

Lena Gonzalez, 1st District
Jeannine Pearce, 2nd District
Suzie A. Price, 3rd District
Daryl Supernaw, 4th District



Stacy Mungo, 5th District
Dee Andrews, 6th District
Roberto Uranga, 7th District
Al Austin, 8th District
Rex Richardson, Vice Mayor, 9th District

Patrick H. West, City Manager
Lydia Lee, Assistant City Clerk

Dr. Robert Garcia, Mayor

Charles Parkin, City Attorney

REVISED

PLEDGE OF ALLEGIANCE

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. [16-1137](#) Recommendation to receive supporting documentation into the record, conclude the public hearing regarding an economic subsidy in connection with a Transient Occupancy Tax Sharing Agreement with ESI Ventures, Inc., Lighthouse Investments, LLC, Firth Howard, LLC, David Clement, and Torey Carrick (Developer), pursuant to California Government Code Section 53083; and

Authorize City Manager, or designee, to execute any and all documents necessary to enter into a Transient Occupancy Tax Sharing Agreement with the Developer, or a to-be-formed entity owned or controlled by Developer, for the property at 110 East Ocean Boulevard. (District 2)

Office or Department: ECONOMIC AND PROPERTY
DEVELOPMENT

Suggested Action: Approve recommendation.

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2. [16-1138](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant an Entertainment Permit with conditions on the application of Cuban Pete's Rhythm Lounge, LLC, dba Cuban Pete's Mojito Lounge, 245 Pine Avenue Suites 200, 220, 260, and 290, for Entertainment With Dancing. (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: (3 - 11)

3. [16-1139](#) Recommendation to suspend Council rule contained in Long Beach Municipal Code Section 2.03.020(B) relating to the meeting schedule of the City Council in order to cancel the City Council meeting of January 3, 2017.

Office or Department: MAYOR ROBERT GARCIA

Suggested Action: Approve recommendation.

4. [16-1140](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, December 6, 2016.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

5. [16-1141](#) Recommendation to refer to City Attorney damage claims received between December 5, 2016 and December 12, 2016.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

6. [16-1142](#) Recommendation to authorize City Manager, or designee, to execute a contract with TruStar Energy, LLC, of Rancho Cucamonga, CA, for the operation and maintenance of the compressed natural gas fuel facility located at the Temple/Willow Fleet facility, in an annual amount not to exceed \$110,000, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager; and

Increase appropriations in the Fleet Fund (IS 386) in the Financial Management Department (FM) by \$110,000 annually. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

7. [16-1143](#) Recommendation to refer to a Hearing Officer the business license revocation appeal by Enaid's Way, Inc., dba Miko's Sports Lounge, located at 710 West Willow Street, Long Beach, for business license numbers BU21338610, BU21338620, and BU21338630; and

Refer to a Hearing Officer the business license revocation appeal by Mark, Ronald, and Colleen Mackey, for the commercial/industrial license number BU90057720, for the property located at 710-714 West Willow Street. (District 7)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

8. [16-1144](#) Recommendation to authorize City Manager, or designee, to execute all documents necessary to enter into an agreement with United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, and any subsequent amendments, to provide wildlife mitigation at the Long Beach Airport in an amount not to exceed \$180,405, for a three-year period. (Citywide)

Office or Department: LONG BEACH AIRPORT

Suggested Action: Approve recommendation.

9. [16-1145](#) Recommendation to authorize City Manager, or designee, to execute an agreement, and any related documents, with the Loyola Marymount University Center for Urban Resilience, to conduct a one-year study involving human and coyote conflicts in the City of Long Beach, in an annual amount not to exceed \$34,000, with an option to extend the study for two one-year terms, at the discretion of the City Manager. (Citywide)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

10. [16-1146](#) Recommendation to receive and file the application of ENJ Dining Group, Incorporated, dba Aburi, for an original application of an Alcoholic Beverage Control License, at 4201 East Willow Street. (District 5)

Office or Department: POLICE

Suggested Action: Approve recommendation.

11. [16-1147](#) Recommendation to authorize City Manager, or designee, to execute two agreements, and any necessary documents with Mobile Source Air Pollution Reduction Review Committee, in separate amounts of \$50,000 and \$75,050, and to accept, expend and administer the funds, and any necessary amendments thereto;

Authorize City Manager, or designee, to execute an agreement with the Southern California Association of Governments, for the purpose of partnering on the production of Activate Uptown event held on October 1, 2016, and any necessary amendments thereto; and

Increase appropriations in the Capital Projects Fund (CP) in the Public Works Department (PW) by \$113,764. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

12. [16-1148](#) Recommendation to approve transfer of Sixth Council District one-time infrastructure funds from the Capital Projects Fund (CP) in the Public Works Department (PW) to the Parks, Recreation and Marine Department (PR) in the amount of \$20,000; and increase appropriation in the General Fund (GF) in the Parks, Recreation and Marine Department (PR) by \$20,000 to support the 29th Annual Martin Luther King Jr. Parade and Celebration rentals such as: tables, chairs, dance floor, stage, Health Pavilion, etc.

Office or Department: COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

Suggested Action: Approve recommendation.

REVISED

13. [16-1149](#)

Recommendation to request City Manager to work with the City Attorney, the Economic Development Commission and the Planning Commission to review and make recommendations regarding Section 21.52 of the Long Beach Municipal Code pertaining to Conditional Use Permits (CUP). Such review would include a written report reviewing the following:

- Uses which require a CUP.
- Efforts to make the CUP process more cost effective.
- Streamlining the public noticing process related to CUPs.
- Expediting CUP modifications for existing businesses.
- Creating a simplified CUP process for existing businesses opening another location.

Office or Department: COUNCILMEMBER JEANNINE PEARCE, SECOND DISTRICT; COUNCILWOMAN LENA GONZALEZ, FIRST DISTRICT; COUNCILWOMAN STACY MUNGO, FIFTH DISTRICT; COUNCILMAN AL AUSTIN, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

14. [16-1150](#)

Recommendation to:

1. Request City Attorney to draft an ordinance related to banning the sale and distribution of expanded polystyrene and other polystyrene disposable food service containers within the City of Long Beach with exemptions for the Long Beach Unified School District;
2. Request City Manager, or designee, to work with the Office of Sustainability, the Sustainable City Commission and community stakeholders to develop a public education campaign related to the ban, which would include, but not be limited to:
 - a. Timeline for implementation,
 - b. List of Vendors who sell non-polystyrene products,
 - c. Website with all available information regarding the ban and information about polystyrene,
 - d. Hotline for questions and concerns;
3. Request City Manager, or designee, to work with the Economic Development Committee of the City Council to come up with financial incentives for local businesses who implement the ban of these products before the implementation date of the ordinance;
4. This ordinance, education plan and incentive structure should return to the City Council for deliberation within 120 days; and
5. Upon approval, City Manager should provide an annual update regarding the ban to the Environmental Committee of the City Council.

Office or Department: COUNCILWOMAN LENA GONZALEZ,
FIRST DISTRICT; COUNCILMEMBER
JEANNINE PEARCE, SECOND DISTRICT;
COUNCILMEMBER ROBERTO URANGA,
SEVENTH DISTRICT

Suggested Action: Approve recommendation.

15. [16-1151](#) Recommendation to request City Auditor to conduct a limited scope audit that would include: 1) a review of internal controls over how funds are handled and spent by the PBID/PBIA; compliance with the City agreement; and possible benchmarking as to how other cities oversee PBID/PBIA's, and report back to the City Council with the findings.

Office or Department: COUNCILMAN AL AUSTIN, EIGHTH DISTRICT; COUNCILWOMAN SUZIE A. PRICE, THIRD DISTRICT; COUNCILMEMBER DARYL SUPERNOW, FOURTH DISTRICT

Suggested Action: Approve recommendation.

16. [16-1152](#) Recommendation to approve payments to Aquarium of the Pacific for the \$10.7 million balance of a \$15 million Aquarium Challenge Grant, to be paid from Tidelands operating funds, as part of the funding for the Pacific Visions Project, subject to conditions, and authorize City Manager to execute the necessary documents in connection therewith.

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

17. [16-1153](#) Recommendation to receive and file report on the feasibility and recommendations for establishing a Percent for the Arts Program and direct City Manager to create a Public Art Program. (Citywide)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

18. [16-1154](#) Recommendation to adopt Specifications No. ITB FS16-141 and award a contract to Los Angeles Truck Centers, LLC, of Whittier, CA, for the purchase and delivery of thirteen (13) 20 cubic yard, compressed natural gas fueled, rear-loading refuse trucks, for a total amount not to exceed \$3,878,865, inclusive of taxes and fees. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

19. [16-1155](#) Recommendation to adopt resolution authorizing City Manager, or designee, to execute a master agreement with US Bank National Association, of Fargo, ND, for a Commercial Credit Card Program, on the same terms and conditions afforded to the State of Washington, Western States Contracting Alliance-National Association of State Purchasing Officials (WSCA-NASPO) contract, for a period of two years with the option to renew for additional terms in the event the WSCA-NASPO contract is extended. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

20. [16-1156](#) Recommendation to adopt resolution approving the Proposed Fiscal Year 2017 Harbor Department Salary Resolution No. HD-2867.

Office or Department: HARBOR

Suggested Action: Approve recommendation.

21. [16-1157](#) Recommendation to adopt resolution approving the terms of compensation for the Interim City Clerk. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

22. [16-1158](#) Recommendation to authorize City Manager, or designee, to execute an agreement with VOYA, for healthcare specific stop-loss reinsurance coverage with a \$500,000 deductible level, at a cost of \$878,506, for a 12-month period effective January 1, 2017; and, execute any subsequent amendments necessary to maintain current benefit levels and remain in compliance with state and federal laws. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

23. [16-1159](#) Recommendation to adopt Specifications No. RFQ PW16-138 and award contracts to Group Delta Consultants, Inc., of Torrance, CA; Kleinfelder, Inc., of Long Beach, CA; Ninyo & Moore Geotechnical & Environmental Sciences Consultants, of Irvine, CA; RMA Group, of Carson, CA; Twining, Inc., of Long Beach, CA; and Willdan Engineering, of Industry, CA, for as-needed construction materials testing and inspection services, in an aggregate amount not to exceed \$36,000,000, for a period of three years, with the option to renew for two additional one-year periods, at the discretion of the City Manager; and, authorize City Manager, or designee, to execute any necessary amendments, including adjusting the fee schedule of hourly rates for inflation. (Citywide)

Office or Department: PUBLIC WORKS; FINANCIAL
MANAGEMENT

Suggested Action: Approve recommendation.

24. [16-1160](#) Recommendation to approve the City's Open Data Policy and related standards to implement modern Citywide practices for sharing data with the public, staff and policy makers. (Citywide)

Office or Department: TECHNOLOGY AND INNOVATION

Suggested Action: Approve recommendation.

ORDINANCE:

25. [16-1115](#) Recommendation to declare ordinance amending Section 6 of Ordinance No. C-7814 regarding the terms and membership of the Belmont Shore Parking and Business Improvement Area Advisory Commission, read and adopted as read. (District 3)

Office or Department: CITY ATTORNEY

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.

26. [16-1164](#) Recommendation to approve the use of the Third Council District's one-time infrastructure funds transferred from the Capital Projects Fund (CP) in the Public Works Department (PW) into the Economic and Property Development (EP) FY 17 operating budget in the amount of \$10,000 to support economic development efforts in the Naples Island business corridor; authorize City Manager to execute the necessary documents with the Naples Improvement Business Association, a non-profit organization, to support economic development efforts in the Naples Island business corridor in the amount of \$10,000 to be used for beautification projects, signage, events and/or other economic development initiatives within a six-month period; and increase appropriations in the General Fund (GF) in the Economic and Property Development (EP) by \$10,000.

Office or Department: COUNCILWOMAN SUZIE A. PRICE, THIRD DISTRICT; COUNCILMEMBER DARYL SUPERNAW, FOURTH DISTRICT; COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

Suggested Action: Approve recommendation.

27. [16-1166](#) Recommendation to determine that the original application of an Alcohol Beverage Control License by American Petroleum Corporation, dba Pacific Union 76, located at 1410 West Pacific Coast Highway, meets the public convenience and necessity; and withdraw the filed protest.

Office or Department: COUNCILWOMAN LENA GONZALEZ, FIRST DISTRICT

Suggested Action: Approve recommendation.

REVISED

28. [16-1165](#) Recommendation to adopt resolution supporting the Standing Rock Sioux Tribe in their opposition to the construction of the Dakota Access Pipeline.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

- [16-1167](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, December 16, 2016.

PUBLIC COMMENT: 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, December 20, 2016 – Economic Development and Finance Committee (Attorney/Client) at 3:45 P.M., 14th Floor Conference Room.

Tuesday, December 20, 2016 – Economic Development and Finance Committee at 4:00 P.M., Council Chamber.

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NOTE:

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Agenda items may also be reviewed in the Office of the City Clerk or online at the Main Library and at the Branch Libraries. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach LinkLB System at www.longbeach.gov/linklb.

Persons interested in making an audio visual presentation during a City Council meeting are responsible for submitting their audio/visual presentations to the Office of the City Clerk at least five (5) calendar days prior to the meeting (by 12:00 p.m. noon on Thursday). The audio/visual presentation and related comments are limited to three (3) minutes. For further information contact the Office of the City Clerk at (562) 570-6101. E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

If oral 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 Office of the City Clerk at (562) 570-6101, 72 business hours prior to the City Council meeting.

Kung humihiling ng pasalitang interpretasyon ng wika ng agenda at minutes ng Konseho ng Lungsod o kung humihiling ng isang natatanging pagtulong ayon sa Americans with Disabilities Act, mangyaring humiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras ng negosyo bago isagawa ang pulong ng Konseho ng Lungsod.

Si desea interpretación oral en otro idioma para las personas que no hablan inglés o si desea una adaptación especial en conformidad con la Ley de Estadounidenses con Discapacidades, haga su solicitud por teléfono a la oficina del secretario municipal al (562) 570-6101, 72 horas hábiles antes de la reunión del ayuntamiento de la ciudad.

បើមានការចង់បាននូវការបកប្រែភាសាផ្ទាល់មាត់សម្រាប់អ្នកមិនចេះនិយាយអង់គ្លេស

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If written language translation of the City Council agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the City Council meeting.

Kung humihiling ng nakasulat na pagsasalin ng wika ng agenda at minutes ng Konseho ng Lungsod para sa mga taong hindi nagsasalita ng Ingles, mangyaring humiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras bago isagawa ang pulong ng Konseho ng Lungsod.

Si desea obtener la traducción escrita en otro idioma de la agenda y las actas del ayuntamiento de la ciudad para las personas que no hablan inglés, haga su solicitud por teléfono a la oficina del secretario municipal al (562) 570-6101, 72 horas hábiles antes de la reunión del ayuntamiento de la ciudad.

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