

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District



Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk

Beverly O'Neill, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

ROLL CALL: (5:10 PM)

Councilmembers B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson,
Present: Gabelich and Lerch

Councilmembers Reyes Uranga
Absent:

Also present: Gerald Miller, City Manager; Christine Shippey, Assistant City Manager;
Heather Mahood, Assistant City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk
Specialist.

Mayor O'Neill presiding.

Invocation: Moment of Silence

Flag Salute: Frank Colonna, Councilmember, Third District.

Councilmember Lowenthal moved, seconded by Councilmember Baker, that the
minutes of the City Council meeting of Tuesday, July 5, 2005 be approved.

HEARING: (05:11 PM)

1. [05-2903](#) Recommendation to receive supporting documentation into the record,
conclude the hearing, overrule the appeal of Roland Kosser, and sustain
the decision of the Planning Commission to approve a Tentative Parcel
Map to create a two-unit condominium at 5357 The Toledo (Case No.
0309-06). (District 3)
Jo Murray spoke.

Debra Hall spoke.

Jason Barr spoke for appellant.

Councilmember Colonna spoke.

Debra Hall spoke.

Jo Murray spoke.

A motion was made by Councilmember Colonna, seconded by Councilmember Baker, to approve recommendation and sustain the decision of the Planning Commission to approve a Tentative Parcel Map to create a two-unit condominium at 5357 The Toledo. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

PUBLIC COMMENT: (05:33 PM)

Chris Campbell spoke regarding Marine Stadium and submitted a petition entitled, Say No to Noise Polluters at Marine Stadium and Say Yes to Our Neighborhoods.

Robert Kestenbaum spoke regarding ash whitefly infestation in Modesto Ash on Ladoga Avenue and submitted a petition for the record.

Councilmember Colonna spoke regarding Marine Stadium.

Thomas Murphy spoke regarding the LNG Terminal.

Paul and Kimberly Gumby, Natural Hi Fi, spoke regarding The Path Festival special event on July 24, 2005 at Recreation Park.

CONSENT CALENDAR: (05:33 PM)

Approve Consent Calendar Items 2-15, except for Items 7,8,10 and 14.

2. [05-2921](#) Recommendation to authorize City Attorney to submit Stipulations with Requests for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$22,050 for claim of Shatonjala Griggs, \$17,297.50 for claim of William Stow, and \$32,130 and \$8,500 for (Prospective) Vocational Rehabilitation Services for a total of \$40,630 for claim of Jim Edwards, Jr. in compliance with the Appeals

Board Orders.

A motion was made to approve recommendation on the Consent Agenda.

3. [05-2920](#) Recommendation to authorize City Attorney to pay sum of \$6,680 in full settlement of lawsuit entitled Farmers Insurance Exchange vs. City of Long Beach.
A motion was made to approve recommendation on the Consent Agenda.

4. [05-2922](#) Recommendation to receive and file a report on the results of a review of the contract agreement between Grand Romance Riverboat, dba Grand Romance, and the City of Long Beach.
A motion was made to approve recommendation on the Consent Agenda.

5. [05-2898](#) Recommendation to refer to City Attorney damage claims received between June 30, 2005 and July 7, 2005.
A motion was made to approve recommendation on the Consent Agenda.

6. [05-2923](#) Recommendation to grant an extension of time until August 5, 2005 for filing report of the Hearing Officer on the appeal for revocation of business licenses held by Gameplay, 6543 East Spring Street. (District 5)
A motion was made to approve recommendation on the Consent Agenda.

7. [05-2925](#) Recommendation to adopt resolution authorizing City Manager to accept funding from the California Department of Justice Spousal Abuser Prosecution Program (SAPP), and execute all contracts and documents related to it.
Thomas Murphy spoke.

A motion was made by Councilwoman Richardson, seconded by Councilmember Baker, to approve recommendation and adopt Resolution No. RES-05-0050. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

Enactment No: RES-05-0050

8. [05-2904](#) WITHDRAWN
~~Recommendation to refer to Hearing Officer revocation of Entertainment Permit BU20147980, for Libra Partners LLC, dba Hamburger Mary's-Long Beach, 740 E. Broadway. (District 2)~~

9. [05-2905](#) Recommendation to refer to Hearing Officer appeal of business license denial by So. Cal. Imports Inc., 6831 Paramount Blvd. (District 9)

A motion was made to approve recommendation on the Consent Agenda.

10. [05-2906](#) Recommendation to adopt Specifications No. PA-02005 and award contract to Lake Chevrolet for furnishing and delivering three police Chevrolet Suburbans in an amount not to exceed \$116,592, including tax. (Citywide)

Thomas Murphy spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

11. [05-2907](#) Recommendation to adopt Specifications No. PA-01805 and award contract to West-Lite Supply for the purchase of lamps and lighting fixtures in the estimated amount of \$125,000 for the period commencing July 15, 2005 for one year, with the option of renewing for two additional one-year periods, at the discretion of the City Manager. (Citywide)

A motion was made to approve recommendation on the Consent Agenda.

12. [05-2908](#) Recommendation to authorize City Manager to execute Thirteenth Amendment to Agreement No. 23214 with Tiburon, Inc., to upgrade the Police Department's Records Management System in an amount not to exceed \$386,000. (Citywide)

A motion was made to approve recommendation on the Consent Agenda.

13. [05-2909](#) Recommendation to receive and file the application of Renaissance Hotel Management Company LLC, dba Long Beach Renaissance Hotel, for a person-to-person transfer of an On-Sale General Alcoholic Beverage Control License for bonafide eating place at 111 East Ocean Boulevard, with existing conditions. (District 2)

A motion was made to approve recommendation on the Consent Agenda.

14. [05-2910](#) Recommendation to authorize City Manager to increase the contingency amounts to 25 percent of the base contract awards for Plans and Specifications Nos. R-6657 and R-6658 for the Citywide Local Street Program - Areas 1 and 2, awarded to Sully-Miller Contracting Company on April 5, 2005, and Copp Contracting Incorporated on March 15, 2005. (Citywide)

Thomas Murphy spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

15. [05-2899](#) Recommendation to receive and file minutes of:
Harbor Commission - June 27, 2005.

A motion was made to approve recommendation on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

REGULAR AGENDA: (05:56 PM)

16. [05-2900](#)

Recommendation to request City Attorney to prepare ordinance to amend Municipal Code Section 10.22.080 to restrict the parking of vehicles with "For Sale" signs on them along the service roads on Bellflower Boulevard, between Conant Street and Spring Street and on Del Amo Boulevard, between Clark Avenue and Woodruff Avenue.

Vice Mayor Kell spoke.

A motion was made by Vice Mayor Kell, seconded by Councilmember Baker, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

17. [05-2902](#)

Recommendation to request City Manager to evaluate traffic and safety recommendations and all other possible options for Loynes Drive within 45 days.

Councilmember Colonna spoke.

A motion was made by Councilmember Colonna, seconded by Councilmember Baker, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

18. [05-2901](#)

Recommendation to request City Manager to begin the process of organizing a Fourth of July fireworks show for 2006 off our City shoreline.

Councilmember Baker spoke.

Councilmember Colonna spoke.

Councilwoman Gabelich spoke.

Councilmember Lowenthal spoke.

Councilwoman Richardson spoke.

Councilmember Lerch spoke.

Thomas Murphy spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

19. [05-2924](#)

Recommendation to request City Attorney to prepare and present an ordinance for the City Council's consideration that would make it a misdemeanor for ice cream vendors to sell from their trucks toys; cigarettes and tobacco products; fireworks; adult materials; and other non-ice cream related goods and merchandise, and also include a provision permitting a 30-day impoundment of such vehicles in the case of multiple instances of misconduct; and request that the City Attorney report if the City can require ice cream trucks to pull to the curb to dispense ice cream.

Distributed at the meeting: An Orange County Register article entitled, Toy Guns Can Draw Real Bullets, Sheriff Warns.

Councilmember Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Amber Garcia, mother of Tyler Garcia, spoke.

Maricelo Sato spoke.

Marco Garcia, uncle of Tyler Garcia, spoke.

Councilmember Lowenthal inquired regarding safety requirements for ice cream trucks.

Chief Batts responded.

A motion was made by Councilmember Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

20. [05-2679](#)

Recommendation to City Council to concur in recommendation of the Committee to receive communications relating to the School Crossing Guard Optimization Study and adopt recommendations of the Pedestrian Safety Advisory Committee, with the exceptions of Number 4 (Palo Verde Avenue and Willow Street) and Number 8 (6th Street and Daisy Avenue) to be withdrawn for further review.

Councilmember Lerch spoke.

Vice Mayor Kell spoke.

Councilwoman Richardson spoke and requested re-evaluation of the Magnolia Avenue and Willow Street intersection.

Councilwoman Gabelich spoke.

Councilmember Colonna spoke and requested attention be given to the condition of signage.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilwoman Richardson spoke.

Councilwoman Gabelich spoke.

Cindy Young, Principal at Emerson Parkside Academy Charter School, spoke and submitted a packet of information containing photographs, letters and a petition.

Cynthia Moore spoke.

A motion was made by Councilmember Lerch, seconded by Councilmember Lowenthal, to approve recommendation and include the Magnolia Avenue and Willow Street intersection for reconsideration. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

21. [05-2865](#)

Recommendation to City Council to concur in recommendation of the Committee to receive the communication and confirm the reappointment of Andrew Jones to the Citizen Police Complaint Commission.

Councilmember O'Donnell spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

22. [05-2911](#)

Recommendation to approve the City of Long Beach 2005 - 2010 Consolidated Plan and the 2005 - 2006 Action Plan; authorize City Manager to execute and submit all necessary documents related to its implementation to the U.S. Department of Housing and Urban Development; and accept \$10,042,143 of new CDBG funds, \$5,145,948 of new HOME funds, \$128,295 of new ADDI funds, and \$384,839 of new

ESG funds. (Citywide)

Thomas Murphy spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Richardson, Gabelich and Lerch

Absent: 2 - Kell and Reyes Uranga

23. [05-2912](#)

Recommendation to adopt resolution authorizing the City's intent to issue Tax-Exempt Multifamily Mortgage Revenue Bonds in the amount of \$2.5 million for additional financing for the acquisition and construction of the Jamboree West Gateway Apartments; and

Authorize City Manager to execute all documents necessary to complete this transaction as indicated in the resolution. (District 1)

Councilwoman Gabelich spoke.

A motion was made by Councilmember Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-05-0051. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Richardson, Gabelich and Lerch

Absent: 2 - Kell and Reyes Uranga

Enactment No: RES-05-0051

24. [05-2913](#)

Recommendation to adopt resolution authorizing the issuance of gas utility commercial paper in an amount not to exceed \$35 million; and authorize City Manager to execute all necessary documents. (Citywide)

Councilwoman Richardson spoke regarding a proposed future agenda item regarding street repairs.

Councilwoman Gabelich spoke.

Councilmember Colonna spoke.

Thomas Murphy spoke.

A motion was made by Councilmember Colonna, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-05-0052 The motion carried by the following vote:

Yes: 7 - Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 2 - B. Lowenthal and Reyes Uranga

Enactment No: RES-05-0052

25. [05-2914](#)

Recommendation to determine if the application would serve the public convenience and necessity, and receive and file the application of Cubimex Incorporated, dba Rhythm Lounge, for a person-to-person and premise-to-premise transfer of an On-Sale General Alcoholic Beverage Control License at 245 Pine Avenue, #260 and #290, with conditions. (District 2)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 6 - Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 3 - B. Lowenthal, Richardson and Reyes Uranga

26. [05-2915](#)

Recommendation to adopt Plans and Specifications No. R-6526 for the improvement of 7th Street between Junipero Avenue and Redondo Avenue; and authorize City Manager to award the contract to Sully-Miller Contracting Company, in an estimated amount of \$919,420, and execute all necessary documents related to the contract. (District 2)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 6 - Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 3 - B. Lowenthal, Richardson and Reyes Uranga

27. [05-2916](#)

Recommendation to receive and file the attached monthly Airport activities reports. (District 5)

Councilwoman Gabelich spoke.

Mayor O'Neill spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

28. [05-2917](#)

Recommendation to authorize City Manager to enter into a concession agreement with Creative Host Services, Inc., for provision of food and beverage services at the Long Beach Airport. (District 5)

Vice Mayor Kell spoke.

Councilmember Colonna spoke.

Councilwoman Richardson spoke.

Councilwoman Gabelich spoke.

Councilmember Colonna spoke.

Robert Merring spoke on behalf of OTG Management Inc. and respectfully requested the item be continued for several weeks.

Kenneth Reeves, current airport coffee vendor, spoke.

Steve Richardson, owner, Kona's Joes, current airport coffee vendor, spoke.

Councilwoman Richardson spoke and requested that small minority businesses be given an opportunity to be considered as subcontractors.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Colonna spoke.

Councilmember O'Donnell spoke.

Councilwoman Richardson spoke.

Councilmember Colonna spoke.

Mike Murchison spoke on behalf of Creative Host Services and indicated a willingness to meet with the current vendors.

A motion was made by Vice Mayor Kell, seconded by Councilmember Baker, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

29. [05-2918](#)

Recommendation to authorize City Manager to enter into a concession agreement with The Paradies Shops for provision of gift/news services at the Long Beach Airport. (District 5)

Vice Mayor Kell spoke.

Mike Blakely spoke on behalf of Hudson Groups.

A motion was made by Vice Mayor Kell, seconded by Councilmember Lowenthal, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

30. [05-2919](#)

Recommendation to adopt Plans and Specifications No. R-6639 for the Silverado Park Pool Rehabilitation Project; and authorize City Manager to award the contract to Surinder M. Manaktala, an individual dba SAI Power Development, in the amount of \$2,085,000, and execute all necessary documents related to the contract. (District 7)

Councilwoman Richardson spoke.

A motion was made by Councilwoman Richardson, seconded by Councilmember Baker, to approve recommendation. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

ORDINANCE: (07:53 PM)

31. [05-2926](#) Recommendation to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading which, pursuant to Section 1806 of the City Charter, makes findings and determinations regarding contracting of landscape maintenance services; award contracts for Specifications No. PA-02105 to Midori Gardens and Azteca, in an estimated annual amount of \$789,588 for a one-year period; and authorize amendments to extend the term for three additional one-year periods, at the discretion of the City Manager. (Citywide)

A motion was made by Councilmember Lowenthal, seconded by Councilmember Colonna, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

Absent: 1 - Reyes Uranga

Enactment No: ORD-05-0019

NEW BUSINESS: (07:54 PM)

32. Affidavit of Service for meeting held Tuesday, July 12, 2005.

ANNOUNCEMENTS:

Councilmember Lerch spoke regarding community activities and requested that the meeting be adjourned in memory of North Long Beach resident A. D. Grant, and U.S. Army Sergeant Anthony J. Davis, Jr., a Jordan High graduate, and U.S. Marine Veashna Muy, both killed in Iraq.

Councilwoman Gabelich spoke regarding community activities.

Councilmember Lowenthal spoke regarding community activities and requested that the meeting be adjourned in memory of Assemblyman Mike Gordon and First District resident George Ghiotto, and extended regards to Long Beach resident Joanne O'Byrne who has been ill.

Councilmember Colonna requested that the meeting be adjourned in memory of Long Beach resident Larry Bozner.

Councilwoman Richardson inquired regarding the status of adding Teacher's Association representatives to the Youth and Gang Violence Prevention Task Force, and spoke regarding community activities.

Jerry Miller, City Manager, announced that Pat West, City Manager for the City of Paramount, had been selected as the new Director of Community Development.

PUBLIC COMMENT: (08:05 PM)

Grover Luther Wooten spoke regarding condition of residence.

Claude Powell spoke regarding layoff of drivers at Long Beach Transit.

Ronald Webster spoke regarding graffiti on sign 5315-1/2 East Carson St.

ADJOURNMENT: (08:13 PM)

At 8:13 P.M., Mayor O'Neill adjourned the meeting in memory of A.D. Grant, U.S. Army Sergeant Anthony J. Davis, Jr., U.S. Marine Veashna Muy, George Ghiotto, Assemblyman Mike Gordon, and Larry Bozner.

NOTE:

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 City Clerk Department at (562) 570-6101, 72 hours prior to the City Council meeting.

Kung ang nakasulat na pagsasalin-wika ng adyenda at mga katitikan ng Konseho ng Lunsod ay hinahangad para sa mga taong hindi nagsasalita ng Ingles, mangyaring gawin ang iyong kahilingan sa pamamagitan ng telepono sa Kagawaran ng Klerk ng Lunsod sa (562) 570-6101, 72 oras bago ang pulong ng Konseho ng Lunsod.”

Si desea obtener la traducción lingüística escrita de la agenda y las actas del Concejo Municipal para las personas que no hablan inglés, realice su pedido por teléfono al Departamento de la Secretaría Municipal al (562) 570-6101, 72 horas antes de la reunión del Concejo Municipal.

បើលោកអ្នកមិនចេះនិយាយភាសាអង់គ្លេស ហើយត្រូវការរបៀបវារៈកិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង និងរបាយការណ៍កិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង ជាសំណៅប្រែសម្រួលលាយលក្ខណ៍អក្សរទៅជាភាសារបស់លោកអ្នក នោះសូមស្នើសុំមកនាយកដ្ឋានសៀវភៅសាលាក្រុង តាមទូរស័ព្ទលេខ (562) 570-6101 អោយបាន 72 ម៉ោងមុនកិច្ចប្រជុំក្រុមប្រឹក្សាសាលាក្រុងត្រូវបានធ្វើឡើង។