CITY OF LONG BEACH
CITY COUNCIL AGENDA

TUESDAY, JULY 3, 2012
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER, 5:00 PM

Dr. Robert Garcia, 1st District
Dr. Suja Lowenthal, Vice Mayor, 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
Rae Gabelich, 8th District
Steven Neal, 9th District

Robert E. Shannon, City Attorney

REVISED

PLEDGE OF ALLEGIANCE

CERTIFICATES OF RECOGNITION PRESENTED TO MONTFORD POINT MARINES CONGRESSIONAL GOLD MEDAL RECIPIENTS

PEER REVIEW RECOGNITION PRESENTATION FOR OFFICE OF CITY AUDITOR

PROCLAMATION PRESENTED TO RECOGNIZE FRESH START SOBER LIVING

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: (1 - 14)

1. 12-0546 Recommendation to receive and file a report on travel to Orlando, Florida for the U.S. Conference of Mayors annual meeting.

   Office or Department: MAYOR BOB FOSTER

   Suggested Action: Approve recommendation.

2. 12-0521 Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay $56,142.50 for the claim of John Wade, in compliance with the Appeals Board Order.

   Office or Department: CITY ATTORNEY

   Suggested Action: Approve recommendation.

3. 12-0522 Recommendation to authorize City Attorney to pay the sum of $20,000 in full settlement of lawsuit entitled *McKinley v The City of Long Beach, et al*., Case No. TC025579.

   Office or Department: CITY ATTORNEY

   Suggested Action: Approve recommendation.

4. 12-0523 Recommendation to approve minutes for the City Council meetings held Tuesday, June 12 and 19, 2012 and the Budget meeting held Tuesday, June 19, 2012.

   Office or Department: CITY CLERK

   Suggested Action: Approve recommendation.

5. 12-0524 Recommendation to refer to City Attorney damage claims received between June 11, 2012 and June 25, 2012.

   Office or Department: CITY CLERK

   Suggested Action: Approve recommendation.

REVISED

6. 12-0525 Recommendation to receive and file the Comprehensive Annual Financial Report (CAFR) and Separately Issued Financial Statements for the Fiscal Year Ended September 30, 2011. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

7. 12-0527 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the Los Angeles County Children and Families First - Proposition 10 Commission in an amount not to exceed $394,168 for the period of July 1, 2012 through June 30, 2013 to continue the Long Beach-Wilmington Best Babies Collaborative Program, and execute service subcontracts and subsequent amendments with the listed agencies for outreach and health education. (Districts 1,6,7,9)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

8. 12-0526 Recommendation to authorize City Manager, or designee, to execute all necessary documents between the State of California Water Resources Control Board and the City of Long Beach to provide Beach Water Quality Monitoring and Public Notification from April 1, 2012 through October 31, 2012. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

9. 12-0528

Recommendation to authorize City Manager to execute all necessary agreements with the County of Los Angeles Department of Public Health in the amount of $130,000 annually for five years to provide Community Prevention and Wellness Services under the Community Transformation Grant (CTG) program, administer and execute all necessary documents to accept and expend all grant funds in connection herewith, take all other actions necessary to implement the use of such funds; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by $130,000 for the period of June 2012 to September 2016. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

10. 12-0530

Recommendation to authorize City Manager to execute all documents necessary to amend Agreements 26120 and 30225 for aeronautical-related businesses at the Long Beach Airport. (District 5)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

11. 12-0531

Recommendation to authorize City Manager to execute all necessary documents to receive, accept and expend grant funding from the State of California Citizens Option for Public Safety Program funding from the County of Los Angeles Supplemental Law Enforcement Services Fund; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by $47,899. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

12. 12-0532

Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Federal Bulletproof Vest Partnership Program grant; and increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by $12,079. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

13. 12-0533 Recommendation to authorize City Manager to apply for the California Department of Resource Recycling and Recovery (CalRecycle) FY2013 Used Oil Payment Program (OPP3), to accept the grant funds and execute all documents necessary to implement the program, utilizing the previously adopted ongoing Resolution No. RES-11-0076. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

14. 12-0534 Recommendation to receive and file minutes for:
Civil Service Commission - June 6, 2012.
Planning Commission - May 17 and 24, 2012, and June 7, 2012.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS:

15. 12-0490 Recommendation to adopt Specifications No. PA-03112 and award a contract to Abhe & Svoboda, Inc., of Prior Lake, MN (not an MBE, WBE or SBE), for bridge painting in the amount not to exceed $181,645, at the discretion of the City Manager. (District 8)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. 12-0547 Recommendation to refer the “Paycheck Protection” initiative to the State Legislation Committee to consider a resolution of opposition by the Long Beach City Council.

Office or Department: COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

REVISED

17. 12-0549 Recommendation to receive presentation from City Management regarding Federal legislation that would require Long Beach residents to carry flood insurance.

Office or Department: COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

18. 12-0212 Recommendation to City Council to concur in recommendation of the Environmental Committee to receive and file an update on operations of the Southeast Resource Recovery Facility (SERRF).

Office or Department: VICE MAYOR SUJA LOWENTHAL, COUNCILMEMBER, SECOND DISTRICT, CHAIR; ENVIRONMENTAL COMMITTEE

Suggested Action: Approve recommendation.

19. 11-0740 Recommendation to City Council to concur in recommendation of the Environmental Committee to receive and file the Airport Advisory Commission Technical Subcommittee Policy which would foster the City's efforts in support of Federal legislation, regulations and/or initiatives that promote a financially prudent transition towards safe "green" aircraft fuel while balancing the safety and financial concerns of the general aviation community for potential adoption by the Federal level.

Office or Department: VICE MAYOR SUJA LOWENTHAL, COUNCILMEMBER, SECOND DISTRICT, CHAIR; ENVIRONMENTAL COMMITTEE

Suggested Action: Approve recommendation.

20. 12-0450

Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive and confirm the following appointments: Citizen Police Complaint Commission (2 appointments); and Planning Commission (1 appointment).

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT, CHAIR; PERSONNEL AND CIVIL SERVICE COMMITTEE

Suggested Action: Approve recommendation.

21. 12-0466

Recommendation to City Council to concur in recommendation of the State Legislation Committee to support Senate Bill 1243 (Lowenthal), a bill to exempt bunker fuel from sales tax.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT, CHAIR; STATE LEGISLATION COMMITTEE

Suggested Action: Approve recommendation.

22. 12-0367

Recommendation to City Council to concur in recommendation of the State Legislation Committee to take no position on SB 1470 and SB 1471; a support position on SB 1472; and a support-if-amended position on SB 1473, a Homeowner Bill of Rights.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT, CHAIR; STATE LEGISLATION COMMITTEE

Suggested Action: Approve recommendation.

23. 12-0535

Recommendation to adopt Plans and Specifications No. R-6882 for the Construction of Improvements to the Runway 7L-25R Runway Safety Area (RSA); award the project to and authorize City Manager to execute a contract with Palp, Inc., dba Excel Paving, in an estimated amount of $1,314,340 plus a 25 percent contingency amount of $328,585, if necessary, and any necessary amendments thereto regarding term or scope of work. (District 5)

Office or Department: LONG BEACH AIRPORT; PUBLIC WORKS

Suggested Action: Approve recommendation.

24. 12-0536

Recommendation to authorize City Manager to accept a total of $5,346,281 in grant funds awarded by California State Parks through the Statewide Park Development and Community Revitalization Program of 2008, to be utilized as follows: $2,833,281 for the construction of a new park at 7th Street and Martin Luther King, Jr. Avenue (Armory Park), and $2,513,000 for the development of two soccer fields and a parkway trail north of Drake Park in the Drake/Chavez Greenbelt; increase appropriations by $5,346,281 in the Capital Projects Fund (CP) in the Department of Parks, Recreation and Marine (PR); and execute any documents necessary for the administration of the projects. (District 1)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

25. 12-0537

Recommendation to receive and file the application of Avan, LLC, dba Monorom Cambodian Restaurant, for an original Alcoholic Beverage Control License, at 2150 East Anaheim Street. (District 4)

Office or Department: POLICE

Suggested Action: Approve recommendation.

26. 12-0538

Recommendation to receive and file the application of Eva Torres, dba Tacos Guadalajara, for an original Alcoholic Beverage Control License, at 2086 Pacific Avenue. (District 6)

Office or Department: POLICE

Suggested Action: Approve recommendation.

27. 12-0539

Recommendation to receive and file the application of Yolanda Beatrice Menjivar, dba Playas El Salvador Restaurant, for an original Alcoholic Beverage Control License, at 1640 Orange Avenue. (District 6)

Office or Department: POLICE

Suggested Action: Approve recommendation.

28. 12-0540

Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for a Supplemental Agreement to Management Agreement No. 21667 with SMG, formerly known as Spectacor Management Group, for the completion of certain capital improvements to the Sports Arena and International City Theater at the Long Beach Convention and Entertainment Center (Center) located at 300 East Ocean Boulevard. (District 2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

29. 12-0541

Recommendation to authorize City Manager to execute all documents necessary with Industrial Networking Solutions for the purchase of cellular Wi-Fi modems in an amount not to exceed $393,900. (Citywide)

Office or Department: TECHNOLOGY SERVICES; FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

30. 12-0542

Recommendation to authorize City Manager to execute a lease-purchase agreement and related financing documents with Banc of America Public Capital Corp for the financing of personal computers, computer-related equipment, and servers in an amount not to exceed $1,148,962 including interest, payable over a four-year period. (Citywide)

Office or Department: TECHNOLOGY SERVICES; FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

REVISED

NEW BUSINESS:

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

31. 12-0573 Recommendation to request City Manager to immediately initiate a strategy to ensure that the following concerns are addressed in the planning process of the OCTA 405 project:

- Potential Traffic impacts for 405 freeway ramps including Lakewood Boulevard, Bellflower Boulevard, Woodruff Avenue, and Palo Verde Avenue.
- Potential impacts to traffic for CA-22 and its connections to the 405 Freeway and CA-1.
- Potential impacts for the 605 freeway Carson street ramp.
- Address alteration of 405/605 interchange and its potential impact on future widening projects (north of Orange County).
- Other pertinent concerns as raised by staff.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

REVISED

32. 12-0575

Recommendation to: 1) request City Attorney to draft an ordinance amending the Long Beach Municipal Code (Chapter 5.89) to extend the exemption for those collectives previously exempt until the California Supreme Court rules on Pack v. Long Beach, or unless said collectives are determined to be non-compliant; and 2) request City Manager to direct the police department to work with all appropriate local and state agencies to shut down and prosecute all non-exempt collectives.

Office or Department: COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT; COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

33. 12-0577

Recommendation to, by motion of the City Council, request City Attorney to draft a ballot measure that includes alternative 1 or alternative 2 in the discussion.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT; COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT

Suggested Action: Approve recommendation.

34. 12-0576

Recommendation to request City Council to receive the certification of results concerning the sufficiency of an Initiative to Amend the Long Beach City Charter to change the dates of the Primary and General Municipal Elections; and request City Attorney to prepare the required resolutions for consolidation of the Initiative with the State General Election to be held on Tuesday, November 6, 2012.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

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, July 3, 2012 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, July 10, 2012 – Housing Authority at 4:30 P.M., Council Chamber.

Monday, July 16, 2012 – Budget Oversight Committee at 4:00 P.M., Council Chamber.

BUDGET MEETING REMINDERS:

Tuesday, July 3, 2012 – Budget meeting (Presentation on Potential Government Reform, Part II) at 3:30 P.M., Council Chamber.

Tuesday, July 17, 2012 – Budget meeting 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. 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.

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