

Bonnie Lowenthal, Vice Mayor, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Anthony W. Batts, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

ROLL CALL (5:14 PM)

Councilmembers B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske,
Present: Andrews, Reyes Uranga, Gabelich and Lerch

Also present: Anthony W. Batts, City Manager; Christine Shippey, Assistant City Manager; Heather Mahood, Chief Assistant City Attorney; Laura Doud, City Auditor; Larry Herrera, Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gary DeLong, Councilmember, Third District.

Mayor Foster announced that Agenda Item Nos. 22, 35, 36 and 37 had been withdrawn; and that additional items would be considered out of order.

Proclamation presented to the Long Beach Girls Junior Crew in Recognition of becoming National Champions. (5:17 PM)

PUBLIC COMMENT (5:20 PM)

Dennis Head spoke regarding City employee benefits.

Harvey Cochran spoke regarding a variety of issues.

Bill McConnell spoke regarding trucking issues.

Antonio Ruiz spoke regarding Homeland Cultural Center.

Roger Holman spoke regarding loss of life due to effects from goods movement.

Dave San Jose spoke regarding cutbacks in City programs.

Mike Kowal spoke regarding new organization, Long Beach Neighborhoods First.

Jennifer McDonald spoke regarding fund raisers at the Gaslamp.

Tony Esparza spoke regarding employee benefits.

Michael Ulichney spoke regarding the City employees contract.

CONSENT CALENDAR (5:45 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 1-19, except for item 19. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

1. [07-0966](#) Recommendation to adopt minute order to grant an application from Barbara Dufault for a widow's pension.
A motion was made to approve recommendation on the Consent Calendar.
2. [07-0975](#) Recommendation to authorize City Manager to execute an agreement with the Law Offices of Russell G. Petti, in the matter entitled, Insurance Co. of the State of Pennsylvania, et al., vs. City of Long Beach, et al., Case No. CV04-8650 ER (Rzx).
A motion was made to approve recommendation on the Consent Calendar.
3. [07-0976](#) Recommendation to authorize City Manager to execute an agreement with Grobstein, Horwath & Company, LLP, Certified Public Accountants in the matter entitled, Queen's Seaport Development, Inc., Case No. LA05-15175VZ.
A motion was made to approve recommendation on the Consent Calendar.
4. [07-0941](#) Recommendation to adopt resolution approving and authorizing the destruction of certain records, papers, and writings by the Department of Public Works Administration Bureau and Public Works Engineering Bureau.
A motion was made to approve recommendation and adopt Resolution No. RES-07-0109 on the Consent Calendar.
Enactment No: RES-07-0109
5. [07-0940](#) Recommendation to approve the City Council and Budget Workshop

minutes for the meetings of Tuesday, August 14, 2007.

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

6. [07-0964](#) Recommendation to refer to City Attorney damage claims received between August 9, 2007 and August 16, 2007.

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

7. [07-0942](#) Recommendation to authorize City Manager to execute a lease-purchase agreement and related financing documents under the Master Lease Agreement with SunTrust Leasing Corporation in the amount of \$158,000, payable over a five-year period, for ambulance billing and collection software. (Citywide)

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

8. [07-0943](#) Recommendation to refer the Comprehensive Annual Financial Report (CAFR), separately issued financial statements and the Federal Single Audit for the fiscal year ended September 30, 2006 to the Budget Oversight Committee. (Citywide)

A motion was made to approve recommendation and refer to the Budget Oversight Committee on the Consent Calendar.

9. [07-0944](#) Recommendation to receive and file Investment Report for Quarter Ending June 30, 2007. (Citywide)

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

10. [07-0945](#) Recommendation to authorize City Manager to execute an agreement with the Southern California Marine Association, Inc., to prepare for, produce, and dismantle the 39th Annual International Sail and Power Boat Show in the Rainbow Harbor Marina and the green space between the Marina and Shoreline Drive. (District 2)

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

11. [07-0946](#) Recommendation to authorize City Manager to accept insurance proceeds in the amount of \$295,163 in the Insurance Fund in the Department of Human Resources to settle the claim for property damage sustained by Rancho Los Alamitos; and authorize the execution of any documents, including lease amendments, necessary to accept, implement, and administer the settlement and disbursement of the proceeds. (District 3)

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

12. [07-0947](#) Recommendation to receive and file the application of Smart & Final Stores LLC, dba Smart & Final 301, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1755 Ximeno Avenue, with existing conditions. (District 4)

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

13. [07-0948](#) Recommendation to receive and file the application of Smart & Final Stores LLC, dba Smart & Final 440, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1320 Atlantic Avenue, with existing conditions. (District 6)

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

14. [07-0949](#) Recommendation to receive and file the application of Long Beach Retail Inc., dba California Heights Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3766 Orange Avenue, with existing conditions. (District 7)

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

15. [07-0884](#) Recommendation to find that all requirements of the final subdivision map have been satisfied and approve the map for Tract No. 62592 located north of Fifteenth Street and east of Pine Avenue. (District 1)

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

16. [07-0950](#) Recommendation to authorize City Manager to execute subdivision agreements and find that all requirements of the final subdivision map have been satisfied; and approve the map for Tract No. 61252-2 located south of Conant Street and west of Lakewood Boulevard. (District 5)

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

17. [07-0951](#) Recommendation to authorize City Manager to enter into a Law Enforcement Officer (LEO) Reimbursement Program Cooperative Agreement with the U.S. Transportation Security Administration (TSA) in the estimated amount of \$410,000 for a period of one year, execute subsequent amendments, extend the term for up to four additional one-year terms, and increase the amount subject to pre-established not-to-exceed federal ceilings. (District 5)

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

18. [07-0952](#) Recommendation to authorize City Manager to accept funds that are to be used solely for the purpose of promoting the U.S. Department of Energy's Clean Cities Program's goals and objectives from Research and Development Solutions, LLC in the amount of \$10,000 and to execute the conditional agreement. (Citywide)

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

[see media](#)

19. [07-0953](#) Recommendation to authorize City Manager to execute a contract with the Mobile Source Air Pollution Reduction Review Committee (MSRC), to provide partial funding for diesel particulate trap filters to be installed on up to fifteen solid waste diesel vehicles for a total amount not to exceed \$144,000; and adopt resolution to enter into a cooperative purchasing agreement with the County of Los Angeles to purchase Diesel Particulate Matter Trap Filters retrofit kits for a total amount not to exceed \$285,000. (Citywide)

Vice Mayor B. Lowenthal spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember S. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0110. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Absent: 1 - O'Donnell

Enactment No: RES-07-0110

Agenda Item No. 28 was considered at this time.

REGULAR AGENDA (5:48 PM)

[see media](#)

20. [07-0968](#) Recommendation to request City Attorney prepare an ordinance prohibiting the parking of limousines in residential zones except for loading and unloading passengers; and to set a fine accordingly for violation of the ordinance.

Councilwoman Schipske spoke.

Harvey Cochran spoke.

Councilwoman Gabelich spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilwoman Schipske spoke.

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

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 1 - Andrews

Agenda Item No. 31 was considered at this time.

[see media](#)

21. [07-0973](#)

Recommendation to request City Manager to prepare a report on the feasibility of placing comparable water usage information on City of Long Beach utility bills for single-family residences; and report back no later than 60 days.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Harvey Cochran spoke.

Adrea Stoker spoke.

Michael Killebrew, Director of Financial Management, spoke.

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Budget Hearing Agenda Item No. 33 was considered at this time.

- 22. 07-0974** Recommendation to request City Attorney provide a memorandum outlining the legal issues that need to be addressed in order to allow casino-style gambling within the City of Long Beach; and should the City Attorney advise that this issue requires the vote of the residents of Long Beach, request that the appropriate language be prepared so that this matter can be placed before the voters at the City's next general election to be held in February 2008.

This Agenda Item was withdrawn.

[see media](#)

- 23. [07-0954](#)** Recommendation to adopt Resolution of Intention to form the Fourth Street Parking and Business Improvement Area; set date of hearing for September 11, 2007, at 5:00 p.m.; designate the Advisory Board; authorize City Manager to initiate majority protest proceedings; and authorize City Clerk to receive written protests. (District 2)

Harvey Cochran spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0111. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0111

[see media](#)

- 24. [07-0955](#)** Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2007 to September 30, 2008, for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and set date of hearing for September 18, 2007, at 5:00 p.m. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-07-0112. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0112

[see media](#)

25. [07-0956](#)

Recommendation to adopt resolution approving the Annual Assessment Report from October 1, 2007 to September 30, 2008, for the Bixby Knolls Parking and Business Improvement Area, declaring its intention to levy the annual assessment, and set date of hearing for September 18, 2007, at 5:00 p.m. (Districts 7,8)

A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-07-0113. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0113

[see media](#)

26. [07-0957](#)

Recommendation to adopt resolution authorizing the issuance of bonds by the Long Beach Bond Finance Authority related to the prepayment of natural gas supply for a term of 30 years in an amount not exceed \$1.3 billion; authorizing and approving contracts, agreements and other documents and actions relating thereto; and delegating authority to officers in connection therewith. (Citywide)

Councilman Andrews spoke.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0114. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0114

[see media](#)

27. [07-0958](#)

Recommendation to authorize City Manager to enter into a Gas Services Agreement with Coral Energy Resources, L.P., for a term not to exceed 20 months; terminate the existing Energy Master Purchase/Sale and Services Agreement with Coral Energy Resources, L.P.; execute an

ISDA (International Swaps and Derivatives Association) Master Agreement; and execute a NAESB (North American Energy Standards Board) Contract. (Citywide)

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Agenda Item No. 28 was considered following Agenda Item No. 19 and prior to Agenda Item No. 20.

[see media](#)

28. [07-0959](#)

Recommendation to receive and file the supporting documentation; and request City Manager to: (1) prepare a Downtown Specific Plan and associated environmental document, and (2) continue to work with the Downtown Visioning Committee and the community in the creation of the Downtown Specific Plan, once funds in the amount of \$290,000 are identified. (Districts 1,2)

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

John Glasgow, Chair, Downtown Visioning Committee, spoke and presented a video highlighting Long Beach.

Robert Garcia, Visioning Committee member, spoke.

Phil Appleby, Visioning Committee member, spoke.

Cheryl Perry, Visioning Committee member, spoke.

Andres Herr, Visioning Committee member, spoke.

Councilmember S. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Vice Mayor B. Lowenthal spoke.

Councilman Andrews spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilmember S. Lowenthal spoke.

Vice Mayor B. Lowenthal spoke.

Harvey Cochran spoke.

Cynthia Ogenedo spoke.

Brian Milner spoke.

Vice Mayor B. Lowenthal spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor B. Lowenthal, to approve recommendation, with specification that the money would be non-general funds, as outlined in the staff report; and return to City Council in 90 days with funding options. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Agenda Item No. 29 was considered following Budget Hearing Agenda Item No. 33 and prior to Agenda Item No. 23.

[see media](#)

29. [07-0960](#)

Recommendation to receive and file the supporting documentation; and request City Manager to: (1) prepare the Southeast Area Development and Improvement Plan (SEADIP) Specific Plan and associated environmental document, and (2) conduct public outreach as proposed, once funds in the amount of \$250,000 are identified. (District 3)

Suzanne Frick, Director of Planning and Building, spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Vice Mayor B. Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Motion: Approve recommendation.
Moved by DeLong, seconded by S. Lowenthal.

Harvey Cochran spoke.

Sandy Van Horn spoke.

Rudy Vitmer and associates spoke.

Brenda Rogers spoke.

Pat Towner spoke.

Kerrie Ailey spoke.

Ann Cantrell spoke.

Councilmember DeLong spoke.

Anne Dennison spoke.

C. J. Hansen spoke.

Melinda Cotton spoke.

Robert Lemond spoke.

Stephanie Lofton spoke.

Rena Acres spoke.

Thomas Marchese spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember DeLong spoke.

Councilmember Gabelich spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

A substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to receive and file the supporting documentation and request the City Manger to conduct outreach and solicit input to formulate options. The motion carried by the following vote:

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

No: 2 - S. Lowenthal and DeLong

[see media](#)

30. [07-0961](#)

Recommendation to receive and file the application of Lawrie Anne Byrnes and Donald I. Larson, dba Shillelagh, for an original Alcoholic Beverage Control License, at 2742 E. 4th Street, with conditions. (District 2)

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Agenda Item No. 31 was considered following Agenda Item No. 20 and prior to Agenda Item No. 21.

[see media](#)

31. [07-0962](#)

Recommendation to receive and file the application of Casbah LBCA LLC, dba Pint & Piano Dueling Pianos The, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 91 S. Pine Avenue, Suite C150, with conditions. (District 2)

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Harvey Cochran spoke.

Eric Johnson spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember S. Lowenthal spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor B. Lowenthal, that the Alcoholic Beverage Control License application be protested on the basis of over concentration in the area. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

No: 1 - Gabelich

[see media](#)

32. [07-0963](#)

Recommendation to receive and file the attached Airport activities report. (District 5)

Councilwoman Gabelich spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to approve recommendation to receive and file the airport activities report; request City Attorney to prepare an ordinance as outlined on page 3 of the report, with a change to the administrative surcharge of; and request that a copy of the letter to the Federal Aviation Administration be transmitted to City Council within 30 days. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Budget Hearing Agenda Item No. 33 was considered following Agenda Item No. 21 and prior to Agenda Item No. 29.

BUDGET HEARING (7:10 PM)

[see media](#)

- 33. [07-0967](#)** Recommendation to conduct a budget hearing to receive City Council input and requests for upcoming budget presentations on the Proposed Fiscal Year 2008 Budget; and receive public input.

Christine Shippey, Assistant City Manager, made introductory comments.

Dave Wodynski, Budget and Performance Management Bureau Manager, spoke and submitted a packet of information in response to Councilmembers' questions.

Tom Modica, Manager of Government Affairs, provided an update on the California State budget.

Anthony Batts, City Manager, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

This Agenda Item was received and filed.

NEW BUSINESS (8:44 PM)

[see media](#)

- 34. [07-0978](#)** Recommendation to make one new appointment to the Commission on Youth and Children pursuant to Section 2.18.050 of the Long Beach Municipal Code.

A motion was made by Councilwoman Gabelich, seconded by Vice Mayor B. Lowenthal, to approve recommendation. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

- 35. 07-0979** Recommendation to make two new appointments to the Long Beach Public Transportation Company Board of Directors pursuant to Article 3, Section 3 of the by-laws of the Long Beach Public Transportation Company.

This Agenda Item was withdrawn.

- 36. 07-0980** Recommendation to confirm two reappointments to the Citizen Police Complaint Commission; one reappointment and one new appointment to the Planning Commission; three reappointments and two new appointments to the Redevelopment Agency pursuant to Section 509 of the Long Beach City Charter and Sections 2.03.065 and 2.66.020 of the Long Beach Municipal Code.

This Agenda Item was withdrawn.

- 37. [07-0970](#)** Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communications and confirm the following appointments to Charter Commissions: The Citizen Police Complaint Commission (2 reappointments); the Planning Commission (1 appointment) (1 reappointment); and the Redevelopment Agency Board (1 appointment) (3 reappointments).

This Agenda Item was withdrawn.

- 38.** Affidavits of Service for the special meetings of Monday, August 20, 2007 and Tuesday, August 21, 2007.

ANNOUNCEMENTS (8:48 PM)

Mayor Foster requested that the meeting adjourn in honor of Retired Corporal Ronald Burgess and Sylvia Siegel.

Councilmember O'Donnell made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

Councilmember Lerch made community announcements.

Vice Mayor B. Lowenthal made community announcements.

PUBLIC (9:00 PM)

James Ota, James Ota Trucking, spoke regarding unionizing trucking in the Harbor.

ADJOURNMENT (9:04 PM)

At 9:04 P.M., Mayor Foster adjourned the meeting in honor of Retired Corporal Ronald Burgess and Sylvia Siegel.

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