

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



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

Bob Foster, Mayor

Gerrie Schipske, 5th District  
Dee Andrews, 6th District  
James Johnson, 7th District  
Rae Gabelich, 8th District  
Steven Neal, 9th District

Robert E. Shannon, City Attorney

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## SPECIAL MEETING

### FINISHED AGENDA & MINUTES

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda items can be taken out of order during the meeting. Please consult the time stamps to determine the order in which business was addressed.

Agenda Items were considered in the order presented, with the exception of Agenda Item No. 13, which was considered as the last item, and Agenda Item No. 9, which was considered following the Consent Calendar vote.

#### ROLL CALL (6:38 PM)

**Councilmembers** Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews,  
**Present:** Johnson, Gabelich and Neal

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gary DeLong, Councilmember, Third District.

Mayor Foster announced that Agenda Item No. 13 would be taken up at the end of the meeting.

Recognition of the 40th Anniversary of BMX.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

Mayor Foster spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

### HEARINGS (6:47 PM)

[see media](#)

1. [10-1197](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with conditions on the application of Chong C. Lim, dba Max's Steiner/The Long Beach Lounge, 2500 E. Anaheim Street, for Entertainment Without Dancing at an existing Bar/Tavern/Lounge. (District 4)

**A motion was made by Councilmember O'Donnell, seconded by Councilwoman Gabelich, to approve recommendation to grant a One-Year Short-Term Permit, with conditions. The motion carried by the following vote:**

**Yes:** 8 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - Lowenthal

[see media](#)

2. [10-1196](#) Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with conditions on the application of Michoacan Entertainment, a California corporation, dba Copa Cabana Night Club, 2688 East South Street, for Entertainment With Dancing by Patrons at an existing Restaurant. (District 8)

Distributed at the meeting: Revised Recommended Conditions of Operation.

Councilwoman Gabelich spoke.

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Neal, to approve recommendation to grant a One-Year Short-Term Permit, with conditions. The motion carried by the following vote:**

**Yes:** 8 - Garcia, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - Lowenthal

[see media](#)

23. [10-1194](#)

Recommendation to receive supporting documentation into the record, conclude the public hearing, and declare ordinance adopting and amending the 2010 Edition of the California Building Standards Codes and the 1997 Edition of the Uniform Housing Code, by amending and restating Title 18 of the Long Beach Municipal Code, and by repealing Chapter 21.62, read for the first time and laid over to the next regular meeting of the City Council for final reading; and

Councilwoman Gabelich spoke.

Vice Mayor Lowenthal spoke.

Councilwoman Gabelich spoke.

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember DeLong, 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 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

**Enactment No:** ORD-10-0035

[see media](#)

[10-1195](#)

Adopt resolution making findings and determinations relating to the adoption of more restrictive Code provisions, where appropriate. (Citywide)

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation and adopt Resolution No. RES-10-0132. The motion carried by the following vote:**

**Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

**Enactment No:** RES-10-0132

**PUBLIC COMMENT (7:02 PM)**

Christa Andrula spoke regarding furloughs for IAM members.

Janet Schabow spoke regarding furloughs.

Sierra Wendt spoke regarding cyclist rights.

Ronnie Sandlin spoke regarding cyclist rights.

Jim Clemson spoke regarding cyclist rights.

Gabriel Martin spoke regarding cyclists rights.

Jerome Podgajski spoke regarding cyclists rights.

Josh Cole spoke regarding the critical mass event.

Chris Quint spoke regarding the critical mass ride.

Jim McDonnell, Chief of Police, spoke.

Mayor Foster spoke.

Jim McDonnell, Chief of Police, spoke.

Councilmember DeLong spoke.

Councilmember Garcia spoke.

Vice Mayor Lowenthal spoke.

Mayor Foster spoke.

### **CONSENT CALENDAR (7:49 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember Garcia, seconded by Vice Mayor Lowenthal, to approve Consent Calendar Items 3 - 12, except for Item 9. The motion carried by the following vote:**

**Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

3. [10-1111](#) Recommendation to adopt resolution in support of overturning Proposition 8, which defined marriage as being only between one man and one woman.

**A motion was made to approve recommendation and adopt Resolution No. RES-10-0133 on the Consent Calendar.**

**Enactment No:** RES-10-0133

4. [10-1113](#) Recommendation to adopt resolution in support of banning retroactive pension increases.

**A motion was made to approve recommendation and adopt Resolution No. RES-10-0134 on the Consent Calendar.**

**Enactment No:** RES-10-0134

5. [10-1166](#) Recommendation to adopt resolution declaring October as National Arts and Humanities Month in the City of Long Beach.

**A motion was made to approve recommendation and adopt Resolution No. RES-10-0135 on the Consent Calendar.**

**Enactment No:** RES-10-0135

6. [10-1198](#) Recommendation to refer to City Attorney damage claims received between October 25, 2010 and November 1, 2010.

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

7. [10-1210](#) Recommendation to approve the destruction of records for Financial Management Department Treasury Bureau as shown in Exhibit A; and adopt resolution.

**A motion was made to approve recommendation and adopt Resolution No. RES-10-0136 on the Consent Calendar.**

**Enactment No:** RES-10-0136

8. [10-1199](#) Recommendation to authorize Department of Development Services to process a refund in the amount of \$131,190 to Meta Housing for the property located at 2355 Long Beach Boulevard. (District 6)

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

[see media](#)

9. [10-1200](#) Recommendation to amend the Bylaws of The Long Beach Housing Development Company to designate the Director of Development Services, or the City Manager's designee, to serve as its President. (Citywide)

Councilmember Johnson spoke.

**A motion was made by Councilmember Johnson, seconded by Councilmember Garcia, to approve recommendation. The motion carried by the following vote:**

**Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

10. [10-1205](#) Recommendation to authorize City Manager to execute a contract and any amendments thereto with Securus Technologies, of San Clemente, CA (not a MBE, WBE, SBE, or Local), at no cost to the City, for providing inmate phone service at the Long Beach City Jail, for a period of one year, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (District 1)

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

11. [10-1201](#) Recommendation to receive and file the application of Jorge Gonzalez and Ramona Chacon Degonzalez, dba Anna Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1220 East Anaheim Street, with existing conditions. (District 6)

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

12. [10-1202](#) Recommendation to receive and file the minutes for:  
Parks and Recreation Commission - September 16, 2010.  
Planning Commission - October 7, 2010.

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

#### **REGULAR AGENDA (7:50 PM)**

[see media](#)

13. [10-1209](#) Recommendation to respectfully request City Attorney to prepare an amendment to Section 5.87.040 of the Long Beach Municipal Code regarding medical marijuana collective permit approval and operating conditions.

Motion: Approve recommendation outlined in the Councilmembers' memorandum.

Moved by O'Donnell, seconded by Lowenthal.

Sierra Serhan spoke; and submitted photographs.

Dan Kern spoke.

Richard Brisendine spoke.

Jenna Morris spoke.

Larry King spoke.

Dr. Kevin Van Lant spoke.

Kimberly Van Lant spoke.

Carl Kemp spoke; and submitted correspondence.

Lydia Sanderval spoke.

Nichol West spoke.

Gregory Moore spoke.

Kerrie Hawk spoke.

Jonathan Shack spoke.

Edwin Schenkoff spoke.

Claudette Powers spoke.

Ellian Gonzalez spoke.

Sarah Sigmeister spoke.

Richard Eastman spoke.

Rochelle Cramer spoke.

David Zinc spoke.

Doug Cramer spoke.

Madeline Johnson spoke.

Christina Roberts spoke.

Kevin spoke.

Casey Campbell spoke.

Judy Collins spoke.

Pamela Bell spoke.

Chris Boyle spoke.

Sam Salazar spoke.

Councilmember DeLong spoke.

Michael Mais, Assistant City Attorney, spoke.

Councilmember Neal spoke.

Councilmember Johnson spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Garcia spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

**A substitute motion was made by Councilmember Johnson, seconded by Councilmember Garcia, that the item be laid over one week; and that a Closed Session be scheduled November 16, 2010 to discuss potential litigation with the City Attorney. The motion carried by the following vote:**

**Yes:** 6 - Garcia, Lowenthal, Andrews, Johnson, Gabelich and Neal

**No:** 3 - DeLong, O'Donnell and Schipske

[see media](#)

**14. [10-1211](#)**

Recommendation to respectfully request City Council to receive and file the presentation of the Tony Hawk: SHRED Presents Stand Up for Skateparks event benefiting the Ernest S. McBride Sr. Skatepark and adopt a motion encouraging residents to support the community project.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.



Councilmember Garcia spoke.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

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

**Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

[see media](#)

15. [10-1214](#)

Recommendation to request City Manager to have the Purchasing Agent formulate a plan to allow residents engaged in City-financed facade improvements to have the choice to utilize vendors pre-qualified by the City.

Distributed at the meeting: Revised conditions for the ABC License from Councilmember DeLong.

Councilmember Johnson spoke.

Councilmember Neal spoke.

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

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

[see media](#)

16. [10-1053](#)

Recommendation to request City Council to reconsider the action of September 21, 2010, for an original ABC license application for Me Soo Hungry Incorporated, dba Me Soo Hungry; and approve the application with conditions.

**A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation to rescind the previous action to protest the ABC License. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

**A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation to receive and file the ABC License, with conditions. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

[see media](#)

**17. [10-1203](#)**

Recommendation to authorize City Manager to execute a contract and all necessary amendments for state legislative representation services provided by Michael J. Arnold and Associates, Inc., for an amount not to exceed \$105,432 for a period of one year; and authorize City Manager to grant two, one-year extensions, including an adjustment to the monthly retainer not to exceed the Consumer Price Index, at the discretion of the City Manager. (Citywide)

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

**Yes:** 8 - Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich and Neal

**Absent:** 1 - O'Donnell

[see media](#)

**18. [10-1204](#)**

Recommendation to authorize the City of Long Beach to join the California Municipal Finance Authority (CMFA); receive supporting documentation into the record regarding the Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing; and adopt resolution approving the issuance of revenue bonds by the CMFA to benefit Abode Communities, Evergreen Apartments Multifamily Housing, in an amount not to exceed \$14,000,000. (Districts 4,9)

**A motion was made by Councilmember DeLong, seconded by Vice Mayor Lowenthal, to approve recommendation and adopt Resolution No. RES-10-0137. The motion carried by the following vote:**

**Yes:** 9 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich and Neal

**Enactment No:** RES-10-0137

[see media](#)

**19. [10-1206](#)**

Recommendation to receive and file the application of Hogs and Hops LLC, dba Beachwood BBQ and Brewing, for an original Alcoholic

Beverage Control License, at 210 East 3rd Street. (District 2)

Distributed at the meeting: Conditions for the ABC License from Vice Mayor Suja Lowenthal.

**A motion was made by Vice Mayor Lowenthal, seconded by Councilmember Garcia, to approve recommendation, with conditions. The motion carried by the following vote:**

**Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

**Absent:** 1 - Gabelich

[see media](#)

20. [10-1207](#)

Recommendation to approve the Magnolia Industrial Group Property and Business Improvement District Annual Report and Assessment for the period of December 1, 2010 through November 30, 2011, automatically extending the current agreement with the Magnolia Industrial Group, Inc., for a one-year period. (District 1)

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

**Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

**Absent:** 1 - Gabelich

[see media](#)

21. [10-1208](#)

Recommendation to increase appropriations in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$1,150,000, for construction of traffic mitigation measures and pavement rehabilitation in connection with the West County Connectors Project. (Districts 3,4,5)

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

**Yes:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

**Absent:** 1 - Gabelich

**ORDINANCE (8:15 PM)**

[see media](#)

22. [10-0549](#)

Recommendation to declare ordinance amending Section 16.08.460 of

the Long Beach Municipal Code, related to fishing restrictions on the banks of the Los Angeles River, read the first time and laid over to the next regular meeting of the City Council for final reading. (District 2)

**A motion was made by Vice Mayor Lowenthal, 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:** 8 - Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson and Neal

**Absent:** 1 - Gabelich

**Enactment No:** ORD-10-0036

**NEW BUSINESS (9:44 PM)**

23. [10-1233](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, November 5, 2010.

**This Agenda Item was received and filed.**

24. Affidavits of Service for the special meetings held Tuesday, November 9, 2010.

**ANNOUNCEMENTS (9:44 PM)**

Mayor Foster made community announcements.

Vice Mayor Lowenthal made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Johnson requested that the meeting be adjourned in memory of Morris T. Culp, Sr.; and made community announcements.

Councilman Andrews made community announcements.

Councilmember Neal made community announcements.

Councilmember Garcia made community announcements.

Councilmember O'Donnell made community announcements.

**ADJOURNMENT (9:50 PM)**

At 9:50 PM, Mayor Foster adjourned the meeting in memory of Morris T. Culp, Sr.

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