Tax Street Improvement Fund (SR 181) in the Department of Public Works (PW). (District 5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

20. 09-1107 Recommendation to receive and file the minutes for: Planning Commission - September 17, 2009.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

21. 09-1114 Recommendation to approve referral to the Charter Amendment Committee for placement on the April 13, 2010 ballot, a Charter Amendment ("Public Pay Bargaining Sunshine Requirements") that will require the City Council to adopt procedures similar to Government Code Section 3547 and Government Code Section 3547.5 which open the collective bargaining process to public review and which require the disclosure of the full costs of the contracts and certification that all costs of the contracts can be met during the terms of such contracts.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:** Approve recommendation.
22. 09-1117 Recommendation to request City Manager to direct the Public Works and Library Services Departments to work with the City Auditor and the Long Beach Historical Society to immediately inventory and photograph all the contents of the storage buildings at the Public Service Yard and to determine the value of each item and the location where the items will be moved. Additionally, to prepare a report outlining what will be done to preserve these items as well as the P&E Trolley building prior to the property exchange being executed.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
- Suggested Action:** Approve recommendation.
23. 09-1115 Recommendation to respectfully request the City Council to receive and file a report concerning the Fifth Council District Library Round-Up.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:** Approve recommendation.

24. 09-1116 Recommendation to respectfully request the City Council to receive and file a report concerning the Third Annual Good Neighbor Festival.
Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

25. 09-1118 Recommendation to respectfully request City Manager to work with the City Attorney to review the Long Beach Municipal Code for necessary changes related to spay/neutering, cat licensing, mobile unit education, enabling Long Beach Animal Care Services to better manage animal populations throughout the City; and

Request City Manager to develop recommendations for City Council review within the next 60 days that achieves the following goals:

1. Reduce the number of unwanted animals through the promotion of low cost spay and neuter procedures at local veterinary hospitals and clinics.
2. Reduce the number of animals impounded at the local shelter through the promotion of a citywide licensing program that includes all animals (e.g. cats, dogs and other).
3. Increase the number of animals returned to their owners (and reduce euthanasia of unclaimed animals) by increasing access to education, licensing and microchipping services in hard-to-reach communities (particularly those where animal populations have been difficult to manage).
4. Expand education and volunteer training programs to support the mission of Animal Care Services and enforcement of the Long Beach Municipal Code, particularly in those areas of the City where animal populations have become difficult to manage.

Office or Department: COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER GARY DELONG, THIRD DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT

Suggested Action: Approve recommendation.

26. 09-1113 Recommendation to receive and file the Towing Operations Cash Handling Procedures Audit; and request City Council to request City Management to review recommendations, develop strategies for implementation and update the City Council and City Auditor in six months and in one year from the date of receipt and filing of this report.
Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.
27. 09-1110 Recommendation to adopt resolution authorizing City Manager to execute a contract and any amendments thereto with Bragg Investment Company, Inc., dba Coastline Equipment Company of Long Beach, for the purchase of two John Deere 850J LGP Crawler Dozers on the same terms and conditions afforded the State of California, in the total amount not to exceed \$574,273 including tax. (Citywide)
Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.
28. 09-1100 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, 2009 through October 20, 2010, for a premium not to exceed \$650,000, payable to Covanta Holding Corporation. (District 2)
Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.
29. 09-0358 Recommendation to adopt resolution and findings approving the Park Impact Fee Report for Fiscal Year 2008. (Citywide)
Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

30. 09-1101 Recommendation to receive and file the application of Habiba Begum Hoque, dba Wing Stop, for an original Alcoholic Beverage Control License, at 80 East 4th Street, with conditions. (District 1)

Office or Department: POLICE

Suggested Action: Approve recommendation.

31. 09-1103 Recommendation to receive and file the application of Bahram Kasravi, dba Bobs Chevron, for an original Alcoholic Beverage Control License, at 700 Redondo Avenue, with conditions. (District 3)

Office or Department: POLICE

Suggested Action: Approve recommendation.

32. 09-1104 Recommendation to receive and file the application of Indalecio Valencia, dba Nechos Restaurant, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 2380 Santa Fe Avenue, with conditions. (District 7)

Office or Department: POLICE

Suggested Action: Approve recommendation.

33. 09-1105 Recommendation to authorize City Manager to execute all necessary agreements with California Department of Transportation (Caltrans), and any required subsequent amendments, to receive and expend \$500,000 in Safe Routes to School (SR2S) funding to provide bicycle and pedestrian safety education programs to sixty (60) elementary and middle schools in Long Beach; to execute all necessary documents with co-applicant Safe Moves; and increase appropriations by \$500,000 in the General Grant Fund (SR 120) in the Department of Public Works (PW). (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

ORDINANCE:

34. 09-1081 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking District "Z", read and adopted as read. (Citywide)

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.

35.

36.

37.

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

Tuesday, October 20, 2009 – Housing Authority at 4:30 P.M., Council Chamber.

Monday, October 26, 2009 – Economic Development and Finance Committee, 5:30 P.M., Council Chamber.

Tuesday, October 27, 2009 – I-710 Oversight Committee at 2:00 P.M., Council Chamber.

Tuesday, October 27, 2009 – Environmental Committee at 4:00 P.M., Council Chamber.

Tuesday, November 3, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, November 10, 2009 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, November 3, 2009 – Hearing to approve Owner Participation Agreement for sale of Redevelopment Agency-owned property at 1650 Seabright Avenue and 1881 W. 16th Street in the West Long Beach Industrial Project Area to Parker Diving Service, Inc. (District 1)

Tuesday, November 3, 2009 – Hearing for Disposition and Development Agreement with Hulean Tyler and Deborah Behar and the Long Beach Redevelopment Agency for development of residential property at 734 Maine Avenue. (District 1)

Tuesday, November 3, 2009 – Hearing for LBC Beverages, Inc., dba Clancy's for a Permit for Entertainment Without Dancing by Patrons, 803 E. Broadway. (District 2)

Tuesday, November 10, 2009 – Hearing for Owner Participation Agreement for the sale of Redevelopment Agency-owned property at 1652-1660 West 15th Street to the McFadden Family Trust, West Long Beach Industrial Redevelopment Project Area. (District 1)

Tuesday, November 10, 2009 – Hearing for Green Machine Pedicab Service LLC for a Pedicab Permit to operate in Downtown Long Beach. (Districts 1,2)

Tuesday, November 10, 2009 – Hearing for Saeed Ghiassi, dba Pizza Pi, for a Permit for Entertainment Without Dancing by Patrons, 649 E. Broadway. (District 2)

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.

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