

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



Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

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

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

ROLL CALL (5:13 PM)

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

Also present: Gerald Miller, City Manager; Christine Shippey, Assistant 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: Gary DeLong, Councilmember, Third District.

There being no objection, Mayor Foster declared that the minutes of the City Council
meeting of Tuesday, December 5, 2006 be approved.

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

Certificate of recognition for award recipients from End Abuse Long Beach, Child
Protection Award to Grady Goddard, MFT; and Domestic Violence Prevention Award to
Ellen Goldsmith, LCSW. (5:16 PM)

Proclamation in recognition for departing Deputy Chief of Police, Timothy Jackman. (5:16
PM)

Proclamation in recognition for Chris Kunze, Airport Manager, on the occasion of his
retirement. (5:21 PM)

Mayor Foster spoke regarding the Paradise Garden's fire.

Councilmember Lerch spoke.

Chief Dave Ellis spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Nancy Kinderman , Long Beach Red Cross, spoke.

CONTINUED HEARING: (6:01 PM)

1. [06-1146](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with or without conditions, or deny the Permit on the application of Broadlind Lounge LLC, dba The Basement, 149 Linden Avenue, B-100, for a Permit for Entertainment With Dancing by Patrons at an existing restaurant. (District 2)

Jim Wilson spoke.

Jennifer Slate spoke.

Cameron Asanit spoke.

Nathan Trubrado spoke.

Deborah Sunbower spoke.

Isaac Ross spoke.

Ed Coutchey spoke.

Diane Tunn spoke.

Jennifer Collins spoke.

Matthew Barnum spoke.

Camille Lewis spoke.

Amy Borden spoke.

Michael Vidal spoke.

Ryan Smollar spoke.

Ana Salisbury spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember DeLong, to approve recommendation to approve the Permit with the following conditions: 1) Incorporate all conditions recommended in the staff report with the exception of hours of entertainment; 2) hours of entertainment: Sunday through Wednesday (12:00 A.M.) and Thursday through Saturday (2:00 A.M.); 3) patrons must exit the establishment through the first floor onto Broadway beginning at 1:30 A.M. on a permanent basis; 4) permittee be required to contact appropriate city staff with new parking arrangements should current public parking arrangements at Broadway and Elm Avenue and Long Beach Boulevard be closed due to construction or other use; 5) permittee be required to encourage patron parking in public lots instead of Linden avenue as part of any advertising including flyers, website, newspaper or magazine ads. The motion carried by the following vote:

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

HEARINGS: (6:50 PM)

[see media](#)

2. [06-1313](#)

Recommendation to open the public hearing on the adoption of the ordinances to amend certain time limits with respect to the redevelopment plans for the Poly High and West Beach Redevelopment Project Areas, receive and/or hear testimony related to the adoption of said ordinances and conclude the hearing;

Declare the ordinance amending certain time limits for the Poly High Redevelopment Project Area 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 Reyes Uranga, seconded by Vice Mayor B. 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, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

[see media](#)

[06-1314](#)

Declare the ordinance amending certain time limits for the West Beach Redevelopment Project Area read for the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1,2,6)

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, 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, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

[see media](#)

3. [06-1298](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, overrule the appeal by appellants Lisa Gary, Marcela Meckna, Eleanor Clark, Steve Schiro, Michelle McBride and Kathryn Wallace, and sustain the decision of the City Planning Commission to approve Tentative Parcel Map No. 66552 to convert two (2) detached residential units to condominiums at 4300 and 4302 East 15th Street (Case No. 0606-20). (District 4)

Greg Carpenter, Planning Bureau Manager, spoke.

Mayor Foster spoke.

Lisa Gary, appellant, spoke.

Steve and Marcela Meckna, appellant, spoke.

Steve Schiro, appellant, spoke.

Merry Covin spoke.

Councilmember O'Donnell spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

A motion was made by Councilmember O'Donnell, seconded by Vice Mayor B. Lowenthal, to approve recommendation to overrule the appeal and sustain the decision of the City Planning Commission. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske and Lerch

No: 2 - Reyes Uranga and Gabelich

[06-1346](#) Cynthia Voss spoke and submitted comments.

This Handout was received and filed.

[06-1347](#) Kim Napolillo spoke and submitted comments.

This Handout was received and filed.

Mayor Foster announced that Agenda Item Nos. 17 and 28 would be taken out of order.

Agenda Item No. 17 was considered at this time.

Agenda Item No. 28 was read at this time.

At 7:56 P.M., Mayor Foster and Robert Shannon, City Attorney, announced that the City Council would retire to a close session to discussion potential litigation related to Agenda Item No. 28, the Labor Peace ordinance.

At 8:35 P.M., Mayor Foster reconvened the meeting.

Agenda Item No. 28 was considered at this time.

PUBLIC COMMENT: (8:41PM)

Thomas Murphy spoke regarding Christmas home display.

Maria Norvell spoke.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

John Deats spoke regarding the Daisy Lane parade, the fire mutual aid agreement, and the Halloween violence incident in Bixby Knolls.

Councilwoman Gabelich spoke.

CONSENT CALENDAR: (8:55 PM)

Passed The Consent Calendar

A motion was made by Councilmember Lerch, seconded by Councilmember DeLong, to approve Consent Calendar Items 4 - 15, except for Items 6, 7, 8, 9 and 12. The motion carried by the following vote:

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

Absent: 1 - Schipske

4. [06-1312](#) Recommendation to receive and file travel report for League of California Cities and National League of Cities meetings between December 1, 2006 and December 7, 2006.

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

5. [06-0895](#) Recommendation to refer to City Attorney damage claims received between November 30, 2006 and December 7, 2006.

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

[see media](#)

6. [06-1293](#) Recommendation to authorize City Manager to execute First Amendment to Lease No. 26484 with 444 W. Ocean LLC, an Arizona limited liability company, for City-owned property beneath the Queensway Bridge to amend the leased premises, extend the term of the lease, provide for periodic fair market rent adjustments and identify a 20-foot area of protection within the leased premises. (District 2)

Thomas Murphy spoke.

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

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

[see media](#)

7. [06-1294](#) Recommendation to authorize City Manager to accept fee title and execute all necessary documents to transfer title to Daryle Black Park at 2023 Pasadena Avenue, Grace Park at the corner of Plymouth Street and Elm Avenue and Davenport Park at 2910 East 55th Way from the Redevelopment Agency of the City of Long Beach. (Districts 6,8,9)

Thomas Murphy spoke.

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

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

[see media](#)

8. [06-1295](#)

Recommendation to authorize City Manager to execute all documents necessary for an agreement with Overland, Pacific and Cutler, Inc., a California corporation, for acquisition, relocation, property management and site clearance services for a three-year term in an amount not to exceed \$300,000 per year. (Citywide)

Thomas Murphy spoke.

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

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

[see media](#)

9. [06-1297](#)

Recommendation to adopt Specifications No. PA-00507 and award a contract to Peck Road Truck Center for furnishing and delivering four, two-axle Condor, Model PRL-42E liquefied natural gas (LNG) powered dump trucks in the amount of \$687,550 including tax. (Citywide)

Thomas Murphy spoke.

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

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

10. [06-1299](#)

Recommendation to authorize City Manager to execute a Third Amendment to Contract No. 28548 with Zoll Medical Corporation for the purchase and upgrade of 12-Lead electrocardiogram units, and increase the total amount of the contract by \$361,300. (Citywide)

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

11. [06-1259](#)

Recommendation to adopt resolution authorizing City Manager to accept, execute any documents necessary, and allocate funding for the

implementation and administration of the Clean Vessel Act of 1992 Pumpout Grant for maintenance, repair parts, and services for vessel pumpout and dump stations in the marinas, through the State Department of Boating and Waterways, in an amount not to exceed \$20,000. (Districts 2,3)

A motion was made to approve recommendation and adopt Resolution No. RES-06-0142 on the Consent Calendar.

Enactment No: RES-06-0142

[see media](#)

12. [06-1300](#)

Recommendation to authorize City Manager to execute a contract with Hogle-Ireland Inc., effective December 1, 2006, to manage and coordinate the Douglas Park entitlements for a period of three years, with options for two additional periods of one year each, for an annual amount not to exceed \$200,000, which will be fully reimbursed by Boeing Realty Corporation. (District 5)

Thomas Murphy spoke.

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

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

13. [06-1302](#)

Recommendation to request City Attorney to prepare an amendment to Section 10.14.020 of the Long Beach Municipal Code, adding a new subsection to read:

“(Westbound) Melrose Way between Atlantic Avenue and Linden Avenue.” (District 1)

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

14. [06-0710](#)

Recommendation to receive and file minutes of:
Harbor Commission - November 27, 2006.

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

15. [06-1301](#)

Recommendation to approve Certificates of Recognition presented to recipients of End Abuse Long Beach; Child Protection Award, Grady Goddard, MFT; Domestic Violence Prevention Award, Ellen Goldsmith, LCSW; and Proclamations in recognition for departing Deputy Chief of Police Timothy Jackman, and Chris Kunze, Airport Manager, on the occasion of his retirement.

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

REGULAR AGENDA: (9:10 PM)

[see media](#)

16. [06-1289](#) Recommendation to request City Manager to report to the City Council on the feasibility of forming a joint powers authority with the City of Lakewood for the purpose of providing improvements in the Carson Street corridor.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

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

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

Agenda Item No. 17 was considered following Agenda Item No. 3 and prior to Agenda Item No. 28.

[see media](#)

17. [06-1315](#) Recommendation to receive and file a presentation and report from Dr. Joseph P. Magaddino and Dr. Lisa M. Grobar entitled, *The Economic Impact and Revitalization of Downtown Long Beach*, commissioned by the Downtown Long Beach Associates.

Councilmember S. Lowenthal spoke.

Joseph P. Magaddino, Ph.D., Office of Economic Research, CSULB, provided a PowerPoint presentation.

Councilmember S. Lowenthal spoke.

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

Yes: 5 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell and Lerch

No: 3 - Schipske, Reyes Uranga and Gabelich

[see media](#)

18. [06-1316](#) Recommendation to request City Manager coordinate a visioning process for the restoration of the Queen Mary and development of its

surrounding properties that includes a City Council study session and an outline of the process for reaching consensus on guiding principles and goals for use of the site; and

Request City Manager to engage the Downtown Visioning Committee in the Queen Mary visioning process to encourage complementary planning and development within the harbor area.

John Thomas spoke.

Councilmember S. Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember S. Lowenthal spoke.

Robert Shannon, City Attorney, suggested a closed session to discuss the issue in early January 2007.

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

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

[see media](#)

19. [06-1211](#)

Recommendation to City Council to concur in recommendation of the Transportation and Infrastructure Committee to receive and file report regarding Citywide infrastructure maintenance and improvement process.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch 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, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

[see media](#)

20. [06-1317](#)

Recommendation to receive City Clerk Department status report concerning procurement of a modern central count voting system; and authorize the City Clerk to take necessary actions to: [1] procure Hart InterCivic's "Ballot Now" paper based voting system; and [2] retain the services of K and H Integrated Printing Solutions for mailing services and printing of official ballots, sample ballots and vote-by-mail materials; and direct that the City Clerk report back to City Council on January 9, 2007, relative to final financing and contractual requirements necessary to procure a modern voting system and printing services.

Larry Herrera, City Clerk, distributed and narrated a PowerPoint presentation.

Vice Mayor B. Lowenthal spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to approve recommendation and refer to the City Clerk with report due back on January 9, 2007. 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](#)

21. [06-1304](#)

Recommendation to authorize City Manager to execute Purchase and Sale Agreement and Escrow Instructions and all necessary documents for the acquisition of 8.9 acres from the Union Pacific Railroad Company for the Drake/Chavez Greenbelt Project for the purchase price of \$5,065,000, including escrow and closing fees. (District 1)

Vice Mayor B. Lowenthal spoke.

Mike Conway provided a PowerPoint presentation.

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

Councilmember Lerch spoke.

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

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

Absent: 2 - O'Donnell and Gabelich

[see media](#)

22. [06-1306](#)

Recommendation to adopt Statement on Investment Policy for Calendar Year 2007, pursuant to Section 53646 (a) of the State of California Government Code. (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: 6 - B. Lowenthal, S. Lowenthal, DeLong, Schipske, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

[see media](#)

23. [06-1307](#)

Recommendation to authorize City Manager to execute a three-year agreement with the National Conference for Community and Justice (NCCJ) to develop and implement an "Embracing Diversity - Building The Inclusive City" training program for City employees over a three-year period in an amount of \$202,000. (Citywide)

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

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

[see media](#)

24. [06-1308](#)

Recommendation to adopt Memorandum of Understanding for Coordination of Water Resources Planning Relating to Proposition 50 Grant Funding and Implementation. (Citywide)

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

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

ORDINANCES: (9:52 PM)

[see media](#)

25. [06-1290](#) Recommendation to declare ordinance amending Section 10.22.080 of the Long Beach Municipal Code by amending Subsection W relating to parking vehicles for sale read the first time and laid over to the next regular meeting of the City Council for final reading. (District 9)
- A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, 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, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

26. 06-1291 Recommendation to declare ordinance amending Chapter 10.28 of the Long Beach Municipal Code exempting holders of certain license plates from parking meter fees read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

This Ordinance was withdrawn.

[see media](#)

27. [06-1309](#) Recommendation to declare ordinance amending Section 2.07.010 of the Long Beach Municipal Code regarding the Code of Ethics read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)
- A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, 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, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich and Lerch

Agenda Item No. 28 was considered following Agenda Item No. 17 and prior to Public Comment.

[see media](#)

28. [06-1236](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 16.58 relating to Labor Peace Agreements for hotels on City-Owned property, read and adopted as read. (Citywide)

Distributed at the meeting: Correspondence from Matthew Venegas, President of EventPeople, Inc.

Councilmember DeLong spoke.

Motion: That the issue be sent to State Legislation Committee for further

review.

Moved by DeLong, seconded by Lerch.

Councilmember Reyes Uranga spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember O'Donnell spoke.

A substitute motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember S. Lowenthal, to approve recommendation and adopt Ordinance No. ORD-06-0057. The motion carried by the following vote:

Yes: 5 - B. Lowenthal, S. Lowenthal, O'Donnell, Schipske and Reyes Uranga

No: 3 - DeLong, Gabelich and Lerch

Enactment No: ORD-06-0057

[see media](#)

29. [06-1252](#)

Recommendation to declare ordinance amending zoning regulations regarding expansion of churches in the R-1-N zone with a Conditional Use Permit, read and adopted as read (Case No. 0601-20). (Citywide)

A motion was made by Councilmember DeLong, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Ordinance No. ORD-06-0058. The motion carried by the following vote:

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

Enactment No: ORD-06-0058

[see media](#)

30. [06-1280](#)

Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 1.28 relating to record retention, 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-06-0059. The motion carried by the following vote:

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

Absent: 1 - DeLong

Enactment No: ORD-06-0059

ANNOUNCEMENTS: (9:54 PM)

Councilmember O'Donnell made community announcements.

Councilmember S. Lowenthal made community announcements.

Vice Mayor B. Lowenthal made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilwoman Schipske made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Lerch made community announcements.

ADJOURNMENT: (10:03 P.M.)

At 10:03 P.M., Mayor Foster adjourned the meeting.

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