

Mayor Bob Foster, Chair
Vice Mayor Bonnie Lowenthal, Vice Chair
All Members of City Council



CALL TO ORDER

[see media](#)

At 2:08 P.M., Mayor Foster called the meeting to order.

ROLL CALL

Councilmembers B. Lowenthal, Lowenthal, DeLong, O'Donnell, Gabelich and Lerch
Present:

Councilmembers Schipske and Reyes Uranga
Excused:

Also present: City Manager Gerald Miller; Chief City Attorney Robert Shannon,; Assistant Chief City Attorney Heather Mahood; City Clerk Larry Herrera; Financial Management Director Michael Killebrew; Raphael Soneshein, Professor of Political Science and Public Policy, California State University, Fullerton; and City Clerk Specialist Gloria Harper.

Mayor Foster gave opening remarks.

Invocation: Moment of Silence.

Flag Salute: Councilmember Patrick O'Donnell, Fourth District.

Professor Soneshein gave a brief overview of his credentials and associations, and provided the committee with directions on how the meeting should be facilitated.

1. [06-1125](#) Recommendation to review the Charter Amendment Committee Mission Statement.
(See the October 24, 2006 meeting)
2. [07-0019](#) Recommendation to provide a Meeting Overview and discuss the remaining Charter Amendment Committee and City Council Schedule.

[see media](#)
3. [07-0020](#) Discussion of whether or not the Charter Amendment Committee shall refer to the City Council for consideration the following reforms for placement on a ballot for decision by the voters of the City of Long

Beach:

- a. Obsolete Sections (See the October 24, 2006 meeting)
 - i. Deletion of obsolete Charter sections: Section 903 pertaining to public recreation tax levy; Section 1714 pertaining to library tax levy; Section 1717 pertaining to transportation tax levy; Section 1724 pertaining to Municipal Band tax levy; Section 1700 pertaining to Fiscal Year; Section 1707 pertaining to the General Purpose Reserve Account; and Section 1500 pertaining to the organization of the Department of Public Utilities as presented in a City Attorney memo dated May 7, 2004.
- b. City Governance
 - i. Role of Mayor and City Council;
(See Charts from the December 11, 2006 meeting)
 - ii. Full-Time versus Part-Time Council;
(See Chart from the December 11, 2006 meeting)
 - iii. Granting City Council power to conduct investigations;
(See Chart on Council Investigations from the December 11, 2006 meeting)
 - iv. Revision of Term Limits;
 - v. Mayoral veto authority
(See Chart from the December 11, 2006 meeting)
- c. Boards and Commissions
 - i. Appointment and confirmation of commissions and whether to provide for "pleasure" appointments, with potential reinstatement by Council;
 - ii. City Council review of Commission actions: amendment of Article XII to provide for a City Council veto of certain actions taken by the Harbor Commission;
 - iii. Commission term lengths - revision of the terms of office for the Harbor Commission and the Water Commission to provide for a maximum of three four-year terms.

- d. Administration, Budget and Legal
 - i. Lengthening time for Mayor and Council review of budget to 90-days;
(See Chart on Budget Process from the December 11, 2006 meeting)
 - ii. Article XXI of the City Charter regarding Normal Earliest Age for Service Retirement;
(See the November 6, 2006 meeting)
 - iii. Certification of Available Funds to Fulfill Collective Bargaining Agreements and Establishment of a Retirement Reserve;
(See the November 6, 2006 meeting)
 - iv. Enhancement of budget process relative to setting a mandatory minimum staffing ratio based on population for public safety personnel;
(See the November 27, 2006 meeting)
 - v. City Council Compensation including discussion of Independent Compensation Commission;
(See Chart from the December 11, 2006 meeting)
 - vi. Consolidation of City Attorney and City Prosecutor;
(See the December 12, 2006 meeting)
 - vii. City Prosecutor's responsibilities during Civil Service Commission Appeals;
(See the December 11, 2006 meeting)
 - viii. Charter provision to maintain parks in perpetuity.
(See the November 27, 2006 meeting)
- e. Elections
 - i. Election cycle changes;
(See the November 14, 2006 meeting)
 - ii. Clarification of thirty-day residency requirement, to run from the close of nomination period;
(See the November 14, 2006 meeting)
 - iii. Allow successful primary write-in candidates to appear on the General Election run-off ballot;
(See the November 14, 2006 meeting)

- iv. Prohibition of individuals from being a candidate for two City offices during the same election.
- f. Decennial Redistricting
 - i. Change to 10-year redistricting cycle from a 5-year cycle;
 - ii. Establishment of an Independent Redistricting Commission.
- g. Effective date of Charter changes

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Assistant Chief City Attorney Heather Mahood gave an overview of Obsolete Sections.

Councilmember Gabelich spoke.

Mayor Foster spoke.

Brie Myown, Long Beach resident spoke.

Assistant Chief City Attorney Heather Mahood spoke.

Councilmember Gabelich spoke.

City Manager Gerald Miller spoke.

Councilmember Gabelich spoke.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

Vice Mayor Bonnie Lowenthal spoke.

Professor Soneshein spoke on City Governance.

Councilmember Gabelich spoke.

Professor Soneshein spoke.

A dialogue ensued between Councilmember Gabelich and Professor Soneshein.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Vice Mayor Bonnie Lowenthal spoke.

Councilmember Gabelich spoke.

Vice Mayor B. Lowenthal spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation to delete obsolete Charter sections: Section 903 pertaining to public recreation tax levy; Section 1714 pertaining to library tax levy; Section 1717 pertaining to transportation tax levy; Section 1724 pertaining to Municipal Band tax levy; Section 1700 pertaining to Fiscal Year; Section 1707 pertaining to the General Purpose Reserve Account; and Section 1500 pertaining to the organization of the Department of Public Utilities as presented in a City Attorney memo dated May 7, 2004. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Lowenthal, DeLong, O'Donnell, Gabelich and Lerch

Excused: 2 - Schipske and Reyes Uranga

Mayor Foster spoke.

Professor Soneshein spoke.

Mayor Foster spoke.

George Economides, CFABLB member, spoke.

Chief City Attorney Robert Shannon spoke.

George Economides, CFABLB member, spoke.

Mayor Foster spoke.

George Economides, CFABLB member, spoke.

Mayor Foster spoke.

Councilmember Lerch spoke.

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Professor Soneshein spoke.

Mayor Foster spoke.

Councilmember Gabelich spoke

Mayor Foster spoke.

Councilmember Gabelich spoke.

A dialogue ensued between Mayor Foster and Councilmember Gabelich.

Professor Soneshein spoke.

Councilmember Gabelich spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Vice Mayor B. Lowenthal spoke.

Mayor Foster spoke.

City Clerk Larry Herrera spoke.

Mayor Foster spoke.

A motion was made by Vice Chair B. Lowenthal, seconded by Councilwoman Gabelich, to recommend the establishment of an Independent Compensation Committee to determine City Council Compensation, to be selected by citywide elected officials. The motion carried by the following vote:

Yes: 5 - B. Lowenthal, Lowenthal, O'Donnell, Gabelich and Lerch

No: 1 - DeLong

Excused: 2 - Schipske and Reyes Uranga

Professor Soneshein introduced the topic of Mayoral veto authority.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

A dialogue ensued between Chief City Attorney Robert Shannon and Mayor Foster.

Professor Soneshein spoke.

Chief City Attorney Shannon spoke.

Vice Mayor B. Lowenthal spoke.

Professor Soneshein spoke.

City Clerk Larry Herrera spoke.

Professor Soneshein spoke.

Vice Mayor B. Lowenthal spoke.

Mayor Foster spoke.

Professor Soneshein spoke.

Councilmember DeLong spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to recommend that the Mayor have strong veto authority requiring a two-third override of all Councilmembers. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Lowenthal, DeLong, O'Donnell, Gabelich and Lerch

Excused: 2 - Schipske and Reyes Uranga

Professor Soneshein introduced the topic on line item veto.

Councilmember Lerch spoke.

Professor Soneshein spoke.

Councilmember Lerch spoke.

Mayor Foster spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Professor Soneshein spoke.

A dialogue ensued between Councilmember O'Donnell and Professor Soneshein.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

A dialogue ensued between Mayor Foster and Chief City Attorney Robert Shannon.

Assistant Chief City Attorney Heather Mahood spoke.

Councilmember O'Donnell spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember O'Donnell spoke.

Professor Soneshein spoke.

Mayor Foster spoke.

Professor Soneshein spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember S. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

A dialogue ensued between Mayor Foster and Councilmember S. Lowenthal.

Professor Soneshein spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Gabelich spoke.

Professor Soneshein spoke.

City Manager Gerald Miller spoke.

Councilmember Gabelich spoke.

Financial Management Director Micheal Killebrew spoke.

Mayor Foster spoke

A dialogue ensued between Mayor Foster and Financial Management Director Michael Killebrew.

Councilmember Lerch spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

City Manager Gerald Miller spoke.

Financial Management Director Michael Killebrew spoke.

Mayor Foster spoke.

Financial Management Director Michael Killebrew spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

City Manager Gerald Miller spoke.

Councilmember O'Donnell spoke.

City Manager Gerald Miller spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember Gabelich spoke.

City Manager Gerald Miller spoke.

Mayor Foster spoke.

City Manager Gerald Miller spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Vice Mayor Bonnie Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Lerch spoke.

Vice Mayor Bonnie Lowenthal spoke.

Brie Myown, Long Beach resident spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilmember Gabelich spoke.

Mayor Foster spoke.

A dialogue ensued between Mayor Foster and Councilmember Gabelich.

Chief City Attorney Robert Shannon spoke

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Assistant Chief City Attorney Heather Mahood spoke.

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember S. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke

Councilmember Gabelich spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Professor Soneshein spoke.

Mayor Foster spoke.

Professor Soneshein spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

George Economides, member CFABLB spoke.

Roy Herron, Long Beach resident, spoke.

Mayor Foster spoke.

A motion was made by Vice Chair B. Lowenthal, seconded by Councilmember Lerch, to recommend that the time the Mayor and Council have to review the budget be increased to 90 days and that a line item veto be added to the Mayor's authority. The motion carried by the following vote:

Yes: 5 - B. Lowenthal, Lowenthal, O'Donnell, Gabelich and Lerch

No: 1 - DeLong

Excused: 2 - Schipske and Reyes Uranga

Professor Soneshein addressed the committee regarding the appointment and/or removal of the City Manager by the City Council.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Professor Soneshein spoke.

A dialogue ensued between Mayor Foster and Professor Soneshein.

Councilmember Lerch spoke.

A dialogue ensued between Mayor Foster and Councilmember Lerch.

Chief City Attorney Robert Shannon spoke.

Councilmember S. Lowenthal spoke.

Professor Soneshein spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember DeLong spoke

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember S. Lowenthal spoke.

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember S. Lowenthal spoke.

Professor Soneshein spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Lerch spoke.

Professor Soneshein spoke.

City Manager Gerald Miller spoke.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Gabelich spoke.

City Manager Gerald Miller spoke.

Mayor Foster announced a 10- minute recess.

Brie Myown, Long Beach resident, spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Tony Esparza, Long Beach resident, spoke.

A motion was made by Councilmember O'Donnell, seconded by Vice Chair B. Lowenthal, to recommend that the Mayor concur in the appointment and removal of the City Manager and City Clerk as nominated by the City Council with mayoral veto authority requiring a two-third override; and confirm the appointment of the Assistant City Manager with the concurrence of the City Manager. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Lowenthal, DeLong, O'Donnell, Gabelich and Lerch

Excused: 2 - Schipske and Reyes Uranga

Professor Soneshein spoke regarding the Role of the City Council.

Vice Mayor B. Lowenthal spoke.

Mayor Foster spoke

Vice Mayor B. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Professor Soneshein spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember O'Donnell spoke.

Chief City Attorney Robert Shannon spoke.

A dialogue ensued between Councilmember O'Donnell and Chief City Attorney Robert Shannon.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Gabelich spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember DeLong spoke.

Professor Soneshein spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Vice Mayor B. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember O'Donnell spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember S. Lowenthal spoke.

Councilmember Gabelich spoke.

Chief City Attorney Robert Shannon spoke.

Vice Mayor B. Lowenthal spoke.

City Manager Gerald Miller spoke.

Brie Myown, Long Beach resident, spoke.

Mayor Foster spoke.

Tony Esparza, Long Beach resident, spoke.

Jay McKenna, Long Beach resident, spoke.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

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

Yes: 4 - B. Lowenthal, Lowenthal, O'Donnell and Gabelich

No: 2 - DeLong and Lerch

Excused: 2 - Schipske and Reyes Uranga

Professor Soneshein addressed the committee regarding Revision of Term Limits.

City Clerk Larry Herrera spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Assistant Chief City Attorney Heather Mahood spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

George Economides, CFABLB, spoke.

Mayor Foster spoke.

Bob Livingston, Long Beach resident, spoke.

Jay McKenna, Long Beach resident, spoke.

Bob Fronke, Long Beach resident, spoke.

Mayor Foster spoke.

Professor Soneshein spoke.

Councilmember Gabelich spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Gabelich spoke.

Mayor Foster spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Lerch spoke.

Assistant Chief City Attorney Heather Mahood spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Councilmember Lerch spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Vice Mayor B. Lowenthal spoke.

A motion was made by Councilmember O'Donnell, seconded by Vice Chair B. Lowenthal, to recommend changing the number of terms a City Councilmember's name can appear on the ballot from two four-year terms to three four year terms and to allow successful primary write-in candidates in all elections to appear on the General Election run-off ballot. The motion carried by the following vote:

Yes: 5 - B. Lowenthal, Lowenthal, O'Donnell, Gabelich and Lerch

No: 1 - DeLong

Excused: 2 - Schipske and Reyes Uranga

Mayor Foster spoke.

Professor Soneshein addressed the committee regarding Boards and Commissions.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilmember S. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

Councilmember Gabelich spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

A dialogue ensued between Mayor Foster and Chief City Attorney Robert Shannon.

Councilmember Gabelich spoke.

Mayor Foster spoke.

A dialogue ensued between Councilmember Gabelich and Mayor Foster.

Vice Mayor B. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Brie Myown, Long Beach resident, spoke.

Roy Herron, Long Beach resident, spoke.

A dialogue ensued between Councilmember Gabelich and Long Beach resident Roy Herron.

Jay McKenna, Long Beach resident, spoke.

Councilmember DeLong spoke.

Councilmember Gabelich spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Gabelich spoke.

Councilmember S. Lowenthal spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

A motion was made by Vice Chair B. Lowenthal, seconded by Councilwoman Gabelich, to recommend changing the term limits of the Harbor and Water Commission to three four-year terms. The motion carried by the following vote:

Yes: 5 - B. Lowenthal, Lowenthal, DeLong, O'Donnell and Gabelich

No: 1 - Lerch

Excused: 2 - Schipske and Reyes Uranga

Councilmember Gabelich spoke.

Chief City Attorney Robert Shannon spoke.

Councilmember Gabelich spoke.

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

A dialogue ensued between Mayor Foster and Chief City Attorney Robert Shannon.

Vice Mayor B. Lowenthal spoke.

Professor Soneshein spoke.

Mayor Foster spoke.

Councilmember Gabelich spoke.

Mayor Foster spoke.

Professor Soneshein spoke.

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Chief City Attorney Robert Shannon spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilmember S. Lowenthal, to recommend that each commissioner serve at the pleasure of the Mayor and the City Council and under certain circumstances can be removed. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Lowenthal, DeLong, O'Donnell, Gabelich and Lerch

Excused: 2 - Schipske and Reyes Uranga

Mayor Foster spoke.

Councilmember Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lerch, to recommend that the following items be received and filed: Article XXI of the City Charter regarding Normal Earliest Age for Service Retirement; Certification of Available Funds to fulfill Collective Bargaining Agreements and Establishment of a Retirement Reserve; Enhancement of the budget process relative to setting a mandatory minimum staffing ration based on population for public safety personnel; Consolidation of City Attorney and City Prosecutor. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Lowenthal, DeLong, O'Donnell, Gabelich and Lerch

Excused: 2 - Schipske and Reyes Uranga

Chief City Attorney Robert Shannon spoke regarding City Prosecutor's responsibilities during Civil Service Commission Appeals.

Jay McKenna, Long Beach resident, spoke.

Mayor Foster spoke.

Brie Myown, Long Beach resident, spoke.

City Clerk Larry Herrera spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to recommend that the City Prosecutor's responsibilities during Civil Service Commission Appeals be eliminated. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Lowenthal, DeLong, O'Donnell, Gabelich and Lerch

Excused: 2 - Schipske and Reyes Uranga

A motion was made by Vice Chair B. Lowenthal, seconded by Councilwoman Gabelich, to recommend that the Charter provision to maintain parks in perpetuity be referred to the full City Council. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Lowenthal, DeLong, O'Donnell, Gabelich and Lerch

Excused: 2 - Schipske and Reyes Uranga

Vice Mayor B. Lowenthal spoke regarding the Ethics Commission.

City Clerk Larry Herrera spoke.

Vice Mayor B. Lowenthal spoke regarding establishing an Office of Ethics

Chief City Attorney Robert Shannon spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Professor Soneshein spoke regarding Redistricting.

Mayor Foster spoke.

Vice Mayor B. Lowenthal spoke.

Professor Soneshein spoke regarding the establishment of an Ethics Commission.

Mayor Foster spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Lerch, to approve recommendation to refer to the City Council the establishment of a Reapportionment Commission. The motion carried by the following vote:

Yes: 5 - B. Lowenthal, Lowenthal, DeLong, Gabelich and Lerch

No: 1 - O'Donnell

Excused: 2 - Schipske and Reyes Uranga

COMMUNICATIONS FROM STAFF

PUBLIC PARTICIPATION: Members of the public are invited to address the Committee.
[see media](#)

No members of the public addressed the committee at this time.

ADJOURNMENT

[see media](#)

At 6:38 P.M., there being no objection, Mayor Foster declared the meeting adjourned.