CITY OF LONG BEACH
CITY COUNCIL AGENDA

TUESDAY, SEPTEMBER 6, 2011
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

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. 11-0847 Recommendation to approve the minutes for the City Council meetings and City Council Budget Hearings held Tuesday, August 16 and 23, 2011.

   Office or Department: CITY CLERK

   Suggested Action: Approve recommendation.

2. 11-0848 Recommendation to refer to City Attorney damage claims received between August 15, 2011 and August 29, 2011.

   Office or Department: CITY CLERK

   Suggested Action: Approve recommendation.

3. 11-0864 Recommendation to receive and file the Fair Political Practices Commission report to the Legislative Analyst which includes reference to the City of Long Beach Statement of Economic Interests (SEI) AB 1921 (Davis) Electronic Filing Pilot Project; and request City Council's State Legislation Committee to consider amendment of its Legislative Agenda to support legislation to provide cities with ongoing authority to accept electronic filings of SEI forms.

   Office or Department: CITY CLERK

   Suggested Action: Approve recommendation.

4. 11-0877 Recommendation to approve the destruction of records for Financial Management Department Commercial Services Division, as shown in Exhibit A; and adopt resolution.

   Office or Department: CITY CLERK

   Suggested Action: Approve recommendation.

5. 11-0849 Recommendation to authorize Department of Financial Management to process a refund in the amount of $14,742 to The Kind and the Compassionate Collective, located at 4103 E. Viking Way. (District 5)

   Office or Department: FINANCIAL MANAGEMENT

   Suggested Action: Approve recommendation.

6. 11-0850 Recommendation to authorize Department of Financial Management to process a refund in the amount of $14,742 to Greenhouse Caregivers, located at 1428 W. Willow Street. (District 7)

   Office or Department: FINANCIAL MANAGEMENT

   Suggested Action: Approve recommendation.

7. 11-0852 Recommendation to authorize City Manager, or designee, to execute all necessary documents between the City of Long Beach and the State of California Department of Public Health in the amount of $39,764 for the Beach Water Quality Monitoring and Public Notification Services Program (AB 411 Program) for the period of April 1, 2011 through December 31, 2011; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by the same amount. (Citywide)

   Office or Department: HEALTH AND HUMAN SERVICES

   Suggested Action: Approve recommendation.

8. 11-0853 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, between the City of Long Beach and the United States Food and Drug Administration (FDA) in the amount of $2,500 for participation in the Voluntary National Retail Food Regulatory Program Standards. (Citywide)

   Office or Department: HEALTH AND HUMAN SERVICES

   Suggested Action: Approve recommendation.

9. 11-0857 Recommendation to authorize City Manager, or designee, to execute an agreement with the California Department of Public Health for the continuation of the Healthy Active Long Beach Project in the amount of $728,014 for a period of one year; and execute any other necessary documents or subsequent amendments to extend the contract or increase the reimbursement amount. (Citywide)

   Office or Department: HEALTH AND HUMAN SERVICES

   Suggested Action: Approve recommendation.

10. 11-0854 Recommendation to authorize City Manager to execute the Fifteenth Amendment to Lease No. 22897 with Jan and Michael Todd, for a period of three months, from October 1, 2011, through December 31, 2011, for the sale of pumpkins and Christmas trees, using a portion of the former Pacific Electric right-of-way property located between 7th Street and Ximeno Avenue. (District 3)

    Office or Department: PARKS, RECREATION AND MARINE

    Suggested Action: Approve recommendation.

11. 11-0855 Recommendation to authorize City Manager to execute a new license agreement with Southern California Edison for the City's use of Southern California Edison-owned land, which comprises a portion of the El Dorado Nature Center, for a period of five years. (District 4)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

12. 11-0861 Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2011 to September 30, 2012, for the Long Beach Tourism Business Improvement Area, declaring its intention to levy the annual assessment, and set date of public hearing for Tuesday, October 4, 2011 at 5:00 p.m. (Districts 1,2,4,5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

13. 11-0862 Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2011 to September 30, 2012, for the Bixby Knolls Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and set date of public hearing for Tuesday, October 11, 2011 at 5:00 p.m. (Districts 7,8)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

14. 11-0863 Recommendation to receive and file the mintues for:
Civil Service Commission - August 3, 2011.
Parks and Recreation Commission - July 21, 2011.
Planning Commission - August 4, 2011.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS:

15. 11-0821 Recommendation to receive and file the application of Theodoros Kopanos, dba Belmont Burger, for an original Alcoholic Beverage Control License, at 4400 East 4th Street. (District 3)

Office or Department: POLICE

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. 11-0896 Recommendation to receive and approve the following new Commission/Board/Committee appointments to Non-Charter Commissions.

Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

17. 11-0893 Recommendation to request City Manager to direct the Fire Chief to report to the City Council on the status of the letter of participation, and how the City of Long Beach and its residents can participate in the County of Los Angeles Special Needs Awareness Program (SNAP) Voluntary Registry.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

18. 11-0897 Request City Manager to utilize the projected Ending Fund Balance in the Uplands Oil Fund in the following manner:

1) **Maintain a $2 million fund balance in the Uplands Oil Fund**, which is twice the amount that the Gas Department Manager has stated is a prudent reserve balance;

2) **Utilize $12 million in funds to restore cuts in the City's General Fund in FY 12:**

   a) **Police Department: $6.2 million**
      - Restore 14 police officers from Patrol Divisions - $1,654,968
      - Restore positions to Gang Enforcement Detail Team - $517,924
      - Restore Violent Crimes Detail positions - $271,867
      - Restore positions in Homeland Security Section - $579,884
      - Chief's priorities for additional restorations - $3,175,357

   b) **Fire Department: $4.3 million**
      - Maintain four-person staffing on engines - $3,243,198
      - Restore engine at Station 18 - $262,388
      - Restore Rescue 12 - approx. $800,000

   c) **Library Services: $750,000**
      - Maintain existing services at Neighborhood Libraries - $703,727
      - Restore supplies, services and staffing, including City Source - $35,438

   d) **Parks, Recreation and Marine: $750,000**
      - Restore program and service cuts - $750,000

3) **Utilize approximately $4 million for one-time expenditures**, that may include:
   - Implementation of automated payroll system
   - Support strategies for Layoff Aversion and Business Outreach through Pacific Gateway Workforce Investment Network
   - Additional citywide infrastructure projects
   - Add to the current $9 million Budget Stabilization Fund balance
   - Reserve funds to smooth the projected budget shortfall in FY 13

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

Suggested Action: Approve recommendation.

19. 11-0819

Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the City of Los Angeles to receive and expend Department of Homeland Security grant funding for the 2010 Urban Area Security Initiative (UASI) Grant, at an amount not to exceed $3,278,573 for a period ending April 30, 2013; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by $1,171,632, and in the General Grants Fund (SR 120) in the Police Department (PD) by $1,141,403. (Citywide)

Office or Department: FIRE; POLICE

Suggested Action: Approve recommendation.

20. 11-0858

Recommendation to authorize City Manager, or designee, to execute all necessary agreements, all sub-grant agreements and any subsequent amendments thereto that change the terms or extend the time period for the 2011 - 2013 Emergency Shelter Grant (ESG) program allocation of $379,364 to fund five projects (4 agencies) for the period of October 1, 2011 to August 31, 2013, with an option to renew the ESG program for an additional grant period ending on August 31, 2014. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

21. 11-0825 Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the City of Los Angeles to receive and expend Department of Homeland Security grant funding for the 2008 Port Security Grant Program, in an amount not to exceed $4,346,342 for a period of three years; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by $1,240,333 and in the General Grants Fund (SR 120) in the Police Department (PD) by $4,554,790. (Citywide)

Office or Department: POLICE; FIRE

Suggested Action: Approve recommendation.

22. 11-0860 Recommendation to authorize City Manager to execute all documents necessary to enter into a grant agreement with the US Army Corps of Engineers to accept a grant in the amount of $1,000,000; and increase appropriations in the Tidelands Operating Fund (TF 401) in the Department of Public Works (PW) by $1,000,000 in FY 2012, upon execution of the agreement. (District 3)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

ORDINANCES:

23. 11-0865 Recommendation to declare ordinance amending Sections 2.08.070, 2.08.100, 2.08.110 and 2.08.160 of Chapter 2.08 of the Long Beach Municipal Code regarding regulation of persons who lobby public officials read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

REVISED

24. 11-0632 Recommendation to review and approve the Fire Department's Residential Inspection Program and the fee methodologies associated with the Residential Inspection Program and the Fire Sprinkler Retrofit Alternative Ordinance; and

Declare ordinance adopting Fire Sprinkler Retrofit Alternative Process for existing commercial and residential high-rise buildings, multi-family residences, and hotels and motels with 50 or more units under one roof read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: FIRE

Suggested Action: Approve recommendation.

BUDGET HEARING:

25. 11-0866 Recommendation to receive supporting documentation into the record, conclude the public hearing and take the actions necessary to adopt the Fiscal Year 2012 budget as listed in Attachment A. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

25. 11-0867
1 Recommendation to adopt resolution approving the FY 12 budget for the Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on August 29, 2011. (A-1)

Suggested Action: Approve recommendation.

25. 11-0868
2 Recommendation to declare an emergency to exist. (A-2)

Suggested Action: Approve recommendation.

25. 11-0869
3

Recommendation to declare ordinance approving Resolution No. WD-1285 establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on June 23, 2011, as an emergency ordinance, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-3)

Suggested Action: Approve recommendation.

25. 11-0878
4

Recommendation to adopt resolution approving the FY 12 budget of the Long Beach Water Department as adopted by the Board of Water Commissioners on June 23, 2011. (A-4)

Suggested Action: Approve recommendation.

25. 11-0879
5

Recommendation to adopt resolution amending the Master Fee and Charges Schedule for specified City services for citywide fees and charges for the City of Long Beach. (A-5)

Suggested Action: Approve recommendation.

25. 11-0880
6

Recommendation to approve the FY 12 one-year Capital Improvement Program. (A-6)

Suggested Action: Approve recommendation.

25. 11-0881
7

Recommendation to adopt a motion approving the budgets for the Redevelopment Agency's Project Area Committees in the amounts of $50,000 for Central Long Beach, $80,000 for West Long Beach Industrial, and $50,000 for North Long Beach. (A-7)

Suggested Action: Approve recommendation.

25. 11-0882
8

Recommendation to adopt resolution finding that the use of taxes allocated to the North Redevelopment Project on behalf of the Central Redevelopment Project for the purpose of increasing, improving and preserving the community's supply of low- and moderate-income housing will be of benefit to the North Redevelopment Project. (A-8)

Suggested Action: Approve recommendation.

25. 11-0883
9

Recommendation to adopt a motion approving the budget for the Long Beach Housing Development Company in the amount of $20,193,989. (A-9)

Suggested Action: Approve recommendation.

25. 11-0884
10

Recommendation to adopt a motion approving the transfer of $16,920,700 from the Harbor Revenue Fund to the Tidelands Operating Fund. (A-10)

Suggested Action: Approve recommendation.

25. 11-0885
11

Recommendation to declare ordinance amending the Departmental Organization Ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. (A-11)

Suggested Action: Approve recommendation.

25. 11-0886
12

Recommendation to adopt the amended Salary Resolution for FY 12. (A-12)

Suggested Action: Approve recommendation.

25. 11-0887
13

Recommendation to adopt resolution adopting an appropriations limit (Gann) for FY12 pursuant to Article XIII (B) of the California Constitution. (A-13)

Suggested Action: Approve recommendation.

25. 11-0888
14

Recommendation to adopt the Mayor's proposed funding recommendations, as amended, to the FY 12 Proposed Budget. (A-14)

Suggested Action: Approve recommendation.

25. 11-0889
15

Recommendation to adopt the Budget Oversight Committee's proposed funding recommendations, as amended, to the FY 12 Proposed Budget. (A-15)

Suggested Action: Approve recommendation.

REVISED

25. 11-0890 16 Recommendation to adopt a motion amending the proposed FY 12 budget. (A-16)

Suggested Action: Approve recommendation.

25. 11-0891 17 Recommendation to declare an emergency to exist. (A-17)

Suggested Action: Approve recommendation.

25. 11-0892 18 Recommendation to declare the Appropriations Ordinance for FY 12, creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an emergency ordinance, read, and adopted as read and laid over to the next regular meeting of the City Council for final reading. (A-18)

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.

26. 11-0908 Recommendation to respectfully request City Manager to work with appropriate staff to advocate for our Long Beach Workforce through changing local hiring provisions in Federal Highway Administration (FHWA) projects.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT; COUNCILMEMBER ROBERT GARCIA, FIRST DISTRICT; COUNCILMEMBER JAMES JOHNSON, SEVENTH DISTRICT

Suggested Action: Approve recommendation.

27.

28.

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, September 6, 2011 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th Floor Conference Room.

Wednesday, September 7, 2011 – Budget Oversight Committee at 4:00 P.M., Council Chamber.

Monday, September 12, 2011 – Budget Oversight Committee at 5:00 P.M., Council Chamber.

Tuesday, September 20, 2011 – Transportation and Infrastructure Committee at 3:30 P.M., Council Chamber.

Tuesday, September 20, 2011 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, September 13, 2011 – Budget Hearing at 3:30 P.M., Council Chamber.

Tuesday, September 13, 2011 – Budget Hearing during 5:00 P.M. City Council meeting, Council Chamber.

Tuesday, September 20, 2011 – Hearing for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment. (District 3)

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