



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

**C-4**

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

October 16, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Approve the City Council minutes for the meeting of Tuesday, October 9, 2007.

## DISCUSSION

The Legistar minutes of the City Council meeting held on Tuesday, October 9, 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

Attachment

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

---

## FINISHED AGENDA & DRAFT MINUTES

### ROLL CALL (5:08 PM)

**Councilmembers** B. Lowenthal, DeLong, Andrews, Reyes Uranga, Gabelich and  
**Present:** Lerch

**Councilmembers** S. Lowenthal, O'Donnell and Schipske  
**Absent:**

Also present: Patrick H. West, City Manager; Christine Shippey, Assistant City Manager; Heather Mahood, Chief Assistant City Attorney; Laura Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Vice Mayor B. Lowenthal presiding.

Invocation: Moment of Silence.

Flag Salute: Rae Gabelich, Councilwoman, Eighth District.

Vice Mayor B. Lowenthal announced several changes to the order of business.

### SECOND ROLL CALL (5:10 0M)

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

**Councilmembers** O'Donnell and Schipske  
**Absent:**

Councilmember S. Lowenthal joined the meeting.

Pet Adoption: Kathy Schofield, spcaLA, presented a feline.

Recognition of Heartwell Park Bobby Sox for National Championship Victory. (5:12 PM)

### THIRD ROLL CALL (5:16 PM)

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

---

Councilmember O'Donnell joined the meeting. Councilwoman Schipske joined the meeting.

Proclamation presented for Domestic Violence Awareness Month, October 2007. (5:20 PM)

Councilmember S. Lowenthal spoke.

Proclamation presented for October as Gay, Lesbian, Bi-Sexual, Transgender (GLBT) History Month and October 11, 2007 as National Coming Out Day. (5:26 PM)

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Schipske spoke.

Agenda Item No. 25 was considered at this time.

#### **HEARINGS (5:52 PM)**

1. 07-1163            Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution approving the Long Beach Tourism Business Improvement Area Program and assessment for the period of October 1, 2007 through September 30, 2008; and authorize City Manager to execute an agreement with the Long Beach Area Convention and Visitors Bureau for a one-year term. (Districts 1,2,4,5)  
  
                         **A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-07-0134. 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-07-0134
  
2. 07-1164            Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with or without conditions, or deny the Permit on the application of Queens Seaport Development, Inc., dba Queen Mary, 1126 Queens Highway South, for a Permit for Entertainment With Dancing by Patrons. (District 2)  
  
                         Vice Mayor B. Lowenthal recused herself and Councilmember Lerch assumed the chair.

Harvey Cochran spoke.

Howard Emberg spoke on behalf of the applicant.

Councilmember S. Lowenthal spoke.

**A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation to grant one-year short-term Permit with conditions. The motion carried by the following vote:**

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

**Absent:** 1 - B. Lowenthal

Vice Mayor B. Lowenthal assumed the chair.

3. 07-1165 Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with or without conditions, or deny the Permit on the application of EWJJ Inc., dba El Dorado Restaurant, 3014 Studebaker Road, Suite C, for a Permit for Entertainment With Dancing by Patrons at an existing restaurant. (District 5)

Councilwoman Schipske spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, to approve recommendation to grant 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 (6:06 PM)**

- 07-1187 John Malveaux spoke and submitted a certificate of recognition for the Department of Health and Human Services.

**This Handout was received and filed.**

- 07-1188 Harvey Cochran spoke regarding various items of interest and submitted correspondence.

**This Handout was received and filed.**

Ben Rockwell spoke regarding Charter Communications.

Vice Mayor B. Lowenthal spoke.

Alan Hose spoke regarding peace beginning with us as individuals.

Steven Edwards spoke regarding medical marijuana dispensary permits.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

### **CONSENT CALENDAR (6:23 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to approve Consent Calendar Items 4-13. The motion carried by the following vote:**

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

4. 07-1175 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$111,562.50 for Stipulations with Request for Award, and \$38.65 per week for a Life Pension for the claim of Roland Bell; and \$125,005 for Stipulations with Request for Award, and \$88.90 per week for a Life Pension for the claim of Herbert Smith in compliance with the Appeals Board Orders.

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

5. 07-1177 Recommendation to receive and forward the 2008/2009 Elections Plan to the Elections Oversight Committee for further review and public comment; and

Receive and forward the April 8, 2008 Primary Nominating Election Cost Estimate to the Budget Oversight Committee for further review and public comment.

**A motion was made to approve recommendation on the Consent Calendar and refer to the Economic Development and Finance Committee.**

**This Agenda Item was approve recommendation and refer to the Budget Oversight Committee.**

6. 07-1179 Recommendation to refer consideration of the "Authorities, Boards, Commissions, and Committees Handbook" to the Personnel and Civil Service Committee for potential adoption by the City Council.

**A motion was made to approve recommendation on the Consent Calendar and refer to the Personnel and Civil Service Committee.**

7. 07-1176 Recommendation to approve the City Council minutes for the meeting of Tuesday, October 2, 2007.

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

8. 07-1180 Recommendation to refer to City Attorney damage claims received between September 27, 2007 and October 4, 2007.

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

9. 07-1166 Recommendation to authorize City Manager to execute the First Amendment to Amended and Restated Lease No. WDL-96 with Kilroy Realty, L.P., a Delaware Limited Partnership, for City and Water Department-owned property at the Kilroy Airport Center. (District 5)

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

10. 07-1167 Recommendation to authorize City Manager to execute an agreement with Veterans in Community Service, Inc., for the use of the Neighborhood Resource Center to provide the Home Energy Assistance Program for up to five years, with an option to renew for two additional two-year periods, based on satisfactory performance and availability of State funding. (Citywide)

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

11. 07-1168 Recommendation to adopt resolution authorizing City Manager to execute an agreement and all related documents with Bartel Associates, LLC to provide actuarial services for the Public Agency Retirement System (PARS) Defined Benefits Plan Trust, in an amount not to exceed \$25,000 annually. (Citywide)

**A motion was made to approve recommendation and adopt Resolution No. RES-07-0135 on the Consent Calendar.**

**Enactment No: RES-07-0135**

12. 07-1169 Recommendation to authorize City Manager to execute agreements and subsequent amendments with Kaiser Permanente to implement the Latino Diabetes Prevention and Management Program in the amount of \$37,500 for a period of one year from the receipt of the funding. (Citywide)  
**A motion was made to approve recommendation on the Consent Calendar.**
13. 07-1170 Recommendation to receive and file the application of Sony Pream Hul, dba Bamboo Island Restaurant & Bakery, for a person-to-person transfer of an Alcoholic Beverage Control License, at 816-18 E. Anaheim Street, with existing conditions. (District 6)  
**A motion was made to approve recommendation on the Consent Calendar.**

**UNFINISHED BUSINESS (6:24 PM)**

14. 07-1085 Recommendation to authorize City Manager to execute Facility Use Permits at Facilities Centers with the agencies listed, for a period of five years, with the option of extending each permit annually after the end of the initial term upon a determination by the City that the permittee has fully complied with the terms and conditions of the Permit and is otherwise in good standing with the City. (District 6)

Councilman Andrews spoke.

**A motion was made by Councilmember Andrews, seconded by Councilmember Reyes Uranga, 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

Agenda Item No. 24 was considered at this time.

**REGULAR AGENDA (5:36 PM)**

Agenda Item Nos. 15, 16 and 17, in succession, were considered following Agenda Item No. 24 and prior to Agenda Item No. 27.

15. 07-1184 Recommendation to make one new appointment to the Greater Los Angeles County Vector Control District pursuant to State Health and Safety Code (SHSC) Section 2022 to a term length of two years in accordance to SHSC 2024 (a).

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

16. 07-1185

Recommendation to make one reappointment and one new appointment to the Long Beach Public Transportation Company Board of Directors pursuant to Article 3, Section 3 of the by-laws of the Long Beach Public Transportation Company; three reappointments and two new appointments to The Long Beach Housing Development Company Board pursuant to Article 4, Section 3 of the by-laws of The Long Beach Housing Development Company Board.

**A motion was made by Councilmember Reyes Uranga, seconded by Councilmember Andrews, 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. 07-1186

Recommendation to make two reappointments to the Belmont Shore Parking & Business Improvement Area Advisory Commission, four new appointments to the Board of Health and Human Services, one reappointment and two new appointments to the Community Development Advisory Commission, one new appointment to the Homeless Services Advisory Commission, two new appointments to the Human Relations Commission, and two reappointments and one new appointment to the Municipal Golf Commission.

Motion: Approve recommendation.

Moved by Reyes Uranga, seconded by Andrews.

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

Councilmember O'Donnell spoke.

**A substitute motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve the recommendation, with the exception that the Community Development Advisory Commission appointments be referred to the Personnel and Civil Service Committee. The motion carried by the following vote:**

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



**Noes:** 1 - Reyes Uranga

Agenda Item Nos. 27, 28 and 29, in succession, were considered at this time

- 18. 07-1182** Recommendation to request City Council declare "Lights Out Long Beach" to coincide with the County's "Lights Out Los Angeles"; that City Manager determine which lights in municipal buildings and public landmarks can be turned off; and that City Manager work with residents, local businesses and organizations to solicit their participation.

Vice Mayor B. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Harvey Cochran spoke.

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

- 19. 07-1183** Recommendation to request City Manager to enter into a Memorandum of Understanding with the Aquarium of the Pacific that will allow the Aquarium to display the "From Sea to Shining Sea: 200 Years of Charting America's Coasts" exhibit from October 4, 2007 through December 7, 2007.

**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

- 20. 07-1028** Recommendation to City Council to concur in recommendation of the Budget Oversight Committee that Financial Policy No. 3 be amended and Financial Policy No. 11 be added for FY 2008.

Councilmember Reyes Uranga spoke.

Councilmember DeLong spoke.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Patrick West, City Manager, spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to approve recommendation to adopt the proposed Financial Policy with the amendment to Policy #11 to state "all elected officials and departments" rather than only Councilmembers. The motion carried by the following vote:**

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

**21. 07-1015**

Recommendation to City Council to concur in recommendation of the Elections Oversight Committee to request City Attorney to prepare the following proposed changes to Election-Related Ordinances. Proposals 1, 2 and 3 should be adopted as written and Proposals 4 and 5 should be amended to allow five (5) business days to protest incorrect voter materials or candidate statements for a General Election and eight (8) business days for a Primary Election.

James Johnson, Special Projects Officer, narrated and submitted a PowerPoint presentation.

Vice Mayor B. Lowenthal spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilwoman Schipske spoke.

Councilmember DeLong spoke.

Harvey Cochran spoke.

**A motion was made by Councilwoman Schipske, 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

22. 07-1119 Recommendation to City Council to concur in recommendation of the Federal Legislation Committee to support the Aquarium of the Pacific in seeking federal funds to fully implement its mission of "instilling a sense of wonder, respect, and stewardship for the Pacific Ocean, its inhabitants, and ecosystems."

Councilmember Reyes Uranga spoke.

Tom Modica, Manager of Government Affairs, spoke.

Councilmember O'Donnell spoke.

**A motion was made by Councilmember DeLong, seconded by Councilmember S. 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. 07-1120 Recommendation to City Council to concur in recommendation of the Federal Legislation Committee to consider extending the City's contract with Carpi Clay & Smith (formerly known as E. Del Smith and Company) through the end of the 2007 calendar year.

Tom Modica, Manager of Government Affairs, spoke.

Councilmember Reyes Uranga spoke.

Patrick West, City Manager, spoke.

Councilwoman Schipske spoke.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, that the item be referred back to the Federal Legislation Committee. 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. 24 was considered following Agenda Item No. 14 and prior to Agenda Item No. 15.

**24. 07-1148** Recommendation to adopt resolution requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of a Citywide Special Municipal Election with the Statewide Presidential Primary Election to be held on Tuesday, February 5, 2008, and determining and declaring that the City will pay to the County reasonable and actual expenses incurred by the County on account of the consolidation of this election;

**This Resolution was laid over to November 6, 2007.**

07-1149 Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, February 5, 2008; and

**This Resolution was laid over to November 6, 2007.**

07-1150 Adopt resolution calling and providing for and giving notice of a Special Municipal Election to be held in the City of Long Beach on Tuesday, the 5th day of February, 2008, for the purpose of submitting two ballot propositions to a vote of the qualified electors of the City. (Citywide)

Distributed at the meeting: Correspondence from Maria Elena Durazo and Roxana Tynan

Councilwoman Schipske spoke.

BIG BOX ORDINANCE ISSUE:

Vice Mayor B. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Councilman Andrews spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Larry Herrera, City Clerk, spoke.

Councilwoman Gabelich spoke.

Suzanne Frick, Director of Planning and Building, spoke.

Councilmember Lerch spoke.

Councilmember DeLong spoke.

Harvey Cochran spoke.

Jim Breslouer spoke.

Hank Snapper spoke

Matt Kinley spoke.

Eric Bradley spoke.

Rick Eiden spoke.

Maria Bucher spoke.

Alan Hose spoke.

Jack Smith spoke.

John Gatts spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Schipske spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Councilmember S. Lowenthal spoke.

**A substitute motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember Reyes Uranga, to place Prop A (Big Box issue) on the February 5, 2008 ballott. The motion failed by the following vote:**

**Yes:** 4 - B. Lowenthal, S. Lowenthal, O'Donnell and Reyes Uranga

**Noes:** 5 - DeLong, Schipske, Andrews, Gabelich and Lerch

**A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to continue Prop A (Big Box issue) to the meeting of November 6, 2007. The motion carried by the following vote:**

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

LABOR PEACE ORDINANCE ISSUE:

Mike Murchison spoke.

**A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Schipske, to request City Attorney to prepare an ordinance to rescind Prop B (Labor Peace Ordinance No. ORD-07-0006) and return to City Council at the October 16, 2007 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 Nos. 15, 16 and 17, in succession, were considered at this time.

Agenda Item No. 25 was considered following the presentations and prior to Agenda Item No. 1.

- 25. 07-1171** Recommendation to authorize City Manager to execute the Fifth Amendment to Agreement No. 28164 with the Long Beach Area Convention and Visitors Bureau to provide funding in the amount of \$3,930,366 for Fiscal Year 2008. (Citywide)

Steve Smith, Long Beach Convention and Visitors Bureau, provided a PowerPoint presentation.

Steve Goodling, Long Beach Convention and Visitors Bureau, continued the PowerPoint presentation.

Councilman Andrews spoke.

Councilwoman Gabelich spoke.

**A motion was made by Councilmember S. Lowenthal, 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

26. 07-1172 Recommendation to authorize City Manager to execute the Master Services Contract Schedule A Agreement for the intrastate transmission of natural gas between the City of Long Beach and the Southern California Gas Company for the period of November 1, 2007 through October 31, 2009 in the amount of approximately \$3,400,000. (Citywide)

Councilwoman Schipske spoke.

**A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, 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

Agenda Item Nos. 27, 28 and 29, in succession, were considered following Agenda Item No. 17.

27. 07-1190 Recommendation to adopt resolutions approving the Memorandum of Understanding with the Long Beach Police Officers Association and Long Beach Firefighters Association, allowing for implementation of a workers' compensation alternative dispute resolution process. (Citywide)

**This Resolution was approve recommendation and adopt Resolution No. RES-07-0137 to approve the MOU with the Long Beach Firefighters Association.**

**Enactment No:** RES-07-0137

- 07-1173 Recommendation to adopt resolutions approving the Memorandum of Understanding with the Long Beach Police Officers Association and Long Beach Firefighters Association, allowing for implementation of a workers' compensation alternative dispute resolution process. (Citywide)

**A motion was made by Councilmember Andrews, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-07-0136 to approve the MOU with the Long Beach Police Officers Association. 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

**Enactment No:** RES-07-0136

**28. 07-1174**

Recommendation to authorize City Manager to enter into contracts with various physicians for the purpose of serving as Independent Medical Examiners in the workers' compensation alternative dispute resolution process with the Long Beach Police Officers Association and the Long Beach Firefighters Association. (Citywide)

**A motion was made by Councilmember S. Lowenthal, seconded by Councilwoman Schipske, 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

**29. 07-1178**

Recommendation to review and consider information related to the recommendations by the Housing and Neighborhoods Committee in relation to Neighborhood Character Stabilization and mansionization recommendations; and

Adopt a minute order requesting City Attorney, in cooperation with the Department of Planning and Building, to prepare an interim zoning ordinance pursuant to Chapter 21.50 of the Long Beach Municipal Code (LBMC), for notice and placement on the City Council agenda for hearing at its third meeting following the adoption of the minute order; further request the Department of Planning and Building and the Planning Commission to undertake a formal study of the existing zoning regulations, zoning uses, or developmental standards as are more fully described in the text of this Council letter; and request that during the period between the adoption of the subject minute order, and the adoption or rejection of an ordinance prepared pursuant to the terms of this Council letter and action, that no permit or other entitlement for use of any kind be issued for any project or proposed use, inconsistent or in conflict with the initiated action. (District 3)

Distributed at the meeting: Correspondence from Michael Dillon, Kristie Pabst, Mark Hungerford, a PowerPoint presentation entitled Neighborhood Character Stabilization.

Suzanne Frick, Director of Planning and Building, presented a PowerPoint presentation and staff report.

Councilmember DeLong spoke.



Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

William Wynne spoke.

Kurt Schneiter, Belmont Shore, spoke.

Maureen Dealy spoke.

Kevin Whitney spoke.

Rick Gaylord, Peninsula, spoke; and submitted written comments and a petition.

Todd Cameron, Belmont Heights, spoke.

Harvey Cochran spoke.

Anne Sunstrand, Belmont Heights, spoke

Elizabeth Lamb, Belmont Heights, spoke.

Cynthia Walter, Belmont Heights, spoke.

Edgar Giese, Belmont Heights, spoke.

Tom Worzel, Peninsula, spoke.

Ricardo Perez, Belmont Heights, spoke.

Candace Roseman, Belmont Heights, spoke.

Fred Newkirk, Belmont Heights, spoke.

Margarite Morell, Belmont Shore, spoke.

Carolyn Russell, Belmont Shore, spoke.

Melinda Cotton, Belmont Shore, spoke.

Mark Holman, Belmont Heights, spoke.

Rod Belview, Peninsula, spoke.

Jeff Miller, Belmont Shore, spoke.

Todd Org, Belmont Heights, spoke.

Frank Prior, Belmont Heights, spoke.

Jeff Schimske, Belmont Heights, spoke.

John Swanton, Belmont Shore, spoke.

Katie Deladona, Belmont Shore, spoke.

Gina Magin, Belmont Heights, spoke.

Laura Lindren, Belmont Heights, spoke.

Mike Ruehle, Belmont Shore, spoke.

Mark Singer, Belmont Heights, spoke.

Gary Ginsemur, Belmont Heights, spoke.

Jo Reardon, Belmont Heights, spoke.

Diana McNinch, Willmore Historic District, spoke.

John Wilbur, Belmont Heights, spoke.

John Laporta spoke.

Alan Stiber, Belmont Heights, spoke.

Nancy Buchanan, Belmont Shore, spoke.

Robert Edmonson, Belmont Shore, spoke.

Patti Davidson, Belmont Heights, spoke.

Unidentified woman spoke in support.

Robert Benan, Belmont Heights, spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Suzanne Frick, Director of Planning and Building, spoke.

Councilmember DeLong spoke.

Heather Mahood, Chief Assistant City Attorney, restated the motion.

**A motion was made by Councilmember DeLong, seconded by Councilmember Andrews, to approve the following recommendations: 1) Adopt the interim ordinance which limits new construction to two stories of living space for Belmont Shore; and 2) direct the Planning Commission to study for Belmont Shore the current zoning standards regarding changes that will reduce the number of variances requested, also appropriateness of decreased vehicle turning-radius for homes on an alley, and evaluate roof decks and shade covers, and for the Peninsula study the appropriateness of architectural projections in front yard setback; 3) direct the Planning Commission to study development standards for new construction and remodels for Belmont Heights area and the creation of design guidelines, with community involvement. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

Vice Mayor B. Lowenthal declared a 5-minute recess.

#### **FOURTH ROLL CALL (9:31 PM)**

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

#### **ORDINANCES (10:16 PM)**

- 30. 07-1151** Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Subsection 5.16.010(F), and by adding Section 5.16.050 as Article VI, both relating to car rental agencies, read and adopted as read. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Ordinance No. ORD-07-0045. 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-07-0045

31. 07-1146 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending and restating in its entirety Chapter 8.61, relating to administrative citations, read and adopted as read. (Citywide)

Distributed at the meeting: Correspondence from Jennifer Forkish.

Councilmember Reyes Uranga spoke.

Heather Mahood, Chief Assistant City Attorney, spoke.

**A motion was made by Councilmember DeLong, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt Ordinance No. ORD-07-0046. 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-07-0046

32. 07-1145 Recommendation to declare ordinance amending Long Beach Municipal Code by amending Section 9.65.020 Subsection A, and Section 9.65.050, relating to administrative citations and free standing canopies in residential areas, read and adopted as read. (Citywide)

**A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve recommendation and adopt Ordinance No. ORD-07-0047. 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-07-0047

**NEW BUSINESS (10:20 PM)**

33. Affidavit of Service for the special meeting of Tuesday, October 9, 2007

**ANNOUNCEMENTS (10:20 PM)**

Councilman Andrews made community announcements.

Councilwoman Schipske made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilmember Reyes Uranga made community announcements.

Vice Mayor B. Lowenthal made community announcements.

**PUBLIC (10:26 PM)**

Harvey Cochran spoke.

**ADJOURNMENT (10:27 PM)**

At 10:27 P.M., Vice Mayor B. Lowenthal adjourned the meeting.

nem