

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, O'Donnell, Kell, Reyes Uranga,
Present: Gabelich and Lerch

Councilmembers Richardson
Absent:

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

CONTINUED HEARING

- 04-1641 SUBJECT: Ordinance relating to the temporary limitation on removal of any protected oak tree within the City of Long Beach; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately.
SUGGESTED ACTION:
Receive supporting documentation into the record, and conclude hearing.
Declare emergency to exist.
Declare ordinance read, adopted as read, and laid over to next regular meeting of the City Council for final reading.
A motion was made by Councilwoman Gabelich, seconded by Councilmember Lerch, to receive supporting documentation into the record, conclude the hearing, declare emergency to exist The motion carried by the following vote:
Yes: 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
Absent: 1 - Richardson

A motion was made by Councilwoman Gabelich, 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 for August 10, 2004 Ordinance No. C-7940 The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-7940

HEARINGS

2. [04-1648](#) Application of Network Development, LLC, dba The Vault, for a Permit for Entertainment with Dancing by Patrons at an Existing Restaurant with Alcohol at 350 Pine Avenue. (District 1)

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

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

Absent: 2 - Kell and Richardson

3. [04-1649](#) SUBJECT: Rezoning from R-1-N (Single-Family Residential) and I (Institutional) to P (Park) for the development of a public park with a children's playground and a community garden. (Ordinance amending the Use District Map of the City of Long Beach as said map has been established and amended by amending a portion of Part 28 of said map from R-1-N [Single Family Residential] and I [Institutional] to P [Park] for property located at 325 E. Plymouth Street and 5346 Elm Avenue, in the City of Long Beach) (District 8)

SUGGESTED ACTION:

Receive supporting documentation into the record, and conclude the hearing.

Review and consider the material contained in the Negative Declaration; and

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 Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to receive supporting documentation into the record, conclude the hearing, Review and consider the material contained in the Negative Declaration The motion carried by the following vote:

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

Absent: 2 - Kell and Richardson

A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading for August 10, 2004. The motion carried by the following vote:

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

Absent: 2 - Kell and Richardson

Enactment No: C-7941

4. [04-1565](#)

SUBJECT: Report of Hearing Officer on appeal of Precision Reflector Design, Inc., of denial of business license for 1553-1557 and 1561 Cota Avenue. (District 1)

SUGGESTED ACTION:

Set date of hearing for Tuesday, August 3, 2004, at 5:00 P.M.

A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to receive supporting documentation into the record, conclude the hearing, consider Hearing Officer's report, and extend the business license for 180 days.

The motion carried by the following vote:

Yes: 6 - B. Lowenthal, Baker, O'Donnell, Reyes Uranga, Gabelich and Lerch

Absent: 3 - Colonna, Kell and Richardson

5. [04-1651](#) Appeals of an Administrative Use Permit request for establishment of a Homeless Shelter in an existing industrial building located at 1368 Oregon Avenue. (District 1)

Oath administered by the City Clerk

City Attorney Shannon outlined statutory procedures for hearing

Mayor O'Neill explained the order of procedures for the public hearing.

Dan Burns, in opposition

Jane Kellenher, in opposition

Bob Stillwell, in opposition

Misha Lindsay, in opposition

Jeff Bennett, in opposition

Annie Greenfield, in opposition.

Rebecca Randons, in opposition.

George Janich, in opposition.

Jack Smith, in opposition.

Leonard Chudachoff, in opposition.

John Abazis, in opposition.

Jose Gonzales, in opposition.

Joe Colletti, Executive Director of the Institute of Urban and Development, in support.

David Bower, President of Targhee, Inc., addressed environmental concerns.

Dan Burns made rebuttal remarks.
Richard Brizendine, Attorney for Appellant's, presented questions to City staff and project applicants.

Fady Mattar responded to questions by appellant's attorney.

Mike Mais responded to question.

Mike Mais responded to question regarding the RDA Plan.

Corinne Schneider responded to questions regarding health care permit.

Corine Schneider responded to question regarding services at site.

Joe Colletti responded to question regarding hours of operation.

Joe Colletti responded to question regarding handling of clients who arrive at times when facility is closed and how they would be moved away from the site.

Joe Colletti responded to question regarding services to parolees and probationers.

Joe Colletti responded to question regarding IURD ability to deal with parolees and training for employees to handle parolees.

Joe Colletti responded to question regarding protocol for participants want to leave before the shelter closes for the night.

Joe Colletti responded to question regarding course of action when a client refuses transportation out of the site before

Joe Colletti responded to question regarding coordination of services with other service sites.

Corinne Schneider responded to questions regarding comprehensive planning for homeless services in the City.

Corinne Schneider responded to questions regarding how the proposed site fits into the City's long range plan for homeless services.

Corinne Schneider responded to question regarding the selection of best suited sites for shelters.

Police Chief Batts responded to question regarding public safety concerns related to the proposed shelter location.

Dan Berns, Apellant's representative, made concluding remarks.

Maria Gieseey in support.

Reverend Masey Talatoa in support.

Kit Wilkey in support.

Sandra Crowell in support.

Witney Angio in support.

Tom Hertzog in support.

Joanne O'Byrne in support.

Janet McCarthy and Ed Van in support.

Josh Butler in support.

Francis Emily Dawson Harris in support.

Gary Shelton in support.

Olivia Nieto in support.

James Brown en support.

Dolores Sanchez in support.

Ben Rockwell in support.

Evan Braude in support.

Chuck Greenberg in support.

Mark Kellet in opposition.

Don Parks in support.

Casey Carver in support.

Pat Paris in opposition.

Warren Wisner in opposition.

Carol McCaffertry in opposition.

Alisa Trujillo in opposition.

Dan Berns provided closing comments regarding appellants' concerns.

deny the appeals; sustain the decision of the Planning Commission; add condition of approval to execute a waiver; and amend Condition No. 32

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

NOTICE TO THE PUBLIC

CONSENT CALENDAR

6. [04-1652](#) Claims for Damages.
A motion was made to pass suggested action on the Consent Agenda.

7. [04-1653](#) Agreement with Greater Long Beach National Conference for

Community and Justice for the provision of Human Dignity programming services. (Citywide)

**A motion was made to authorize City Manager to enter into agreement for a period of one year, in an amount not to exceed \$93,000.
on the Consent Agenda.**

8. [04-1654](#) Funds from County of Orange to provide services through Statewide Nurse Workforce Initiative Project. (Citywide)

**A motion was made to authorize City Manager to execute all necessary documents to amend the Nurse Workforce Initiative contract with the County of Orange, for a cumulative total of \$934,500, for the period of January 1, 2003 through September 30, 2005; and to execute amendments to contracts with organizations to provide services under the Nurse Workforce Initiative for the cumulative period of January 1, 2003 through September 30, 2005; and increase appropriations in the Community Development Grants Fund (SR 150) and in the Department of Community Development (CD) by \$232,500.
on the Consent Agenda.**

9. [04-1655](#) Work Site Agreements with various entities for a Youth Intern Program. (Citywide)

**A motion was made to authorize City Manager or his designee, to execute agreements, as needed.
on the Consent Agenda.**

10. [04-1656](#) Contracts with various organizations to provide services for 2004-2005 Youth Development Program. (Citywide)

A motion was made to authorize City Manager to execute contracts for the period of October 1, 2004 through September 30, 2005.

on the Consent Agenda.

Enactment No: C-28298

11. [04-1657](#)

Specifications No. PA-01904 and award contract to San Diego Rotary Broom to furnish and deliver street sweeper brooms.
(Citywide)

A motion was made to pass suggested action on the Consent Agenda.

12. [04-1658](#)

Second Amendment to Agreement No. 26971 with City of Signal Hill;
Second Amendment to Agreement No. 27863 with City of Seal Beach; agreements with Cities of Cerritos and Los Alamitos for the provision of animal control services by City of Long Beach.

**A motion was made to authorize City Manager to execute Second Amendment to Agreement No. 26971 for the period of July 1, 2004 to June 30, 2006 at \$38,157 for each twelve (12) month period; Authorize City Manager to execute Second Amendment to Agreement No. 27863 for \$13,500 for the period of July 1, 2004 to June 30, 2005; and to execute agreements with Cities of Cerritos and Los Alamitos for \$183,866 and \$72,635, respectively, for period of July 1, 2004 to June 30, 2005, and authorize City Manager to extend agreements for up to two consecutive one-year terms with price escalation tied to the Consumer Price Index.
on the Consent Agenda.**

13. [04-1659](#)

Peggy Martin v. City of Long Beach.

**A motion was made to authorize City Attorney to pay sum of \$10,000 in full settlement.
on the Consent Agenda.**

14. INTENTIONALLY LEFT BLANK

15. 04-1660 Permit with Gene and Jan Todd for use of a portion of former Pacific Electric Right-of-Way property located between 7th Street and Ximeno Avenue.
(District 3)

A motion was made to authorize City Manager to execute permit for a rent of \$200 per month, for a term of one year, with the option to extend the term for an additional year. on the Consent Agenda.

16. [04-1661](#) Appropriation increase for Police Department per Memorandum of Understanding between Los Angeles County Probation Department and Long Beach Police Athletic League.
(Citywide)

A motion was made to pass suggested action on the Consent Agenda.

17. [04-1662](#) Agreement between Long Beach Unified School District and the City of Long Beach for use of Long Beach Police Department Pistol Range. (District 5)

A motion was made to authorize City Manager to execute an agreement and any subsequent amendments with Long Beach Unified School District for use of the Long Beach Police Department Pistol Range, on an as-needed basis, for school safety officers of the School of Safety and Emergency Preparedness Division to qualify and train. The agreement may be terminated with thirty (30) days written notice by either party. on the Consent Agenda.

- 18 [04-1663](#)
A. Application of Joseph Nam Kim, dba Pacific Market, for a person-to-person transfer of an off-sale beer and wine license at 1449 West Pacific Coast Highway. (District 1)

A motion was made to approve recommendation to receive and file with existing conditions. on the Consent Agenda.

- 18 [04-1664](#) Application of Citicambodian International Trade, Incorporated, dba Citi
B. Market, for a person-to-person transfer of an off-sale beer and wine license at 1198 East 10th Street. (District 1)

A motion was made to approve recommendation to receive and file with existing conditions. on the Consent Agenda.

- 18 [04-1665](#) Application of Pine Avenue S and G LLC, dba Smooth, for a
C. person-to-person transfer of an on-sale general for bonafide eating place license at 144-46 Pine Avenue. (District 2)

A motion was made to approve recommendation to receive and file with existing conditions. on the Consent Agenda.

- 18 [04-1666](#) Application of Vouchmeng Sieng, dba Eagle Market, for a
D. person-to-person transfer of an off-sale beer and wine license at 2336 Pacific Avenue. (District 6)

A motion was made to approve recommendation to receive and file with existing conditions. on the Consent Agenda.

19. [04-1667](#) Revocable Permit for use of space by California Western Arborists, Inc.
(District 1)

**A motion was made to authorize City Manager to execute a permit.
on the Consent Agenda.**

20. [04-1668](#) Public Walkways Occupancy Permit for sidewalk dining at E.J. Malloy's
Restaurant located at 4306 Atlantic Avenue. (District 8)

**A motion was made to authorize City Manager to execute permit.
on the Consent Agenda.**

21. [04-1669](#) Minutes for filing:
Harbor Commission, July 6, 12, and 19, 2004
Parks and Recreation Commission, May 20, and June 17, 2004

This Matter was approved on the Consent Agenda.

22. [04-1670](#) Proclamations for Neighborhood Leadership Program, Class of 2004;
National Night Out 2004; and Adult and Elder Care Week,
July 26 - August 2.

**A motion was made to pass suggested action on the Consent
Agenda.**

Passed The Consent Agenda

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

Absent: 2 - B. Lowenthal and Richardson

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS

23. [04-1671](#) Increase appropriations in the Housing Authority Fund.

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

Yes: 6 - Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 3 - B. Lowenthal, Richardson and Reyes Uranga

24. [04-1672](#)

Contracts with community-based organizations to provide services at the Career Transition Center. (Citywide)

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

Yes: 6 - Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 3 - B. Lowenthal, Richardson and Reyes Uranga

25. [04-1673](#)

Specifications No. PA-01504 and award contracts to Tri Pacific Supply, Inc., Actaris U.S. Gas, Inc., and Mercury Instruments, Inc., to furnish and deliver gas meters and accessories. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to authorize City Manager to adopt Specifications and award contracts in the estimated annual amount of \$400,000 for a term of one year, with the option for two additional one-year periods.

Authorize amendments to exercise the City's option to renew where noted and authorize City Manager to execute same.

The motion carried by the following vote:

Yes: 6 - Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 3 - B. Lowenthal, Richardson and Reyes Uranga

26. [04-1674](#)

Application of Liberty Enterprises California LLC, dba Liberty, for an original on-sale beer and wine for boat alcoholic beverage license at 555 North Pico Avenue, Berth 55. (District 1)

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

Yes: 6 - Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 3 - B. Lowenthal, Richardson and Reyes Uranga

27. [04-1675](#)

Application of MCK and Company LLC, dba Casavino, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 51 South Pine Avenue. (District 2)

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to receive and file Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 2 - Richardson and Reyes Uranga

28. [04-1676](#)

Application of Catalina Pena and Jose Refugio Pena, dba Marisco's Guero, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 2150 South Street, No. 107. (District 8)

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

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 2 - Richardson and Reyes Uranga

29. [04-1677](#)

Lease-Purchase Agreement with Banc of America Leasing & Capital, LLC, to finance personal computers and computer-related products. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to authorize City Manager to execute agreement and related financing documents in an amount not to exceed \$1,053,270 payable over a four-year period. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 2 - Richardson and Reyes Uranga

RESOLUTIONS

30. [04-1678](#)

Resolution authorizing the City Manager to execute, on behalf of the City, a contract with ProForce Marketing, Inc. doing business as ProForce Law Enforcement, without advertising for bids for furnishing tasers. (Citywide)

**A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted
Resolution No. C-28398**

The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 2 - Richardson and Reyes Uranga

Enactment No: C-28398

31. [04-1679](#)

Resolution establishing annual special tax for Community Facilities District No. 1 (Belmont Shore) for fiscal year 2004-2005. (District 3)

**A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted
Resolution No. C-28399**

The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch

Absent: 2 - Richardson and Reyes Uranga

Enactment No: C-28399

32. [04-1680](#) Resolution directing the Los Angeles County Auditor-Controller to include on the 2004-2005 tax roll certain assessments made pursuant to the provisions of the Long Beach Municipal Code for demolition charges. (Citywide)
- A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28400**
- The motion carried by the following vote:**
- Yes:** 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Gabelich and Lerch
- Absent:** 2 - Richardson and Reyes Uranga
- Enactment No:** C-28400
33. [04-1681](#) Resolution directing the Los Angeles County Auditor-Controller to include on the 2004-2005 Real and Secured Tax Roll certain assessments made pursuant to the provisions of the Long Beach Municipal Code for removing weeds and debris (lot cleaning charges). (Districts 1,2,4,6,7,8,9)
- A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28401**
- The motion carried by the following vote:**
- Yes:** 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 1 - Richardson
- Enactment No:** C-28401
34. [04-1682](#) Resolution implementing Government Code Section 20636(c)(4) pursuant to Section 20691 by paying and reporting the value of employer paid member contributions for Long Beach City Employees International Association of Machinists and Aerospace Workers and unrepresented miscellaneous employees to the California Public Employees' Retirement System (CalPERS). (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28402.

The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-28402

35. [04-1683](#)

Resolution implementing Government Code Section 20636(c)(4) pursuant to Section 20691 by paying and reporting the value of employer paid member contributions for Long Beach City Attorneys' Association to the California Public Employees' Retirement System (CalPERS). (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28403

The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-28403

36. [04-1684](#)

Resolution implementing Government Code Section 20636(c)(4) pursuant to Section 20691 by paying and reporting the value of employer paid member contributions for Long Beach Association of Engineering Employees to the California Public Employees' Retirement System (CalPERS). (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28404 **The motion carried by the following vote:**

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Reyes Uranga and Lerch

Absent: 2 - Richardson and Gabelich

Enactment No: C-28404

37. [04-1685](#)

Resolution implementing Government Code Section 20636(c)(4) pursuant to Section 20691 by paying and reporting the value of employer paid member contributions for unrepresented management employees, The City Attorney, City Prosecutor, City Auditor, City Manager, City Clerk and Long Beach Management Association Miscellaneous Employees to the California Public Employees' Retirement System (CalPERS). (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28405 The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Reyes Uranga and Lerch

Absent: 2 - Richardson and Gabelich

Enactment No: C-28405

38. [04-1686](#)

Resolution implementing Government Code Section 20636(c)(4) pursuant to Section 20691 by paying and reporting the value of employer paid member contributions for Long Beach Association of Confidential Employees to the California Public Employees' Retirement System (CalPERS). (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28406 The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Reyes Uranga and Lerch

Absent: 2 - Richardson and Gabelich

Enactment No: C-28406

39. [04-1687](#)

Resolution implementing Government Code Section 20636(c)(4) pursuant to Section 20691 by paying and reporting the value of employer paid member contributions for Long Beach City Prosecutors' Association Miscellaneous Employees to the California Public Employees' Retirement System (CalPERS). (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28407 The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Reyes Uranga and Lerch

Absent: 2 - Richardson and Gabelich

Enactment No: C-28407

40. [04-1688](#)

Resolution implementing Government Code Section 20636(c)(4) pursuant to Section 20691 by paying and reporting the value of employer paid member contributions for Long Beach Management Association Safety Employees to the California Public Employees' Retirement System (CalPERS). (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28408 The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-28408

41. [04-1689](#)

Resolution implementing Title 2, California Code of Regulations Section 571 to pay and report the value of employer paid member contributions with a time-in-grade exception for Long Beach Management Association Safety Employees. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28409 The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-28409

42. [04-1690](#)

Resolution implementing Title 2, California Code of Regulations, Section 571 to pay and report the value of employer paid member contributions

with a time-in-grade exception for Long Beach Management Association Miscellaneous Employees and unrepresented miscellaneous management employees. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28410 The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-28410

43. [04-1691](#)

Resolution implementing Section 414(h)(2) of the Internal Revenue Code. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28411 The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-28411

44. [04-1692](#)

Resolution of expressing its intent to approve an amendment to contract between The Board of Administration of the California Public Employees' Retirement System and the City of Long Beach. (Citywide)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28412; and request City Clerk to cause the resolution of Intention, a copy of the proposed contract amendment and a copy of this letter to be posted in three public places no later than August 6, 2004.

The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-28412

45. [04-1693](#)

Resolution opposing the parole or early release of Nathan "Anthony" Sims who was tried and convicted in the attempted murder of Long Beach Police officer Abel Dominguez.

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, that this matter be adopted Resolution No. C-28413, and direct City Clerk to transmit resolution and any supporting documents to the State Board of Prison Terms for its consideration.

The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-28413

ORDINANCE

46. [04-1694](#)

Ordinance authorizing an amendment to the contract between the City of Long Beach and the Board of Administration of the California Public Employees' Retirement System and authorizing the City Manager of said City to execute said amendment for and on behalf of the City of Long Beach. (Citywide)

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 for August 24, 2004 laid over to the meeting of August 24, 2004.

The motion carried by the following vote:

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

Absent: 1 - Richardson

Enactment No: C-7942

NEW BUSINESS

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។