

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

ROLL CALL

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

Councilmembers Gabelich
Absent:

Mayor O'Neill presiding.

Invocation: Moment of Silence

ROLL CALL

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

HEARING

1. [04-1932](#) Resolution of Intention to vacate east-west alley east of Elm Avenue and north of Broadway. (Resolution ordering the vacation of the east-west alley east of Elm Avenue and north of Broadway). (District 2)

Harvey Cochran

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, 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 No. C-28476 ordering the vacation of public right-of-way.

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-28476

PUBLIC COMMENT:

Harvey Cochran and David San Jose spoke regarding a variety of community issues.

James Black spoke regarding abuse of power in the City.

Thomas Murphy spoke regarding Press Telegram article about trash in the Los Angeles River.

Matt Allen spoke regarding All Tomorrow's Parties Music Festival at the Queen Mary.

CONSENT CALENDAR

Approve Consent Calendar items 2-17, except for Items 9, 10, 11 and 12.D.

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

2. [04-2044](#) Claims for Damages.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

3. [04-2045](#) City Clerk Department Conflict of Interest Code.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

4. [04-2046](#) Reimbursement Agreement with Seaport Marina LLC for City costs related to the master planning of Seaport Marina's Eleven-Acre Site at the southwest corner of Second Street and Pacific Coast Highway. (District 3)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

5. [04-2047](#) Fourth Addendum to Lease No. 25974 between Nancee D. Kioudjain, as trustee of the Hallaian Family Trust, and City of Long Beach for office space at 1400 Obispo Avenue for the Center for Families and Youth. (District 4)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

6. [04-2048](#) Compromises and Releases.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

7. [04-2049](#) Stipulations with Requests for Awards.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

8. [04-2050](#) Claim by City of Long Beach for unpaid royalty on natural gas revenues.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

9. [04-2051](#) Lease agreement with Navy Yacht Club-Long Beach for rental of land and improvements at 223 Marina Drive. (District 3)

Lavonne Plumlee

A motion was made by Councilmember Colonna, seconded by Councilwoman Richardson, to authorize City Manager to execute lease for a term of one year, with the option to renew for two additional one-year periods, at the discretion of the City Manager.

The motion carried by the following vote:

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

Absent: 1 - B. Lowenthal

10. [04-2052](#) Grant agreement with Watershed Conservation Authority for project management services. (Citywide)

Thomas Murphy

A motion was made by Councilmember Colonna, seconded by Councilmember Baker, to authorize City Manager to execute agreement and all amendments in the amount of \$100,000 for project management services through June 30, 2005; and increase appropriations in the General Grants Fund (SR 120) and the Department of Parks, Recreation and Marine (PR) by \$100,000.

The motion carried by the following vote:

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

11. [04-2053](#) First Amendment to Contract No. 28437 with Long Beach Unified School District for jail food services. (Citywide)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

12. [04-2054](#) Alcoholic Beverage License Applications (Person-to-Person Transfers).
A. Application of Patricia Garcia and Jose Garcia Chavez, dba Tony's French Dips, for a person-to-person transfer of an on-sale beer and wine for bonafide eating place license at 701 Long Beach Boulevard. (District 1)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

12. [04-2055](#) Application of Orion Sachan Corporation, dba La Mexicana Market, for a person-to-person transfer of an off-sale beer and wine license at 1318 Pine Avenue. (District 1)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

12. [04-2056](#) Application of Waho Bar Incorporated, dba The Paradise, for a person-to-person transfer of an on-sale general for public premises license at 1800 East Broadway. (District 2)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

12. [04-2057](#)

Application of JMB 516 Incorporated, dba Shore House Cafe, for a person-to-person transfer of an on-sale beer and wine for bonafide eating place license at 5271 East 2nd Street. (District 3)

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

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

Abstentions: 1 - Colonna

12. [04-2058](#)

Application of K3 LB Incorporated, dba Belmont Shore Mini Market, for a person-to-person transfer of an off-sale beer and wine license at 3955 East Ocean Boulevard. (District 3)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

12. [04-2059](#)

Application of Annex of East Long Beach Incorporated, dba The Annex, for a person-to-person transfer of an on-sale beer for beerpub license at 4300 East Stearns Street. (District 4)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

12. [04-2060](#)

Application of Lucas Max Chui, dba Liquor Mill, for a person-to-person transfer of an off-sale general license at 5440 Long Beach Boulevard. (District 8)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

13. [04-2061](#)

Review application and request ordinance authorizing additional transportation improvement fee credit for improvements associated with the California State University Long Beach Foundation Technology Park at 2000 West 19th Street. (Districts 1,7)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

14. [04-2062](#)

Final Subdivision Map for Tract No. 60688, located between Esther Street and Pacific Coast Highway and Loma Avenue and Termino Avenue. (District 4)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

15. [04-2063](#)

Monthly Airport Activity Reports. (District 5)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

16. [04-2064](#)

Minutes for filing:

Harbor Commission, October 11, October 18 and October 25, 2004

Water Commission, September 30, and October 6, 2004

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

17. [04-2065](#)

Proclamation for Long Beach Playhouse 75th Anniversary.

A motion was made by Councilmember Colonna, seconded by Councilmember Lowenthal, to pass suggested action. The motion carried by the following vote:

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

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS

18. [04-2066](#)

Gas prices for Winter 2004-05.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to. Receive and file request for staff report regarding the fluctuation in gas prices this winter and how to conserve energy over the coming months.

The motion carried by the following vote:

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

19. [04-2067](#)

Belmont Shore substandard garages.

A motion was made by Councilmember Colonna, seconded by Councilmember Baker, to approve recommendation and refer to Planning Commission to investigate amending the Zoning Regulations in the Belmont Shore area to allow the replacement of one-car garages with carports.

The motion carried by the following vote:

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

20. [04-2068](#)

Designation of City Council as Redevelopment Agency.

The motion did not receive a second and was lost.

Should the City Council establish itself as the Redevelopment Agency Board, request City Attorney to prepare an Ordinance to read as follows: "Require that any increase in the stipend received by the Redevelopment Agency Board shall not become effective until after the incumbent members of this Council are no longer in office."

Motion: Substitute motion to continue Items 20,21,22 until November 23, 2004. Moved by Gabelich, seconded by Lerch.

Councilwoman Gablelich withdrew the substitute motion;
Councilmember Lerch withdrew the second.

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Lowenthal, to. Defer Items 20, 21, 22 until the decision process is complete and the City Council becomes the Redevelopment Agency Board.

The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson and Reyes Uranga

No: 3 - Colonna, Gabelich and Lerch

21. [04-2069](#)

Merger of Redevelopment Project Area Committee areas.

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, to. Defer Items 20, 21, 22 until the decision process is complete and the City Council becomes the Redevelopment Agency Board.

The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson and Reyes Uranga

No: 3 - Colonna, Gabelich and Lerch

Mayor O'Neill took a moment from the regular agenda to acknowledge several guests.

Mayor O'Neill introduced Rosabeth M. Kanter, The Ernest L. Arbucle Professor of Business Administration at Harvard Business School.

Dr. Jerry Schubel, President and CEO of the Long Beach Aquarium of the Pacific spoke regarding the recent vandalism at the Aquarium.

Suja Lowenthal spoke regarding the teaching planned at local schools in response to the tragedy at the Aquarium.

- 22.** [04-2070](#) Tax increment generated by Redevelopment Project Area.
Gary Shelton addressed the Council regarding the three Redevelopment Agency agenda items.
- Jane Kelleher spoke in opposition.
- Harvey Cochran spoke in opposition to the Council becoming Redevelopment Agency board.
- Laurie Angle spoke to the Redevelopment Agency issue.
- Martha Thuente spoke in opposition.
- Don Darnauer spoke in opposition.
- Annie Greenfeld spoke in opposition.
- Dan Berns spoke in opposition.

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, to. Defer Items 20,21,22 until the decision process is complete and the City Council becomes the Redevelopment Agency Board.

The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson and Reyes Uranga

No: 3 - Colonna, Gabelich and Lerch

23. [04-2071](#)

Agreement with Gruen Associates for planning and urban design services for development of a land-use strategy for the Downtown Tidelands Property east of the Long Beach Convention and Entertainment Center. (District 2)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to pass suggested action. The motion carried by the following vote:

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

Absent: 1 - Lerch

24. [04-2072](#)

Specifications No. PA-00205 and award contract to Commercial Graphics to provide blueprinting and reprographics services. (Citywide)

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to authorize City Manager to adopt Specifications and award contract in estimated annual amount of \$335,000 for a term of one year, with the option for two additional one-year periods; and

Authorize amendments to exercise City's option to renew where noted and authorize City Manager to execute same.

The motion carried by the following vote:

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

Absent: 1 - Lerch

25. [04-2073](#)

Update of Natural Gas Prices for 2004/2005. (Citywide)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to pass suggested action. The motion carried by the following vote:

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

26. [04-2074](#)

Agreement with County of Los Angeles for removal of debris emanating from the Los Angeles River. (Districts 2,3)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to pass suggested action. The motion carried by the following vote:

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

27. [04-2075](#)

Universally Accessible Playgrounds. (Citywide)

Brad Thornton, Shane's Inspiration

Diane Haveron and Brenda

Eric Bolnick

Emi Yukawa, physical therapist

Grace Borow

Thomas Murphy

A motion was made by Councilmember Lowenthal, seconded by Councilwoman Richardson, to approve recommendation and refer to Recreation Commission and the Citizens Advisory Commission on Disabilities for public input and recommendation back to the City Council on the proposed sites and possible funding sources.

The motion carried by the following vote:

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

This matter was approve recommendation and refer to Citizens' Advisory Commission on Disabilities and the Parks and Recreation Commission for public input and recommendation back to the City Council on the proposed sites and possible funding sources.

. The motion carried.

28. [04-2076](#)

Application of Luis Alberto Escobar and Rosa Marlene Escobar, dba El Gran Inka, for a person-to-person and premise-to-premise transfer of an on-sale general for bonafide eating place alcoholic beverage license at 145 West Broadway. (District 2)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, that this matter be received and filed with conditions and request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

The motion carried by the following vote:

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

29. [04-2077](#)

Amendment to Sections 10.12.010 and 10.12.020 of the Long Beach Municipal Code Relating to Speed Limits on City Streets. (Districts 3,5,6,7,8,9)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to pass suggested action. The motion carried by the following vote:

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

RESOLUTIONS

30. [04-2078](#)

Resolution authorizing the City Manager to purchase commercial trash containers through the contract between the City of Ontario and Consolidated Fabricators Corporation. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to pass suggested action Resolution No. C-28477 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-28477

31. [04-2079](#)

Resolution supporting a grant application by the Rancho Los Alamitos Foundation for restoration of the barns area and for improvements to the Education Center. (District 3)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, that this matter be adopted Resolution No. C-28478 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-28478

32. [04-2080](#)

Resolution amending Resolution No. C-28295 authorizing the City Manager to submit an application for and to enter an agreement and all amendments with the State Resources Agency for funding under the Safe Drinking Water, Cleanwater, and Watershed Protection and Flood Protection Bond Act of 2000 for acquisition of land to be developed as a park. (District 1)

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to pass suggested action Resolution No. C-28479 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-28479

33. [04-2081](#)

Resolution approving an agreement with the State Department of Transportation to share electrical costs for certain traffic signals, and authorizing the execution thereof by the City Manager, for and on behalf of the City. (District 8)

A motion was made by Councilwoman Gabelich, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28480 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-28480

NEW BUSINESS

34. [04-2082](#)

Joint Powers Agreement with various public agencies for the Los Cerritos Wetlands Restoration Project. (District 3)

A motion was made by Councilmember Colonna, seconded by Councilmember Baker, to pass suggested action. The motion carried by the following vote:

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

Vice Mayor Kell requested that meeting adjourn in memory of Hal Maxwell and spoke regarding community activities.

Councilwoman Richardson spoke regarding community activities.

Councilmember Lerch spoke regarding community activities.

Councilmember Lowenthal spoke regarding community activities.

Councilmember Gabelich spoke regarding community activities and expressed condolence to the family of Lynn Schockner.

Councilmember Reyes Uranga spoke regarding community activities.

Councilmember O'Donnell spoke regarding community activities.

Mayor O'Neill spoke regarding community issues.

PUBLIC:

Eugene Holmes addressed the council regarding housing issues.

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។