



CITY OF LONG BEACH

C-7

DEPARTMENT OF CITY CLERK

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July 24, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council and the Study Session minutes for the meetings of Tuesday, July 10, 2007 and Tuesday, July 17, 2007.

DISCUSSION

The Legistar minutes of the City Council meetings and the Study Sessions that were held on Tuesday, July 10, 2007 and Tuesday, July 17, 2007 are attached for review and approval.

Should any district offices have questions regarding the minutes we submit each week, we respectfully request that you contact the City Clerk Department prior to 12:00 p.m. on the day of the City Council meeting. With notice prior to the meeting, City Clerk staff can attempt to resolve any questions that you may have before the start of the regular meeting.

In cases where questions cannot be resolved before the 5:00 p.m. meeting start time, we will request a motion and a second that the minutes be held over for approval to the following week.

TIMING CONSIDERATIONS

None.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem
Attachment

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

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL: (2:41 PM)

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

Councilmembers S. Lowenthal, Schipske and Gabelich
Absent:

Also present: Anthony W. Batts, City Manager; Christine Shippey, Assistant City Manager; Reginald Harrison, Deputy City Manager; Robert Shannon, City Attorney; Heather Mahood, Assistant City Attorney; Larry Herrera, City Clerk; Allison Bunma, City Clerk Analyst.

1. 07-0781 Recommendation to hold a study session regarding agencies, programs, issues and opportunities relating to wetlands in the City of Long Beach.

This Agenda Item was received and filed.

SECOND ROLL CALL: (2:42 PM)

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

Councilmembers S. Lowenthal and Gabelich
Absent:

Schipske joined the meeting.

Distributed at meeting: Los Cerritos Wetlands Land Trust for Long Beach and Seal Beach booklet from Ann Cantrell.

Councilmember O'Donnell spoke.

Mary Small, California State Coastal Conservancy, spoke and presented a PowerPoint presentation.

Mayor Foster joined the meeting.

Belinda Faustino, Executive Director of River and Mountain Conservancy, spoke and submitted a PowerPoint presentation.

THIRD ROLL CALL: (3:11 PM)

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

Councilmembers Gabelich
Absent:

S. Lowenthal joined the meeting.

Dennis Eschen, Manager of Planning and Development Bureau, spoke and submitted a PowerPoint presentation.

FOURTH ROLL CALL: (3:26 PM)

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

Gabelich joined the meeting.

Tim Anderson, Executive Director of Los Cerritos Wetlands Trust, spoke and submitted a PowerPoint presentation.

Ray Thorn and Dave Perasy, Friends of Colorado Lagoon, spoke and submitted a PowerPoint presentation.

Councilmember O'Donnell spoke.

Councilmember S. Lowenthal spoke.

PUBLIC: (3:42 PM)

Doug Cordell spoke.

C J spoke.

Harvey Cochran spoke.

Janice Dull spoke.

ADJOURNMENT: (3:51 PM)

At 3:51 p.m., Mayor Foster adjourned the meeting.

adb

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 & DRAFT MINUTES

ROLL CALL (5:03 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; Robert Shannon, City Attorney; Heather Mahood, Assistant City Attorney; Laura Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Dee Andrews, Councilman, Sixth District.

Pet Adoption: Julie Pruitt, spcaLA, presented a feline.

Certificate of Recognition presented. (5:06 PM)

07-0823 Certificate of Recognition presented to Samatha Larson in recognition of being the youngest person to climb to the summit of Mount Everest.

This Handout was received and filed.

Proclamation presented. (5:10 PM)

07-0821 Proclamation presented to Signal Hill Petroleum in recognition of their sponsorship of Summer Movies in the Park.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Vice Mayor B. Lowenthal spoke.

This Handout was received and filed.

Mayor Foster announced that Agenda Item No. 35 would be considered at this time.

CONTINUED HEARING (5:25 PM)

1. 07-0518 Recommendation to receive supporting documentation into the record, conclude the public hearing, deny the appeal of Sandra L. Van Horn, Nancy L. Buchanan, Nancy S. Ondeck, Melinda Cotton, Jeff Miller, Ann Cantrell, George M. Jones and Kerrie Aley, and sustain the decision of the City Planning Commission to approve the requests for Site Plan Review, Tentative Map, and Standards Variances; and adopt a resolution with findings of fact, statements of overriding consideration, and a mitigation monitoring program for the Seaport Marina Project at 6400 East Pacific Coast Highway (Case No. 0507-19);

 A motion was made by Councilmember DeLong, seconded by Councilmember Reyes Uranga, that the hearing be continued to the November 13, 2007 meeting. The motion carried by the following vote:

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

 Absent: 1 - Reyes Uranga

- 07-0520 Declare ordinance amending Subarea 17 of the Southeast Area Development Improvement Plan (SEADIP) (PD-1), the General Plan, and Local Coastal Development Program to change the allowable uses, adopt new development standards, and change the height limit to a maximum of 70 feet read for the first time and laid over to the next regular meeting of the City Council for final reading; and

 A motion was made by Councilmember DeLong, seconded by Councilmember Reyes Uranga, that the hearing be continued to the November 13, 2007 meeting. The motion carried by the following vote:

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

 Absent: 1 - Reyes Uranga

- 07-0562 Adopt resolution authorizing the Director of Planning and Building to submit amendments to the Long Beach Zoning Regulations to the California Coastal Commission for approval. (District 3)

 Correspondence from Kerrie Aley, appellant, was submitted for the record.

Sandra Van Horn, appellant, spoke.

Harvey Cochran spoke.

Karen Olson spoke.

Heather Altman spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Christine Shippey, Assistant City Manager, spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Bob Garrison, Lennar, spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Bob Garrison, Lennar, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Suzanne Frick, Director of Planning and Building, spoke.

Christine Shippey, Assistant City Manager, spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Melinda Cotton, appellant, spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember Reyes Uranga, that the hearing be continued to the November 13, 2007 meeting. The motion carried by the following vote:

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

Absent: 1 - Reyes Uranga

HEARINGS (5:49 PM)

2. 07-0764 Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution making certain findings; authorize City Manager to execute a Disposition and Development Agreement with Lyon West Gateway, LLC and The Long Beach Housing Development Company for the West Gateway project; and

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember S. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0092. 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-07-0092

- 07-0765 Adopt resolution making certain findings regarding the construction of certain public improvements with Downtown Long Beach Redevelopment Project Area Funds. (District 1)

Craig Beck, Redevelopment Bureau Manager, spoke.

Vice Mayor B. Lowenthal spoke.

Ben Rockwell spoke.

Thomas Fields, Chair, Redevelopment Agency, spoke.

Gary Shelton spoke.

Daniel Breznoff spoke.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember S. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0093. 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-07-0093

3. 07-0766

Recommendation to receive supporting documentation into the record, conclude the hearing and deny the Entertainment Permit application of JAB Entertainment, Inc., dba Sugarwalls, 1811 W. Anaheim Street, for an Entertainment Permit With Dancing by Performers at an existing restaurant. (District 1)

Distributed at the meeting: Correspondence from The Berns Co. and the Law Offices of Joshua Kaplan.

Vice Mayor B. Lowenthal spoke and submitted conditions.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember S. Lowenthal, to refer the denial of the entertainment permit for JAB Entertainment, Inc., dba Sugarwalls, located at 1811 West Anaheim Street, to a hearing officer, and request that staff issue a new temporary entertainment permit valid for 90 days with additional conditions recommended by the Long Beach Police Department. The motion carried by the following vote:

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

4. 07-0767

Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution confirming amended

assessment and directing actions with respect to Earthquake Repair Assessment District No. 90-3. (District 2)

Mayor Foster spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0094. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-07-0094

PUBLIC COMMENT (6:18 PM)

Allen Hose spoke regarding voting apathy.

Ingrid Anderson introduced her son, Taharka Anderson, who spoke regarding his opportunity to attend the British Open.

Ben Rockwell spoke regarding air quality and the Alameda Corridor.

Harvey Cochran spoke regarding Item R-34 from the July 3, 2007 City Council agenda and the water quality report.

07-0820 Doug Korthof spoke regarding solar power and submitted written comments.

This Handout was received and filed.

Constance Smith-Secula, Keyona Wiley, and Gregory Miles spoke regarding the supervisor at Martin Luther King Park.

Mike Ruehle spoke regarding zoning variances.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Al Austin spoke on behalf of Thomas Harlin, Danielle Wiley, and Mathew Brown regarding the supervisor at Martin Luther King Park.

CONSENT CALENDAR (6:47 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Vice Mayor B. Lowenthal, to approve Consent Calendar Items 5-21. The motion carried by the following vote:

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

5. 07-0780 Recommendation to receive and file travel report for the League of California Cities Environmental Quality Policy Committee meeting on June 29, 2007.
A motion was made to approve recommendation on the Consent Calendar.
6. 07-0792 Recommendation to approve the City Council and Study Session minutes for the meetings of Tuesday, July 3, 2007.
A motion was made to approve recommendation on the Consent Calendar.
7. 07-0793 Recommendation to refer to City Attorney damage claims received between June 28, 2007 and July 5, 2007.
A motion was made to approve recommendation on the Consent Calendar.
8. 07-0800 Recommendation to adopt a Standing Committee Minutes Policy which requires the docketing of meeting minutes for approval as a part of each Committee meeting.
A motion was made to approve recommendation on the Consent Calendar.
9. 07-0768 Recommendation to approve the Neighborhood Partners Program funding recommendations to support six neighborhood beautification and improvement projects in the amount of \$25,781. (Districts 1,2,6)
A motion was made to approve recommendation on the Consent Calendar.
10. 07-0770 Recommendation to adopt resolution directing the Los Angeles County Auditor-Controller to include, on the 2007-08 Secured Tax Roll, certain levies made pursuant to the provisions of the Long Beach Municipal Code for weed and/or debris removal in the amount of \$6,869.05. (Districts 1,5)
A motion was made to approve recommendation and adopt Resolution No. RES-07-0095 on the Consent Calendar.

Enactment No: RES-07-0095

11. 07-0771 Recommendation to adopt resolution establishing an annual special tax of \$0.12 per square foot for Community Facilities District No. 1 for commercial properties in Belmont Shore for Fiscal Year 2008. (District 3)

A motion was made to approve recommendation and adopt Resolution No. RES-07-0096 on the Consent Calendar.

Enactment No: RES-07-0096

12. 07-0769 Recommendation to authorize City Manager to purchase aircraft liability and hull insurance for police helicopters for the period of June 30, 2007 through June 30, 2008, through Driver-Alliant Insurance Services, for a total premium of \$143,954. (Citywide)

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

13. 07-0772 Recommendation to receive and file the application of Eunshin Kim and Hyon Chul Kim, dba Trimana Grill, for a person-to-person transfer of an Alcoholic Beverage Control License, at 95 Pine Avenue, with existing conditions. (District 2)

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

14. 07-0773 Recommendation to receive and file the application of Gitana USA Inc., dba Gitana of Long Beach, for a person-to-person transfer of an Alcoholic Beverage Control License, at 429 Shoreline Village Drive, Suite H, with existing conditions. (District 2)

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

15. 07-0774 Recommendation to receive and file the application of Bergin International Inc., dba Vin De Pays, for a person-to-person transfer of an Alcoholic Beverage Control License, at 252 Elm Avenue, with existing conditions. (District 2)

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

16. 07-0775 Recommendation to receive and file the application of Dorghalli Rami Michell and Nakoud Ibrahim Mikhyaël, dba Scottys Food & Gas, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3601 East 4th Street, with existing conditions. (District 3)

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

17. 07-0776 Recommendation to authorize City Manager to execute an agreement and any subsequent amendments, with an option for two one-year renewals subject to fund availability, with the County of Los Angeles Probation Department to provide a full-time Deputy Probation Officer for gang crime suppression services in an amount of \$136,000 for a 12-month term. (Citywide)

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

18. 07-0777 Recommendation to authorize City Manager to execute a three-year agreement and any subsequent amendments with Long Beach City College to provide instructional services to City employees with the funds generated to be directed for Police and Fire Department training budgets. (Citywide)

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

19. 07-0778 Recommendation to authorize City Manager to enter into a Memorandum of Agreement (Agreement) and any amendments thereto with the Transportation Security Administration (TSA) for the TSA to install and maintain Explosive Detection Systems (EDS) Units and Explosives Trace Detection (ETD) Devices at the Airport; and to increase appropriations in the amount of \$35,000 in the Airport Enterprise Fund (EF 320) in the Department of Public Works (PW). (District 5)

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

20. 07-0779 Recommendation to adopt resolution authorizing City Manager to execute all master agreements, program supplemental agreements, fund exchange agreements, fund transfer agreements, and any amendments thereto, with the California Department of Transportation. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-07-0097 on the Consent Calendar.

Enactment No: RES-07-0097

21. 07-0791 Recommendation to receive and file minutes of:
Harbor Commission - June 25, 2007.
Parks and Recreation Commission - May 17, 2007.

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

REGULAR AGENDA (6:48 PM)

22. 07-0799 Recommendation to adopt a City Council Rule requiring that Council meetings not continue beyond 11:00 p.m. and any agenda items not heard by that time be referred to the next regular Council meeting as unfinished business.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilman Andrews spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Harvey Cochran spoke.

Allen Hose spoke.

Gary Shelton spoke.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember Reyes Uranga, to receive and file. The motion carried by the following vote:

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

23. 07-0801 Recommendation to respectfully request City Manager work with the Long Beach Water Department to begin the process of upgrading the City's utility billing system and return to the City

Council within 30 days with a plan reflecting the following:

Request the new utility billing system provide the ability to implement a tiered rate structure for conservation incentive purposes across customer types, as well as provide other needed functions not currently available with the existing system;

Request, that as part of this process, staff provide cost estimates to the City Council and identify a funding strategy that minimizes the impact on the City's General Fund;

Request City Manager contact the Metropolitan Water District (MWD) to encourage promotion of incentives for municipalities that implement a tiered-rate system; and

Request City Manager survey municipalities and water agencies in the Southern California region to determine whether including a "lifeline" discount for elderly or disabled residents is necessary and beneficial.

Councilmember S. Lowenthal spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

Councilmember O'Donnell spoke.

Robert Shannon, City Attorney, spoke.

Councilmember S. Lowenthal spoke.

Harvey Cochran spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Schipske, 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

24. 07-0783

Recommendation to authorize City Manager to execute a loan agreement between the City of Long Beach and the Redevelopment Agency in an amount not to exceed \$22,000,000 for eligible open space projects within the Central Long Beach Redevelopment Project Area; and increase appropriations in the Department of Community Development (CD) and the RDA-Central Long Beach Fund (RD 228) by \$22,000,000 (Districts 1,4,6); and

Authorize City Manager to execute loan agreements between the City of Long Beach and the Redevelopment Agency in an amount not to exceed \$8,000,000 for eligible open space projects within the North Long Beach Redevelopment Project Area; and increase appropriations in the Department of Community Development (CD) and the RDA-North Long Beach Fund (RD 230) by \$8,000,000. (Districts 7,9)

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilmember Lerch spoke.

A substitute motion was made by Councilwoman Gabelich, seconded by Councilmember Andrews, to approve recommendation and stipulate that repayment of the loan not occur until the end of the project area activity period without the consent of both the City Council and the Redevelopment Agency Board.

The motion failed by the following vote:

Yes: 3 - Reyes Uranga, Gabelich and Lerch

Noes: 6 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske and Andrews

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Heather Mahood, Assistant City Attorney, spoke.

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Councilmember Lerch spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

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

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

Noes: 1 - Gabelich

25. 07-0785

Recommendation to authorize City Manager to execute a Master Lease Agreement and all related documents with SunTrust Leasing Corporation for a term of three years for a notional amount not to exceed \$10,000,000 with an option to extend the initial term for two years, for any remaining notional amount. (Citywide)

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

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

Absent: 1 - S. Lowenthal

26. 07-0786

Recommendation to adopt resolution authorizing City Manager to negotiate and execute Customer Natural Gas Transportation/Service Agreements and future amendments between the City of Long Beach and Gas Rate Schedule 7 (Cogeneration) and Schedule 9 (Transportation) customers for contract periods not to exceed five years, which shall continue until a new resolution changes the basis of these Agreements. (Citywide)

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilwoman Schipske, to approve recommendation and adopt Resolution No. RES-07-0098. The motion carried by the following vote:

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

Absent: 2 - DeLong and Gabelich

Enactment No: RES-07-0098

27. 07-0787

Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Beverages and More Inc., dba Beverages and More, for an original Alcoholic Beverage Control License and a person-to-person (premise-to-premise) Alcoholic Beverage Control License, at Pacific Coast Highway and 2nd Street Southeast Corner, with conditions. (District 3)

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

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

Absent: 1 - Gabelich

28. 07-0788

Recommendation to request City Attorney to prepare an ordinance, pursuant to the State of California's Digital Infrastructure and Video Competition Act of 2006, establishing a State video franchise fee, a fee to support Public, Educational and Government (PEG) channel facilities, and a schedule of penalties for any material breach of customer service standards for any State video franchise holder operating within the boundaries of the City of Long Beach. (Citywide)

Councilwoman Schipske spoke.

Vice Mayor B. Lowenthal spoke.

A motion was made by Vice Mayor B. Lowenthal, 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

29. 07-0789

Recommendation to authorize City Manager to execute a Master Agreement and all related documents with Xerox Corporation (Xerox) and Konica Minolta Business Solutions (KMBS) to provide hardware, software and maintenance services to support the City's document production equipment, in an aggregate annual amount not to exceed \$1,900,000, with a yearly increase of ten percent for a period of five years; and authorize City Manager to execute amendments to extend the term. (Citywide)

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

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

Absent: 1 - DeLong

- 30. 07-0790** Recommendation to authorize City Manager to execute agreements and all related documents with recommended firms to provide as-needed professional and technical services for system implementation, system analysis, project management, and technical support, in an aggregate amount not to exceed \$950,000 per year, for a period of one year; and authorize City Manager to execute amendments to extend the term. (Citywide)

A motion was made by Councilmember Andrews, seconded by Councilmember Reyes Uranga, to approve recommendation. The motion carried by the following vote:

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

Absent: 2 - DeLong and O'Donnell

ORDINANCES (7:56 PM)

- 31. 07-0746** Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 1.14 relating to flag protocols, read and adopted as read. (Citywide)

A motion was made by Councilwoman Schipske, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Ordinance No ORD-07-0034. 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: ORD-07-0034

- 32. 07-0750** Recommendation to declare ordinance amending Section 10.22.080 of the Long Beach Municipal Code by adding Subsection (CC) relating to parking vehicles for sale, read and adopted as read. (District 9)

A motion was made by Councilwoman Schipske, seconded by Councilmember Andrews, to approve recommendation and adopt Ordinance No. ORD-07-0035. 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: ORD-07-0035

NEW BUSINESS (5:17 PM)

- 33. 07-0803** Recommendation to confirm a new appointment to the Harbor Commission, and a new at-large appointment to the Redevelopment Agency Board, and two new appointments to the Water Commission 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.

- 34. 07-0804** Recommendation to make a new appointment 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.

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember DeLong, 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. 35 was considered following the presentations and prior to Agenda Item No. 1.

- 35. 07-0805** Recommendation to the City Council to concur in the recommendation of the Personnel and Civil Service Committee that the communication be received and the following appointments confirmed: new appointment to the Harbor Commission, a new at-large appointment to the Redevelopment Agency Board, and two new appointments to the Water Commission.

Councilwoman Schipske spoke.

Harvey Cochran spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor B. Lowenthal, to approve recommendation to appoint Nick Sramek to the Harbor Commission. The motion carried by the following vote:

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

Councilmember S. Lowenthal spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation to appoint John Allen to the Water Commission. The motion carried by the following vote:

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

A motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor B. Lowenthal, to approve recommendation to appoint Paul Blanco to the Water Commission. The motion carried by the following vote:

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

Councilmember S. Lowenthal spoke.

Harvey Cochran spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Andrews, to approve recommendation to appoint John Thomas to the Redevelopment Agency. The motion carried by the following vote:

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

36. Affidavits of Service for the special meetings of July 10, 2007.

ANNOUNCEMENTS (7:59 PM)

Mayor Foster requested that the meeting adjourn in honor of Ed Aldridge, a dedicated City employee.

Councilmember Reyes Uranga made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilmember O'Donnell made community announcements.

Vice Mayor B. Lowenthal requested that the meeting adjourn in honor of Robin Tole; and made community announcements.

Councilmember Gabelich made community announcements.

PUBLIC (8:06 PM)

Claudette Powers spoke regarding the 4th of July activities.

Eugene Holmes spoke regarding healthy air.

ADJOURNMENT (8:13 PM)

At 8:13 P.M., Mayor Foster adjourned the meeting in honor of Ed Aldridge and Robin Tole.

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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 & DRAFT MINUTES

ROLL CALL (3:43 PM)

Councilmembers B. Lowenthal, S. Lowenthal, O'Donnell, Schipske and Gabelich
Present:

Councilmembers DeLong, Andrews, Reyes Uranga and Lerch
Absent:

Also present: Anthony W. Batts, City Manager; Christine Shippey, Assistant City Manager; Reginald Harrison, Deputy City Manager; Heather Mahood, Assistant City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

1. 07-0828 Recommendation to hold a study session regarding the issuance of bonds for a long-term Natural Gas Prepayment Program.

This Agenda Item was received and filed.

Anthony W. Batts, City Manager, spoke.

Chris Garner, Director of Long Beach Gas & Oil, provided a PowerPoint presentation.

Mike Killebrew, Director of Financial Management, continued with the PowerPoint presentation.

Dan Hartman, consultant with Pacific Financial Management (PFM), continued the PowerPoint.

SECOND ROLL CALL (3:58 PM)

Councilmembers B. Lowenthal, S. Lowenthal, O'Donnell, Schipske, Andrews and
Present: Gabelich

Councilmembers DeLong, Reyes Uranga and Lerch
Absent:

Andrews joined the meeting.

Chris Garner, Director of Long Beach Gas & Oil continued the PowerPoint presentation.

Andy Safir, Recon Research, spoke.

Chris Garner, Director of Long Beach Gas & Oil, spoke.

Mayor Foster spoke.

Councilwoman Schipske spoke and requested a legal opinion regarding the proposed transaction.

Councilwoman Gabelich spoke.

PUBLIC (4:18 PM)

Harvey Cochran spoke.

ADJOURNMENT (4:22 PM)

At 4:22 PM, Mayor Foster adjourned the meeting.

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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 & DRAFT MINUTES

ROLL CALL: (4:35 PM)

Councilmembers B. Lowenthal, S. Lowenthal, O'Donnell, Schipske, Andrews and
Present: Lerch

Councilmembers DeLong, Reyes Uranga and Gabelich
Absent:

Also present: Anthony W. Batts, City Manager; Christine Shippey, Assistant City Manager; Robert Shannon, City Attorney; Mike Mais, Assistant City Attorney; Laura Doud, City Auditor; Larry Herrera, City Clerk; Allison Bunma, City Clerk Analyst.

Mayor Bob Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Val Lerch, Councilmember, Ninth District.

Mayor Foster announced that Agenda Item No. 20 would be considered at this time, followed by the Eighth District presentations.

The Eighth District presentations were considered following Public Comment speaker No. 1 and prior to speaker No. 2.

Presentations by Councilwoman Rae Gabelich, Eighth District, in recognition of community members and organizations for their significant contributions to the Eighth District. (5:27 PM)

Councilwoman Gabelich spoke.

Public Comment was continued at this time with speaker No. 2.

Agenda Item No. 1 was considered following Agenda Item No. 23.

SECOND ROLL CALL: (4:45 PM)

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

Councilmembers DeLong
Absent:

Councilwoman Gabelich and Councilmember Reyes Uranga joined the meeting during Agenda Item No. 20.

CONTINUED HEARINGS: (6:56 PM)

1. 07-0673 Recommendation to receive supporting documentation into the record, conclude the public hearing, and declare ordinance amending Chapter 18.18 of the Long Beach Municipal Code read the first time and laid over to the next regular meeting of the City Council for final reading; and

 A motion was made by Councilmember O'Donnell, seconded by Councilmember S. Lowenthal, 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: 8 - B. Lowenthal, S. Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

 Absent: 1 - DeLong

- 07-0674 Adopt resolution increasing the Park and Recreation Facilities Fees to \$4,221 for single family residential development, \$3,260 for multi-family residential development, \$2,397 for manufactured housing, and \$1,630 for artist loft/live work studios. (Citywide)
Christine Shippey, Assistant City Manager, spoke.

Dennis Eschen, Manager of Planning and Development Bureau, spoke and submitted a PowerPoint presentation.

Mike Mais, Assistant City Attorney, spoke and indicated that there was a typographical error in the resolution and that the City Attorney will make the correction and submit it to the City Clerk.

Byron Schwagert, Long Beach Area Chamber of Commerce, spoke.

Suzanne Brown spoke.

Mike Murchinson spoke.

Mike Mais, Assistant City Attorney, spoke.

Councilmember Lerch spoke.

Mayor Foster spoke.

Vice Mayor B. Lowenthal spoke.

A motion was made by Councilwoman Schipske, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0100. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-07-0100

2. 07-0818 Recommendation to receive supporting documentation into the record, conclude the public 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 westerly 613 feet of Sixty-Eighth Street. (District 9)

A motion was made by Councilmember Lerch, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-07-0101. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: RES-07-0101

Following Agenda Item No. 2, Agenda Item No. 18 was considered.

Public Comment was considered following Agenda Item No. 17, and prior to the Eighth District presentations.

PUBLIC COMMENT: (5:25 PM)

Roger Holman spoke regarding Interfaith Community Organization (ICO) town hall meeting announcement and information.

The Eight District presentations were considered at this time, followed by Public Comment speaker No. 2.

Joseph Czuba spoke regarding tobacco.

Harvey Cochran spoke regarding PSA water and made general comments.

Chuck Hyde spoke regarding July 3, 1775.

Doug Korthof spoke regarding Long Beach solar program.

Agenda Item No. 23 was considered at this time.

The Consent Calendar (Items 3 - 16) was considered following Agenda Item No. 20 prior to Agenda Item No. 17.

CONSENT CALENDAR: (5:22 PM)

Passed The Consent Calendar

A motion was made by Councilmember O'Donnell, seconded by Vice Mayor B. Lowenthal, to approve Consent Calendar Items, except for items. The motion carried by the following vote:

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

Absent: 1 - DeLong

3. 07-0822 Recommendation to adopt resolution amending Section 15 of Resolution No. RES-07-0074 known as the Salary Resolution. (Citywide)
A motion was made to approve recommendation and adopt Resolution No. RES-07-0099 on the Consent Calendar.
Enactment No: RES-07-0099
4. 07-0817 Recommendation to refer to City Attorney damage claims received between July 5, 2007 and July 12, 2007.
A motion was made to approve recommendation on the Consent Calendar.
5. 07-0721 Recommendation to authorize City Manager to execute all documents necessary for a Lease with Kiet Chi Hong, an individual, for approximately 800 square feet of rentable space at 1526 East 4th Street for the continuation of a children's art education program for a three-year term at the initial monthly base rent of \$850; and increase appropriations in the amount of \$13,800 in the General Fund (GP) in the Department of Parks, Recreation and Marine (PR). (District 2)
A motion was made to approve recommendation on the Consent Calendar.
6. 07-0806 Recommendation to authorize City Manager to execute all necessary

documents for the conveyance of City-owned property identified as Assessor Parcel Number 7261-029-901 to Jim M. and Susan M. Morris. (District 2)

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

7. 07-0807 Recommendation to authorize City Manager to execute all necessary agreements and any subsequent amendments that change the terms or increase grant amounts with the County of Los Angeles to receive a \$450,000 grant for the Summer Youth Employment Program for the period of July 1, 2007 through June 30, 2008; and increase appropriations by \$450,000 in the Community Development Grants Funds (SR 150) in the Department of Community Development (CD). (Citywide)

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

8. 07-0808 Recommendation to authorize City Manager to execute all necessary agreements and any subsequent amendments that change the terms or increase grant amounts with the South Bay Center for Counseling, and to receive \$38,000 to augment Youth Opportunity Center Programs for the period of July 1, 2007 through June 30, 2008. (Citywide)

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

9. 07-0809 Recommendation to authorize City Manager to execute all documents and any subsequent amendments with the Children's Dental Health Clinic of Long Beach to contract with the City of Long Beach, through the Department of Health and Human Services, to provide services for a Dental Disease Prevention Program, in the amount of \$69,722 for a period of one year, commencing May 1, 2007 through April 30, 2008; and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$84,481. (Citywide)

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

10. 07-0810 Recommendation to authorize City Manager to execute an agreement and any subsequent amendments with the California Department of Education in the amount of \$1,732.28 for the provision of health and sanitation inspections for the Summer Food Service Program for a period of three months. (Citywide)

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

11. 07-0811 Recommendation to authorize City Manager to execute all necessary documents with the State of California Department of Health Services to provide Beach Water Quality Monitoring and Public Notification from October 1, 2007 through September 30, 2008; and increase appropriations in the Health Fund (SR 130) in the Department of Health and Human Services (HE) by \$25,000. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
12. 07-0812 Recommendation to authorize City Manager to execute all necessary documents and subsequent amendments with the State of California Department of Health Services for the provision of immunization services, in the amount of \$323,814 for the period of one year, and execute a service subcontract with a designated service provider. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
13. 07-0813 Recommendation to adopt Specifications No. PA-02307 and award a contract to United Pacific Services, Inc., to provide tree trimming services, in the total estimated annual amount of \$600,000 for a one-year period commencing July 1, 2007, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
14. 07-0814 Recommendation to find that all requirements of the final subdivision map have been satisfied and approve the map for Tract No. 53925 located south of Bluff Place and east of 11th Place. (District 2)
A motion was made to approve recommendation on the Consent Calendar.
15. 07-0815 Recommendation to authorize City Manager to execute the Fourth Amendment to Contract No. 28247 with Bureau Veritas North America, Inc., (formerly known as Berryman & Henigar) and to increase the contract amount by \$500,000. (Citywide)
A motion was made to approve recommendation on the Consent Calendar.
16. 07-0819 Recommendation to receive and file minutes of:
Harbor Commission - July 2, 2007.
Planning Commission - May 17, 2007.

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

UNFINISHED BUSINESS:

17. 07-0737 Recommendation to receive and file the application of Calenda Inc., dba Oaxaca Mio Restaurant, for an original Alcoholic Beverage Control License, at 1169 East 10th Street, with conditions. (District 6)

Councilman Andrews spoke.

Harvey Cochran spoke.

A motion was made by Councilmember Andrews, seconded by Councilmember S. Lowenthal, that the item be laid over to the Tuesday, July 24, 2007 meeting. The motion carried by the following vote:

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

Absent: 1 - DeLong

Public Comment was considered at this time.

Agenda Item No. 18 was considered following Agenda Item No. 2.

REGULAR AGENDA: (4:37 PM)

18. 07-0825 Recommendation to refer the issue of requiring firearms ammunition vendors in the City of Long Beach to keep ammunition sales records to the Public Safety Committee and the Public Safety Advisory Commission for study and recommendation; and also work with surrounding jurisdictions, as well as the Gateway Council of Governments, to potentially adopt the same ordinance.

Vice Mayor B. Lowenthal spoke.

Acting Chief Robert Luna spoke.

John Deats spoke.

Claudette Powers spoke.

Harvey Cochran spoke.

Councilwoman Gabelich spoke.

Acting Chief Robert Luna spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilwoman Schipske, to approve recommendation and refer concurrently to the Public Safety Committee and the Public Safety Advisory Commission. The motion carried by the following vote:

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

Absent: 1 - DeLong

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilwoman Schipske, to approve recommendation and refer concurrently to the Public Safety Committee and the Public Safety Advisory Commission. The motion carried by the following vote:

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

Absent: 1 - DeLong

19. 07-0826

Recommendation to request City Manager to work with appropriate staff, residents and business owners to develop a plan to facilitate improvements on East Anaheim business district/corridor and report back to Council on the status of these efforts in 60 days.

Councilmember O'Donnell spoke.

Harvey Cochran spoke.

Councilmember O'Donnell spoke.

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

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

Absent: 1 - DeLong

Agenda Item No. 20 was considered following the Flag Salute, and prior to the Consent Calendar.

20. 07-0827

Recommendation to:

- 1) Receive and file the June 2007, "Long Beach Police Efficiency Study";

- 2) Request City Manager and Police Department to review recommendations regarding "Civilianization," develop comprehensive strategies consistent with those recommendations, and advise the City Council and City Auditor as to progress and plans for implementation in 90 days, six months and one year from the date of receipt and filing;
- 3) Request City Manager and Police Department to review recommendations regarding "Redeployment," develop comprehensive strategies consistent with those recommendations, and advise the City Council and City Auditor as to progress and plans for implementation in 90 days, six months and one year from the date of receipt and filing;
- 4) Request City Manager, Police Department and Department of Technology Services to review recommendations regarding "Technology Upgrades," develop comprehensive strategies consistent with those recommendations, and advise the City Council and City Auditor as to progress and plans for implementation in 90 days, six months and one year from the date of receipt of filing; and
- 5) Request the City Manager, Police Department and Public Works (specifically Fleet Services and Towing Operations) to review recommendations regarding "Fine Enforcement," develop comprehensive strategies consistent with those recommendations and advise the City Council and City Auditor as to progress and plans for implementation in 90 days, six months and one year from the date of receipt and filing.

Laura Doud, City Auditor, spoke and submitted a PowerPoint presentation.

Anthony W. Batts, City Manager, spoke.

Acting Chief Robert Luna spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Vice Mayor B. Lowenthal spoke.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Harvey Cochran spoke.

Steve James spoke.

Janet Wright, employee Machinist Union representative, spoke.

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

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

Absent: 1 - DeLong

The Consent Calendar (Items 3-16) was considered at this time.

Agenda Item No. 21 was considered following Agenda Item No. 19.

- 21. 07-0816** Recommendation to approve the Fiscal Year 2007 - 2008 Action Plan for the Use of Community Development Block Grant, Home Investment Partnership Grant, American Dream Downpayment Initiative and Emergency Shelter Grant Funds. (Citywide)

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

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

Absent: 1 - DeLong

NEW BUSINESS: (6:43 PM)

- 22. 07-0829** Recommendation to confirm five new appointments and five re-appointments to the Bixby Knolls Parking and Improvement Area Association.

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

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

Absent: 1 - DeLong

Agenda Item No. 23 was considered following Public Comment and prior to Agenda Item No. 1.

23. 07-0830 Recommendation to request City Attorney to draft a resolution in support of HR 800 (Employee Free Choice Act).

Councilmember Reyes Uranga spoke.

Vice Mayor B. Lowenthal spoke.

Steven Neal spoke.

Theresa Brooks spoke.

Byron Schwagert, Long Beach Area Chamber of Commerce, spoke.

Janet Wright, employee Machinist Union representative, spoke.

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

Yes: 6 - B. Lowenthal, S. Lowenthal, O'Donnell, Schipske, Andrews and Reyes Uranga

Noes: 1 - Lerch

Absent: 2 - DeLong and Gabelich

Agenda Item No. 1 was considered at this time.

Agenda Item No. 24 was considered following Agenda Item No. 22.

24. 07-0831 Recommendation to request City Attorney to amend the Long Beach Municipal Code to allow the use of canopies, provided the following guidelines are met:

- Collapsible canopies shall be restricted to the rear yard.
- Collapsible canopies shall have a minimum setback of five feet from the side and rear property lines.
- Collapsible canopies shall not be visible from public and/or private streets.
- Collapsible canopies shall be maintained in a manner that prevents the creation of any nuisance or otherwise detracts from the property value or residential character of the neighborhood.
- Collapsible canopies shall be not greater than 10 feet in height as measured from the adjacent finished grade.
- Collapsible canopies shall be constructed of flame retardant materials.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Harvey Cochran spoke.

Alan Gafford spoke.

Councilwoman Schipske spoke.

Claudette Powers spoke.

A motion was made by Councilwoman Schipske, seconded by Councilmember S. Lowenthal, to approve recommendation and refer the issue to the City Manager for Planning and Building to come back to the City Council with suggestions. The motion carried by the following vote:

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

Absent: 2 - DeLong and Andrews

Mayor Foster recused himself and Vice Mayor B. Lowenthal assumed the chair during Agenda Item No. 24.

25. Affidavits of Service for the special meetings held Tuesday, July 17, 2007.

ANNOUNCEMENT: (7:37 PM)

Councilmember O'Donnell made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilwoman Schipske made community announcements.

Vice Mayor B. Lowenthal made community announcements.

PUBLIC: (7:45 PM)

Casey spoke.

Matthew Harris spoke.

Anthony W. Batts, City Manager, spoke.

Mark Andrews, Associated Students President at California State University, Long Beach, spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

ADJOURNMENT: (7:55 PM)

At 7:55 P.M., Vice Mayor B. Lowenthal adjourned the meeting.

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