

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

---

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. 09-1144 Recommendation to receive supporting documentation in the record, conclude the public hearing, and adopt resolution making certain findings for a 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)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

2. 09-1145 Recommendation to receive supporting documentation in the record, conclude the public hearing, and adopt resolution designating the City of Long Beach Recovery Zone for purposes of sections 1400U-1, 1400U-2 and 1400U-3 of the Internal Revenue Code of 1986. (Citywide)

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

**Suggested Action:** Approve recommendation.

3. 09-1146 Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution making certain findings for an Owner Participation Agreement with Parker Diving Service, Inc., for development of 1650 Seabright Avenue and 1881 West 16th Street; and

Request City Manager, or designee, to accept an easement deed for alley widening at 1650 Seabright Avenue and 1881 West 16th Street. (District 1)

**Office or Department:** DEVELOPMENT SERVICES; PUBLIC WORKS

**Suggested Action:** Approve recommendation.

4. 09-1147 Recommendation to receive supporting documentation into the record, conclude the public hearing and grant the Permit with conditions on the application of LBC Beverages, Inc., dba Clancy's, 803 E. Broadway, for Entertainment Without Dancing by Patrons. (District 2)

**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.

**CONSENT CALENDAR: (5 - 18)**

5. 09-1148            Recommendation to authorize City Attorney to pay the sum of \$13,000 in full settlement of lawsuit entitled Annette Barnett and Michael Schutt v City of Long Beach, et al., Case No. NC052008; and to pay the sum of \$140,000 in full settlement of lawsuit entitled Molina v. City of Long Beach, et al., Case No. NC050520.
- Office or Department:** CITY ATTORNEY
- Suggested Action:**    Approve recommendation.
6. 09-1183            Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending December 31, 2008.
- Office or Department:** CITY AUDITOR
- Suggested Action:**    Approve recommendation.
7. 09-1149            Recommendation to approve the minutes for the City Council meetings of Tuesdays, October 13 and 20, 2009 and Study Session minutes for the meeting of Tuesday, October 13, 2009.
- Office or Department:** CITY CLERK
- Suggested Action:**    Approve recommendation.
8. 09-1150            Recommendation to refer to City Attorney damage claims received between October 12, 2009 and October 26, 2009.
- Office or Department:** CITY CLERK
- Suggested Action:**    Approve recommendation.
9. 09-1151            Recommendation to approve the destruction of records for Community Development Department Housing Authority Bureau; and adopt resolution.
- Office or Department:** CITY CLERK
- Suggested Action:**    Approve recommendation.



14. 09-1155            Recommendation to adopt resolution authorizing City Manager to submit a grant application to California State Parks through the Recreational Trails Program in the amount of \$224,269 for the replacement of a pedestrian trail bridge at the El Dorado Nature Center; and accept a donation of \$52,753 from Partners of Parks, for a total estimated cost of \$277,022. (District 4)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:**    Approve recommendation.
15. 09-1156            Recommendation to adopt resolution authorizing City Manager to submit a grant application for \$45,715 in residual Proposition A specified grant funds; and request that the Los Angeles County Regional Park and Open Space District transfer \$45,715 in residual specified grant funds from the completed Westside Park Development Project to the Silverado Park Improvements Project. (District 7)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:**    Approve recommendation.
16. 09-1157            Recommendation to adopt Resolution of Intention to vacate a portion of the alley west of Long Beach Boulevard and south of Anaheim Street; request City Manager, or designee, to accept easement deeds for the dedication of a new branch alley and additional street right-of-way along Anaheim Street; authorize a quitclaim of the reserved utility easement upon satisfactory relocation of all public utilities; and set a date for a public hearing on the vacation for Tuesday, December 1, 2009 at 5:00 p.m. (District 1)
- Office or Department:** PUBLIC WORKS
- Suggested Action:**    Approve recommendation.

17. 09-1158 Recommendation to re-appoint Deputy Director of Public Works/City Engineer Mark Christoffels as the appointed member to the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority, and Assistant City Engineer Phillip Balmeo as the authorized alternate; and authorize City Manager to designate in writing a representative if neither the member nor alternate member can attend. (Citywide)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

18. 09-1159 Recommendation to receive and file minutes for:  
Civil Service Commission - September 30, 2009 and  
October 7, 14 and 21, 2009.  
Cultural Heritage Commission - September 14, 2009.  
Planning Commission - October 1, 2009.  
Water Commission - September 17, 2009 and October 1, 2009.

**Office or Department:** VARIOUS

**Suggested Action:** Approve recommendation.

**UNFINISHED BUSINESS:**

19. 09-1076 Recommendation to adopt resolution authorizing implementation of a work furlough for employees represented by the International Association of Machinists and Aerospace Workers in order to generate an amount equivalent to 5.7 percent in pay (120 hours for regular, full-time employees and 60 hours for part-time employees) for all permanent employees in Fiscal Year 2010. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

**REGULAR AGENDA**

**DEPARTMENTAL COMMUNICATIONS:**

20. 09-1163            Recommendation to refer to Parks and Recreation Commission and the Housing and Neighborhoods Committee for consideration of naming Joe Rodger's Field to Joe Rodger's Stadium and the softball diamond to Irvin "Red" Meairs Field.

**Office or Department:** COUNCILMEMBER GARY DELONG, THIRD DISTRICT

**Suggested Action:**    Approve recommendation.

21. 09-1173            Recommendation to request City Manager to instruct Parks, Recreation and Marine to name the new theater "The Manazar Gamboa Community Theater" at MacArthur Park located at 1321 E. Anaheim Street, Long Beach.

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

**Suggested Action:**    Approve recommendation.

22. 09-1178            Recommendation to request City Manager to study and report back to City Council within 60 days on the possible technological approaches and cost of making Councilmembers' calendars public and available online, and to include other elected officials who wish to participate in this process.

**Office or Department:** COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER GARY DELONG, THIRD DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

**Suggested Action:**    Approve recommendation.

23. 09-1182 Recommendation to receive and file report on the status of Economic Development and Finance Committee deliberations on regulating medical marijuana collectives and cooperatives.
- Office or Department:** COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
- Suggested Action:** Approve recommendation.
24. 09-1184 Recommendation to refer the matter of drafting an ordinance amending Chapter 8.68 of the Long Beach Municipal Code to provide an exemption for "private smokers lounge" or cigar bars to the Economic Development and Finance Committee for discussion and formulating a recommendation to the City Council.
- Office or Department:** COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT
- Suggested Action:** Approve recommendation.
25. 09-1164 Recommendation to authorize City Manager to execute a Cooperative Agreement with the Orange County Transportation Authority (OCTA) and all other documents and amendments related thereto, in order to provide certain traffic mitigation measures in East Long Beach related to the Orange County Transportation Authority's West County Connectors Project that is designed to make capacity and operational improvements on the San Diego Freeway (I-405) that will link High Occupancy Vehicle (HOV) lanes with those on the Garden Grove Freeway (SR-22) and the San Gabriel River Freeway (I-605) to create a High Occupancy Vehicle (HOV) connection amongst the three freeways. (District 3)
- Office or Department:** CITY ATTORNEY
- Suggested Action:** Approve recommendation.
26. 09-1165 Recommendation to authorize City Manager to execute a contract for federal legislative representation services provided by Van Scoyoc Associates, Inc., for a term of one year in an amount not to exceed \$180,000; and authorize City Manager to grant two one-year extensions to the contract and execute all necessary amendments. (Citywide)
- Office or Department:** CITY MANAGER
- Suggested Action:** Approve recommendation.

27. 09-1166 Recommendation to approve Magnolia Industrial Group Property and Business Improvement District Annual Report and Assessment for the period of December 1, 2009 through November 30, 2010, automatically extending the current agreement with the Magnolia Industrial Group, Inc. for a one-year period. (District 1)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.
28. 09-1059 Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2009 to September 30, 2010, 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, December 1, 2009 at 5:00 p.m. (District 3)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.
29. 09-1167 Recommendation to authorize City Manager to execute any and all documents necessary to contract with Corix Utilities Inc., to provide manual meter reading services to the City of Long Beach from January 1, 2010 through April 30, 2015 with the option of five, one-year extensions; and increase appropriations in the Water Fund (EF 310) in the Water Department (WA) by \$565,800 and the Gas Fund (EF 301) in the Long Beach Gas and Oil Department (EN) by \$664,200. (Citywide)
- Office or Department:** FINANCIAL MANAGEMENT
- Suggested Action:** Approve recommendation.

30. 09-1168 Recommendation to authorize City Manager to execute all documents necessary for the First Amendment to Design-Build Contract No. 28388 between the City of Long Beach and ARB, Inc., in an estimated amount of \$42,470,106, plus a five percent contingency amount of \$2,123,505, if necessary; and increase the appropriation to \$44,593,611 in the Airport Enterprise Fund (EF 320) in the Airport Department (AP) for the completion of design and construction of Phase I of a parking structure at the Long Beach Airport;

Adopt resolution authorizing City Manager to execute amendments to the Airport Commercial Paper Program allowing the City to take advantage of certain provisions of the American Recovery and Reinvestment Act of 2009;

09-1169 Adopt resolution approving a Master Senior Trust Indenture and related bond documents; and authorize City Manager to execute documents for the issuance of Senior Airport Revenue Bonds in an amount not to exceed \$65,000,000 for the financing of the parking structure project, refinance of the design costs financed with commercial paper, refund the Airport Certificates of Participation Series 1993, and finance the costs of bond issuance;

09-1179 Adopt resolution approving a Third Supplemental Subordinate Trust Indenture, a Second Amendment to the Issuing and Paying Agent Agreement, a Second Amendment to Commercial Paper Dealer Agreement, and certain other documents relating to the Subordinate Airport Revenue Commercial Paper Program, approving the distribution of a Commercial Paper Offering Memorandum; and

Increase appropriation by \$950,000 in the Airport Enterprise Fund (EF 320) in the Airport Department (AP) to pay the first debt service payment in FY10. (District 5)

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

**Suggested Action:** Approve recommendation.

31. 09-1170 Recommendation to adopt Specifications No. G-265 and award a contract to Los Angeles Air Conditioning, Inc., in the amount of \$276,000 for a one-time purchase for furnishing, delivering and installing a heating, ventilating, and air conditioning system (HVAC) retrofit at the Administration Building of the Long Beach Gas and Oil Department, with the option to add expenditures up to 10 percent (or \$27,600) above the contract amount, if necessary and if funds are available. (District 5)

**Office or Department:** FINANCIAL MANAGEMENT; LONG BEACH GAS AND OIL

**Suggested Action:** Approve recommendation.

32. 09-1171 Recommendation to authorize City Manager to execute any and all documents necessary for a West Wilmington Operating Waterflood Program Agreement between the City of Long Beach and Tidelands Oil Production Company to promote further oil exploration and production within the Port of Long Beach. (District 1)

**Office or Department:** LONG BEACH GAS AND OIL

**Suggested Action:** Approve recommendation.

33. 09-1172 Recommendation to authorize City Manager to award a contract to Manson Construction Company to provide dredging services at the Catalina Landing Marina in the estimated amount of \$783,000 plus a 25 percent contingency amount of \$195,750. (District 2)

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

**Suggested Action:** Approve recommendation.

34. 09-1174 Recommendation to receive and file the application of Papas Mexican Grill LLC, dba Papas Mexican Grill, for an original Alcoholic Beverage Control License, at 220 East 4th Street, with conditions. (District 1)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

35. 09-1175 Recommendation to receive and file the application of Chronic Tacos Long Beach Incorporated, dba Chronic Tacos, for an original Alcoholic Beverage Control License, at 5525 East Stearns Street, with conditions. (District 4)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

36. 09-1177 Recommendation to adopt Plans and Specifications No. R-6451 for the Marine Stadium East Launch Ramp Improvements; and authorize City Manager to award and execute the contract with Palp, Inc., dba Excel Paving Company, in an estimated amount of \$192,575, plus a 15 percent contingency in the amount of \$28,886, if necessary and if funds are available, for a total of \$221,461 and any amendments thereto. (District 3)

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

**Suggested Action:** Approve recommendation.

**ORDINANCE:**

37. 09-1087 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending subsection 8.60.087.A and Section 8.60.087.5, all relating to operating rules and regulations for private refuse haulers, read and adopted as read.

**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.

38.

39.

40.

**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 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 and Neighborhoods Committee at 3:30 P.M., Council Chamber.

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

Wednesday, November 11, 2009 – Transportation and Infrastructure Committee at 5:30 P.M., Council Chamber.

Tuesday, November 17, 2009 – Public Safety Committee at 2:00 P.M., Council Chamber.

**HEARING REMINDERS:**

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 Saeed Ghiassi, dba Pizza Pi, for a Permit for Entertainment Without Dancing by Patrons, 649 E. Broadway. (District 2)

Tuesday, November 17, 2009 – Hearing for Green Machine Pedicab Service LLC for a Pedicab Permit to operate in Downtown Long Beach, 111 W. Ocean Boulevard. (Districts 1,2)

Tuesday, November 17, 2009 – Hearing to establish an on-line monthly parking permit system, set event parking rates, and approve adjustments to parking rates for the Civic Center, CityPlace Mall, the Aquarium and surface lots at Long Beach Boulevard/Broadway and 3rd Street/Cedar Avenue. (Districts 1,2)

**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.

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).

nem