

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



Gerrie Schipske, 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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

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## FINISHED AGENDA & MINUTES

### ROLL CALL (5:03 PM)

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

Also present: Gerald Miller, City Manager; Christine Shippey, Assistant City Manager;  
Robert Shannon, City Attorney; Larry Herrera, City Clerk; Jerryl Soriano, City Clerk  
Specialist.

Mayor Foster presiding.

Flag Salute: Jimmy Weldon.

Invocation: Moment of Silence.

The Proclamation to the Heartwell Bobby Sox 10U Red All Stars 2006 National Bobby  
Sox Champions.

[see media](#)

Presentations by Councilwoman Rae Gabelich, Eighth District, in recognition of  
community members for their significant contributions to the Eighth District.

[see media](#)

### CONTINUED HEARINGS: (6:08 PM)

[see media](#)

1. [06-0733](#) Recommendation to receive the supporting documentation into the record, conclude the hearing and grant the Permit, with or without conditions, or deny the Permit on the application of Fusion Nutrition Inc., dba Wasabi, 200 Pine Avenue, for a Permit for Entertainment With Dancing by Patrons at an existing restaurant. (District 2)

Councilmember S. Lowenthal spoke.

**A motion was made by Councilmember S. Lowenthal, seconded by Councilmember O'Donnell, to approve a one-year short-term permit, with conditions; and that staff provide a status report to the City Council in six months. The motion carried by the following vote:**

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

**Absent:** 1 - Gabelich

[see media](#)

2. [06-0642](#)

Recommendation to receive supporting documentation into the record, conclude the public hearing, overrule the appeal, and sustain the decision of the City Planning Commission to approve a Conditional Use Permit to establishment a church at 1925 Pacific Avenue, a Standards Variance for a reduced number of parking spaces and off-site parking without a deed restriction, and an Administrative Use Permit for off-site joint use parking at 1951 Pacific Avenue (Case No. 0508-23). (District 6)

Pat Brown, representing the applicant, spoke.

Pastor Lawrence Lasisi, applicant, spoke.

Osa Oshodi spoke.

Sarah Winnie spoke.

Joan Greenwood, appellant, spoke.

Annie Greenfeld, appellant, spoke and distributed information.

Colleen McDonald, appellant, spoke.

Annette LaBarca spoke.

Gary Shelton spoke.

Allan Hose spoke.

David Carlton spoke.

Councilwoman Richardson spoke.

Suzanne Frick, Director of Planning and Building, spoke.

Councilwoman Gabelich spoke.

Councilwoman Richardson spoke.

Councilmember Lerch spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

David Lasisi, spoke.

Suzanne Frick, Director of Planning and Building, spoke.

Motion: Call for the question.

Moved by O'Donnell, seconded by DeLong.

Vote: Call for the question. (Carried 7-2)

Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske,  
Richardson, and Reyes Uranga.

No: Gabelich, Lerch.

Pat Brown spoke.

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

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

**No:** 5 - S. Lowenthal, DeLong, Schipske, Gabelich and Lerch

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

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

**No:** 5 - S. Lowenthal, DeLong, Schipske, Gabelich and Lerch

Robert Shannon, City Attorney, spoke.

Mayor Foster declared a brief recess.

Robert Shannon, City Attorney, spoke.

Motion: Sustain the appeal and overrule the decision of the Planning Commission.

Moved by Lerch, seconded by Gabelich.

Councilwoman Gabelich spoke.

Robert Shannon, City Attorney, spoke.

Mayor Foster spoke.

Pat Brown spoke.

**A substitute motion was made by Councilwoman Richardson, seconded by Vice Mayor B. Lowenthal, to refer the item to the Planning Commission to discuss with the applicant the confirmation of the ten-year lease; and that the item return to the City Council with satisfaction that the parking requirements would be fulfilled. The motion failed by the following vote:**

**Yes:** 6 - B. Lowenthal, S. Lowenthal, O'Donnell, Schipske, Richardson and Reyes Uranga

**No:** 3 - DeLong, Gabelich and Lerch

#### **HEARINGS: (7:58 PM)**

[see media](#)

3. [06-0750](#)

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 Fernando Bernabe, dba Inihaw Karaoke, 1950 W. Willow Street, for a Permit for Entertainment Without Dancing by Patrons at an existing restaurant. (District 7)

**A motion was made by Councilmember Reyes Uranga, 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, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

4. [06-0751](#)

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 Lucky Luke, Inc., dba The Copacabana, 2688 South Street, for a Permit for Entertainment With Dancing by Patrons at an existing restaurant. (District 8)

**Motion to Continue the hearing and extend temporary permit to October 3, 2006. Moved by Gabelich, seconded by Reyes Uranga.**

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

[see media](#)

5. [06-0752](#) Recommendation to receive supporting documentation into the record, conclude the hearing;
- Adopt resolution certifying the 2005-2006 Local Development Report and its conformance with the State-Mandated Congestion Management Program; and
- Direct the Director of Planning and Building to submit the Local Development report to the Metropolitan Transportation Authority.
- A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-06-0082. The motion carried by the following vote:**
- Yes:** 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch
- Enactment No:** 06-0082

Agenda Item No. 26 was considered at this time.

**PUBLIC COMMENT: (8:34 PM)**

Jack Smith spoke regarding affordable housing through land trusts.

Vice Mayor B. Lowenthal spoke.

JoAnn Nunez spoke regarding the abuse of police officers.

Jeanne Bader spoke regarding the concern over the Police Departments attention to elder abuse.

Anthony Batts, Chief of Police, spoke.

Harvey Cochran spoke regarding 2nd District events.

Councilmember S. Lowenthal spoke.

Thomas Murphy spoke regarding litter.

Don May spoke regarding Agenda Item No. 7.

**CONSENT CALENDAR: (8:57 PM)**

Passed The Consent Calendar

**A motion was made by Councilmember Lerch, seconded by Councilmember DeLong, to approve Consent Calendar Items, except for items. The motion carried by the following vote:**

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

[see media](#)

6. [06-0742](#) Recommendation to receive and file the 2005 Senior Citizen Advisory Commission Annual Report. (Citywide)

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

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

**Absent:** 1 - B. Lowenthal

[see media](#)

7. [06-0753](#) Recommendation to authorize City Manager to execute an agreement with Rutan & Tucker, LLP in the matter entitled, California Earth Corps v. State Lands Commission, City of Long Beach, Developers Diversified Realty, et al., Case No. 01CS01556.

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

**Yes:** 5 - S. Lowenthal, DeLong, O'Donnell, Richardson and Lerch

**No:** 2 - Reyes Uranga and Gabelich

**Absent:** 2 - B. Lowenthal and Schipske

8. [06-0748](#) Recommendation to refer to City Attorney damage claims received between August 3, 2006 and August 10, 2006.

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

[see media](#)

9. [06-0736](#) Recommendation to adopt resolution making certain findings regarding the construction of certain public improvements with Central Long Beach Redevelopment Project Area Funds. (District 7)

Thomas Murphy spoke.

**A motion was made by Councilmember Reyes Uranga, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-06-0083. The motion carried by the following vote:**

**Yes:** 6 - DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga and Gabelich

**Absent:** 3 - B. Lowenthal, S. Lowenthal and Lerch

**Enactment No:** RES-06-0083

[see media](#)

**10. [06-0737](#)**

Recommendation to authorize City Manager to execute a first amendment to the existing Purchase and Software License Agreement (Contract No. 26551) with System Innovators, Inc., to upgrade the current cashiering system in an amount not to exceed \$84,000. (Citywide)

Thomas Murphy spoke.

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

**Yes:** 7 - DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

**Absent:** 2 - B. Lowenthal and S. Lowenthal

[see media](#)

**11. [06-0739](#)**

Recommendation to authorize City Manager to execute the Assignment Consent Agreement between BreitBurn Energy Company, LLC., and BreitBurn Energy Partners, L.P. and the City of Long Beach to assign the Recreation Park Oil and Gas Lease from BreitBurn Energy Company, LLC.'s interest to BreitBurn Energy Partners, L.P. (District 3)

Thomas Murphy spoke.

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

**Yes:** 7 - DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

**Absent:** 2 - B. Lowenthal and S. Lowenthal

**12. [06-0740](#)**

Recommendation to authorize City Manager to execute a three-party agreement between the City of Long Beach, Rancho Los Cerritos Foundation and Mark Sauer Construction, Inc., to reconstruct the historic

water tower and tank at the Rancho Los Cerritos Historic Site.  
(District 8)

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

13. [06-0741](#) Recommendation to authorize City Manager to execute a Second Amendment to Cooperative Agreement No. 24560 between the Rancho Los Cerritos Foundation and the City of Long Beach to extend the term ten years with an additional five-year option to renew. (District 8)

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

14. [06-0743](#) Recommendation to receive and file the application of Hwash Corporation, dba Bourbon St. Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1360 E. 7th Street, with existing conditions. (District 2)

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

[see media](#)

15. [06-0744](#) Recommendation to receive and file the application of Gonzalo Chavez, dba El Tri De America, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2115 Pacific Avenue, with existing conditions. (District 6)

**Motion to That the item be laid over to the August 22, 2006 meeting. Moved by Richardson, seconded by Lerch.**

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

**Absent:** 1 - S. Lowenthal

16. [06-0745](#) Recommendation to authorize City Manager to execute an agreement with Airserv, Inc., Alaska Airlines, Inc., jetBlue Airways Corporation, Skywest, Inc., and US Airways, Inc., operating at the Long Beach Airport, to permit non-exclusive use of the City's Aircraft BAR and Turboway Ramps. (District 5)

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

[see media](#)

17. [06-0746](#) Recommendation to authorize City Manager to refund the amount of \$28,704 to The Boeing Company for fuel flowage fees. (District 5)

**A motion was made by Councilwoman Schipske, seconded by Councilmember Reyes Uranga, that this matter be approve recommendation. The motion carried by the following vote:**



**Yes:** 7 - DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

**Absent:** 2 - B. Lowenthal and S. Lowenthal

18. [06-0747](#) Recommendation to refer the Proposed Capital Improvement Program for Fiscal Year 2007 to the Planning Commission for review of its consistency with the General Plan. (Citywide)

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

[see media](#)

19. [06-0766](#) Recommendation to authorize City Manager to execute all documents necessary to implement a Memorandum of Understanding (MOU) with California State University Long Beach (CSULB) concerning traffic signal improvements at the new access road at Palo Verde Avenue and Rendina Street necessary to mitigate additional traffic movements between Palo Verde Avenue and the access road to the CSULB parking garage currently under construction. (District 3)

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

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

**Absent:** 1 - B. Lowenthal

20. [06-0749](#) Recommendation to receive and file minutes of: Harbor Commission, July 24, 2006.

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

21. [06-0764](#) Recommendation to approve Proclamation presented to The Heartwell Bobby Sox 10U Red All Stars 2006 National Bobby Sox Champions.

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

#### **REGULAR AGENDA: (9:17 PM)**

22. 06-0754 Recommendation to request the Personnel and Civil Service Committee meet with City Management to review and make recommendations on employee benefits programs.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Tony Esparza spoke.

Councilmember Reyes Uranga spoke.

Gerald Miller, City Manager, spoke.

**A motion was made by Councilwoman Schipske, seconded by Councilmember Reyes Uranga, that this matter be approve recommendation and refer .to the Personnel and Civil Service Committee The motion carried by the following vote:**

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

[see media](#)

**23. [06-0755](#)**

Recommendation to request City Attorney draft a resolution supporting AB 32 - Greenhouse Gases (Nunez) with amendments.

Councilmember Reyes Uranga spoke.

Dennis Zane spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

**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, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

**24. [06-0762](#)**

Recommendation to request a report from the City Manager within 45 days on the City's efforts to retain trained veteran Long Beach City police officers.

Councilmember O'Donnell spoke.

Gerald Miller, City Manager, spoke.

Councilmember DeLong spoke.

Councilwoman Gabelich spoke.

Councilwoman Richardson spoke.

Councilmember Reyes Uranga spoke.

**A motion was made by Councilwoman Richardson, 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, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

**25. [06-0765](#)**

Recommendation to request City Manager to prepare a report within 60 days for the City Council addressing the possibility of coordinating the City's 911 system with subscriber services such as Echo 911.

Councilwoman Richardson spoke.

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

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

**Absent:** 1 - DeLong

Agenda Item No. 26 was considered following Agenda Item No. 5, and prior to Public Comment.

[see media](#)

**26. [06-0486](#)**

Recommendation to City Council to concur in the recommendation of the Public Safety Committee to receive and forward the communications, relating to Methamphetamine use in Long Beach and related crimes, to the City Manager for review and implementation.

Distributed at meeting: Public Safety Advisory Commission (PSAC) Methamphetamine report, and PSAC and St. Mary Medical Center PowerPoint presentations.

Robert Hildebrand, Chair, Public Safety Advisory Commission, spoke.

Ron Arias, Director of Health and Human Services, spoke.

Carlos Ruiz, St. Mary Medical Center, spoke.

Ron Arias, Director of Health and Human Services, spoke.

Commander Torben Beith, Long Beach Police Department, spoke.

Councilwoman Gabelich spoke.

Dr. Dennis Fisher, spoke.

Councilmember O'Donnell spoke.

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

John Kirby spoke.

**A motion was made by Councilmember Lerch, seconded by Vice Mayor B. Lowenthal, that this matter be approve recommendation. The motion carried by the following vote:**

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

[see media](#)

**27. [06-0757](#)**

Recommendation to receive and file the application of Target Corporation, dba Target T0195, for an original Alcoholic Beverage Control License, at 2270 Bellflower Boulevard, with conditions. (District 4)

Councilwoman Gabelich spoke.

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

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

**Absent:** 1 - DeLong

[see media](#)

**28. [06-0758](#)**

Recommendation to receive and file the Airport activities reports. (District 5)

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

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

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

**Absent:** 1 - O'Donnell

**ORDINANCES: (9:54 PM)**

[see media](#)

29. [06-0738](#) Recommendation to approve the Settlement and Release Agreement and First Amendment to Amended and Restated Joint Exercise of Powers Agreement, and declare the ordinance, approving the First Amendment to Alameda Corridor Use and Operating Agreement to implement the transloading settlement between the Alameda Corridor Transportation Authority and the Union Pacific Railroad Company and the BNSF Railway Company, read the first time and laid over to the next regular meeting of the City Council for final reading.

**A motion was made by Councilmember DeLong, 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, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

30. [06-0759](#) Recommendation to declare ordinance amending Long Beach Municipal Code Sections 15.48.010 and 15.48.090, relating to underground utility districts, 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 B. 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, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

31. [06-0729](#) Recommendation to declare ordinance amending the daytime curfew for minors read and adopted as read. (Citywide)

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

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

**Enactment No:** ORD-06-0025

[see media](#)

32. [06-0730](#) Recommendation to declare ordinance to change the Zoning District for the property at 4565 California Avenue from Three-Family Residential (R-3-S) District to Commercial Automobile-Oriented (CCA) District read

and adopted as read (Case No. 0605-06). (District 8)

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Reyes Uranga, to approve recommendation and adopt. The motion carried by the following vote:**

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

**Enactment No:** ORD-06-0026

**NEW BUSINESS: (10:02 PM)**

33. Affidavit of Service for meeting held Tuesday, August 15, 2006.

**ANNOUNCEMENTS:**

Councilwoman Richardson made community announcements.

Councilmember O'Donnell made community announcements.

Councilwoman Schipske made community announcements and requested that the meeting adjourn in memory of Al Dawson.

Councilmember Reyes Uranga made community announcements.

Councilmember Lerch made community announcements.

Councilmember S. Lowenthal made community announcements.

Vice Mayor B. Lowenthal made community announcements.

**ADJOURNMENT: (10:15 PM)**

At 10:15 P.M., Mayor Foster adjourned the meeting in memory of Al Dawson.