



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

**C-4**

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July 15, 2008

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Approve the City Council and the Study Session minutes for the meetings held Tuesday, July 1, 2008

**DISCUSSION**

The Legistar minutes for the City Council and the Study Session meetings held Tuesday, July 1, 2008, 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.

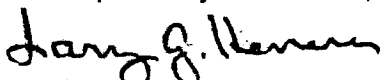
**FISCAL IMPACT**

None.

**SUGGESTED ACTION:**

Approve recommendation.

Respectfully submitted,

  
LARRY G. HERRERA  
CITY CLERK

Prepared by: Nancy Muth

LGH:nem  
Attachment

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

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## FINISHED AGENDA & DRAFT MINUTES

### ROLL CALL (1:58 PM)

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

**Councilmembers** S. Lowenthal, Schipske, Andrews 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; Laura L. Doud, City Auditor; Larry Herrera, City Clerk; Allison Bunma, City Clerk Analyst.

Mayor Foster presiding.

### SPECIAL MEETING (1:58 PM)

- 08-0624 Recommendation to hold a study session for the purpose of conducting a Budget Workshop to review:
  - Outlook for Fiscal Year 2008 and Fiscal Year 2009, and Revenue Options for Consideration

Pat West, City Manager, spoke.

Lori Ann Farrell, Director of Financial Manager, provided a PowerPoint presentation.

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

### SECOND ROLL CALL (2:08 PM)

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

**Councilmembers** S. Lowenthal and Andrews  
**Absent:**

Schipske and Gabelich joined the meeting.

Pat West, City Manager, continued the PowerPoint presentation.

Lori Ann Farrell, Director of Financial Management, continued the PowerPoint presentation.

Pat West, City Manager, spoke.

Councilmember Reyes Uranga spoke.

Pat West, City Manager, spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Vice Mayor B. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

**PUBLIC (3:14 PM)**

None.

**ADJOURNMENT (3:17 PM)**

At 3:17 P.M., 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



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

Bob Foster, Mayor

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

Robert E. Shannon, City Attorney

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## FINAL AGENDA & DRAFT MINUTES

### ROLL CALL (5:01 PM)

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

**Councilmembers** S. Lowenthal  
**Absent:**

Also present: Patrick H. West, City Manager; Suzanne Frick, Assistant City Manager; Robert Shannon, 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: Gerrie Schipske, Councilwoman, Fifth District.

Pet adoption: Julie Pruitt, spcaLA, presented a canine.

Presentation to recognize the Latino Managers Association and the Black Managers Association scholarship recipients. (5:04 PM)

Councilmember Reyes Uranga spoke.

Academic Certificate of Recognition presented to Juan J. Ramos. (5:14 PM)

Councilman Andrews spoke.

### SECOND ROLL CALL (5:18 PM)

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

S. Lowenthal joined the meeting.

**HEARINGS (5:20 PM)**

1. 08-0622 Recommendation to receive supporting documentation into the record, conclude the hearing, declare urgency ordinance relating to the temporary limitation (moratorium) of certain development and land use activities relating to check cashing facilities Citywide read the first time and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof; and declaring this ordinance shall take effect immediately. (Citywide)

Distributed at the meeting: from Councilmember Lerch - California Department of Corporations December 2007 report entitled, California Deferred Deposit Transaction Law; and Applied Management & Planning Group December 2007 report entitled, 2007 Department of Corporations Payday Loan Study.

Mike Mais, Assistant City Attorney, spoke.

Naomi Raine spoke.

Evelyn Knight spoke.

Harvey Cochran spoke.

Sergio Carrillo spoke.

Adama Iwu spoke and submitted a packet of information.

Amelia Nieto spoke.

Deanna Molina spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember S. Lowenthal spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember Lerch spoke.

Mike Mais, Assistant City Attorney, spoke.

**A motion was made by Councilwoman Gabelich, seconded by Vice Mayor B. Lowenthal, to declare emergency to exist to adopt urgency Ordinance No. ORD-08-0013. The motion carried by the following vote:**

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

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

Motion: Approve recommendation for the one year moratorium ordinance.

Moved by Gabelich, seconded by B. Lowenthal.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Mike Mais, Assistant City Attorney, spoke.

Motion: Substitute motion to continue hearing for 180 days and request staff to meet with stakeholders to discuss issues mentioned during the hearing.

Moved by O'Donnell, seconded by Lerch.

Councilmember Reyes Uranga spoke.

Suzanne Frick, Assistant City Manager, spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

**A second substitute motion was made by Councilmember Reyes Uranga, seconded by Councilwoman Schipske, to approve recommendation for a 6-month moratorium ordinance; request staff to meet with stakeholders during this time period to draft a new governing ordinance for check cashing facilities; and declare urgency Ordinance No. ORD-08-0013 read and adopted as read and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**

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

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

**Enactment No:** ORD-08-0013

2. 08-0603 Recommendation to receive supporting documentation into the record, conclude the hearing, and grant a One-Year Short-Term Permit with conditions for an Entertainment Permit With Dancing by Patrons at Armadillo Properties, Inc., dba The Cellar & Quentons, 201 E. Broadway. (District 2)

Ben Rockwell spoke.

**A motion was made by Councilmember S. Lowenthal, seconded by Councilmember DeLong, to approve recommendation for a One-Year Short-Term Permit with conditions. The motion carried by the following vote:**

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

**Absent:** 1 - Andrews

3. 08-0604 Recommendation to receive supporting documentation into the record, conclude the hearing, and grant a One-Year Short-Term Permit with conditions for an Entertainment Permit Without Dancing by Patrons at LBC Beverages, Inc., dba Clancy's, 803 E. Broadway. (District 2)

Mark Dana spoke on behalf of the applicant.

Ben Rockwell spoke.

Harvey Cochran spoke.

**A motion was made by Councilmember S. Lowenthal, seconded by Vice Mayor B. Lowenthal, to approve recommendation for a One-Year Short-Term Permit with conditions. The motion carried by the following vote:**

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

#### **PUBLIC COMMENT (6:29 PM)**

Paul de Jung spoke regarding the mentally ill homeless facility.

Kathy Ryan spoke regarding the mentally ill homeless facility.

Christine Rodehaver spoke regarding the proposed mentally ill homeless facility.

Carlos Brizzolara spoke regarding the proposed mentally ill homeless facility.

Harvey Cochran spoke regarding the mentally ill homeless facility.

08-0675 Rene Castro spoke in response to flyer from Neighborhoods First, and submitted written comments.

**This Handout was received and filed.**

Larry Goodhue spoke regarding abuse of authority.

Myesia Mimms spoke regarding good jobs in Long Beach.

Maria Patlan spoke regarding working in Long Beach.

Norma Chichilla spoke regarding jobs in Long Beach.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

#### **CONSENT CALENDAR (7:00 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember Reyes Uranga, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 4-17. The motion carried by the following vote:**

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

**Absent:** 1 - Schipske

4. 08-0630 Recommendation to receive and file a report on travel to Miami, Florida to participate in the United States Conference of Mayors, June 21 - 24, 2008.

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

5. 08-0605 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 \$131,215 with a life pension thereafter of \$100.50 for the claim of Michael Garner, in compliance with the Appeals Board Order.

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

6. 08-0606 Recommendation to authorize City Attorney to pay the sum of \$9,000



in full settlement of lawsuit entitled Jimmy Thao Thai v. City of Long Beach et al.

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

7. 08-0607 Recommendation to approve the City Council minutes for the meetings held Tuesday, June 10 and 17, 2008, and the Study Session held Tuesday, June 17, 2008.

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

8. 08-0608 Recommendation to refer to City Attorney damage claims received between June 9, 2008 and June 23, 2008.

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

9. 08-0609 Recommendation to set the date of hearing for Tuesday, July 8, 2008, at 5:00 p.m., to review the decision of the Parks and Recreation Commission for the approval of the development of a cricket ground in El Dorado Regional Park. (District 5)

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

10. 08-0610 Recommendation to authorize City Manager to execute any and all documents necessary for the Second Amendment to Amended and Restated Lease with Kilroy Realty, L.P., a Delaware Limited Partnership, for property owned by the City of Long Beach and the Water Department at the Kilroy Airport Center. (District 5)

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

11. 08-0612 Recommendation to refer to hearing officer the consolidated appeal to business license and Entertainment Permit suspension/revocation by the Broadlind Lounge, LLC, dba The Basement, 149 Linden Avenue B-100. (District 2)

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

12. 08-0613 Recommendation to authorize City Manager to execute a second amendment to Lease No. 26023 between the City of Long Beach and Long Beach Anglers, Inc., to include the sale and brokering of marine vessels as an authorized use of the leased premises. (District 2)

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

13. 08-0614 Recommendation to receive and file the application of Jay Ganesh Petro Incorporated, dba Long Beach Arco, for a person-to-person transfer of an Alcoholic Beverage Control License, at 3955 East Ocean Boulevard, with existing conditions. (District 3)

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

14. 08-0615 Recommendation to receive and file the application of Kesef Incorporated, dba Paris Showgirls, for a stock transfer of an Alcoholic Beverage Control License, at 2421 East Artesia Boulevard, with existing conditions. (District 9)

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

15. 08-0616 Recommendation to receive and file the application of Smelly Kat Incorporated, dba Smelly Kat, for a fiduciary transfer of an Alcoholic Beverage Control License, at 1739 East Artesia Boulevard, with existing conditions. (District 9)

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

16. 08-0617 Recommendation to authorize City Manager to execute a quitclaim deed to eliminate a vehicular access restriction at 5400 Cherry Avenue. (District 8)

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

17. 08-0618 Recommendation to receive and file minutes of:  
Civil Service Commission - June 4 and 11, 2008.  
Planning Commission - March 20 and April 17, 2008.  
Water Commission - May 15, 2008.

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

#### **REGULAR AGENDA (7:03 PM)**

18. 08-0631 Recommendation to approve a commission membership reduction in concurrence with the recommendation from Economic Development Commissioners from 17 members to 11 members.

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

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

**Absent:** 1 - Schipske

19. 08-0632

Recommendation to receive and approve 2008 Commission/Board/Committee Reappointments and New Appointments to Non-Charter Commissions.

Larry Goodhue spoke.

Mike Ruehle spoke.

Kerrie Aley spoke.

Harvey Cochran spoke.

Mike Sheldrake spoke.

Alan Sander spoke.

Jim Lazarus spoke.

Larry Goodhue spoke.

Gary Roth spoke.

Councilwoman Gabelich spoke.

Kurt Schneiter spoke.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilmember DeLong spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, 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

20. 08-0626 Recommendation to request report on effectiveness and veracity of bimonthly utility meter reading.

Councilmember Reyes Uranga spoke.

**A motion was made by Councilmember Reyes Uranga, 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

21. 08-0611 Recommendation to authorize City Manager to execute all documents necessary for the Second Amendment to Lease No. 27876 with 3837 Atlantic Real Estate, for approximately 1,000 square feet of commercial office space at 3837 Atlantic Avenue, for use as the City Council Eighth District Field Office, for a four-year term at the initial monthly base rent of \$1,500. (District 8)

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, 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

22. 08-0619 Recommendation to receive and file a report by Public Works Department regarding a multi-family residential recycling program; and request City Manager to implement recommendations. (Citywide)

Councilmember S. Lowenthal spoke.

Vice Mayor B. Lowenthal spoke.

**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

23. 08-0620 Recommendation to authorize City Manager to execute Amendment No. 6 to the Bureau Veritas Contract No. 28247 for as-needed architectural,

electrical, mechanical, structural, and geotechnical engineering, project management, and other related professional services to increase the contract amount by \$600,000 for a total contract amount not to exceed \$2,300,000. (Citywide)

**A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, 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

24. 08-0621

Recommendation to authorize City Manager to execute the Third Amendment to Contract No. 28616 with W.G. Zimmerman Engineering, Inc., for as-needed traffic engineering services, increasing the not-to-exceed contract amount by \$100,000, for a total cumulative contract amount not to exceed \$600,000. (Citywide)

**A motion was made by Councilmember O'Donnell, seconded by Councilmember Lerch, 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

#### **ORDINANCE (7:41 PM)**

25. 08-0623

Recommendation to declare ordinance amending Chapter 16.08 of the Long Beach Municipal Code by amending Sections 16.08.090, 16.08.130, 16.08.140, 16.08.261, 16.08.263, 16.08.265, 16.08.266, 16.08.340, 16.08.350, 16.08.460, 16.08.470, 10.08.551, 16.08.570, 16.08.581, 16.08.680, 16.08.900, 16.08.970; by adding Sections 16.08.021, 16.08.022, 16.08.023, 16.08.024, 16.08.025, 16.08.026, 16.08.101, 16.08.211, 16.08.221, 16.08.222, 16.08.223, 16.08.268, 16.08.501, 16.08.502, 16.08.503, 16.08.504; and by repealing Sections 16.08.260 and 16.08.262, all relating to Marinas read the first time and laid over the next regular meeting of the City Council for final reading. (Districts 2,3)

Larry Goodhue spoke.

**A motion was made by Councilmember DeLong, 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

#### **NEW BUSINESS: (7:46 PM)**

26. Affidavits of Services for the special meetings held Tuesday, July 1, 2008.

**ANNOUNCEMENTS (7:46 PM)**

Mayor Foster requested that the meeting be adjourned in memory of Kathy Altamirano.

Councilman Andrews made community announcements.

Patrick H. West, City Manager, introduced new staff members.

Councilwoman Gabelich made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilmember S. Lowenthal wished a happy 4th of July to everyone.

Vice Mayor B. Lowenthal made community announcements.

**PUBLIC (7:56 PM)**

Maria Geisey spoke regarding the mentally ill homeless facility.

Harvey Cochran spoke.

Joe Sopo spoke regarding the mentally ill homeless facility and the need to have a study session.

**ADJOURNMENT (8:01 PM)**

At 8:01 P.M., Mayor Foster adjourned the meeting in memory of Kathy Altamirano.

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