



CITY OF LONG BEACH

C-8

DEPARTMENT OF CITY CLERK

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December 18, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council and Study Session minutes for the meetings of Tuesday, December 11, 2007.

DISCUSSION

The Legistar minutes of the City Council meeting and the Study Session held on Tuesday, December 11, 2007 are attached for review and approval.

Should any district offices have questions regarding the minutes we submit each week, we respectfully request that you contact the City Clerk Department prior to 12:00 p.m. on the day of the City Council meeting. With notice prior to the meeting, City Clerk staff can attempt to resolve any questions that you may have before the start of the regular meeting.

In cases where questions cannot be resolved before the 5:00 p.m. meeting start time, we will request a motion and a second that the minutes be held over for approval to the following week.

TIMING CONSIDERATIONS

None.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by: Nancy Muth

LGH:nem

Attachments

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



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

Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Robert E. Shannon, City Attorney

Bob Foster, Mayor

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL: (3:37 PM)

Councilmembers B. Lowenthal, O'Donnell, Gabelich and Lerch
Present:

Councilmembers S. Lowenthal, DeLong, Schipske, Andrews and Reyes Uranga
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Heather Mahood, Chief Assistant City Attorney; Reginald Harrison, Deputy City Manager; Larry Herrera, City Clerk; Allison Bunma, City Clerk Analyst.

Representing Redevelopment Agency: Thomas Fields, Chair; William Baker, Vice Chair; Diane Arnold, Member; John Cross, Member; John W. Thomas, Member; Craig Beck, Assistant Executive Director.

SPECIAL MEETING: (3:37 PM)

1. 07-1463 Study Session to provide a Redevelopment Activity Update.

Patrick West, City Manager, spoke.

Thomas Field, Chair of Redevelopment Agency, presented a PowerPoint presentation.

This Agenda Item was received and filed.

SECOND ROLL CALL: (3:38 PM)

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

Councilmembers S. Lowenthal, DeLong, Schipske and Andrews
Absent:

Reyes Uranga joined the meeting.

Craig Beck, Assistant Executive Director, continued the PowerPoint presentation with "Redevelopment Activity Update."

THIRD ROLL CALL: (3:39 PM)

Councilmembers B. Lowenthal, O'Donnell, Andrews, Reyes Uranga, Gabelich and
Present: Lerch

Councilmembers S. Lowenthal, DeLong and Schipske
Absent:

Andrews joined the meeting.

John Thomas, Member of Redevelopment Agency, spoke.

Councilmember Reyes Uranga spoke.

Craig Beck, Assistant Executive Director, spoke.

Vice Mayor B. Lowenthal spoke.

FOURTH ROLL CALL: (3:45 PM)

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

Councilmembers S. Lowenthal and DeLong
Absent:

Schipske joined the meeting.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Lerch spoke.

Mayor Foster spoke.

PUBLIC: (4:22 PM)

07-1465 Harvey Cochran spoke and submitted flyer for Camp Laurel.

This Handout was filed.

William Baker, Vice Chair of Redevelopment Agency, spoke.

Councilwoman Gabelich spoke.

ADJOURNMENT: (4:28 PM)

At 4:29 PM, Mayor Foster adjourned the meeting.

adb

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



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

Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL (5:05 PM)

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

Councilmembers S. Lowenthal and Gabelich
Absent:

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, City Attorney; Heather Mahood, Chief Assistant City Attorney; Michael Mais, Assistant City Attorney; Laura Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Val Lerch, Councilmember, Ninth District.

Mayor Foster announced that Agenda Item No. 24 was withdrawn, Agenda Item No. 22 will be heard at 6:30 pm, Agenda Item Nos. 10 and 12 are pulled from consent calendar.

Pet Adoption: Sierra, spcaLA, presented a canine.

SECOND ROLL CALL (5:10 PM)

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

S. Lowenthal joined the meeting. Gabelich joined the meeting.

Certificate of Recognition presented to Long Beach Search & Rescue. (5:10 PM)

07-1468 **Presentation on the State of the Region by Mark Pisano, Southern California Association of Governments, with the submittal of informational publications.**

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Vice Mayor B. Lowenthal spoke.

Mayor Foster spoke.

This Handout was received and filed.

07-1469 **5th District Good Neighbor Awards video presentation.**

Councilwoman Schipske spoke.

This Handout was received and filed.

HEARINGS (6:01 PM)

1. 07-1433 Recommendation to receive supporting documentation into the record, hold a public hearing to receive public comment, adopt resolution to form City of Long Beach Community Facilities District (CFD) No. 2007-2 (Belmont Shore), authorize the levy of Special Tax within the CFD, preliminarily establish an annual appropriations limit for the CFD, and submit the special tax levy and establishment of the appropriations limit to qualified electors of the CFD;

Councilmember DeLong spoke.

Bill Lorbeer spoke.

Melinda Cotton spoke.

Kurt Schneiter spoke.

Gene Rotondo spoke.

Councilmember DeLong spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-07-0166. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0166

07-1434 Adopt resolution to determine the necessity to incur bonded indebtedness in City of Long Beach Community Facilities District No. 2007-2 (Belmont Shore); and

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-07-0167. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0167

07-1435 Adopt resolution calling a special election within the CFD. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-07-0168. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0168

2. 07-1436 Recommendation to continue to January 8, 2008 City Council meeting the appeal of the City Planning Commission decision to not certify Negative Declaration (ND 23-07), and deny a Site Plan Review, a Conditional Use Permit and a Standards Variance to allow the construction of a 233-space parking garage with a setback of 10'-0" from Locust Avenue (instead of not less than 20'-0") at 3711 Long Beach Boulevard. (Case No. 0606-08). (District 8)

Councilwoman Gabelich spoke.

A motion was made by Councilwoman Gabelich, seconded by Councilman Andrews, that the item be continued to the meeting of January 8, 2008. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Agenda Item No. 22 was considered at this time.

PUBLIC COMMENT (8:46 PM)

Eugene Whomes spoke regarding making pornography illegal.

Jesse Brown spoke regarding unattached trailers.

Harvey Cochran spoke regarding Camp Laurel.

Jaive Torres spoke regarding labor dispute with Long Beach Yacht Club.

Scott Brownson spoke regarding labor dispute with Long Beach Yacht Club.

Jose Torres spoke regarding the Long Beach Yacht Club.

Councilmember Reyes Uranga spoke.

CONSENT CALENDAR (8:56 PM)

Passed The Consent Calendar

A motion was made by Councilman Andrews, seconded by Councilmember DeLong, to approve Consent Calendar Items 3 - 14, except for litem 10 and 12. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

3. 07-1458 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 \$78,538.42 for the claim of Adalberto Perez, in compliance with the Appeals Board Order.
A motion was made to approve recommendation on the Consent Calendar.
4. 07-1464 Recommendation to authorize City Attorney to pay the sum of \$12,000 in full settlement of lawsuit entitled Martinez v. City of Long Beach, Case No. NC039158.
A motion was made to approve recommendation on the Consent Calendar.
5. 07-1462 Recommendation to adopt minute order to grant an application from Rachel B. Moll for a widow's pension.
A motion was made to approve recommendation on the Consent Calendar.
6. 07-1456 Recommendation to authorize City Manager to execute the Seventh Amendment to Contract No. 29414 with legal counsel Ezra, Brutzkus, Gubner, LLP in the matter entitled, Queen's Seaport Development, Inc., Case No. LA05-15175VZ.

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

7. 07-1457 Recommendation to authorize City Manager to execute an agreement with legal counsel Thomas J. Feeley in the matter entitled, Thomas Lee Goldstein vs. City of Long Beach, et al., Case No. CV 04-9692 AHM (Ex).

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

8. 07-1461 Recommendation to approve the City Council minutes for the meeting of Tuesday, December 4, 2007.

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

9. 07-1459 Recommendation to refer to City Attorney damage claims received between November 29, 2007 and December 6, 2007.

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

10. 07-1437 Recommendation to adopt resolution approving Associate Membership of the City of Long Beach in the California Enterprise Development Authority; and authorize execution of an Associate Membership Agreement. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-07-0170. The motion carried by the following vote:

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

Absent: 1 - Lerch

Enactment No: RES-07-0170

11. 07-1446 Recommendation to authorize City Manager to execute all necessary documents with the U.S. Environmental Protection Agency to allow implementation of the Lead and Education Outreach (LEO) Project from October 1, 2007 through September 30, 2009; and increase appropriations in the Health Fund (SR130) in the Department of Health and Human Services (HE) by \$100,000. (Districts 1,6,8,9)

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

12. 07-1441 Recommendation to adopt amended Salary Resolution for Fiscal Year 2008. (Citywide)

Joe Sopo spoke.

Mayor Foster spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-07-0171. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0171

13. 07-1443 Recommendation to adopt resolution approving the compensation fixed by the Board of Water Commissioners of the City of Long Beach for officers and employees in the Water Department.

A motion was made to approve recommendation and adopt Resolution No. RES-07-0169 on the Consent Calendar.

Enactment No: RES-07-0169

14. 07-1460 Recommendation to receive and file minutes of: Harbor Commission - November 26, 2007.

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

REGULAR AGENDA (9:13 PM)

15. 07-1424 Recommendation to request that City Attorney draft an ordinance amending Chapter 2.03 of the Long Beach Municipal to create a new City Council Rule that requires agenda items to be announced twelve days prior to the meeting in which they are eligible to be considered.

Distributed at the meeting: December 13, 2005 memorandum from Councilmember Lerch, and December 10, 2007 memorandum from Robert Shannon, City Attorney.

Mayor Foster spoke.

Patrick West, City Manager, spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Robert Shannon, City Attorney, spoke.

Councilwoman Gabelich spoke.

Harvey Cochran spoke.

Joe Sopo spoke.

A motion was made by Councilmember Lerch, seconded by Councilman Andrews, to approve recommendation with items as discussed during the meeting. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Agenda Item No. 29 was considered at this time, and prior to Agenda Item No. 20.

16. 07-1442

Recommendation to respectfully request City Council designate December 20th as "A Day Without A Bag" in the City of Long Beach to encourage residents and businesses to utilize reusable bags for their holiday and regular shopping needs instead of single-use and paper bags; and

Request City Manager assist in spreading the message to City

employees, residents and businesses through existing methods such as e-notify, press, radio, and other media outlets at the City's disposal.

Harvey Cochran spoke.

Councilmember S. Lowenthal spoke.

Councilmember Lerch spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember O'Donnell spoke.

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

17. 07-1177

Recommendation to City Council to concur in recommendation of the Elections Oversight Committee that the 2008/2009 Elections Plan be received and adopted; and refer the April 8, 2008 Primary Nominating Election (PNE) Cost Estimate to the City Council Budget Oversight Committee.

Larry Herrera, City Clerk, spoke.

Councilman Andrews spoke.

Harvey Cochran spoke.

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

18. 07-1385

Recommendation to City Council to concur in recommendation of the State Legislation Committee to support Senate Bill SB 840 (Kuehl) California Health Insurance Liability Act; request City Attorney to draft a resolution in support of SB 840; and request City Manager to support this legislation and communicate the City's support to our legislative delegation.

Councilmember S. Lowenthal spoke.

Harvey Cochran spoke.

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

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

Noes: 1 - DeLong

19. 07-1444

Recommendation to adopt Specifications No. PA-03307 and award a contract to Metro Environmental Services, Inc. for the removal of 16 underground storage tanks (UST) for waste oil, and replacement of eight sites with aboveground storage tanks (AST) for waste oil, in the estimated amount of \$600,000 plus a 25 percent contingency, for a period of one year, with the option to extend for two additional one-year periods, at the discretion of the City Manager; and increase appropriations in the Tidelands Operating Fund (TF) in the Department of Parks, Recreation and Marine (PR) in Capital Improvement Fund by \$150,000. (Citywide)

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

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

Absent: 1 - O'Donnell

Agenda Item No. 20 was considered following Agenda Item No. 29 and prior to Agenda Item No. 16.

20. 07-1445

Recommendation to receive supporting documentation into the record regarding the Tax and Equity Fiscal Responsibility Act (TEFRA) public hearing, and adopt resolution approving the issuance of revenue bonds by the California Enterprise Development Authority (CEDA) to benefit Cal-Can Holdings LLC, Redbarn Pet Products, Inc., in an amount not to exceed \$8,400,000. (District 1)

Vice Mayor B. Lowenthal spoke.

Harvey Cochran spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember S. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0173. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, S. Lowenthal, Schipske, Andrews, Reyes Uranga and Gabelich

Absent: 3 - DeLong, O'Donnell and Lerch

Enactment No: RES-07-0173

21. 07-1447

Recommendation to authorize City Manager to execute an amendment to Contract No. 04-035743 and all-relevant subcontracts and amendments with the State of California Department of Health Services for the STD Community Intervention Program (SCIP) and Disease Investigation and Surveillance (DIS) Program to increase the amount of the contract by \$45,000 for each of the two remaining years of the contract. The amended contract will be in a total amount not to exceed \$206,940 for a five-year period from July 1, 2004 through June 30, 2009. (Citywide)

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

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

Absent: 1 - O'Donnell

Agenda Item No. 22 was considered following Agenda Item No. 2 and prior to Public Comment.

22. 07-1448

Recommendation to receive and file information provided in this report and at the public hearing;

Direct staff to implement the administrative procedural changes to the tenant notification and relocation benefit processes;

Request Planning and Building Department and City Attorney to prepare an ordinance that codifies administrative procedures, protects tenants rights, and provides relocation benefits to qualifying tenants earlier in the condominium conversion process; and

Consider whether to implement policy options for lifetime leases for existing tenants in lieu of relocation benefits, and provide direction to the Planning Commission. (Citywide)

Distributed at the meeting: Correspondence from Judith Legan.

Councilmember S. Lowenthal spoke.

Ben Rockwell spoke.

Georgia Shanks spoke.

Richard Hernandez spoke.

Francis Emily Dawson Harris spoke.

Harvey Cochran spoke.

Tony Esparza spoke.

Cynthia Romo spoke.

Barbara Shultz spoke and submitted written comments.

Katherine Rubenstein spoke.

Dan Fauler spoke.

Gary Fultime spoke.

George Carhalis spoke.

Nick Lopez spoke.

Monika Padrina spoke.

Betty Hart spoke.

Janice Williams spoke.

Luciell Agoebe spoke.

Tom McFarland spoke.

Diana Lejins spoke.

Malcolm Armstrong spoke.

Joe Sopo spoke.

Suzanne Brown spoke.

Nancy Alsweet spoke.

Phil Hockman spoke.

Fred Speravan spoke.

Mike Kohl spoke.

James Wyatt spoke.

Ed Delight spoke.

Councilmember S. Lowenthal spoke.

Motion: Approve recommendation as stated in paragraphs 1-3 of the staff report, with the following additional conditions: [a] to amend the relocation ordinance to require the converter (condominium conversion applicants) to pay relocation assistance to all tenants wherein each (all) tenants would receive \$3,700 in relocation assistance; and provide that low-income tenants, senior tenants, and low-income disabled tenants would receive an additional \$2,000 in relocation assistance, resulting in a total relocation payment of \$5,700, funding provided from City housing fund resources; [b] require converters to work with staff, Legal Aid, and the Apartment Association to provide a list, to tenants, of comparable units available in Long Beach resources for tenants; [c] inclusion of a grand father clause to address projects in the application pipeline, and that staff provide a definition of pipeline projects, such as those who have requested a "tentative map" as a threshold; and exclude staff recommendation 4 of the staff report.

Moved by S. Lowenthal, seconded by B. Lowenthal.

Councilmember Reyes Uranga spoke.

Vice Mayor B. Lowenthal spoke.

Councilwoman Gabelich spoke.

Joe Sopo spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Mayor Foster spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Motion: Second substitute motion to return to Planning Commission for further analysis of the staff recommendations and recommended amendments presented by Councilmember S. Lowenthal. Moved by Schipske, motion failed due to lack of second.

Councilman Andrews spoke and requested that City Manager arrange a study session on this issue.

Councilmember DeLong spoke.

Councilmember S. Lowenthal spoke.

Councilmember Lerch spoke.

Mike Mais, Assistant City Attorney, spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

A substitute motion was made by Councilmember Lerch, seconded by Councilwoman Gabelich, to separate the staff recommendations for discussion and vote on each recommendation separately. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

A first motion was made by Councilmember Lerch, seconded by Councilwoman Gabelich, to approve recommendation to direct staff to implement the administrative procedural changes to the tenant notification and relocation benefit process subject to the following: [a] amend the relocation ordinance to require the converter (condominium conversion applicants) to pay relocation assistance to tenants (under existing guidelines) in an amount of \$3,700, and provide an additional \$2,000 in relocation assistance to low-income seniors and low-income disabled tenants, with funding provided from City housing fund resources, with the condition that assistance payments be placed into an account for payment to new landlord; [b] require converters to provide tenants with list comparable Long Beach rental units; and [c] inclusion of a grand father clause to address projects in the application pipeline, and that staff provide a definition of pipeline projects, such as those who have requested a "tentative map" as a threshold. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

A second motion was made by Councilmember Lerch, seconded by Councilwoman Gabelich, to approve recommendation to request the Planning and Building Department and the City Attorney's office to prepare an ordinance that codifies administrative procedures, protects tenants rights, and provided relocation benefits to qualifying tenants earlier in the condominium conversion process. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

A third motion was made by Councilmember Lerch, seconded by Councilwoman Gabelich, to approve recommendation to receive and file information provided in this report and at the public hearing. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

A fourth motion was made by Councilmember Lerch, seconded by Councilwoman Gabelich, to approve recommendation to implement a policy of lifetime leases for exiting tenants in lieu of relocation benefits, and provide direction to the Planning Commission. The motion failed by the following vote:

Yes: 0 -

Noes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Vice Mayor B. Lowenthal spoke.

Mayor Foster declared a five-minute recess.

- 23. 07-1449** Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of 7 Eleven Incorporated, dba 7 Eleven, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 6598 Cherry Avenue, with conditions. (District 9)

Distributed at the meeting: Conditions for the ABC license submitted by Councilmember Lerch.

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

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

Absent: 1 - O'Donnell

24. 07-1450 Recommendation to determine that the application serves the public convenience and necessity for 888 Empire Corporation, dba Legends, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 145 West Broadway. (District 2)

This ABC License was withdrawn.

25. 07-1451 Recommendation to receive and file the application of Pates Fraiches Restaurant LLC, dba Pates Fraiches Restaurant, for an original Alcoholic Beverage Control License, at 400 East 1st Street, with conditions. (District 2)

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

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

Absent: 1 - O'Donnell

26. 07-1452 Recommendation to authorize City Manager to execute all necessary documents to receive, accept and expend grant funding from the State of California Citizens Option for Public Safety Program funding from the County of Los Angeles Supplemental Law Enforcement Services Fund; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$947,824. (Citywide)

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

27. 07-1453 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the University of California Berkeley Traffic Center administering the Sobriety Checkpoint mini-grant funds for the California Office of Traffic Safety; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$52,104. (Citywide)

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

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

Absent: 1 - DeLong

28. 07-1454 Recommendation to adopt Plans and Specifications No. R-6604 for the improvement of Cherry Avenue between Harding Street and the North City Limit; and authorize City Manager to execute a contract with Silvia Construction, Inc., the lowest responsible bidder, in an estimated amount of \$1,527,418 plus a 15 percent contingency amount, if necessary. (District 9)

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

ORDINANCES (10:14 PM)

Agenda Item No. 29 was considered following Agenda Item No. 15 and prior to Agenda Item No. 20.

29. 07-1440 Recommendation to adopt resolution maintaining standardized Entertainment District conditions of operation and tiered conditions; and

Harvey Cochran spoke.

Joe Powers spoke.

Councilwoman Gabelich spoke.

Mianne spoke.

Councilmember S. Lowenthal spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Resolution No. RES-07-0172. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-07-0172

- 07-1439 Receive and file supporting documentation, and declare ordinance extending the Downtown Dining and Entertainment District Pilot Program (Downtown Pilot Program) through December 31, 2008 read the first time and laid over to the next regular meeting of the City Council for final

reading. (District 1)

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

30. 07-1455

Recommendation to declare ordinance amending the Departmental Organization Ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

A motion was made by Councilmember Lerch, seconded by Councilman Andrews, 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, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

31. 07-1418

Recommendation to declare ordinance amending and restating Chapter 3.90 of the Long Beach Municipal Code relating to Development Services Center Surcharge, read and adopted as read. (Citywide)

A motion was made by Councilmember Lerch, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Ordinance No. ORD-07-0063. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich and Lerch

Enactment No: ORD-07-0063

NEW BUSINESS (10:16 PM)

32. Affidavit of Service for the special meeting of Tuesday, December 11, 2007.

ANNOUNCEMENTS (10:16 PM)

Councilmember Lerch made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilman Andrews made community announcements.

Vice Mayor B. Lowenthal made community announcements.

ADJOURNMENT (10:22 PM)

At 10:22 p.m., Mayor Foster adjourned the meeting.

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