

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



Gerrie Schipske, 5th District
Vacant, 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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

ROLL CALL (5:10 PM)

Councilmembers B. Lowenthal, S. Lowenthal, DeLong, Schipske, Reyes Uranga,
Present: Gabelich and Lerch

Councilmembers O'Donnell
Absent:

Also present: Christine Shippey, Assistant City Manager; Reginald Harrison, Deputy City Manager; Robert Shannon, City Attorney; Laura Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gerrie Schipske, Councilwoman, Fifth District.

There being no objection, Mayor Foster declared that the minutes for the City Council meeting of Tuesday, December 19, 2006 be approved.

Pet Adoption: Kathy Schoefield, spcaLA, presented a feline.

PUBLIC COMMENT: (5:13 PM)

Harvey Cochran spoke regarding community issues.

Thomas Murphy spoke regarding flood control waters.

Wayne Welch spoke regarding a business license.

Tony Exparza spoke regarding charter reform and the City's form of government.

Bernard Carroll spoke regarding illegal immigration and the police role.

[07-0004](#) Marvin Stewart spoke regarding illegal immigration issues and submitted

written documents.

This Handout was received and filed.

Jim Gilchrist spoke regarding illegal immigration issues.

Raymond Herrera spoke regarding illegal immigration issues.

Willey Drake spoke regarding illegal immigration issues and the recent incidents of violence in the City.

CONSENT CALENDAR: (5:43 PM)

Passed The Consent Calendar

A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to approve Consent Calendar Items 1-8, except for items 6 and 7. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 2 - DeLong and O'Donnell

Mayor Foster requested a motion to rescind that action to remove Agenda Item No. 2 from the Consent Calendar.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember Reyes Uranga, to rescind the action approving the Consent Calendar Items 1-8, except for Items 6 and 7. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 2 - DeLong and O'Donnell

A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, motion to approve Consent Calendar Items 1-8, except for Items 2, 6, and 7. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 2 - DeLong and O'Donnell

1. [06-1388](#)

Recommendation to receive and file report regarding trip to Austin, Texas to attend a demonstration of Hart InterCivic "Vote Tally System."

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

[see media](#)

2. [06-1391](#) Recommendation to authorize City Attorney to pay the sum of \$8,250 in full settlement of lawsuit entitled *Southern California Edison Company v. City of Long Beach*, Case No. 06C00198.
A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation. The motion carried by the following vote:
Yes: 6 - B. Lowenthal, S. Lowenthal, Schipske, Reyes Uranga, Gabelich and Lerch
Absent: 2 - DeLong and O'Donnell
 3. [06-1385](#) Recommendation to refer to City Attorney damage claims received between December 14, 2006 and December 28, 2006.
A motion was made to approve recommendation on the Consent Calendar.
 4. [06-1376](#) Recommendation to receive and file the application of YHB Long Beach LLC, dba Holiday Inn Long Beach Airport, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2640 Lakewood Boulevard, with existing conditions. (District 5)
A motion was made to approve recommendation on the Consent Calendar.
 5. [06-1377](#) Recommendation to request City Attorney to accept an easement deed for the widening of Liberty Court adjacent to 120 Linden Avenue. (District 2)
A motion was made to approve recommendation on the Consent Calendar.
 - [see media](#)

6. [06-1378](#) Recommendation to authorize City Manager to execute an Assignment Consent Agreement for Facility/Pipeline Permit Supplement No. S-107-84 from Lomita Gasoline Company, Inc., to Elliott Ten Eyck Limited, in accordance with Section 15.44.220, Permit-Transfer, of the City of Long Beach Municipal Code. (District 3)

Thomas Murphy spoke.
A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to approve recommendation. The motion carried by the following vote:
Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, Schipske, Reyes Uranga, Gabelich and Lerch
Absent: 1 - O'Donnell
-

[see media](#)

7. [06-1379](#) Recommendation to accept grant funding in the amount of \$550,000 from the State Water Resources Control Board (SWRCB) and increase appropriations in the Capital Projects Fund (CP 201) in the Department of Public Works (PW) by \$550,000; and

Adopt resolution authorizing City Manager to execute all documents necessary to enter into an agreement with the SWRCB for Proposition 40 Urban Stormwater Program grant funding for the installation of a trash net system in the forebay of the City's pump station 13 along the Los Angeles River in an amount not to exceed \$550,000. (District 9)

Thomas Murphy spoke.

A motion was made by Councilwoman Schipske, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0001. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, DeLong, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 2 - S. Lowenthal and O'Donnell

Enactment No: RES-07-0001

8. [06-1375](#) Recommendation to receive and file minutes of:
Harbor Commission - December 11, 2006.
Parks and Recreation Commission - November 16, 2006.
Water Commission - December 7, 2006.

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

REGULAR AGENDA (5:49 PM)

[see media](#)

9. [06-1383](#) Recommendation to adopt resolution declaring a vacancy in the office of Member of the City Council for the Sixth Council District and ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the Sixth Councilmanic District in the City of Long Beach on Tuesday, the 1st day of May, 2007, for the purpose of filling the Office of Member of the City Council for Sixth Councilmanic District for the remainder of the term of office terminating on the 3rd Tuesday of July 2008; and

Councilmember Reyes Uranga spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-07-0002. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, DeLong, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 2 - S. Lowenthal and O'Donnell

Enactment No: RES-07-0002

[see media](#)

[06-1384](#)

Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, May 1, 2007. (District 6)

Harvey Cochran spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-07-0003. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 1 - O'Donnell

Enactment No: RES-07-0003

[see media](#)

10. [06-1386](#) Recommendation that the City Council receive and file the certification of the referendum petition regarding the Superstore Ordinance No. ORD-06-0040; and approve one of the following three alternative

actions, as required by the California Elections Code and the Long Beach City Charter, to either:

[1] Request City Attorney to prepare an ordinance which repeals Ordinance No. ORD-06-0040; or

[2] Request City Attorney to prepare a resolution calling for a special election to consider the re-adoption of Ordinance No. ORD-06-0040; or

[3] Request City Attorney to prepare a resolution placing the question of the re-adoption of Ordinance No. ORD-06-0040 on the ballot for the regularly scheduled election on June 3, 2008." (Citywide)

Councilwoman Schipske spoke.

Heather Mahood, Assistant City Attorney, spoke.

Councilmember DeLong spoke.

Larry Herrera, City Clerk, spoke.

A substitute motion was made by Councilmember DeLong, seconded by Councilmember Lerch, substitute motion to request City Attorney to prepare an ordinance which repeals Ordinance No. ORD-06-0040. The motion failed by the following vote:

Yes: 2 - DeLong and Lerch

No: 5 - B. Lowenthal, S. Lowenthal, Schipske, Reyes Uranga and Gabelich

Absent: 1 - O'Donnell

Councilmember Lerch spoke.

Byron Scheweigert spoke.

Harvey Cochran spoke.

Mark Bowen spoke.

Alan Hose spoke.

Annie Greenfeld Weisner spoke.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilmember S. Lowenthal spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember Lerch spoke.

Councilmember S. Lowenthal spoke.

Councilmember Lerch spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Larry Herrera, City Clerk, spoke.

Councilwoman Gabelich spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor B. Lowenthal, to approve recommendation to request City Attorney to prepare a resolution placing the question of the re-adoption of Ordinance No. ORD-06-0040 on the ballot for the regularly election on June 3, 2008. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, Schipske, Reyes Uranga, Gabelich and Lerch

No: 1 - DeLong

Absent: 1 - O'Donnell

[see media](#)

11. [06-1387](#)

Recommendation that the City Council: [1] receive the City Clerk Department's transmittal of a Mayoral veto of an Ordinance of the City Council of the City of Long Beach amending the Long Beach Municipal Code by adding Chapter 16.58 relating to labor peace agreements for hotels on City-owned property; and [2] determine whether within 30 days of December 22, 2006 to override the veto. (Citywide)

Larry Herrera, City Clerk, spoke.

Councilmember Reyes Uranga spoke.

Robert Shannon, City Attorney, spoke.

Motion: Motion that the item be laid over to the next meeting of January 16, 2007.

Moved by Reyes Uranga, Second by Schipske.

Thomas Murphy spoke.

Councilmember S. Lowenthal spoke.

Robert Shannon, City Attorney, spoke.

Mayor Foster spoke.

A motion was made by Councilmember Lerch, seconded by Councilwoman Gabelich, substitute motion to received and filed. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, Schipske, Reyes Uranga, Gabelich and Lerch

Absent: 1 - O'Donnell

[see media](#)

12. [06-1380](#)

Recommendation to receive and file the application of Alma Patricia Tiznado, dba Las Islitas Restaurant, for an original Alcoholic Beverage Control License, at 1585 Santa Fe Avenue, with conditions. (District 1)

Chief Batts spoke.

Robert Shannon, City Attorney, spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilwoman Gabelich, move to submit letter of protest to ABC requesting denial of the application. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, DeLong, Reyes Uranga, Gabelich and Lerch

Absent: 2 - O'Donnell and Schipske

[see media](#)

13. [06-1381](#)

Recommendation to authorize City Manager to execute the First Amendment to Contract No. 29217 with General Physics Corporation to install an additional 15,000-gallon above ground liquefied natural gas bulk storage vessel in an estimated amount of \$775,000. (District 5)

Thomas Murphy spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, DeLong, Reyes Uranga, Gabelich and Lerch

Absent: 2 - O'Donnell and Schipske

ORDINANCES: (6:44 PM)

[see media](#)

14. [06-1305](#) Recommendation to declare ordinance extending the Downtown Dining and Entertainment District Pilot Program through March 31, 2007, read and adopted as read. (Districts 1,2)

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-07-0001. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, DeLong, Reyes Uranga, Gabelich and Lerch

Absent: 2 - O'Donnell and Schipske

Enactment No: ORD-07-0001

[see media](#)

15. [06-1324](#) Recommendation to declare ordinance pre-zoning the area for General Industrial and Public Right-of-Way uses for the purpose of annexation of Rancho Dominguez/Alameda Industrial Area and Will Johnson Reservoir Property read and adopted as read. (Citywide)

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-07-0002. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, DeLong, Reyes Uranga, Gabelich and Lerch

Absent: 2 - O'Donnell and Schipske

Enactment No: ORD-07-0002

[see media](#)

16. [06-1342](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 10.28 and Section 10.30.020; and

by adding Section 10.38.140, exempting holders of veteran's license plates from certain parking fees read and adopted as read. (Citywide) Thomas Murphy spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-07-0003. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, DeLong, Reyes Uranga, Gabelich and Lerch

Absent: 2 - O'Donnell and Schipske

Enactment No: ORD-07-0003

NEW BUSINESS: (6:47 PM)

17. Affidavit of Service for the special meeting of Tuesday, January 2, 2007.

Mayor Foster reported on the condition of the injured police officers.

Vice Mayor B. Lowenthal made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilmember S. Lowenthal made community announcements.

Chief Batts thanked the Mayor and Councilmembers for their support during recent events.

ADJOURNMENT: (6:54 PM)

At 6:54 P.M., Mayor Foster adjourned the meeting.

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