

**CITY OF LONG BEACH
CITY COUNCIL MINUTES**

**TUESDAY, JANUARY 4, 2005
COUNCIL CHAMBER, 5:00 PM**

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

Mayor O'Neil presiding.

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

Councilmembers Richardson
Absent:

Invocation: Moment of Silence.

Pet Adoption: Jo Trent, SPCALA, presented a feline for adoption.

Richardson joined the meeting at 05:20 PM

Flag Salute: Vice Mayor Kell , Fifth District.

Councilmember Baker moved, seconded by Councilmember Lowenthal, that the minutes for the City Council Meeting of December 21, 2004 be approved.

CONTINUED HEARING

1. [04-2204](#) Zone change from a Regional Highway Commercial 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) (Ordinance amending the Use District Map of the City of Long Beach as said map has been established and amended by amending portions of Part 23 of said map from CHW (Regional Highway District) to CS [Commercial Storage] for property located at 4100 Cherry Avenue, in the City of Long Beach [RZ-0406-18].)

Karen Blankenship spoke and distributed a map of the Public Storage site. (Doc. 3)

Alfredo Perez spoke in support.

**Review and consider the material contained in Negative Declaration 20-04; and
Declare the ordinance changing the zone from CHW to CS read for the first time and laid over to the next meeting of City Council for final reading.**

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

A motion was made by Councilwoman Gabelich, seconded by Councilmember Colonna, that this matter be laid over for February 8, 2005 to continue the hearing to study 14 other storage sites and report back in 30 days.

The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Colonna, O'Donnell, Kell, Richardson and Gabelich

No: 3 - Baker, Reyes Uranga and Lerch

PUBLIC

Maria Norvell spoke regarding Daisy Avenue.

Marjorie Rivera spoke regarding the CSULB Senior University and distributed a class schedule. (Doc. 4)

Marilyn Parker spoke regarding Kidsmas Kids.

Robert Bastian spoke regarding chess club.

CONSENT CALENDAR (2 - 19)

2. [04-2227](#) Claims for Damages.

A motion was made to pass suggested action on the Consent Agenda.

 3. [04-2228](#) Second Amendment to Lease No. 28045 with Catholic Healthcare West, a California nonprofit public benefit corporation, for space at the West Facilities Center at 2125 Santa Fe Avenue. (District 7)

A motion was made to pass suggested action on the Consent Agenda.

 4. [04-2229](#) Agreement with State of California Department of Health Services for Chlamydia Screening Project and Syphilis Elimination Initiative and First Amendment to Agreement No. 28331 with California State University Long Beach Foundation to provide syphilis and chlamydia prevention outreach. (Citywide)
Robert Bastian

A motion was made by Councilmember Colonna, seconded by Councilmember Lowenthal, to authorize City Manager to execute all necessary documents to provide services under the Syphilis Elimination Initiative and the Chlamydia Screening Project Grant Programs and all subsequent amendments to these programs in an amount not to exceed \$117,500 for the initial one-year period; authorize City Manager to execute First Amendment to Agreement No. 28331 with California State University Long Beach Foundation, for a total of \$24,750 extending agreement for a one-year period; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by \$117,500.

The motion carried by the following vote:
Yes: 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
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5. [04-2230](#) Stipulations with Requests for Awards.
- A motion was made to pass suggested action on the Consent Agenda.**
6. [04-2231](#) Application of Fabiola Patricia Castorena and Jose Castorena, dba Los Primos, for an on-sale beer and wine for bonafide eating place license at 603 Atlantic Avenue.
(District 1)
- A motion was made to pass suggested action on the Consent Agenda.**
- B. [04-2232](#) Application of Number One Liquor Mart Incorporated, dba Stearn's Liquor, for an on-sale general license at 4360-62 East Stearns Street.
(District 4)
- A motion was made to pass suggested action on the Consent Agenda.**
- C. [04-2233](#) Application of Cung Quang Lam and Nga Thi Nguyen, dba K C Liquor, for an off-sale general license at 4128 Orange Avenue. (District 7)
- A motion was made to pass suggested action on the Consent Agenda.**
- D. [04-2234](#) Application of Casita De Cuba LLC, dba Casita De Cuba, for an on-sale beer and wine for bonafide eating place license at 4280 Atlantic Avenue.
(District 8)
- A motion was made to pass suggested action on the Consent Agenda.**
7. [04-2235](#) Agreement with Information Technology Resources, Inc. for as-needed professional computer services. (Citywide)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Baker, to. Authorize City Manager to execute an agreement for a term of one year, and to execute amendments for two additional periods of one year each with annual expenditures not to exceed \$180,000.

The motion carried by the following vote:

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

Absent: 1 - Colonna

8. [04-2236](#) Agreement with Long Beach Unified School District to provide radio equipment and systems maintenance and repair services. (Citywide)

A motion was made to pass suggested action on the Consent Agenda.

9. [8/29/2000_038](#) Voluntary incentive program to create housing for very low and low-income households.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Lowenthal, to. Concur in recommendation of Committee that the communications be received and filed.

The motion carried by the following vote:

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

Absent: 1 - Colonna

10. [8/29/2000_025](#) Dedicate in perpetuity public park land owned and controlled by the City for park use only.

Lester Denevan

Anne Cantrell

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to. Concur in recommendation of Committee that the communications be received and filed.

The motion carried by the following vote:

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

Absent: 1 - Lerch

11. [9/4/2001 019](#) Report on local implementation of Proposition 36.

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

12. [04-2248](#) Developing codes, enforcement programs, and penalties to combat litter.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, that this matter be concurred in recommendation of Committee that the communications be received and filed.

The motion carried by the following vote:

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

13. [7/2/2002 018](#) Review of Federal Housing Vouchers (Section 8).

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to. Concur in recommendation of Committee that the communication be received and filed.

The motion carried by the following vote:

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

14. [7/1/2003_023](#) Presentation by City slogan project team.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to. received and filed. The motion carried by the following vote:

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

15. [1/6/2004_026](#) Police Department Action Plan regarding gang related violence in Long Beach.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to. concurred in recommendation of committee that the communication be received and filed.

The motion carried by the following vote:

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

16. [11/11/2003_016](#) Spiraling workers' compensation costs.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to. received and filed. The motion carried by the following vote:

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

17. [1/13/2004_018](#) 2004 State Legislative Agenda.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to. received and filed. The motion carried by the following vote:

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

18. [04-2237](#) Recommendations of the Board of Health and Human Services for 2005 Social Services Grant Program. (Citywide)

A motion was made by Councilmember Colonna, seconded by Councilmember Baker, that this matter be approved and adopt recommendations of the Board of Health and Human Services to reallocate Social Services Grant Program funds and authorize City Manager to execute all necessary documents with South Bay Alcoholism Services in the amount of \$20,533.

The motion carried by the following vote:

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

No: 1 - Richardson

19. [04-2238](#) Minutes for filing:
Harbor Commission, December 13, 2004
Water Commission, December 9, 2004

This Matter was approved 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

DEPARTMENTAL COMMUNICATIONS

20. [04-2239](#) Update on Fourteenth Street Park masterplan.
Dennis Monfett

Annie Greenfeld

Gabriel Weeks

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to. for February 8, 2005 request City Manager to prepare report on progress of the Master Plan for Fourteenth Street Park back to council in 30 days., including anticipated next steps for gathering community input to February 8, 2005.

The motion carried by the following vote:

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

21. [04-2240](#)

Request for report on air quality initiatives from Port of Long Beach.

Janet Gunther

Bry Myown

Laurie Angel

Coby Scott

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to. for January 18, 2005 Request quarterly meetings with the Port and the Tidelands and Harbor Committee and reports to include the status of resident concerns brought forward at the I-710 Committee meetings, and report back to Council soon after January 18, 2005.

The motion carried by the following vote:

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

22. [04-2241](#)

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

Janet Gunther

Bry Myown

Mr. Morales

A motion was made by Councilmember Colonna, seconded by Councilwoman Richardson, to. for February 8, 2005 Request City Manager to prepare report within 30 days and request Fire Department and Police Department to work together to produce a tsunami emergency informational video to air on Charter Communication and to be available for public distribution.

The motion carried by the following vote:

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

23. [04-2242](#)

LNG facility at Port of Long Beach

Gabriel Weeks

Tom Giles

Janet Gunther

Alicia Truillo

Coby Scott

Bry Myown

Adrian Stoker presented Councilmembers with a book entitled Plan B.

Ann Cantrell

Diane Lejine

Diana Mann

Rudy Vitmeyer

Joe Weinstein

A motion was made by Councilwoman Gabelich, seconded by Councilmember Colonna, to request a community workshop (Saturday preferred) within 60 days to receive input on the appropriateness of locating an LNG facility in Long Beach.

The motion carried by the following vote:

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

24. [04-2250](#)

Relocation Ordinance

A motion was made by Councilmember Lowenthal, seconded by Councilmember Lerch, that this matter be concurred in recommendation of Committee for February 8, 2005 that the communication be received; refer to the Planning Commission and the City Attorney to prepare a report and return to the City Council by as close to February 8, 2005 as possible.

The motion carried by the following vote:

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

25. [04-1721](#)

Fencing of vacant lots.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Lerch, to approve recommendation that the communications be received and request City Attorney to prepare an amendment to the Municipal Code that enables the City to fence vacant lots after they have been determined to be a public nuisance.

The motion carried by the following vote:

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

26. [04-1469](#)

Homeless Services Advisory Committee Annual Report on the Status of Homeless Services in Long Beach. (Citywide)

A motion was made by Councilmember Lowenthal, seconded by Councilmember Lerch, to approve recommendation that the communication be received and refer to City Manager for consideration in the development of the proposed ten-year homeless plan.

The motion carried by the following vote:

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

No: 1 - O'Donnell

27. [04-2249](#)

Proposed 2005 State Legislative Agenda.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be concurred in recommendation of Committee that the communication be received and the proposed 2005 State Legislative Agenda adopted.

The motion carried by the following vote:

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

Absent: 1 - O'Donnell

28. [04-2243](#)

Downtown Long Beach Property and Business Improvement District Annual Report and Assessment. (Districts 1,2)

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, that this matter be laid over for January 11, 2005. The motion carried by the following vote:

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

29. [04-2244](#)

Fiscal Year 2004 Year-End Budget Performance Report.

A motion was made by Councilwoman Richardson, seconded by Vice Mayor Kell, that this matter be laid over for January 11, 2005. The motion carried by the following vote:

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

30. [04-2245](#)

Application of Luis Felipe Fula, dba Vegas Room, for an original on-sale beer and wine for public premises alcoholic beverage license at 2100 Long Beach Boulevard.
(District 6)

A motion was made by Councilwoman Richardson, seconded by Councilmember Baker, to request City Clerk to file protest with California State Department of Alcoholic Beverage Control.

The motion carried by the following vote:

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

31. [04-2246](#)

Job Order Contract Document R-6669 and award Contract No. 4 to MTM Construction, Inc., and Contract Nos. 5 and 6 to Athena Engineering, Inc., for as-needed construction services. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to. to adopt Job Order Contract Document No. R-6669 for Job Order Contracting (JOC); authorize City Manager to execute agreements for a minimum amount of \$50,000 and a maximum amount of \$1,000,000 with MTM Construction, Inc. for JOC Agreement No. 4, with a weighted average factor of 0.7000, Athena Engineering, Inc. for JOC Agreement No. 5, with a weighted average factor of 0.6890, and Athena Engineering, Inc. for JOC Agreement No. 6, with a weighted average factor of 0.6754; and authorize City Manager to execute amendments for each JOC agreement for two renewable options of one year and up to \$1,000,000 per year.

The motion carried by the following vote:

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

Enactment No: C-28303

32. [04-2247](#)

Interim Zoning Ordinance to temporarily prohibit alteration of multi-family dwelling units to create additional bedrooms on sites with nonconforming parking. (Citywide)

Jesus Salsa

Catheryn LaRosa

Ralph Dowster

Kate Dermer

Bry Myown

A motion was made by Councilmember Colonna, seconded by Councilmember Baker, to request City Attorney to prepare an interim Zoning Ordinance pursuant to Chapter 21.50 for notice and placement on the City Council Agenda for hearing at its third meeting following such adoption, and direct Planning Commission to commence a study regarding the adoption of a Zoning Ordinance related to the remodeling of the interior of existing multi-family residential units to create additional bedrooms.

The motion carried by the following vote:

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

NEW BUSINESS

33. Affidavits of Service for meetings held Tuesday, January 4, 2005.

34.

35.

Vice Mayor Kell requested adjournment in honor of Mario Picarelli.

Councilmember O'Donnell spoke regarding community issues.

Councilwoman Richardson spoke regarding community events and requested adjournment in honor of Mary Stine.

Councilmember Reyes Uranga spoke regarding community events.

Councilmember Lerch spoke regarding community activities

Mayor O'Neill adjourned the meeting in memory of Mario Picarelli and Mary Stine at 10:17 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។