

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 Baker, O'Donnell, Kell, Reyes Uranga, Gabelich and Lerch

Present:

Councilmembers B. Lowenthal, Colonna and Richardson

Absent:

Mayor O'Neill presiding.

Invocation: Moment of Silence

Flag Salute: Councilmember Reyes Uranga, Seventh District

Pet Adoption: SPCALA presented a feline for adoption.

Councilmember Baker moved, seconded by Councilwoman Kell that the minutes for the City Council Meeting of October 5, 2004 be approved.

Presentation of the Helen Putnam Awards from the League of California Cities presented by Mayor O'Neill for the Long Beach Public Library Information Center for People with Disabilities to Eleanore Schmidt, Director of Library Services, and the Neighborhood Resource Center to Dennis Thys, Neighborhood Services Bureau Manager.

Presentation of Proclamation for National Latino Aids Awareness Day, October 15, 2004, presented by Mayor O'Neill and Councilmember Reyes Uranga, Seventh District, to Ronald Arias, Director of Health and Human Services Department.

Presentation of Proclamation for National Health Education Week, October 17-24, 2004, presented by Mayor O'Neill and Councilmember Reyes Uranga, Seventh District, to Ronald Arias, Director of Health and Human Services Department.

HEARINGS

1. [04-1992](#)

Application of 2706 South Street, LLC, dba Alibi Sports Bar, 2706 South Street, for a Permit for Entertainment Without Dancing by Patrons at an Existing Bar/Tavern/Lounge (District 9)

Edward B. Lovelace, Attorney, spoke on behalf of the applicant.

Doreen Matsimota spoke in support.

Katia Maria Mannery spoke in support.

Mike Magallanes, Manager, spoke in support.

Jeromy No, local business owner, spoke in opposition and submitted a petition from local residents.(Doc. 3)

Thomas Gibbons, business owner, spoke regarding concerns.

Chief Batts provided a police report.

Councilmember Lerch distributed information regarding the application. (Doc 4)

A motion was made by Councilmember Lerch, seconded by Councilwoman Gabelich, to receive supporting documentation into the record, conclude the hearing, and grant the permit, with or without conditions, or deny the permit.

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

2. [04-1848](#)

Two rezonings: 1) Zone change from R-3-S to CNR and 2) Zone change from R-1-S to Institutional, in order to facilitate improvements to properties that are not currently allowed under present zoning. (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 10 of said map from R-3-S (three-family residential) to CNR (neighborhood commercial and residential) for property located at 1780, 1760 1750, 1746 1738, 1728, 1716, and 1700 Martin Luther King Jr. Avenue, 1007 and 1013 East 17th Street; and from R-1-S (single-family residential) to I (Institutional)

for property located at 1458, 1450, 1448, and 1430 Myrtle Avenue, 908 and 920 East New York Avenue, in the City of Long Beach [Rezoning No. 0406-38]).
(District 6)

Francis Emily Dawson Harris spoke in support.

A motion was made by Councilwoman Richardson, seconded by Councilmember Baker, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading for October 19, 2004. The motion carried by the following vote:

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

Absent: 2 - B. Lowenthal and Colonna

Enactment No: C-7952

3. [04-2002](#)

Resolution ordering the vacation of the five-foot wide alley east of Sixty-Seventh Place and south of Ocean Boulevard in the City of Long Beach, County of Los Angeles, State of California.

A motion was made by Councilwoman Gabelich, seconded by Councilmember Baker, to receive supporting documentation into the record, concluded the hearing and; adopt Resolution and find that area to be vacated is not needed for present or prospective public use.

Adopt resolution.

The motion carried by the following vote:

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

Absent: 2 - B. Lowenthal and Colonna

Enactment No: C-28464

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

[04-2285](#)

Arturo Macias-Pedroza spoke regarding the impact of the Long Beach Marathon on Belmont Heights.

This Handout was received and filed.

Thomas Perry spoke regarding eminent domain in the Atlantic Corridor.

Arturo Macias-Pedroza spoke regarding the impact of the Long Beach Marathon on Belmont Heights. (Doc. 7)

D. Sims spoke regarding police issues.

Harvey Cochran spoke regarding neighborhood activities.

Allen Hose spoke regarding the I-710 Freeway Oversight Committee meeting and deadline to register to vote.

Thomas Murphy spoke regarding speed bumps.

Robert Bastian spoke regarding closing of chess club.

Leanne Cresente spoke regarding work with disabled children using horses.
Mayor O'Neill announced that Item 13 was withdrawn.

CONSENT CALENDAR (4-12)

4. [04-1997](#) Claims for Damages.
- A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, that this matter be approved Refer to City Attorney the damage claims received between September 30, 2004 and October 7, 2004.**
- The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Richardson, Reyes Uranga and Lerch
- Absent:** 3 - B. Lowenthal, Colonna and Gabelich
5. [04-1988](#) Report of Hearing Officer on request for revocation of business license and adult entertainment permit issued to VM Associates, Inc., dba Flamingo Gentleman's Club, 2421 E. Artesia Boulevard, Long Beach.
- A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, to set date of hearing for November 16, 2004. The motion carried by the following vote:**
- Yes:** 6 - Baker, O'Donnell, Kell, Richardson, Reyes Uranga and Lerch
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Absent: 3 - B. Lowenthal, Colonna and Gabelich

6. [04-1989](#)

Purchase and Sale Agreement for property located at 200 Long Beach Boulevard -
Downtown Redevelopment Project Area. (District 2)

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilwoman Richardson, to authorize City Manager to execute Agreement and all other related documents for \$333,645; and Increase appropriations in Redevelopment Fund (RD) and Department of Community Development (CD) by \$461,742.

The motion carried by the following vote:

Yes: 5 - Baker, Kell, Richardson, Reyes Uranga and Lerch

Absent: 4 - B. Lowenthal, Colonna, O'Donnell and Gabelich

7. [04-2001](#)

Refund to Utility Customer Real Energy, Inc.

Thomas Murphy

A motion was made by Councilmember Baker, seconded by Councilmember Reyes Uranga, to pass suggested action Authorize issuance of a refund check in the amount of \$10,669.37.

The motion carried by the following vote:

Yes: 5 - Baker, Kell, Richardson, Reyes Uranga and Lerch

Absent: 4 - B. Lowenthal, Colonna, O'Donnell and Gabelich

8. [04-1995](#)

Tammera L. Garner v. City of Long Beach

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, to pass suggested action Authorize City Attorney to pay \$10,000 for vocational rehabilitation in compliance with Appeals Board order.

The motion carried by the following vote:

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

Absent: 3 - B. Lowenthal, Colonna and Gabelich

9. [04-1996](#) Agreement with Patrick J. Power for Special Legal Services on Energy and Utility Matters.

Thomas Murphy

Bry Myown

Don May

A motion was made by Vice Mayor Kell, seconded by Councilwoman Richardson, to pass suggested action Authorize agreement commencing October 1, 2004 in the amount of \$100,000.

The motion carried by the following vote:

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

No: 1 - Gabelich

Absent: 2 - B. Lowenthal and Colonna

- 10 [04-1991](#)
A. Application of G H A Incorporated, dba Arco AM-PM, for a Person-to-Person Transfer of an Alcoholic Beverage Control License at 1001_Redondo Avenue. (District 4)

A motion was made by Councilmember Reyes Uranga that this matter be received and filed with existing conditions. The motion carried by the following vote:

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

Absent: 3 - B. Lowenthal, Colonna and Gabelich

- 10 [04-1990](#)
B. Application of Linda Turlao Littlefield and Rigoberto Beto Ramirez, dba Linda Lee's Baracuda, for a Person-to-Person Transfer of an Alcoholic Beverage Control License at 2368 Santa Fe Avenue. (District 7)

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Baker, that this matter be received and filed with existing conditions. The motion carried by the following vote:

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

Absent: 3 - B. Lowenthal, Colonna and Gabelich

11. [04-1999](#)

Agreement with BMC Software Inc. to provide maintenance for enterprise server software licenses. (Citywide)

Thomas Murphy

A motion was made, seconded by Councilmember O'Donnell, to authorize City Manager to execute agreement for a term of three years in an amount not to exceed \$65,900 annually. The motion carried by the following vote:

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

Absent: 2 - B. Lowenthal and Colonna

12. [04-2003](#)

Proclamations for National Latino AIDS Awareness Day, October 15, 2004, and for National Health Education Week, October 17-24, 2004.

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

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

Absent: 3 - B. Lowenthal, Colonna and Gabelich

UNFINISHED BUSINESS

13. 04-1979

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

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS

14. [04-1987](#) Resolution in support of Proposition 61 - Children's Hospital Bond Act.
Sandy King, Miller Children's Hospital
A motion was made by Councilwoman Richardson, seconded by Councilmember O'Donnell, to pass suggested action Request City Attorney to draft a resolution.

The motion carried by the following vote:
Yes: 6 - O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
Absent: 3 - B. Lowenthal, Baker and Colonna
15. [04-2000](#) Biennial Report on Public Convenience and Necessity regarding taxicab service.
Thomas Murphy

Harvey Cochran
A motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor Kell, to receive and file, determine that number of authorized taxicabs is sufficient, and direct that time period for filing of taxicab applications remain closed.

The motion carried by the following vote:
Yes: 7 - Baker, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
Absent: 2 - B. Lowenthal and Colonna
16. [04-1998](#) Annual Long Beach Airport Noise Budget Analysis Report. (District 5)
Councilwoman Gabelich, Eighth District, requested that staff provide a monthly report on noise levels and building projects at the airport.
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A motion was made by Vice Mayor Kell, seconded by Councilmember Baker, to receive and file. The motion carried by the following vote:

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

Absent: 2 - B. Lowenthal and Colonna

RESOLUTIONS

17. [04-1985](#) Resolution amending City Council Resolution No. C-27843 with respect to certain flight allocation procedures applicable to the Long Beach Municipal Airport in accordance with the Airport Noise Compatibility Ordinance set forth at Chapter 16.43 of the Long Beach Municipal Code.
- A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, that this matter be adopted Resolution C-28465 The motion carried by the following vote:**
- Yes:** 7 - Baker, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
- Absent:** 2 - B. Lowenthal and Colonna
- Enactment No:** C-28465
18. [04-1986](#) Resolution supporting the nomination of the Bembridge House for inclusion in the National Registrar of Historic Places.
- A motion was made by Councilmember Baker, seconded by Councilmember O'Donnell, that this matter be adopted Resolution C-28466 The motion carried by the following vote:**
- Yes:** 7 - Baker, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
- Absent:** 2 - B. Lowenthal and Colonna
- Enactment No:** C-28466

NEW BUSINESS

19. [04-2004](#) Resolution in opposition to increase of non-hazardous solid waste, greenwaste and recyclable materials at the Bel-Art Waste Transfer Station, located at 2501 E. 68th Street. (District 9)

A motion was made by Councilmember Lerch, seconded by Councilmember Baker, to authorize City Attorney to prepare a resolution. The motion carried by the following vote:

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

Absent: 2 - B. Lowenthal and Colonna

Councilwoman Kell announced community events.

Councilmember Lerch announced community events.

Councilwoman Richardson announced community events.

Councilmember O'Donnell announced community events.

Councilmember Reyes Uranga announced community events and requested meeting be adjourned in memory of Janet Buckner.

Councilwoman Gabelich announced community events.

Councilmember Baker announced community events.

Candice Allen addressed the Council under items of New Business regarding involvement with CSULB voter registration drive.

20.

**Affidavit of Service for meeting held Tuesday, October 12, 2004.
(Doc. 1) Adjourned 7:55 in memory of Janet Buckner.**

21.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

REMINDERS:

NOTE:

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។