

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 & DRAFT MINUTES

ROLL CALL: (5:08 PM)

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

Mayor O'Neill presiding.

Invocation: Moment of Silence

Flag Salute: Councilmember Lowenthal, First District

Pet Adoption: Julie Preitt, SCPLA, presented a canine for adoption.

Proclamation presented by Mayor O'Neill for Smithsonian Week in Long Beach.

Mayor O'Neill presented Certificates of Recognition to Smithsonian scholars: Claudia Brush Kidwell, Jim Garry, and Dr. William Melson.

Councilwoman Richardson presented Certificates of Appreciation to James Lay, Chey Chan, and Solendar Kim, of the Long Beach Asian Gang Unit from the Los Angeles County Probation Department.

Councilmember Baker moved, seconded by Vice Mayor Kell, that the minutes of the City Council meeting of March 1, 2005 be approved.

PUBLIC COMMENT: (05:25 PM)

Dave San Jose spoke regarding public safety.

Thomas Murphy spoke regarding an anti-litter slogan.

Laura Sellmer spoke regarding the airport and Jet Blue Airlines.

Guy Burges spoke regarding the Liquid Natural Gas (LNG) Terminal project.

Summer Hansen spoke regarding Children's Day.

CONSENT CALENDAR: (1-22)

Approve recommendation for Consent Calendar Items 1-22, except for Items 1, 2, 11, 12, 13, 14, 15, 16A, and 20.

1. [05-2494](#) Recommendation to receive and file the 2003-04 annual report for the Long Beach Airport Advisory Commission. (District 5)
Councilwoman Gabelich asked about the availability of previously released reports concerning Airport activities, and other clarifying questions related to the staff report.
A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to approve recommendation. The motion carried by the following vote:
Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

2. [05-2482](#) Recommendation to receive and file the annual report of the Economic Development Commission for the period ending September 30, 2004. (Citywide)
Councilmember Reyes Uranga asked what the relationship is between the job business strategy and the City's General Plan.
A motion was made by Councilmember O'Donnell, seconded by Councilmember Baker, to approve recommendation. The motion carried by the following vote:
Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

3. [05-2446](#) Recommendation to receive and file annual report of the activities of the Board of Examiners, Appeals and Condemnation for fiscal year 2003-04, in accordance with Long Beach Municipal Code Section 2.18.090. (Citywide)
A motion was made to approve recommendation on the Consent Agenda.

4. [05-2483](#) Recommendation to adopt resolution opposing the proposed elimination of the Community Development Block Grant Program.

A motion was made to approve recommendation and adopt Resolution No. RES-05-0005 The motion carried by the following vote:

Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-05-0005

5. [05-2435](#) Recommendation to authorize City Attorney to submit Stipulations with Request for Award and Vocational Rehabilitation Benefits for approval by Worker's Compensation Appeals Board, and if so approved, authority to pay \$46,622.50 and \$6000, in compliance with Appeals Board order for claim of Homer Williams (Case No. 295699).

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

6. [05-2505](#) Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by Worker's Compensation Appeals Board, and if so approved, authority to pay \$9,320 in compliance with Appeals Board order for claim of Cindy Acero; \$72,936.25 and \$2,940 for claim of James Winnen; and \$49,256.25 for claim of Robert Woodall.

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

7. [05-2496](#) Recommendation to receive and file audit report titled Preferential Residential Parking dated January 21, 2005.

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

8. [05-2490](#) Recommendation to receive and file audit report titled Citywide Parking Audit dated September 9, 2004, and refer the report to City Manager for implementation.

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

9. [05-2508](#) Recommendation to refer to City Attorney the damage claims received between February 24, 2005 and March 3, 2005.

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

10. [05-2481](#) Recommendation to authorize City Manager to execute all documents necessary for the assignment of the lease for City-owned property at 700 Queensway Drive to Queensway Hotel, LLC, a Delaware limited liability company, for the continued operation of the Coast Hotel. (District 2)

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

11. [05-2436](#) Recommendation to adopt resolution authorizing the submittal of an application to the California State Department of Housing and Community Development (HCD) for funding under the Workforce Housing Reward Program, execution of a standard agreement and any such amendments thereto, if selected for such funding, and the execution of any additional documents necessary to participate in the Workforce Housing Reward Program. (Citywide)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-05-0006. The motion carried by the following vote:

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

No: 1 - Colonna

Enactment No: RES-05-0006

12. [05-2484](#) Recommendation to authorize City Manager to execute an advertising concession agreement and any amendments with Interspace Airport Advertising, a Pennsylvania Corporation, for the Long Beach Airport at 4100 E. Donald Douglas Drive for a five-year term, commencing July 1, 2005, with one five-year extension option, for anticipated annual revenues of approximately \$100,000. (District 5)

Councilmember Lowenthal questioned whether the agreement extended advertising outside of the terminal.

Thomas Murphy

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

Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

13. [05-2485](#)

Recommendation to authorize City Manager to execute an agreement, in an amount not to exceed \$175,000, with Travelers Express Company, Incorporated, to provide remote payment stations for City utility customers for the fiscal year ending September 30, 2005, with the right to terminate the agreement with a 30-day written notice.

Thomas Murphy

Item No. 14 was considered prior to Item No. 23.

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

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Reyes Uranga, Gabelich and Lerch

Absent: 2 - O'Donnell and Richardson

14. [05-2510](#)

Recommendation to receive and file the Long Beach Harbor Department Green Port Policy; and if necessary refer to appropriate policy committee(s).

Councilmember Lowenthal requested clarification regarding examples of metrics and timelines that would be used in implementing the Green Port Policy.

Councilmember O'Donnell raised questions regarding the time line and cost for Cold Ironing and a status of the Los Angeles Green Port Plan.

Councilwoman Richardson requested information concerning the Ocean Boulevard/Terminal Island Freeway Interchange Project, and requested development of a report similar to the "Port of Los Angeles Draft Emissions Control Measure Descriptions".

Councilwoman Gabelich raised questions regarding the projected

reductions, use of scrubbers technology to achieve reductions, low sulphur fuels, possible funding by the Port of industry related job training programs for Long Beach youth, potential use of trees and sound walls along the 710 and the 91 freeways, possible diverting of vessel traffic to Port Huemene.

Councilmember Reyes Uranga raised questions concerning the status of recommendations from the Port of Los Angeles to the Los Angeles City Council, potential future meetins between the Port and City Council, as discussed during the January 4, 2005 City Council meeting, and requested a follow-up of communication between the Port of Los Angeles and the City of Los Angeles.

Councilmember Colonna requested a report from the Port of Long Beach concerning careers and employment opportunities in the port industry.

Mayor O'Neill commented on her support for revision of port leases and sock-on-a-stack technology.

Gail Rudiman spoke in opposition.

Jim Oburst spoke regarding the Green Port Policy.

Don May spoke in opposition.

Bry Myown spoke in opposition.

Janet Gunter spoke in opposition.

Diana Mann spoke in opposition.

Holly Light spoke regarding the Green Port Policy.

Kathleen Woodfield spoke in opposition.

Regina Taylor spoke in opposition.

Alice Wankett spoke regarding the Green Port Policy.

Birget Delatorre spoke in opposition.

Further discussion by Council.

Councilwoman Gabelich requested possible postponement of action on item and creation of a task force in the meantime.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to approve recommendation and refer to Tidelands and Harbor Committee and Transportation and Infrastructure Committee. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

15. [05-2486](#)

Recommendation to approve and adopt the Long Beach Unit Program Plan (July 2005 - June 2010) and Long Beach Unit Annual Plan (July 1, 2005 - June 30, 2006). (Citywide)

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

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

Abstentions: 2 - B. Lowenthal and Colonna

Absent: 1 - Richardson

16. [05-2487](#)

A

Recommendation to adopt resolution authorizing City Manager to submit grant applications to the Los Angeles County Regional Park and Open Space District, for approximately \$265,000 in excess funds for the Martin Luther King, Jr. Park, Rotary Park, and 21st and Hill Park projects; and execute any documents necessary for the implementation and administration of the projects. (Districts 4,6,7)

A motion was made by Councilwoman Richardson, seconded by Councilmember Baker, to approve recommendation and adopt Resolution No. RES-05-0007. The motion carried by the following vote:

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

Absent: 1 - Kell

Enactment No: RES-05-0007

16. [05-2488](#)
B

Recommendation to adopt resolution authorizing City Manager to submit grant application to the Los Angeles County Regional Park and Open Space District for \$200,000 in excess funds for the Drake-Chavez Greenbelt Park project; and to execute any documents necessary for the implementation and administration of the project. (District 1)

A motion was made to approve recommendation and adopt Resolution No. RES-05-0008. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-05-0008

17. [05-2489](#)

Recommendation to adopt findings to deny a zone change from a Regional Highway District (CHW) to a Commercial Storage District (CS) for a portion of an existing self-storage facility at 4100 Cherry Avenue (Case No. 0406-18). (District 7)

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

18. [05-2491](#)

Recommendation to receive and file application of Kimsia Chon and Roys Heng Chon, dba Dragon Buffet, for a person-to-person transfer of an On-Sale General Alcoholic Beverage Control License for bonafide eating place at 101 Alamos Avenue, with existing conditions. (District 2)

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

19. [05-2492](#)

Recommendation to authorize Public Walkways Occupancy Permit for sidewalk dining at Samurai Sam's Restaurant located at 245 Pine Avenue, Suite 190. (District 2)

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

20. [05-2495](#) Recommendation to adopt resolution of Intention to Vacate the east half of a five-foot wide alley west of Sixty-Eighth Place and south of Ocean Boulevard, and set the required Public Hearing on April 5, 2005. (District 3)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution No. RES-05-0009 The motion carried by the following vote:

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

Abstentions: 1 - Colonna

Absent: 1 - Kell

Enactment No: RES-05-0009

21. [05-2503](#) Recommendation to receive and file minutes of:
Harbor Commission, February 22, 2005.
Water Commission, February 3, 2005.

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

22. [05-2506](#) Recommendation to approve Proclamation for Smithsonian Week in Long Beach (March 6-12, 2005) and Certificates of Appreciation for Jim Garry, Claudia Brush Kidwell, and Dr. William Melson.

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

Passed The Consent Agenda

Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

REGULAR AGENDA:

23. [05-2501](#) Recommendation to authorize City Attorney to prepare resolution supporting the Port's adopted Green Port Policy. (Districts 1,2)
Councilmember Lerch requested information regarding the Port of Los Angeles process for approval.

Councilmember Reyes Uranga commented on the need for goals including measurements.

Councilwoman Richardson requested clarification by the City Attorney to permit within the resolution be drafted, an opportunity for the Council committees to work with the Port to further refine its Green Policy.

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

Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

24. [05-2507](#)

Recommendation to request report within 30 days from City Manager and County of Los Angeles regarding actions that are being taken to address the physical condition and operations of the Long Beach Courthouse.

Michael Pierce

Frank Newell

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, Reyes Uranga and Lerch

Absent: 1 - Gabelich

25. [05-2509](#)

Recommendation to request a report from City Manager on the 311 feasibility study, including ways to expedite its implementation.

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

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

Absent: 3 - B. Lowenthal, Baker and Richardson

26. [04-2241](#)

Recommendation to receive and file report on Tsunami Emergency Preparedness. (Citywide)

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

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

Absent: 1 - Baker

27. [05-2497](#)

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

Staff responded to Councilwoman Richardson's inquiry regarding the concession vendor selection process.

Mike Murchison

A motion was made by Councilmember Colonna, seconded by Vice Mayor Kell, to approve recommendation with the exception of portion related to concession activity. The motion carried by the following vote:

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

Absent: 1 - Baker

28. [05-2498](#)

Recommendation to authorize City Manager to execute an agreement with M.R. Chasse Company, Inc., in an amount not to exceed a total of \$4,000,000 for a period of three-years for as-needed design/build services for waterproofing of facilities for the Departments of Health and Human Services, Library Services, and Parks, Recreation and Marine, and the Civic Center Complex; and authorize City Manager to execute additional amendments to the agreements with M. R. Chasse Company, Inc., relative to the extension of the term, to authorize additional services, if required, within the provisions of the agreements, and to adjust the fee schedule of hourly rates for inflation.

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

Yes: 7 - B. Lowenthal, Colonna, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

Absent: 2 - Baker and Richardson

29. [05-2499](#)

Recommendation to authorize City Manager to execute agreements for as-needed landfill and environmental project and construction management services with Simplus Management Corporation and Bryan Stirrat & Associates in an amount not to exceed \$3,000,000 per consultant for a three-year term; and authorize City Manager to execute additional amendments to the agreements with Simplus Management Corporation and Bryan Stirrat & Associates relative to the extension of the term, as-needed, to authorize additional services, if required, within the provisions of the agreements, and to adjust the fee schedule of hourly rates for inflation.

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

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

Absent: 1 - Baker

30. [05-2500](#)

Recommendation to adopt Plans and Specifications No. R-6656 for the construction of improvements to the security system at the Long Beach Airport; authorize City Manager to award the contract to ARINC Incorporated, in an estimated amount of \$2,921,100; and execute all necessary documents related to the contract. (District 5)

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

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

Absent: 1 - Baker

ORDINANCE: (10:09 PM)

31. [05-2398](#)

Recommendation to declare ordinance adding Chapter 8.59 to the Long Beach Municipal Code relating to the fencing of vacant lots read and adopted as read.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Colonna, to approve recommendation and adopt Ordinance No. ORD-05-0002. The motion carried by the following vote:

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

Absent: 1 - Baker

Enactment No: ORD-05-0002

NEW BUSINESS: (10:09 PM)

32. [05-2511](#) Recommendation to present Certificates of Appreciation to James Lay, Chey Chan, and Solendar Kim of the Long Beach Asian Gang Unit from the Los Angeles County Probation Department.
- A motion was made by Councilwoman Richardson, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:**
- Yes:** 8 - B. Lowenthal, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
- Absent:** 1 - Baker
33. Affidavits of Service for meetings held Tuesday, March 8, 2005.

ANNOUNCEMENTS: (10:10 PM)

Councilmember Lowenthal requested that the meeting adjourn in memory of Jennifer Choppin Fitzgerald, and made community announcements.

Councilwoman Richardson made community announcements.

Councilmember O'Donnell made community announcements, and requested that the meeting adjourn in memory of Jennifer Choppin Fitzgerald.

Councilwoman Gabelich made community announcements.

Councilmember Reyes Uranga made community announcements.

PUBLIC COMMENT:

Eugene Holmes

ADJOURNMENT: (10:26 PM)

Mayor O'Neill adjourned the meeting in memory of Jennifer Choppin Fitzgerald at 10:26 P.M.

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។