

City of Long Beach

*333 West Ocean Boulevard
Long Beach, CA 90802*



Meeting Minutes - Draft

Monday, October 20, 2014

2:30 PM

Code Enforcement Conference Room

100 W. Broadway, Ste. 400

Long Beach, CA 90802

Board of Examiners, Appeals and Condemnation

*Jim Thompson, Chairman
Diane Arnold, Vice-Chairman
Jo Anne Fitzpatrick, Member
Michael Hamilton, Member
Michael McCarthy, Member
Eric Witten, Member
Angela Reynolds, Board Secretary*

REGULAR MEETING - 2:30 P.M.

Chairman Thompson opened the hearing at 2:35 p.m.

CALL TO ORDER

ROLL CALL

Commissioners Diane L. Arnold, Michael W. McCarthy, Jo Anne Fitzpatrick, Jim
Present: Thompson and Michael Hamilton

Commissioners Eric Witten

Excuse:

SWEARING OF WITNESSES

Chairman Thompson referred to Ordinance No. C-5232, asked for all the people in the audience who planned to give testimony, to stand, raise their right hand, and were sworn in by Myeesha Ayala.

APPROVAL OF MINUTES FROM SEPTEMBER 15, 2014

It was moved by Board Member Fitzpatrick and seconded by Board Member McCarthy to approve the minutes as submitted. The motion carried 4-2. Board Member Witten was excused absent from this meeting and Board Member Hamilton was not present at the time of the vote.

1 **AGENDA ITEM NO. 1: CASE NO. C - 7850-09-14: 2100 SOUTH STREET, THOMAS J. STEINBRECHER, PROJECT #CEAC208083, COUNCIL DIST. 8**

Chairman Thompson called for the owner or representative to appear before the Board and **Richard Cowles, 400 Oceangate, Ste. 400, Long Beach, CA 90802, Attorney representing the Owner and Jeanne Steinbrecher, 2100 South Street, Long Beach, CA 90805, Daughter of the Owner, appeared.**

Board Member Hamilton arrived at 2:53 p.m.

Attorney Richard Cowles requested to hear items number 1 and 2 simultaneously. There was a motion made by Board Member Hamilton and seconded by Board Member Arnold to hear each case separately. The motion carried 2-1. Board Member Fitzpatrick voted no and Board Member McCarthy and Chairman Thompson abstained. It was the decision of the Board to hear each case separately.

Board Member McCarthy initiated a motion to reject the appeal based on the owner's contest that the violation did not exist on the date the citation was issued. There was no second. The Board Members continued further discussion.

Board Member McCarthy moved and seconded by Board Member Arnold that they rule that the citation did exist with regard to the pole sign only. No vote was taken on this motion.

Board Member Hamilton made a motion and seconded by Board Member Arnold to deal with the pole sign separately. The motion carried 5-0.

Board Member McCarthy withdrew his previous motion and moved that the pole sign was in violation and that the rooftop object was not a sign. Board Member Fitzpatrick seconded. The board found as follows: The witnesses presented by the City were, in fact, credible. The witnesses presented by the Property Owner were, in fact, credible. Property Owner, as the property owner of record, is the responsible party for the cited violation (pole sign only). The cited violation (pole sign only) did exist on the date the citation was issued. The Appellant violated sections 21.44.720 of the Long Beach Municipal Code, because on August 7, 2014, the conditions of the subject property were such that an abandoned pole sign existed on the property. The Appeal is denied as to the pole sign. The motion carried 5-0.

2 **AGENDA ITEM NO. 2: CASE NO. C - 7851-09-14: 2130 SOUTH STREET, THOMAS J. STEINBRECHER, PROJECT #CEAC208085, COUNCIL DIST. 8**

Chairman Thompson called for the owner or representative to appear before the Board and **Richard Cowles, 400 Oceangate, Ste. 400, Long Beach, CA 90802, Attorney representing the Owner and Jeanne Steinbrecher, 2100 South Street, Long Beach, CA 90805, Daughter of the Owner, appeared.**

Board Member McCarthy made a motion to continue the hearing for 60 days. The motion died for lack of a second.

Board Member Arnold made a motion to deny the appeal. The motion died for lack of a second.

Board Member Fitzpatrick made a motion to grant the appeal, seconded by Board Member McCarthy and also added that the sign was not abandoned because ownership of the property remained the same. The motion failed 2-3. Board Member Hamilton, Board Member Arnold and Board Member Thompson voted no.

Board Member Arnold moved and seconded by Board Member McCarthy to deny the appeal. The board found as follows: The witnesses presented by the City were, in fact, credible. The witnesses presented by the Property Owner were, in fact, credible. Property Owner, as the property owner of record, is the responsible party for the cited violations. The cited violations did exist on the date the citation was issued. That the Appellant violated sections 21.44.720 of the Long Beach Municipal Code, because on August 7, 2014, the conditions of the subject property were such that an abandoned sign existed on the property. The Appeal is denied. The vote carried 3-2. Board Member Fitzpatrick and Board Member Hamilton voted no.

OPPORTUNITY FOR PUBLIC COMMENTS

NEW OR UNFINISHED BUSINESS

City presented an update on the status of the property located at 6109 John Avenue and included before and after photos.

SET DATE FOR NEXT HEARING: NOVEMBER 17, 2014

MOTION FOR ADJOURNMENT

It was moved by Board Member Hamilton and seconded by Board Member McCarthy that the hearing be adjourned at 5:01 p.m. The motion carried unanimously.

Note:

A digital recording of this meeting will be available in the Code Enforcement Division. The City of Long Beach provides reasonable accommodations in accordance with the Americans with Disabilities Act of 1990. If a special accommodation is desired, or if an agenda is needed in an alternative format, please call the Code Enforcement Division, 48 hours prior to the meeting at (562) 570-6796 or (562) 570-6793 (telecommunications device for the deaf).