

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



Bob Foster, Mayor

Gerrie Schipske, R.N.P./J.D., 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Al Austin, 8th District
Steven Neal, 9th District

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

Robert E. Shannon, City Attorney

REVISED

PLEDGE OF ALLEGIANCE

**PRIME TIME FOR BUSINESS PRESENTATION
THE RED LEPRECHAUN**

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.

CONTINUED HEARING:

1. 12-0795 Recommendation to receive supporting documentation into the record, conclude the hearing, find that the area to be vacated is not needed for present or prospective public use, and adopt resolution ordering the vacation of a portion of the east half of the east/west alley, west of Quincy Avenue and south of 7th Street. (District 3)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

HEARINGS:

2. 12-0992 Recommendation to receive supporting documentation into the record, conclude the hearing; adopt resolution making certain findings; and approve and authorize City Manager to execute and take all actions reasonably necessary to implement an Amended and Restated Owner Participation Agreement with Shoreline Gateway, LLC, for the development of the Shoreline Gateway Project. (District 2)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

3. 12-0993 Recommendation to receive supporting documentation into the record, conclude the hearing, consider the Belmont Heights Community Association's appeal, and uphold the decision of the Planning Commission to approve a Standards Variance allowing the reconstruction of a second home, demolished without a permit, at 237 Roycroft Avenue within the Single Family Residential zone. (District 3)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

4. 12-0994 Recommendation to receive supporting documentation into the record, conclude the hearing, reject the appeal by Kirt Ramirez, and uphold the Planning Commission's decision to approve a Conditional Use Permit (Application No. 1111-02) for the installation of an AT&T wireless telecommunications facility on the rear of the rooftop of a four-story apartment building located at 4205 East Anaheim Street. (District 4)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

5. 12-0995 Recommendation to receive supporting documentation into the record, conclude the hearing, consider the appeal by Pennbrooke Financial Services LLC, and approve a Conditional Use Permit (CUP) request for an "other financial service" (auto title loan) business located at 201 West Pacific Coast Highway within the Community Automobile-Oriented (CCA) and Regional Highway District (CHW) zones; or

Receive supporting documentation into the record, conclude the hearing, consider the appeal by Lee Fukui, Mauna Eichner, Lisa Wibroe, Annie Greenfeld, Colleen McDonald, Sam Portillo and Jack Smith, and deny the Conditional Use Permit (CUP) request for an "other financial service" (auto title loan) business located at 201 West Pacific Coast Highway within the Community Automobile-Oriented (CCA) and Regional Highway District (CHW) zones. (District 6)

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 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: (6 - 11)

6. 12-0959 Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending June 30, 2012.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.

7. 12-0996 Recommendation to refer to City Attorney damage claims received between November 5, 2012 and November 12, 2012.
Office or Department: CITY CLERK
Suggested Action: Approve recommendation.
8. 12-0997 Recommendation to adopt resolution approving the Proposed Fiscal Year 2012-2013 Harbor Department Salary Resolution No. HD-2689.
Office or Department: HARBOR
Suggested Action: Approve recommendation.
9. 12-1002 Recommendation to authorize City Manager to execute a Surface Use Agreement and Amendment to Easement and Right of Way between the City of Long Beach, as Unit Operator of the West Wilmington oil operations, and Baker Cold Storage, Inc. (District 1)
Office or Department: LONG BEACH GAS AND OIL
Suggested Action: Approve recommendation.
10. 12-0954 Recommendation to authorize City Manager to enter into an agreement and all related documents with the County of Los Angeles Department of Public Works, the County Sanitation District and EDCO Disposal to support the operation of a regional household hazardous waste facility. (Citywide)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.
11. 12-0998 Recommendation to receive and file minutes for:
Civil Service Commission - October 17, 2012.
Planning Commission - October 18, 2012.
Office or Department: VARIOUS
Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

12. 12-1011 Recommendation to request City Manager to review the feasibility of allowing residents to make park reservations online and identify other potential City services that may be made accessible online, and report back to the City Council within 60 days.
- Office or Department:** COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT; COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:** Approve recommendation.
13. 12-0972 Recommendation to receive and file the Water and Sewer Rate Increase Audit Report, and request the Long Beach Water Department Management to review the recommendations, develop strategies for implementation, and update the City Auditor as to the status of the recommendations within nine months.
- Office or Department:** CITY AUDITOR
- Suggested Action:** Approve recommendation.
14. 12-1000 Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the Department of Homeland Security to receive and expend Department of Homeland Security grant funding for the 2012 Port Security Grant Program, in an amount not to exceed \$601,034 for a period ending August 31, 2014; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$703,379, and in the General Grants Fund (SR 120) in the Police Department (PD) by \$98,000. (Citywide)
- Office or Department:** FIRE; POLICE
- Suggested Action:** Approve recommendation.

15. 12-1001 Recommendation to adopt resolution declaring a shelter crisis; suspending applicable provisions of local law, including those contained in the City's zoning ordinances and regulations; and authorizing the operation of a winter shelter between the dates of December 1, 2012 and March 15, 2013, inclusive; and

Authorize City Manager to execute any and all documents necessary for a Lease and Sublease by and among the City of Long Beach, Long Beach Rescue Mission and/or affiliated entities, and any necessary amendments at the discretion of the City Manager for approximately 12,000 rentable square feet of industrial space at 702 West Anaheim Street at the monthly base rent of \$6,000 for use as a winter shelter; and increase appropriations in the General Fund (GP) in the Department of Health and Human Services (HE) by \$21,000. (District 1)

Office or Department: HEALTH AND HUMAN SERVICES; PUBLIC WORKS

Suggested Action: Approve recommendation.

16. 12-1003 Recommendation to adopt resolution authorizing City Manager to execute all necessary documents with Allen Instruments and Supplies for the sole source purchase of eight Trimble NetR9 Ti-1 Reference Stations with Zephyr Geodetic 2 Antennas, hardware, and related software for subsidence monitoring activity at a cost of \$190,966, plus \$25,000 for any equipment repair, if necessary and if funds are available, over the next five years. (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

17. 12-1004 Recommendation to authorize City Manager to execute the Fifth Amendment to Contract No. 31687 with Bellingham Marine Industries, Inc., for an additional \$5,197,682, plus a \$150,000 contingency, for a total of \$5,347,682, for Phase 2C of the Alamitos Bay Marina rebuild project, for a revised contract amount not to exceed \$36,115,297; execute all documents necessary to proceed with this phase of the reconstruction of Basin 1 in the Alamitos Bay Marina; and increase appropriations by \$1,798,413 in the Marina Fund (TF 403) in the Department of Parks, Recreation and Marine (PR). (District 3)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
18. 12-1005 Recommendation to authorize City Manager to execute the Sixth Amendment to Lease No. 17448 between the City of Long Beach and American Golf Corporation, to amend the agreement and clarify the requirements regarding golf Charity Days. (Districts 3,4,5)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
19. 12-1006 Recommendation to receive and file the application of Blackbird Cafe, Incorporated, dba Blackbird Cafe, for an original Alcoholic Beverage Control License, at 3403 and 3405 Orange Avenue. (District 7)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
20. 12-1007 Recommendation to authorize City Manager to execute any and all documents necessary for a Public Improvement Reimbursement Agreement between the City of Long Beach and the Long Beach Community College District for the construction of certain improvements at the intersection of Carson Street and Faculty Avenue, and any necessary amendments thereto. (District 5)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.

21. 12-1008 Recommendation to authorize City Manager to execute a second amendment to Contract No. 32168 with BiTech Construction Company, for the annual contract for concrete repairs and related improvements to increase the contract amount by an additional \$3,000,000, for a total not to exceed amount of \$7,000,000, through the authorized final contract term ending December 30, 2013. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

22. 12-1009 Recommendation to authorize City Manager to execute a second amendment to Contract No. 32487 with CJ Concrete Construction, Inc., for the annual contract for concrete repairs and related improvements to increase the contract amount by an additional \$4,000,000, for a total not to exceed amount of \$8,000,000, through the authorized final contract term ending December 30, 2013. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

ORDINANCES:

23. 12-0870 Recommendation to declare ordinance amending the Long Beach Municipal Code Section 15.36.120(A) regarding expansion of the low-income gas discount to include sub-metered residential gas service customers of master-metered mobile-home parks read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

REVISED

24. 12-0926 Recommendation to declare urgency ordinance amending the Long Beach Municipal Code by adding Chapter 10.33 relating to a Temporary Construction Preferential Parking District, declaring the urgency thereof and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-12-0017) (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.

25. 12-0989 Recommendation to City Council to concur in recommendation of the State Legislation Committee to approve the 2013 State Legislative Agenda.

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

Suggested Action: Approve recommendation.

26.

27.

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.

REVISED

STANDING COMMITTEE REMINDERS:

Tuesday, November 13, 2012 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, November 13, 2012 – State Legislation Committee at 3:30 P.M., Council Chamber.

Tuesday, November 13, 2012 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

Tuesday, November 20, 2012 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach, California at 4:00 P.M., Council Chamber.

Tuesday, November 27, 2012 – Environmental Committee at 5:00 P.M., Council Chamber.

Tuesday, December 4, 2012 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Tuesday, December 4, 2012 – City of Long Beach, as the Successor Agency to the Redevelopment Agency of the City of Long Beach, California at 3:30 P.M., Council Chamber.

Tuesday, December 11, 2012 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber

HEARING REMINDERS:

Tuesday, December 4, 2012 – Hearing for Key Disposal Inc., to review and consider the hearing officer's report concerning the revocation of Business License No. BU20919340, 11412 S. Taylor Avenue, Montebello. (District 2)

Tuesday, December 4, 2012 – Hearing for Purchase and Sale Agreement and Escrow Instructions for sale of property at 101 East Pacific Coast Highway and 1814 Pine Avenue to Pine PCH, LLC. (District 6)

Tuesday, December 11, 2012 – Hearing to consider appeal of Planning Commission's decision to approve a Conditional Use Permit to establish and operate a pawn shop at 5155 Long Beach Boulevard. (District 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.

Persons interested in making an audio visual presentation during a City Council meeting should refer to the Audio/Visual Guidelines in the Options list on the City Clerk web page at (<http://www.longbeach.gov/cityclerk/default.asp>) or contact the City Clerk Department at (562) 570-6101.

nem