

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

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Mayor O'Neill presiding.

Invocation - Moment of Silence

Flag Salute - Councilwoman Jackie Kell, Fifth District

Presentation of Proclamation for Arts Month October 2004 presented by Mayor O'Neill to Len Simon, Public Corporation for the Arts.

Presentation of Proclamation for Disability Awareness Month October 2004 presented by Mayor O'Neill to Willa Hart and Francis Emily Dawson.

Councilmember Baker moved, seconded by Councilmember O'Donnell that the minutes for the City Council Meeting of September 21, 2004 be approved.

**Councilmembers** Baker, O'Donnell, Kell, Reyes Uranga and Gabelich

**Present:**

**Councilmembers** B. Lowenthal, Colonna, Richardson and Lerch

**Absent:**

## HEARINGS

- [04-1935](#) Enterprise Zone Hiring Credit Application Fee Increase. (Resolution amending the Long Beach Enterprise Zone Application Fee.) (Citywide)  
**A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to receive supporting documentation into the record, concluded the hearing and; adopt Resolution. The motion carried by the following vote:**  
**Yes:** 5 - Baker, O'Donnell, Kell, Reyes Uranga and Gabelich  
**Absent:** 4 - B. Lowenthal, Colonna, Richardson and Lerch  
**Enactment No:** C-28459

2. [04-1913](#) Application of El Dorado Restaurant & Lounge, LLC, dba El Dorado Restaurant, 3014 Studebaker Road, Unit C, for a permit for entertainment with dancing by patrons at an existing restaurant with alcohol. (District 5)

**A motion was made by Vice Mayor Kell, seconded by Councilmember Baker, to receive supporting documentation into the record, conclude the hearing, and; grant the permit with conditions The motion carried by the following vote:**

**Yes:** 5 - Baker, O'Donnell, Kell, Reyes Uranga and Gabelich

**Absent:** 4 - B. Lowenthal, Colonna, Richardson and Lerch

**PUBLIC COMMENT:**

Harvey Cochran spoke regarding various community events.

John Deats spoke regarding sales tax increase.

Robert Bastian spoke regarding municipal laws.

Lerch joined the meeting at 05:29 PM

Thomas Murphy spoke regarding Carl Kemp joining him on a fishing trip.

Diana Lejins and Jim Mohr spoke regarding Disability Awareness Month.

Bry Myown spoke regarding SES application to construct 2.3 mile pipeline to off load Liquid Natural Gas (LNG).

**CONSENT CALENDAR: (3 - 17)**

3. [04-1960](#) Review of production tax and well permit collection.

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

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

4. [04-1961](#) Claims for Damages.
- A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to pass suggested action. The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 3 - B. Lowenthal, Colonna and Richardson
5. [04-1963](#) Biennial Conflict of Interest Code review for departments and commissions.
- A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to pass suggested action. The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 3 - B. Lowenthal, Colonna and Richardson
9. [04-1964](#) Stipulations with Requests for Awards.
- A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to pass suggested action. The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 3 - B. Lowenthal, Colonna and Richardson
6. [04-1915](#) Agreement with Public Corporation for the Arts of the City of Long Beach, Inc., to fund arts and cultural activities. (Citywide)  
Thomas Murphy
- A motion was made by Vice Mayor Kell, seconded by Councilmember Baker, to pass suggested action. The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 3 - B. Lowenthal, Colonna and Richardson

10. [04-1966](#) Lawsuit of Dollye Bramlett v. City of Long Beach, et al.
- Robert Bastian spoke to 10, 11, and 12 all at once.
- A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to pass suggested action. The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 3 - B. Lowenthal, Colonna and Richardson
- 
7. [04-1916](#) Agreement with Forensic Nurse Specialists, Inc., for provision of Sexual Assault Response Team services to Long Beach sexual assault victims. (Citywide)
- Thomas Murphy
- A motion was made by Councilmember Baker, seconded by Vice Mayor Kell, to pass suggested action. The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 3 - B. Lowenthal, Colonna and Richardson
- 
8. [04-1917](#) Fifth Amendment to Agreement No. 25481 with the State of California Department of Health Services to provide a teen pregnancy prevention program and Second Amendments to Agreements No. 28132, 28130, 28155, and 28131 with Community Agencies. (Citywide)
- Thomas Murphy
- A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to pass suggested action. The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch
- Absent:** 3 - B. Lowenthal, Colonna and Richardson
- 
11. [04-1967](#) Lawsuit of City of Long Beach v. Euromarket Designs, et al.

**A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to authorize City Attorney to accept sum of \$216,954.77 in full settlement. The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**12. [04-1968](#)**

First amendment to contract with legal counsel Hancock, Rothert & Bunshoft, LLP in the matter entitled John Donaldson, et al. vs. City of Long Beach, et al.

Bry Myown

**A motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Gabelich, to authorize City Manager to execute amendment to increase total amount of contract by an additional \$50,000. The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**17. [04-1973](#)**

Proclamations for Arts Month October 2004 and Disability Awareness Month October 2004.

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

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**13. [04-1919](#)**

Approval of Right of Entry Permit to Aquarium of the Pacific for the renovation of the Wave Fountain Located in the Aquarium Plaza. (District 2)

Thomas Murphy

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

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

14. [04-1920](#)

Granting of Facility/Pipeline Permit Supplement No. S-4-04, to Pacific Terminals, LLC, for the installation of conduits and two cabinets on Lakewood Boulevard at Spring Street, and authorizing discretionary permit to excavate in Lakewood Boulevard at Spring Street, in accordance with Ordinance No. C-7933. (District 5)

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

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

15. [04-1921](#)

Acceptance of two Pedestrian Safety Grants from California Office of Traffic Safety. (Citywide)

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

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

16. [04-1970](#)

Minutes for filing:

Harbor Commission, September 13, 2004  
Parks and Recreation Commission, August 19, 2004  
Water Commission, September 2, 2004

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

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**REGULAR AGENDA**

**DEPARTMENTAL COMMUNICATIONS**

18. [04-1975](#) Establish guiding principles for airport marketing and user responsibilities.

Tom Morkey

Bry Myown

John Deats

Eugene Holmes

Harvey Cochran

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to approve recommendation and refer this file to the Transportation and Infrastructure Committee to develop a set of guiding principals for staff regarding future terminal improvements and progress that provides policy direction regarding the interpretation and implementation of the Strategic Plan as it relates to the airport; identification of a marketing commitment plan; community impact plan; and expectations of the airport users' responsibilities in relation to any terminal improvements.**

**The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

19. [04-1922](#) Specifications No. PA-00505 and award contracts to Sudduth Tire Company, Incorporated, and Scher Tire, Incorporated to purchase tires and tire services. (Citywide)

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

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

20. [04-1923](#)

Agreements with United States Department of Housing and Urban Development for Healthy Homes Initiative and Lead-Based Paint Hazard Control Program. (Citywide)

Thomas Murphy

Eugene Holmes

**A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to authorize City Manager to execute all necessary documents for a period of three years; and**

**Increase appropriations in Health Fund (SR130) and in Department of Health and Human Services (HE) by \$3,488,173.**

**The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

RESOLUTIONS:

21. [04-1924](#)

Crude Oil Marketing Agreement With Tidelands Oil Production Company. (Districts 1,2)

**A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to authorize City Manager to execute agreement between the City of Long Beach, Long Beach Unit Operator, and Tidelands Oil Production Company and to approve extensions or to terminate agreement for sale of oil allocated to Long Beach Unit Townlot Working Interest Owners and for sale of City's Uplands Oil in Townlot area of Long Beach Unit and Fault Block IV and V Ranger Zone Units for three-year term starting November 1, 2004, with two one-year extensions.**

**The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

23. 04-1979

Resolution approving and authorizing the destruction of certain records, papers and writings by the Department of the City Auditor.



**A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, that this matter be laid over for October 12, 2004. The motion carried by the following vote:**

**Yes:** 5 - Baker, O'Donnell, Kell, Reyes Uranga and Gabelich

**Absent:** 4 - B. Lowenthal, Colonna, Richardson and Lerch

**22. [04-1925](#)**

Plans and Specifications No. R-6644 for the construction of a replacement canopy Over the north baggage claim area at Long Beach Airport. (District 5)

**A motion was made by Vice Mayor Kell, seconded by Councilmember Baker, to authorize City Manager to advertise for bids. Adopt Plans and Specifications. The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**24. [04-1929](#)**

Resolution authorizing the City Manager to purchase one aerial ladder truck through the contract between the City of Grand Rapids and Seagrave Fire Apparatus, LLC. (Citywide)

**A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, that this matter be adopted Resolution No. C-28460 for the purchase of vehicle pursuant to Cooperative Purchase Agreement, Purchase Order No. 0400158808, in an amount not to exceed \$661,737.**

**The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**Enactment No:** C-28460

**25. [04-1928](#)**

Resolution authorizing the City Manager to purchase one tractor drawn aerial ladder truck through the contract between the Village of Ridgefield Park and Seagrave Fire Apparatus, LLC. (Citywide)

**A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, that this matter be adopted Resolution No. C-28461 for the purchase of vehicle pursuant to contract dated December 17, 2003 in an amount not to exceed \$742,201.**

**The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**Enactment No:** C-28461

**26. [04-1980](#)**

Resolution authorizing the City Manager to execute a lease with the State Lands Commission for relocated natural gas Line 1228. (Citywide)

**A motion was made by Councilmember Baker, seconded by Councilmember Reyes Uranga, that this matter be adopted Resolution No. C-28462**

**The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**Enactment No:** C-28462

**27. [04-2284](#)**

Resolution of Intention to Vacate the East-West Alley East of Elm Avenue and North of Broadway. (District 2)

**A motion was made by Councilmember Baker, seconded by Councilmember Reyes Uranga, to set date of hearing for November 9, 2004 and adopt Resolution No. C-28463. The motion carried by the following vote:**

**Yes:** 5 - Baker, O'Donnell, Kell, Reyes Uranga and Gabelich

**Absent:** 4 - B. Lowenthal, Colonna, Richardson and Lerch

**Enactment No:** C-28463

ORDINANCES:

**28. [04-1981](#)**

Ordinance amending and restating the Downtown Planned Development District (PD-30). (Districts 1,2)

**A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, to declare ordinance read and adopted as read Ordinance No. C-7950**

**The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**Enactment No:** C-7950

### **NEW BUSINESS**

Councilwoman Kell made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilmember Lerch made community announcements.

Councilwoman Gabelich made community announcements.

Mayor O'Neill made community announcements and requested that when tonight's City Council meeting adjourns that it adjourn in memory of Dr. David H. Burcham.

30.

### **29. [04-1872](#)**

Ordinance amending the Long Beach Municipal Code by amending Sections 6.16.090, 6.16.210 and 6.16.310 providing for the exercise of dogs upon a designated portion of the beach of the City of Long Beach and providing for the enforcement thereof. (District 3)

**A motion was made by Councilmember Baker, seconded by Councilwoman Gabelich, to declare ordinance read and adopted as read Ordinance No. C-7951 The motion carried by the following vote:**

**Yes:** 6 - Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

**Absent:** 3 - B. Lowenthal, Colonna and Richardson

**Enactment No:** C-7951

31.

32.

**PUBLIC:**

Eugene Holmes spoke under items of New Business regarding his business and how to give your opinions.

Adjournment 7:15 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។