

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District



Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

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

Beverly O'Neill, Mayor

Robert E. Shannon, City Attorney

ROLL CALL

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

HEARINGS

- 1 [04-1560](#) Resolution ordering the vacation of a portion of the alley west of Long Beach Boulevard and north of Fourteenth Street, reserving easements for utilities. (District 1)

A motion was made by Councilmember Lowenthal, seconded by Councilwoman Richardson, that this matter be laid over for September 7, 2004. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

Enactment No: C-28428

- 2 [04-1561](#) Establishment of Preferential Parking District N. (District 3)

Flo Butterball spoke in support

James Kelsey spoke in support

Frederick Parker spoke in support

A motion was made by Councilmember Colonna, seconded by Councilwoman Richardson, to receive supporting documentation into the record, conclude the hearing, including petitions, into the record, conclude the hearing, and request City Attorney to prepare amendment to the Municipal Code, to establish Preferential Parking District "N" as recommended by City Traffic Engineer.

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

PUBLIC COMMENT:

Thomas Murphy spoke regarding earthquake preparedness.

Eugene Ruyle spoke regarding lawsuit against peace activities.

Everett Gantz spoke regarding Long Beach Peace Network.

Lary Moore spoke regarding lawsuit against Long Beach Peace Network.

Bettina Lambert spoke regarding suit filled in small claims court against individuals of the Long Beach Peace Area Network.

Margaret Lander spoke regarding City suit against Long Beach Peace Network organizers and surfriders.

Joe Czuba spoke regarding tree removal at southeast side of Queensway Bay.
(photos)

Annie Greenfeld-Wisner spoke regarding enforcement of zero tolerance of fireworks.

Rebecca Magdaleno Rankins spoke regarding proposed homeless shelter in the Central Long Beach area.

Warren Wisner spoke regarding fireworks.

CONSENT CALENDAR

Approve Consent Calendar Items 3-16 except items 6, 7, 8, 9, 10, and 11 pulled for discussion.

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

3 [04-1562](#) Animal control review.

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

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

4 [04-1563](#) Claims for Damages.

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

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

6 [04-1566](#) First Amendment to Agreement No. 28598 for Federal Legislative Advocacy Services. (Citywide)

Thomas Murphy

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to authorize City Manager to amend agreement with E. Del Smith and Company in the amount of \$52,400 for a total agreement of \$275,760.

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

- 7 [04-1567](#) Purchase Order to International City Theatre for 2004 Summer Traveling Children's Theatre. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to authorize issuance of purchase order in the amount of \$46,000. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

- 8 [04-1568](#) Amend Contract with Condor Earth Technologies, Inc., for design and installation of two additional Fixed Global Positioning System (GPS) Stations, support for Fixed GPS Station Monitoring System, and support for Semiannual Mobile GPS Survey. (Citywide)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Vice Mayor Kell, to authorize City Manager to execute an amendment to Contract No. 28025, for design and installation of two additional fixed global positioning stations, support for fixed station monitoring system, and support for semiannual mobile GPS survey, not to exceed \$230,000 for the first year. For two additional years, the support for fixed stations will not exceed \$90,000 per year, and support for semiannual mobile GPS survey will not exceed \$45,000 per year, both with an additional two-year option to renew at City Manager's discretion. Contract as amended will be in effect from August 1, 2004 to July 31, 2007. Two-year option to renew will extend contract term to July 31, 2009

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

Enactment No: C-28296

9 [04-1569](#)

Extend Crude Oil Marketing Agreement with West Coast Energy Marketing, LLC. (Districts 1,2)

A motion was made by Councilmember Baker, seconded by Councilwoman Richardson, to authorize City Manager to execute three-month extension of the agreement between City of Long Beach, as Long Beach Unit Operator, and West Coast Energy, LLC, changing termination date to October 31, 2004, and provide for City Manager to approve additional three-month extension, if required, to agreement for sale of oil allocated to Long Beach Unit Townlot Working Interest Owners.

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

10 [04-1570](#)

Agreement with CREA/PPC Long Beach Towne Center PO, LLB (formerly Vestar Property Management) to provide supplemental law enforcement services at Long Beach Towne Center. (District 5)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to authorize City Manager to execute agreement and any subsequent amendments, for six-month terms, as determined by Chief of Police; agreement may be terminated with 30 days' written notice by either party.

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

11 [04-1571](#)

Space Use Agreement between City and Los Angeles County Department of Children and Family Services (DCFS).

(Citywide)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to authorize City Manager to execute agreement, and any subsequent amendments, to provide office space and allow for telephone usage for the DCFS response team staff; agreement may be terminated with 30 days' written notice by either party. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

12 [04-1572](#)

Memorandum of Understanding for participation in National Forensic Laboratory Information System NFLIS). (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to authorize City Manager to execute Memorandum of Understanding, and any subsequent amendments, between RTI International and City for participation in NFLIS.

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

13- [04-1573](#)

A

Application of Renee Weiss Henderson and Zachary Mitchell Henderson, dba Ma N Pa Grocery, for a person-to-person transfer of an off-sale beer and wine license at 346 Roycroft Avenue. (District 3)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation to receive and file with existing conditions. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

13- [04-1574](#)
B

Application of A and Cherry Enterprise Incorporated, dba A and Cherry Liquor Market, for a fiduciary transfer of an off-sale general license at 1934 East Anaheim Street.
(District 4)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation to receive and file with existing conditions. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

13- [04-1575](#)
C

Application of Ruth Yonsoon Mah and Steve Sungmin Mah, dba Joy Market, for a person-to-person transfer of an off-sale beer and wine license at 3667 Delta Avenue.
(District 7)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation to receive and file with existing conditions. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

13- [04-1576](#)
D

Application of Steven Eric Grunkemeyer, dba 5211, for a person-to-person transfer of an on-sale general for public premises license at 5211 Atlantic Avenue. (District 8)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation to receive and file with existing conditions. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

14 [04-1577](#)

Annual Report of the Public Safety Advisory Commission.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to approve recommendation to receive and file report and continue Commission for another year. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

15 [04-1578](#)

Minutes for filing:

Civil Service Commission, June 16, 2004
Harbor Commission, June 14, and 21, 2004
Planning Commission, April 15, 2004
Water Commission, May 27, and June 3, 2004

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

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

16 [04-1579](#)

Certificates of recognition to Long Beach Aftershock, 2004 Annual Afro-Academic, Cultural, Technological and Scientific Olympics, and 2004 Long Beach NAACP scholarship recipients.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be approved. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

REGULAR AGENDA

17 [04-1580](#) City Manager Evaluation/Compensation.

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

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

18 [04-1581](#) Pocket bike concerns.

Robert Bastian

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to receive and file. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

19 [04-1582](#) Resolution opposing parole for Nathan Sims who was convicted for attempting to murder Long Beach Police Officer Abel Dominquez.

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

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

20 [04-1583](#) FY 2004-2005 Action Plan for use of Community Development Block

Grant (CDGB), Home Investment Partnership Grant (HOME), American Dream Downpayment Initiative (ADDI) and Emergency Shelter Grant (ESG) Funds. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to authorize City Manager to execute and submit all necessary documents related to implementation to U.S. Department of Housing and Urban Development; and accept \$10,602,847 of new CDBG funds, \$5,387,947 of new HOME funds, \$415,657 of new ADDI funds, and \$393,266 of new ESG funds. Approve City FY 2004-2005 Action Plan. The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

21 [04-1584](#)

Loan between City and Housing Authority to address funding issues.

Thomas Murphy

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to authorize City Manager to execute all documents necessary to initiate a non-General Fund loan of Rental Rehabilitation Program dollars to Housing Authority to address anticipated funding shortfalls in an amount not to exceed \$2.9 million.

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

22 [04-1585](#)

Settlement of a claim for pipeline fees and penalties and Assignment Consent Agreement with Paramount Petroleum.

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

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

- 23** [04-1586](#) First amendment to contract with legal counsel M. Brian McMahon in the matter entitled Long Beach Oil Development Company vs. Long Beach, et al.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to authorize City Manager to execute first amendment to contract No. 28728 for an additional amount of \$100,000.

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

Enactment No: C-28297

- 24** [04-1587](#) Agreement to purchase an electronic claims administration software system from Valley Oak Systems, Inc., and purchase implementation project management services from Deloitte Consulting, LLP. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to authorize City Manager to execute agreement with Valley Oak Systems, Inc., in an amount not to exceed \$639,820, plus an additional 10 percent, if needed. Authorize City Manager to execute agreement with Deloitte Consulting, LLP, in an amount not to exceed \$200,000.

The motion carried by the following vote:

Yes: 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Webb

RESOLUTIONS

- 25 [04-1588](#) Resolution approving and authorizing the destruction of certain records, papers, and writings by the Public Works Department. (Citywide)
- A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28393 The motion carried by the following vote:**
- Yes:** 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch
- Absent:** 1 - Webb
- Enactment No:** C-28393
- 26 [04-1589](#) Resolution authorizing the City Manager to purchase emergency vehicles through the contract between the County of Los Angeles and Wondries Fleet Group to purchase new emergency vehicles. (Citywide)
- A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, that this matter be adopted Resolution No. C-28394 The motion carried by the following vote:**
- Yes:** 8 - B. Lowenthal, Baker, Colonna, Carroll, Kell, Richardson, Reyes Uranga and Lerch
- Absent:** 1 - Webb
- Enactment No:** C-28394
- 27 [04-1590](#) Resolution modifying the membership of the Project Area Committee for the Central Long Beach Redevelopment Project.
- Pat Paris
- David Allen
- Alan Tolkoff
- A motion was made by Councilmember Baker, seconded by Councilwoman Richardson, that this matter be adopted Resolution No. C-28395 The motion carried by the following vote:**
- Yes:** 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch
- Absent:** 2 - Carroll and Webb
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Enactment No: C-28395

- 28 [04-1591](#) Resolution authorizing City Manager to execute a contract with the State Lands Commission for removal of Natural Gas Line 1228. (Orange County)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28396 The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - Carroll and Webb

Enactment No: C-28396

- 29 [04-1592](#) Resolution authorizing the City Manager to purchase cellular telephone service through the contract between the Western States Contracting Alliance (WSCA) and Nextel of California, Inc. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28397 The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Baker, Colonna, Kell, Richardson and Lerch

Absent: 3 - Carroll, Reyes Uranga and Webb

Enactment No: C-28397

ORDINANCES

- 30 [04-1593](#) SUBJECT: Ordinance amending the Long Beach Municipal Code, by amending Section 10.32.110 relating to Preferential Parking District F and repealing District N. (District 5)

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading

A motion was made by Vice Mayor Kell, seconded by Councilmember Baker, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading for July 13, 2004. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Baker, Colonna, Kell, Richardson and Lerch

Absent: 3 - Carroll, Reyes Uranga and Webb

Enactment No: C-7935

31 [04-1594](#)

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 10.22.080 by adding Subsection Z relating to parking vehicles for sale.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading for July 13, 2004. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Baker, Colonna, Kell, Richardson and Lerch

Absent: 3 - Carroll, Reyes Uranga and Webb

Enactment No: C-7936

32 [04-1595](#)

SUBJECT: Ordinance designating the Bluff Heights Historic Landmark District. (Districts 2,3)

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

Daphne Dodge

Bill Swifton

Lane Johnson

Andrew Cranstner

Christine Natata

John Thomas

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading for July 13, 2004. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - Carroll and Webb

Enactment No: C-7937

33 [04-1541](#)

Ordinance amending the Long Beach Municipal Code by amending Chapter 14.08 and by repealing Chapter 14.06, relating to excavations, street improvements and temporary occupation of rights of way. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Reyes Uranga, to declare ordinance read and adopted as read Ord. No. C-7933 The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - Carroll and Webb

Enactment No: C-7933

34 [04-1542](#)

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Sections 5.28.051 Subsection 5.28.071.C, 5.38.080, 5.38.090, 5.47.090, 5.50.101, Subsection 5.60.080.B, 5.61.080, Subsection 5.64.040.B, Subsection 5.66.060.K, 5.68.200, 5.80.050, Subsections C and M of Section 5.82.120, 5.86.120, 8.60.081, 10.60.040, Subsection 14.04.050.C, 14.14.080, 14.16.080, 15.44.190, 15.44.230, 15.74.050, Subsection 16.44.153.A.7, Subsections C and E of Section 16.47.030, 18.48.340, 18.48.360 and 18.52.130; by adding Section 2.84.030; and by repealing Section 5.04.080, all relating to insurance.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

A motion was made by Councilmember Baker, seconded by Councilwoman Richardson, to declare ordinance read and adopted as read Ord. No. C-7934 The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - Carroll and Webb

Enactment No: C-7934

NEW BUSINESS

35 Affidavit of Service for Special Meeting held Tuesday, July 6, 2004.

36 04-2278 Eugene E. Ruyle distributed Long Beach Peace Network remarks.

This Handout was received and filed.

37 04-2279 Joe Czuba distributed photos of the need for tree removal at Queensway Bay.

This Handout was received and filed.

Councilwoman Richardson announced community events.

Councilmember Lerch announced community events.

Councilwoman Kell announced community events

Adjournment at 8:00 P.M.

NOTE:

If written language translation of the City Council agenda and minutes for non-English speaking persons is desired, please make your request by phone to the City Clerk Department at (562) 570-6101, 72 hours prior to the City Council meeting.

Kung ang nakasulat na pagsasalin-wika ng adyenda at mga katitikan ng Konseho ng Lunsod ay hinahangad para sa mga taong hindi nagsasalita ng Ingles, mangyaring gawin ang iyong kahilingan sa pamamagitan ng telepono sa Kagawaran ng Klerk ng Lunsod sa (562) 570-6101, 72 oras bago ang pulong ng Konseho ng Lunsod.”

Si desea obtener la traducción lingüística escrita de la agenda y las actas del Concejo Municipal para las personas que no hablan inglés, realice su pedido por teléfono al Departamento de la Secretaría Municipal al (562) 570-6101, 72 horas antes de la reunión del Concejo Municipal.

បើលោកអ្នកមិនចេះនិយាយភាសាអង់គ្លេស ហើយត្រូវការរបៀបវារៈកិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង និងរបាយការណ៍កិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង ជាសំណៅប្រែសម្រួលលាយលក្ខណ៍អក្សរទៅជាភាសារបស់លោកអ្នក នោះសូមស្នើសុំមកនាយកដ្ឋានសៀវភៅសាលាក្រុង តាមទូរស័ព្ទលេខ (562) 570-6101 អោយបាន 72 ម៉ោងមុនកិច្ចប្រជុំក្រុមប្រឹក្សាសាលាក្រុងត្រូវបានធ្វើឡើង។