

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

FINISHED AGENDA & MINUTES

ROLL CALL: (05:13 PM)

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

Also present: Gerald Miller, City Manager; Christine Shippey, Assistant City Manager;
Robert Shannon, City Attorney; Larry Herrera, City Clerk; Nancy Muth, City Clerk
Specialist.

Mayor O'Neill presiding.

Invocation: Moment of Silence.

Flag Salute: Eagle Scout Jonathan Kiser.

Ashley Perez, Long Beach Search and Rescue, sang the National Anthem.

Proclamation presented for Adult and Elder Care Week, May 22 - 28, 2005. (06:28
PM)

Councilmember Reyes Uranga spoke

Presentations by Vice Mayor/Councilmember Jackie Kell, Fifth District, in recognition
of community members for their significant contributions to the Fifth District. (05:18
PM)

Mayor O'Neill announced that: Item No. 2 was to be laid over to June 21, 2005; Item
No. 3 was to be laid over to June 7, 2005; and Item Nos. 4 and 30 were being
withdrawn, with the suggestion that they return on the June 21, 2005 agenda.

"Enough is Enough" Telethon update. (06:32 PM)

Reginald Harrison, Deputy City Manager, provided an update.

Craig Watson, Vice President of Communications, Charter Communications spoke.

Rich Archibald, Executive Editor, Long Beach Press-Telegram, spoke.

Councilmember Baker moved, seconded by Councilmember Lowenthal, that the minutes of the City Council meeting of Tuesday, May 17, 2005 be approved.

HEARINGS: (06:41 PM)

1. [05-2729](#) Recommendation to declare ordinance amending the Downtown Planned Development District (PD-30) ordinance, read the first time and laid over to the next regular meeting of the City Council for final reading. (Case No. 0502-35). (District 2)

Councilmember Baker spoke.

A motion was made by Councilmember Baker, seconded by Councilmember 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, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga and Lerch

Absent: 1 - Gabelich

Enactment No: ORD-05-0009

2. [05-2687](#) Recommendation to receive supporting documentation into the record, conclude the public hearing and affirm the April 4, 2005 Hearing Officer Decision, and overrule the appeal of a gas-billing dispute by Dr. Willie Goffney. (District 3)

A motion was made by Councilmember Colonna, seconded by Councilmember Lowenthal, that this matter be laid over for June 21, 2005. The motion carried by the following vote:

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

3. [05-2725](#) Recommendation to receive the supporting documentation into the record, conclude the hearing and grant the permit, with or without conditions, or deny the permit on the application of Pine Avenue S&G, dba Smooths Sports Grille, 144 Pine Avenue, for a Permit for Entertainment With Dancing by Patrons at an existing restaurant with alcohol. (District 2)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, that this matter be laid over for June 7, 2005. The motion carried by the following vote:

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

PUBLIC COMMENT: (06:46 PM)

Distributed at the meeting: Letter from Harold Omel, Long Beach Fire Chief (Retired).

Lucero Reyes spoke regarding CWCA, a non-profit organization, and offered its services to the City of Long Beach.

Camilla Ligons spoke regarding gang violence.

Councilmember Richardson spoke.

Councilwoman Gabelich spoke.

Jerry Miller announced a comprehensive workshop on June 14, 2005 regarding youth employment.

Thomas Murphy spoke regarding expensive projects.

Joel Barton spoke regarding the City of Long Beach decision regarding Fire Department pensions.

Thomas Fields spoke regarding Fire Department staffing reductions.

Derrick Brown spoke regarding Fire Department staffing reductions.

Ann Cantrell spoke regarding returning the fourth council meeting each month and LNG issues.

Pastor Garan Harding spoke regarding Fire Department staffing reductions.

Mike Murchison spoke regarding the Long Beach Grand Prix.

Councilwoman Gabelich spoke.

Allen Hose spoke regarding the special state election and violent crime in Long Beach.

Dave Kean, President, Long Beach Firefighters Association, spoke regarding Fire Department staffing reductions affecting downtown.

[05-2760](#)

Letter from Harold Omel, Long Beach Fire Chief (Retired) - Engine 101,
Dated May 24, 2005

CONSENT CALENDAR: (07:17 PM)

Approve Consent Calendar Items 4-18, except for Items 4, 8, 9 and 10.

4. [05-2754](#) Recommendation to receive and file a report on the April 2005 Federal Legislative Trip to Washington D.C.

5. [05-2733](#) Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$28,560 in compliance with the Appeals Board Order for Samuel Phillips.

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

6. [05-2753](#) Recommendation to receive and approve changes to the Conflict of Interest Code of the Long Beach City Clerk Department.

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

7. [05-2730](#) Recommendation to refer to City Attorney the damage claims received between May 12, 2005 and May 19, 2005.

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

8. [05-2736](#) Recommendation to authorize City Manager to execute a lease between the City of Long Beach and Malibu Ceramic Works, a California Corporation, for City-owned property at 903 Fairbanks Avenue, for use as a ceramics studio. (District 1)

Thomas Murphy spoke.

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

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

Absent: 1 - Colonna

9. [05-2737](#) Recommendation to authorize City Manager to execute an agreement with Los Angeles County Children and Families First - Proposition 10 Commission to conduct a planning process to improve pregnancy outcomes for an amount of \$50,000 for a three-month period; and increase appropriations in the Health Fund (SR 130) and in the Department of Health and Human Services (HE) by \$50,000. (Districts 1,6,7,9)

Thomas Murphy spoke.

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

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

Absent: 1 - Colonna

10. [05-2739](#) Recommendation to authorize the use of up to 600 linear feet of dock space and 400 square feet of office space in the Long Beach Marinas by Access to Sailing, at no charge. (Districts 2,3)

Thomas Murphy spoke.

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

Yes: 7 - Baker, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

Absent: 2 - B. Lowenthal and Colonna

11. [05-2740](#)
A Recommendation to receive and file the application of Skydog Media, dba Smith of Belmont Shores, for a person-to-person transfer of an On-Sale Beer and Wine Alcoholic Beverage Control License for a bonafide eating place at 4722-24 East 2nd Street, with existing conditions. (District 3)

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

11. [05-2741](#)
B Recommendation to receive and file the application of Nourani Incorporated, dba Round Table Pizza, for a person-to-person transfer of an On-Sale Beer and Wine Alcoholic Beverage Control License for a

bonafide eating place at 4007 East Ocean Boulevard, with existing conditions. (District 3)

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

12. [05-2742](#)

Recommendation to request City Attorney to prepare an amendment to the Long Beach Municipal Code extending the downtown pilot newsrack program with the recommended modifications. (Districts 1,2)

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

13. [05-2743](#)

Recommendation to authorize City Manager to execute subdivision agreements for Tract No. 60688, located between Esther Street and Pacific Coast Highway and Loma Avenue and Termino Avenue; and for Parcel No. 26222, located north of Spring Street between Atlantic Avenue and California Avenue and 33rd Street and Spring Street. (Districts 4,6)

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

14. [05-2744](#)

Recommendation to authorize City Manager to execute a quitclaim deed for a water facility easement at 3701 Lakewood Boulevard (District 5)

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

15. [05-2745](#)

Recommendation to authorize City Manager to execute the First Amendment to Agreement No. 28430 with Lim & Nascimento Engineering Corporation, dba LAN Engineering, extending the term of the agreement to August 31, 2006. (Citywide)

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

16. [05-2746](#)

Recommendation to adopt resolution authorizing City Manager to execute a Master Purchase Agreement and all related documents with Oracle USA, Inc., utilizing the County of Los Angeles Software License Agreement No. 41974/OLSA-1017086-15-APR-2003 (County Agreement), to provide computer software licenses and related services for as long as the County Agreement is in effect or the City gives 30

days' notice of termination; and purchase will not exceed \$244,000.
(Citywide)

A motion was made to approve recommendation and adopt Resolution RES-05-0030 on the Consent Agenda.

Enactment No: RES-05-0030

17. [05-2731](#)

Recommendation to receive and file minutes of:
Harbor Commission - May 9, 2005.
Water Commission - May 4, 2005.

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

18. [05-2732](#)

Recommendation to approve Proclamation presented for "Adult and Elder Care Week" May 22-28, 2005.

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

Passed The Consent Agenda

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

Abstentions: 1 - Colonna

REGULAR AGENDA: (07:27 PM)

19. [05-2756](#)

Recommendation to request City Manager to work in concert with the City Attorney to explore the development of a comprehensive City policy and legal strategies to address the problem of "green pools."

Councilmember O'Donnell spoke.

Robert Shannon, City Attorney, suggested including the City Prosecutor in the process.

A motion was made by Councilmember O'Donnell, seconded by Councilmember Baker, to approve recommendation to request City Manager to work in concert with the City Attorney and the City Prosecutor. The motion carried by the following vote:

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

Absent: 1 - B. Lowenthal

20. [05-2748](#)

Recommendation to authorize City Manager to execute:

1) the Power Purchase Agreement by and between the City of Long Beach and DeLiddo and Associates, Inc., a California corporation, dba DEERS, and all related documents, for the installation of a solar power array and subsequent purchase of energy produced from the array at the Long Beach Convention and Entertainment Center located at 300 East Ocean Boulevard; and

2) the Applicant Assignment and Assumption Agreement and Consent to Assignment by and between a) the City of Long Beach, b) DeLiddo and Associates, Inc., a California Corporation, dba DEERS, and c) Southern California Edison, a California non-profit organization, and all other related documents, pertaining to Southern California Edison's Self-Generation Incentive Program. (District 2)

Councilmember Baker spoke.

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

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

21. [05-2726](#)

Recommendation to adopt Resolution of Intention to form the Long Beach Tourism Business Improvement Area, set the date for a public hearing of June 21, 2005, designate the Advisory Board, authorize City Manager to initiate majority protest proceedings and authorize City Clerk to receive written protests. (Districts 1,2,4,5)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation and adopt Resolution RES-05-0031, Set date for public hearing of June 21, 2005. The motion carried by the following vote:

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

Enactment No: RES-05-0031

22. [05-2727](#) Recommendation to adopt Specifications No. PA-01205 and award contract to Aramark Uniform Services, dba Long Beach Uniform, to furnish and deliver uniforms, accessories and miscellaneous equipment in an estimated annual amount of \$1,025,000 for the period commencing June 1, 2005 for one year, with the option of renewing for two additional one-year periods. (Citywide)

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

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

23. [05-2728](#) Recommendation to adopt Specifications No. PA-01905 and award contracts to Harbor Chevrolet Corporation and Worthington Ford, to furnish and deliver Chevrolet/GMC and Ford automotive parts and service in an annual amount of \$300,000, with the option of renewing for two additional one-year periods. (Citywide)

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

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

Abstentions: 1 - Colonna

24. [05-2749](#) Recommendation to adopt resolution authorizing the City Manager to execute documents necessary to accept and expend funds from the State of California, Department of Boating and Waterways (DBAW), to purchase equipment necessary to maintain the beaches in Long Beach; and increase appropriations in the Tidelands Fund (TF) in the Department of Parks, Recreation and Marine (PR) by \$466,000. (Districts 2,3)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation and adopt Resolution RES-05-0032. The motion carried by the following vote:

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

Enactment No: RES-05-0032

25. [05-2750](#)

Recommendation to receive and file the application of Kobeissi Incorporated, dba Open Sesame, for an original On-Sale Beer and Wine Alcoholic Beverage Control License for a bonafide eating place at 5215 East 2nd Street, with conditions. (District 3)

Distributed at the meeting: Recommended conditions from Councilmember Colonna.

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

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

26. [05-2751](#)

Recommendation to receive and file the application of Maria Elena Martinez and Raul R. Martinez, dba Vegas Room, for an original On-Sale Beer Alcoholic Beverage Control License for a beer pub at 2100 Long Beach Boulevard, with conditions. (District 6)

Distributed at the meeting: Memorandum from Councilwoman Richardson requesting a three-week continuance.

A motion was made by Councilwoman Richardson, seconded by Councilmember Baker, that this matter be laid over for June 14, 2005. The motion carried by the following vote:

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

27. [05-2752](#)

Recommendation to adopt resolution approving the Traffic Mitigation Program Thirteenth Annual Report (Fiscal Year 2003-2004) and making findings relative thereto, and amend the Traffic Mitigation Program to add the listed projects.

Councilwoman Gabelich requested that the item be referred to the Transportation and Infrastructure Committee regarding issues concerning the airport.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation and refer to the Transportation and Infrastructure Committee, and adopt Resolution RES-05-0033 The motion carried by the following vote:

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

Enactment No: RES-05-0033

ORDINANCES: (07:36 PM)

28. [05-2735](#) Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 1.22 regarding Referenda and Initiatives, read the first time and laid over to the next regular meeting of the City Council for final reading.

Councilmember O'Donnell spoke.

A motion was made by Councilmember O'Donnell, seconded by Councilmember Baker, that this matter be laid over for June 7, 2005. The motion carried by the following vote:

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

Enactment No: ORD-05-0013

29. [05-2724](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 3.64 relating to transient occupancy tax, read and adopted as read.

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. The motion carried by the following vote:

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

Enactment No: ORD-05-0010

NEW BUSINESS:

30. [04-1382](#) Recommendation to authorize City Manager to formally terminate negotiations with Sound Energy Solutions (SES/Mitsubishi) regarding a long-term natural gas supply and the feasibility of constructing and operating interconnecting gas pipelines to the proposed liquefied natural gas (LNG) facility, per the Memorandum of Understanding approved by City Council on May 13, 2003; or continue the current suspension of such negotiations; or authorize City Manager to resume such

negotiations. (Citywide)

Distributed at the meeting: Friends of Long Beach, List of Public Supporters for LNG Terminal Project; Wrigley Association letter supporting termination of negotiations; Fremont Forest Group Corp. letter of support for the LNG development; and Danial Nord statement opposing the LNG terminal.

31. Affidavits of Service for meetings held Tuesday, May 24, 2005.

ANNOUNCEMENTS:

Councilwoman Richardson spoke regarding community activities.

Councilmember O'Donnell spoke regarding community activities.

Councilmember Reyes Uranga spoke regarding community activities.

Councilwoman Gabelich spoke regarding community activities.

PUBLIC COMMENT: (07:42 PM)

Jim Oberst spoke regarding electric vehicles.

Anna Elizabeth Hooten spoke regarding reduction of equipment at the downtown Fire Station.

ADJOURNMENT: (7:47 PM)

At 7:47 P.M., Mayor O'Neill adjourned the meeting.

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។