

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: (5:22 P.M.)

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

Also attending: Gerald Miller, City Manager; Christine Shippey, Assistant City Manager; Robert Shannon, City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Specialist.

Mayor O'Neill presiding.

Invocation: Moment of Silence.

Flag Salute: Dan Baker, Councilmember, Second District .

Pet Adoption: Jo Trent, spcaLA, presented a feline.

Proclamation presented by Mayor O'Neill to Eleanore Schmidt, Director of Library Services, for National Library Month, April 2005.

Lowenthal joined the meeting at 05:27 PM

Mayor O'Neill introduced Don Knabe, Supervisor 4th District, Los Angeles County Board of Supervisors, who presented a check to the City in the amount of \$750,000 for road resurfacing; and a check in the amount of \$465,000 in Proposition A funds for various park improvements in Councilmembers Lowenthal, O'Donnell, Richardson and Reyes Uranga's districts.

Proclamation presented to Barbara Shull, Fair Housing Foundation, by Mayor O'Neill for Fair Housing Month, April 2005.

Recognition by Mayor O'Neill of 2004 Project of the Year Award from Southern California Chapter of the American Public Works Association (APWA) for "Emergency

Communications and Operations Center."

Councilmember Baker moved, seconded by Councilmember Lowenthal, that the minutes of the City Council meeting of Tuesday, March 22, 2005 be approved.

Mayor O'Neill announced that Items 21 and 27 were withdrawn.

HEARING: (5:52 PM)

1. [05-2561](#) Recommendation to receive supporting documentation into the record, conclude the hearing, find that the area to be vacated is not needed for present or prospective public use, and adopt resolution ordering the vacation of the five-foot wide alley west of Sixty-Eighth Place and south of Ocean Boulevard. (District 3)

A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution RES-05-0013. The motion carried by the following vote:

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

Abstentions: 1 - Colonna

Enactment No: RES-05-0013

PUBLIC COMMENT: (5:55 P.M.)

Mike Murchison spoke regarding Champ Car.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke and presented a resolution for Champ Cars.

Councilwoman Richardson spoke and requested future discussion regarding the role of Champ Cars in Long Beach through an agenda item or a briefing from the City Manager.

Councilmember Lerch spoke.

Robert Shannon, City Attorney, spoke regarding the Champ Cars issue.

Thomas Murphy spoke regarding street clean up.

Chhoun Has spoke in opposition to the Cambodian parade scheduled for April 17, 2005.

Paline Soth spoke in opposition to the parade date.

William Shibley spoke regarding concerns for continuing with the Cambodian parade as scheduled, and submitted a petition from business owners against the parade date.

Socheat Chap spoke in opposition to the parade date.
Jennifer Nhean spoke in opposition to the parade date.
Tippana Tith spoke in opposition to the parade date.
Sweety Chap spoke in support of the Annual Cambodian Parade.
Vibol Hou spoke regarding the Cambodian Parade and reconciling the Cambodian community.
Councilwoman Richardson responded to the Cambodian community.
Mayor O'Neill spoke regarding the Cambodian parade issue.

NOTICE TO THE PUBLIC

CONSENT CALENDAR: (06:43 PM)

2. Recommendation to receive and file the following subjects considered by the Personnel and Civil Service Committee at the meeting held March 22, 2005:

2. [05-2461](#) Semi-annual Report on City of Long Beach Disadvantaged, Minority and
A Women-Owned Business Enterprise Program - October 1, 1999 to
March 31, 2000.

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

2. [05-2464](#) Semi-annual Report on City of Long Beach Disadvantaged, Minority and
B Women-Owned Business Enterprise Program - April 1, 2000 to
September 30, 2000.

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

2. [05-2469](#) Diversity Outreach Program Annual Report - April 1, 2001 to March 31,
D 2002.

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

2. [05-2467](#) Semi-annual Report on City of Long Beach Disadvantaged, Minority and
C Women-Owned Business Enterprise Program - October 1, 2000 to
March 31, 2001.

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

2. [05-2476](#) Diversity Outreach Program Annual Report - October 1, 2002 to March
E 31, 2003.

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

2. [05-2462](#) Consideration of Eight Items When Matters of Contracting Out Services
F are Raised.

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

2. [05-2465](#) 2000 Affirmative Action Status Report.
G

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

2. [05-2466](#) Long Beach Plan "Work Process Review" Results.
H

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

2. [05-2468](#) Status Report on Long Beach Plan and Other Related Issues
I

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

2. [05-2471](#) Approval of an Amendment to the Bylaws of The Long Beach Housing
J Development Company.

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

2. [05-2477](#) Report on Hires for 2001 (1999-2001).
K

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

2. [05-2473](#) Final Report of the Ethics Review Task Force.
L

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

2. [05-2474](#) Long Beach Plan and Strategic Plan 2010 Update.
M

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

2. [05-2475](#) Equal Employment Opportunity Status Report (2002).
N

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

3. [05-2575](#) Recommendation to adopt resolution opposing the continuation of the Los Angeles County Sheriff Department's Inmate Early Release Program.

A motion was made to approve recommendation and adopt Resolution RES-05-0014 on the Consent Agenda.

Enactment No: RES-05-0014

4. [05-2574](#) Recommendation to approve the destruction of records for the City Auditor, Civil Service, Financial Management/Commercial Services, Human Resources/Risk Management and Law, and adopt the resolution.

A motion was made to approve recommendation and adopt Resolution RES-05-0015 on the Consent Agenda.

Enactment No: RES-05-0015

5. [05-2579](#) Recommendation to refer to City Attorney the damage claims received between March 17, 2005 and March 31, 2005.

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

6. [05-2580](#) Recommendation to receive and lay-over to April 12, 2005, a report to

the Elections Oversight Committee, regarding SB 1730 and the changing of Statewide Primary Election dates beginning in 2006.

This Matter was laid over for April 12, 2005 on the Consent Agenda.

7. [05-2562](#)

Recommendation to authorize City Manager to accept a \$493,172 grant from Los Angeles County for the CalWORKs Youth Jobs Program for the period of May 17, 2005 through September 30, 2005, and execute any and all documents in connection with the foregoing.

(Citywide)

Thomas Murphy spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

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

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

Absent: 1 - B. Lowenthal

8. [05-2563](#)

Recommendation to authorize City Manager to execute agreement between the City of Long Beach and the City of Gardena to provide use of the Long Beach Fire Department training facility. (District 4)

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

9. [05-2564](#) Recommendation to receive and file application of Dok Bong Kim and Yong Hwan Kim, dba A and D Mini Mart, for a person-to-person transfer of an Off-Sale Beer and Wine Alcoholic Beverage Control License at 6151 Atlantic Avenue with existing conditions. (District 9)
- A motion was made to approve recommendation on the Consent Agenda.**
10. [05-2565](#) Recommendation to find that all requirements of the final subdivision map have been satisfied; and approve the map for Tract No. 53766 for the 3,701-square foot parcel abutting the northeast corner of East Broadway and The Promenade. (District 2)
- A motion was made by Councilmember O'Donnell, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
- Abstentions:** 1 - Baker
- Absent:** 1 - B. Lowenthal
11. [05-2566](#) Recommendation to adopt resolution of intention to vacate a portion of the public right-of-way south of Sixth Street and west of Roycroft Avenue, and set a public hearing date of May 3, 2005. (District 3)
- A motion was made to approve recommendation and adopt RES-05-0016 on the Consent Agenda.**
- Enactment No:** RES-05-0016
12. [05-2558](#) Recommendation to receive and file minutes of:
Harbor Commission, March 14, 2005 and March 21, 2005.
Parks and Recreation Commission, February 17, 2005.
Water Commission, February 24, 2005 and March 3, 2005.
- A motion was made to approve recommendation on the Consent Agenda.**
-

13. [05-2581](#) Recommendation to approve Proclamations for National Library Month and Fair Housing Month (April 2005), and Recognition of 2004 Project of the Year Award from Southern California Chapter of the American Public Works Association (APWA) for "Emergency Communications and Operations Center".

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

UNFINISHED BUSINESS: (6:49 PM)

14. [05-2448](#) Recommendation to determine that the granting of Facility/Pipeline Permit Supplement No. S-5-05, under existing Facility/Pipeline Permit No. P-164-88, to ARCO Terminal Services Corporation, will not be contrary to the public interest; authorize City Manager to issue said permit supplement in accordance with Section 15.44.060, Permit Issuance, of the Long Beach Municipal Code; and authorize a discretionary permit to excavate in City streets that have been reconstructed within the previous sixty months and slurry sealed within the previous twenty-four months in accordance with Section 14.08.060, Public Works Permit-Issuance, of the Long Beach Municipal Code. (District 1)

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

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

Absent: 1 - B. Lowenthal

15. [05-2519](#)

Recommendation to adopt resolution designating the Terminal Island Freeway between Pacific Coast Highway and Willow Street as an overweight vehicle route. (District 7)

Gerald Miller, City Manager, spoke regarding request for information and scheduling of meetings with the Ports.

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Lerch, that this matter be laid over for April 12, 2005. 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-05-0019

16. [05-2535](#)

Recommendation to receive and file application of Sila Trading Incorporated, dba Jack's Liquor, for a person-to-person transfer of an Off-Sale General Alcoholic Beverage Control License at 1701-1711 East Pacific Coast Highway with existing conditions. (District 6)

Distributed at the meeting: Conditions to license.

A motion was made by Councilwoman Richardson, 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

REGULAR AGENDA: (06:52 PM)

17. [05-2559](#)

Recommendation to request City Attorney to gather examples of City Council rules from other cities and prepare a report that lays out options for the City Council to review.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, 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

18. [05-2560](#)

Recommendation to receive and file a report from the California Building Trades Council regarding career opportunities for Long Beach youth in construction trades.

Councilmember Baker spoke.
Councilmember O'Donnell spoke.
Jan Westone, California Building Trades Council, spoke regarding the proposed program.
Councilwoman Reyes Uranga spoke.
Thomas Murphy spoke.

A motion was made by Councilmember Colonna, 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

Item No. 19 was considered following Item No. 22

19. [05-2576](#) Recommendation to request City Attorney to prepare resolution in support of the Gang Prevention and Effective Deterrence Act (S-155).
- A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, that this matter be laid over for April 12, 2005. The motion carried by the following vote:**
- Yes:** 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 1 - Richardson

20. [05-2578](#) Recommendation to request City Attorney to prepare a report within 45 days on practices in other cities and legal options within the Long Beach Municipal Code to address the challenge of unwanted solicitations on private property.
- Councilmember O'Donnell spoke.
Councilmember Reyes Uranga spoke.
Councilwoman Gabelich spoke.
Vice Mayor Kell spoke.
Councilmember Lowenthal spoke.
Bob Lamont spoke regarding recycling.
- A motion was made by Councilmember O'Donnell, seconded by Councilmember Baker, to approve recommendation with report back from the City Attorney in 30 days. The motion carried by the following vote:**

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

Absent: 1 - Richardson

21. [05-2582](#) Recommendation to request a report from City Manager on food distributions in City parks and public spaces and prepare a strategy to ensure a consistent process to protect public safety and minimize City costs.

22. [05-2583](#) Recommendation to refer to City Commission on Youth for development of continued City participation and coordination with Be Friendly Community and Children's Day activities.

Councilmember Reyes Uranga spoke.
Summer Hansen spoke regarding Children's Day.
Mr. "Apple" spoke regarding Children's Day.
Karen Lomantilla spoke regarding Children's Day.
Anna Wootton spoke regarding Children's Day.
Councilwoman Gabelich spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to approve recommendation and refer to City Commission on Youth. The motion carried by the following vote:

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

Absent: 1 - Richardson

23. [05-2567](#) Recommendation to adopt Specifications No. PA-01505 and award contracts to Ford West and Pasadena Ford for furnishing and delivering various police- and fire-certified vehicles in the amount of \$2,210,000 for the current fiscal year, with the option of purchasing additional units in Fiscal Years 2006 and 2007. (Citywide)

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

Absent: 3 - Richardson, Reyes Uranga and Lerch

24. [05-2568](#)

Recommendation to adopt resolution authorizing City Manager to execute contracts with General Services Administration (GSA), Victor Buick GMC, Coalinga Motors, Elk Grove Auto Group, Inc., Hoblit Motors, Hoblit Haynes Dodge, H. W. Hunter, and Downtown Ford Sales, to purchase trucks, cabs and chassis pursuant to the GSA contract number 1-05-23-20, in an amount not to exceed \$575,174 for the current fiscal year. (Citywide)

Thomas Murphy spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation and adopt Resolution RES-05-0017. The motion carried by the following vote:

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

Absent: 3 - Colonna, Richardson and Reyes Uranga

Enactment No: RES-05-0017

25. [05-2569](#)

Recommendation to authorize City Manager to execute all documents necessary to implement and administer the Los Angeles County Proposition A Excess Funds for the Drake-Chavez Greenbelt Park, Martin Luther King, Jr. Park Playground renovation, Rotary Centennial Park shade shelter, and 21st to Hill Mini-Park projects. Increase appropriations in the Capital Improvement Projects Fund (CP) and in the Department of Public Works (PW) by \$85,000; and in the Department of Parks, Recreation and Marine (PR) by \$380,000. (Districts 1,4,6,7)

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

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

Absent: 3 - Colonna, Richardson and Reyes Uranga

26. [05-2570](#)

Recommendation to receive and file the application of Ronald Marvin Morgan, dba Ronald Morgan CHB, for an original Customs Broker Alcoholic Beverage Control License at 235 East Broadway Suite 520 with conditions. (District 2)

Distributed at the meeting: Conditions to license.

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, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

Absent: 2 - Colonna and Richardson

27. [05-2571](#) Recommendation to authorize City Manager to negotiate and execute a five-year agreement with the Sea Festival Association of Long Beach to program and manage activities for the International Sea Festival in Long Beach, with the goal of creating a family friendly series of activities to attract residents and visitors to our shorelines between Independence Day and Labor Day each year. (Citywide)

28. [05-2572](#) Recommendation to adopt Plans and Specifications No. R-6657 for the Citywide Local Street Program - Area 1; and authorize City Manager to award the contract to Sully-Miller Contracting Company, in an estimated amount of \$677,044; and execute all necessary documents related to the contract. (Districts 3,4,5,6,7,8,9)

Thomas Murphy spoke.

Vice Mayor Kell spoke.

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

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

Absent: 2 - Colonna and Richardson

ORDINANCES: (07:45 PM)

29. [05-2573](#) Recommendation to declare Ordinance designating the Delker House at 153 East 12th Street as an Historic Landmark read and adopted as read. (District 1)

A motion was made by Councilmember Lowenthal, seconded by Councilmember O'Donnell, 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: 7 - B. Lowenthal, Colonna, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

Absent: 2 - Baker and Richardson

Enactment No: ORD-05-0005

30. [05-2577](#)

Recommendation to declare Ordinance amending the Long Beach Municipal Code by adding District L to Section 10.32.110, creating a new Preferential Parking District read and adopted as read.

A motion was made by Councilmember Lowenthal, seconded by Councilwoman Gabelich, 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: 7 - B. Lowenthal, Colonna, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

Absent: 2 - Baker and Richardson

Enactment No: ORD-05-0006

31. [05-2544](#)

Recommendation to declare Ordinance adding Chapter 8.46 to the Long Beach Municipal Code, relating to Best Management Practices of food preparation establishments in the disposal of fats, oil and grease read and adopted as read. (Citywide)

A motion was made by Councilmember Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation and adopt Ordinance ORD-05-0003. 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

Enactment No: ORD-05-0003

32. [05-2543](#)

Recommendation to declare Ordinance amending Long Beach Municipal

Code Sections 15.40.070 and 15.40.090, relating to gas utility service, meter reading, and billing to customers and other responsible adults for City-owned utility accounts read and adopted as read.
(Citywide)

A motion was made by Councilmember Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation and adopt Ordinance ORD-05-0004. 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

Enactment No: ORD-05-0004

NEW BUSINESS: (07:49 PM)

33. Affidavits of Service for meetings held Tuesday, April 5, 2005.

ANNOUNCEMENTS:

Councilmember Lowenthal spoke regarding community events and requested that the meeting adjourn in memory of Ray Cordova's daughter, Maria Zier.

Councilmember Reyes Uranga spoke regarding community events.

Councilmember O'Donnell requested that the meeting adjourn in memory of Steven Husted.

Councilmember Colonna requested that the meeting adjourn in honor of Pope John Paul II.

Councilwoman Richardson provided an update regarding the Cambodian Parade and requested that the meeting adjourn in memory of Albertha Evans.

ADJOURNMENT: (07:56 PM)

At 7:56 P.M., Mayor O'Neill adjourned the meeting in honor of Maria Zier, Steven Husted, Albertha Evans, and Pope John Paul II.

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។