



CITY OF LONG BEACH

C-7

DEPARTMENT OF CITY CLERK

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December 4, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the City Council and Study Session minutes for the meetings of Tuesday, November 13 and 20, 2007

DISCUSSION

The Legistar minutes of the City Council and Study Session meetings held on Tuesday, November 13 and 20, 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

Attachments (3)

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 (5:06 PM)

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

Councilmembers S. Lowenthal and Reyes Uranga
Absent:

Also present: Patrick H. West, City Manager; Reginald Harrison, Deputy City Manager; Heather Mahood, Chief Assistant City Attorney; Michael Mais, Assistant City Attorney; Laura Doud, City Auditor; Merianne Nakagawa, Legislative Bureau Manager; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gerrie Schipske, Councilwoman, Fifth District.

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

Proclamation presented to American Diabetes Association declaring November 14, 2007 as World Diabetes Day. (5:09 PM)

Proclamation presented for National Hunger and Homeless Awareness Week. (5:13 PM)

Jack Smith spoke.

Proclamation presented for World Aids Day. (5:20 PM)

HEARINGS (5:27 PM)

- 07-1300 Recommendation to adopt the Hearing Officer recommendations and instruct staff to deny entertainment permit application No. BU20711580, issued to JAB Entertainment, Inc., dba Sugarwalls, 1811 W. Anaheim Street. (District 1)

Harvey Cochran spoke.

Dan Berns spoke.

Vice Mayor B. Lowenthal spoke.

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

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

2. 07-1301

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with 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)

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

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

3. 07-1302

Recommendation to declare ordinance amending the City of Long Beach Fire Code read the first time and laid over to the next regular meeting of the City Council for final reading; and

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

07-1303

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

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Resolution No. RES-07-0152. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: RES-07-0152

4. 07-1304

Recommendation to declare ordinance amending the California Building Standards Codes and the Uniform Housing Code read the first time and laid over to the next regular meeting of the City Council for final reading; and

A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, 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: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

07-1305

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

A motion was made by Councilwoman Schipske, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-07-0153. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: RES-07-0153

The Consent Calendar was considered at this time.

Public Comment was considered following Agenda Item No. 11 and prior to Agenda Item No. 7.

PUBLIC COMMENT (6:08 PM)

Dora Jacildo spoke regarding homeless children.

Maria Giesey spoke regarding dialog regarding homeless families.

Mary Coburn spoke regarding homeless children and families.

Rev. C. Kit Wilke spoke regarding children and families.

Rene Castro spoke regarding homeless children and families.

07-1340 Gary Shelton spoke regarding homeless children and families and submitted a flyer concerning The Homeless Dialog Steering Committee.

This Handout was received and filed.

Robbie Wayne Ashley spoke regarding jobs, homeless, splitting up families.

Councilmember Lerch spoke.

Vice Mayor B. Lowenthal spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

Patrick West, City Manager, spoke.

J. Allan Ruttman spoke regarding denial of participation in Veterans Day Parade.

Lois Humenik spoke regarding violations and abuse against herself as a homeless person.

07-1341 Summer Hansen spoke regarding Children's Day and submitted flyers for Children's Day.

This Handout was received and filed.

Councilwoman Gabelich spoke.

The Consent Calendar was considered following Agenda Item No. 4.

CONSENT CALENDAR (5:52 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilwoman Schipske, to approve Consent Calendar Items 5-21, except for Items 7, 10, 11, 12, 13 and 17. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

5. 07-1331 Recommendation to approve the City Council minutes for the meeting of Tuesday, November 6, 2007.

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

6. 07-1332 Recommendation to refer to City Attorney damage claims received between November 1, 2007 and November 8, 2007.

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

Agenda Item No. 7 was considered following Public Comment and prior to Agenda Item No. 12.

7. 07-1310 Recommendation to authorize City Clerk to refer the Appeal to Business License Revocation by Jayantibhai Patel, dba The Princess Inn, 1879 Magnolia Avenue, to a hearing officer; and direct City Clerk to notify applicant and affected City departments of the date, time and place of the hearing. (District 6)

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

Yes: 6 - DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 3 - B. Lowenthal, S. Lowenthal and Reyes Uranga

8. 07-1306 Recommendation to approve the Magnolia Industrial Group Property and Business Improvement District Annual Report and Assessment for the period of December 1, 2007 through November 30, 2008, automatically extending the current agreement with the Magnolia Industrial Group, Inc. for a one-year period. (District 1)

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

9. 07-1307 Recommendation to authorize City Manager to execute any and all documents necessary for the Fifth Amendment to Lease No. 27497 with

Amusement Industry, Inc., a California corporation, to extend the term an additional year, with three additional one-year extension options to be executed at the discretion of the City Manager, for office space at 1320 Gaviota Avenue to house the Anaheim Corridor Community Police Center. (District 6)

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

Agenda Item Nos. 10 and 11 were considered following the Consent Calendar vote.

- 10. 07-1308** Recommendation to adopt Resolution of Intention to establish the City of Long Beach Community Facilities District No. 2007-2 (Belmont Shore); initiate proceedings to levy special taxes; approve boundaries and rate and method of apportionment of special taxes; establish voting procedure; and set date of public hearing for Tuesday, December 11, 2007 at 5:00 p.m. (District 3)

Mike Ruehle spoke.

Heather Mahood, Chief Assistant City Attorney, defined the process for Agenda Item Nos. 10 and 11.

Kurt Schneiter spoke.

Melinda Cotton spoke.

Bill Lorbeer spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-07-0154. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: RES-07-0154

- 11. 07-1309** Recommendation to adopt Resolution of Intention to incur bonded indebtedness of the proposed City of Long Beach Community Facilities District No. 2007-2 (Belmont Shore) in an amount not to exceed \$5.8 million; and set date of public hearing for Tuesday, December 11, 2007 at 5:00 p.m. (District 3)

A motion was made by Councilmember DeLong, seconded by Councilwoman Gabelich, to approve recommendation and adopt Resolution No. RES-07-0155. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: RES-07-0155

Public Comment was considered following Agenda Item No. 11.

- 12. 07-1311** Recommendation to adopt Specifications No. PA-03207 and award a contract to Pasadena Ford to furnish and deliver four meter service trucks, in the total amount of \$165,388 including tax, with the option of purchasing additional units at the contracted price, at the discretion of the City Manager. (Citywide)

Harvey Cochran spoke.

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

Yes: 6 - DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 3 - B. Lowenthal, S. Lowenthal and Reyes Uranga

- 13. 07-1312** Recommendation to adopt Specifications No. PA-00508 and award a contract to Ford Reprographics to furnish and deliver reprographic services in the estimated amount of \$200,000 for a period of one year, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

Harvey Cochran spoke.

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

Yes: 6 - DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 3 - B. Lowenthal, S. Lowenthal and Reyes Uranga

- 14. 07-1313** Recommendation to receive and file Investment Report for Quarter Ending September 30, 2007. (Citywide)

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

15. 07-1314 Recommendation to adopt Statement on Investment Policy for Calendar Year 2008 pursuant to Section 53646 (a) of the State of California Government Code. (Citywide)

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

16. 07-1315 Recommendation to authorize City Manager to execute an amendment to Contract No. 29953 with Professional Police Supply Inc., dba Adamson Industries, to increase the annual not to exceed amount by \$80,000 for the purchase of Police Vehicle Auxiliary Equipment. (Citywide)

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

17. 07-1316 Recommendation to authorize City Manager to execute a contract with Agreement Dynamics, Inc., in the amount up to \$125,000 to assist with facilitation of labor negotiations in the City for up to a one-year period. (Citywide)

Harvey Cochran spoke.

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

Yes: 5 - DeLong, O'Donnell, Schipske, Andrews and Gabelich

Absent: 4 - B. Lowenthal, S. Lowenthal, Reyes Uranga and Lerch

18. 07-1317 Recommendation to receive and file the application of Save The Queen Beverage Inc., dba The Queen Mary, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1126 Queens Highway, with existing conditions. (District 2)

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

Mike Murchison introduced Jay Primivera.

19. 07-1318 Recommendation to receive and file the application of PMBH Inc., dba The Crows Nest, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1912 West Willow Street, with existing conditions. (District 7)

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

20. 07-1319 Recommendation to find that all requirements of the final subdivision map for condominium conversion have been satisfied and approve the map for Tract No. 67454 located north of Anaheim Street and east of Roycroft Avenue. (District 4)

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

21. 07-1330 Recommendation to receive and file minutes of:
Civil Service Commission - October 24 and 31, 2007.
Harbor Commission - October 29, 2007.

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

REGULAR AGENDA (6:51 PM)

22. 07-1335 Recommendation to authorize City Manager to report back on feasibility of developing a funding mechanism for the continuation of the DARE (Drug Abuse Resistance Education) program at least at the FY07 level through:
1. The establishment of a surcharge on towing services in those cases in which the owner has been cited for use of alcohol and/or drugs; and
 2. The establishment of a surcharge on business licenses for those businesses selling alcohol, tobacco and/or spray paint.

Councilwoman Schipske spoke.

Mayor Foster requested to include a report regarding the effectiveness of the DARE program.

Councilwoman Schipske spoke.

Harvey Cochran spoke.

Betty Jean Thompson spoke.

Dale Brown, Director of Regional Operations for DARE America, spoke.

Councilwoman Gabelich suggested not limiting the use of the funds to the DARE program, but to explore other programs.

Councilmember O'Donnell suggested meet in partnership with the Long

Beach Unified School District to design program that fits Long Beach, mentioning the City of Paramount G.R.I.P (Gang Resistant In Paramount) program as a model; and suggested reviewing use of the CDBG funds.

Councilwoman Schipske spoke.

Vice Mayor B. Lowenthal requested the a report from the Police Department include their perspective regarding priorities.

Mayor Foster spoke.

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, to approve recommendation; and request a report to include information regarding the effectiveness of the DARE program, input and priorities from the Police Department, and the consideration of other programs; and to consider partnering with Long Beach Unified School District to design a program that fits Long Beach to the benefit of all its children. The motion carried by the following vote:

Yes: 6 - B. Lowenthal, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Noes: 1 - DeLong

Absent: 2 - S. Lowenthal and Reyes Uranga

23. 07-1333

Recommendation to request City Manager to refer discussion of sober-living homes or "six-packs" to the State Legislation Committee. Discussion should include, but not be limited to, current state laws, City lobbying efforts, and public safety, health and code enforcement issues involved with these facilities, and recommendations to further protect our neighborhoods.

Councilmember O'Donnell spoke.

Harvey Cochran spoke.

Shirley Buchanan spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Vice Mayor B. Lowenthal spoke.

Councilwoman Schipske 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: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

- 24. 07-1334** Recommendation to request that City Manager prepare a report with the Planning and Building Department on how to speed up and streamline the process for permitting of tenant improvements.

Vice Mayor B. Lowenthal spoke.

Harvey Cochran spoke.

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

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

- 25. 07-1320** Recommendation to authorize City Manager to execute a contract and all necessary amendments, including term extensions, with the City of Los Angeles to receive and expend Department of Homeland Security grant funding for the 2006 Urban Area Security Initiative (UASI) Grant, at an amount not to exceed \$6,367,040 for a period ending March 31, 2008; and increase appropriations in the General Grants Fund (SR 120) in the Fire Department (FD) by \$3,077,290; General Grants Fund (SR 120) in the Department of Health and Human Services (HE) by \$631,000; and General Grants Fund (SR 120) in the Police Department (PD) by \$2,658,750. (Citywide)

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

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

- 26. 07-1322** Recommendation to receive and file the application of Eat Drink & Be Merry Inc., dba Number Nine, for an original Alcoholic Beverage Control

License, at 2118 East 4th Street, with conditions. (District 2)

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

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

27. 07-1323

Recommendation to adopt resolution authorizing City Manager to execute a contract with Ray Gaskin Service for the purchase of three (3) Wayne Curbtender Liquefied Natural Gas (LNG) alternative fueled refuse trucks per quote dated August 2, 2007, on the same terms and conditions afforded to the County of Sacramento, in an amount not to exceed \$772,570.50 including tax, with a ten percent contingency for additional equipment if necessary and if funds are available. (Citywide)

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Resolution No. RES-07-0156. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: RES-07-0156

ORDINANCES (7:30 PM)

28. 07-1321

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 10.38.090 C to extend the closing hours of the street to vehicular traffic on California Avenue between Bixby Road and Armando Drive read the first time and laid over to the next regular meeting of the City Council for final reading. (District 8)

A motion was made by Councilwoman Gabelich, 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: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

29. 07-1324

Recommendation to declare ordinance amending the Long Beach

Municipal Code by adding Subsections DD, EE, FF and GG to Section 10.22.080 relating to parking vehicles for sale read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)

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: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

30. 07-1288

Recommendation to declare ordinance amending Long Beach Municipal Code Section 1.22.030 and adding Sections 1.21.025, 1.21.090, 1.24.140 and 1.24.150, relating to election procedures, read and adopted as read. (Citywide)

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-07-0056. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: ORD-07-0056

31. 07-1261

Recommendation to declare an urgency ordinance relating to the temporary limitation (moratorium) of certain construction and development activities in the Belmont Shore area of the City in order to foster and promote neighborhood character stabilization in said area, read and adopted as read. (Ordinance No. ORD-07-0054) (District 3)

A motion was made by Councilmember DeLong, seconded by Vice Mayor B. Lowenthal, to approve recommendation and adopt urgency Ordinance No. ORD-07-0054. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: ORD-07-0054

32. 07-1295

Recommendation to declare ordinance repealing Ordinance No. ORD-06-0040, relating to Superstores, read and adopted as read.

(Citywide)

Harvey Cochran spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve recommendation and adopt Ordinance No. ORD-07-0057. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: ORD-07-0057

33. 07-1264

Recommendation to declare ordinance amending and restating the Douglas Aircraft Planned Development District (PD-19), read and adopted as read. (District 5)

A motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-07-0058. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

Enactment No: ORD-07-0058

NEW BUSINESS (7:34)

34. 07-0962

Recommendation to respectfully request City Council to rescind the previous action taken on August 21, 2007, Item 31, regarding the application of Casbah LBCA LLC, dba Pint & Piano Dueling Pianos, protesting a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License due to an over-concentration of licenses, at 91 S. Pine Avenue, Suite C150; and

Request to receive and file the application of Casbah LBCA LLC, dba Pint & Piano Dueling Pianos, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 91 S. Pine Avenue, Suite C150, with conditions. (District 2)

Vice Mayor B. Lowenthal spoke.

Councilwoman Gabelich spoke.

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilwoman Gabelich, to approve recommendation to rescind previous action. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

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

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

35. 07-1186

Recommendation to City Council to concur in recommendation of the Personnel and Civil Service Committee to receive the communications and confirm the following appointments and reappointment: Community Development Advisory Commission (2 appointments) (1 reappointment).

Councilwoman Schipske spoke.

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

Yes: 7 - B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Gabelich and Lerch

Absent: 2 - S. Lowenthal and Reyes Uranga

36. Affidavit of Service for special meeting held Tuesday, November 13, 2007.

ANNOUNCEMENTS (7:38 PM)

Councilwoman Gabelich made community announcements.

Councilman Andrews made community announcements.

PUBLIC (7:41 PM)

Harvey Cochran made a variety of announcements.

Tad, Poly High Student, spoke.

Donald Sims spoke.

ADJOURNMENT (7:44 PM)

At 7:44 P.M., Mayor Foster adjourned the meeting.

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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

SPECIAL MEETING AGENDA & DRAFT MINUTES

ROLL CALL (3:35 PM)

Councilmembers B. Lowenthal, DeLong, O'Donnell, Andrews and Lerch
Present:

Councilmembers S. Lowenthal, Schipske, Reyes Uranga and Gabelich
Absent:

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

Mayor Foster presiding.

1. 07-1374 Study session regarding the Police Department budget.

This Agenda Item was received and filed.

Patrick West, City Manager, narrated a PowerPoint presentation

SECOND ROLL CALL (3:41 PM)

Councilmembers B. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch
Present:

Councilmembers S. Lowenthal, Reyes Uranga and Gabelich
Absent:

Schipske joined the meeting.

Lori Ann Farrell, Acting Director of Finance, continued the PowerPoint presentation with "General Fund Challenges."

THIRD ROLL CALL (3:56 PM)

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

Councilmembers S. Lowenthal and Gabelich
Absent:

Reyes Uranga joined the meeting.

Police Chief Anthony Batts continued the PowerPoint presentation with "Police Department Accomplishments."

Braden Phillips, Administrative Bureau Manager, continued the PowerPoint presentation with "Cost Containment Process."

FOURTH ROLL CALL (4:09 PM)

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

Councilmembers Gabelich
Absent:

S. Lowenthal joined the meeting.

Police Chief Anthony Batts continued the PowerPoint presentation.

Patrick West, City Manager, continued the PowerPoint presentation with a summary.

Laura Doud, City Auditor, spoke.

Councilmember O'Donnell spoke.

Councilmember Reyes Uranga spoke.

Laura Doud, City Auditor, spoke.

Police Chief Anthony Batts spoke.

Councilmember DeLong spoke.

Vice Mayor B. Lowenthal spoke.

Mayor Foster spoke.

Councilman Andrews spoke.

PUBLIC (4:43 PM)

Harvey Cochran spoke.

John Morris spoke.

07-1390 Steve James, President, Long Beach Police Officers Association, spoke and submitted written comments.

This Handout was received and filed.

Tony Esparza spoke.

Maria Norvell spoke.

David Sang spoke.

Diana Lejins spoke.

Laura Doud, City Auditor, spoke.

ADJOURNMENT (5:06 PM)

At 5:06 P.M., Vice Mayor B. Lowenthal adjourned the meeting.

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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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

ROLL CALL: (5:42 PM)

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

Councilmembers Gabelich
Absent:

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

Vice Mayor B. Lowenthal presiding.

Invocation: Moment of Silence.

Flag Salute: Dee Andrews, Councilman, Sixth District.

Vice Mayor B. Lowenthal announced that Agenda Item No. 30 has been withdrawn, Agenda Item No. 21 will be taken at 6:15 p.m., and Agenda Item No. 27 will be taken at 6:30 p.m. followed by Agenda Item No. 23.

Long Beach TV Channel 8 National recognition for excellence in government programming. (5:44 PM)

Patrick H. West, City Manager, spoke.

Curtis Tani, Director of Technology Services, spoke.

Councilman Andrews spoke.

Councilmember O'Donnell spoke.

07-1392 ICMA recognition for performance measurement.

Distributed at the meeting: ICMA Center for Performance

Measurement's Certificate Program.

John Keisler spoke.

This Handout was received and filed.

07-1393 Citywide - One Hour for education event presentation by Assistance League of Long Beach and Long Beach Education Foundation.

Distributed at the meeting: Packet of information for One Hour for education, Long Beach Education Foundation, Assistance League.

Mike Murray spoke.

Dennis Smith spoke.

Sandy Frenz spoke.

Councilmember DeLong spoke.

Vice Mayor B. Lowenthal spoke.

Councilman Andrews spoke.

Mayor Foster assumed chair.

This Handout was received and filed.

Mayor Foster joined the meeting.

HEARING: (6:01 PM)

1. 07-1339 Recommendation to receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use; and adopt resolution ordering the vacation of a portion of Lakewood Boulevard formerly known as La Plaza East of Lakewood Boulevard. (District 5)

Councilwoman Schipske spoke.

A motion was made by Councilwoman Schipske, seconded by Councilman Andrews, that this matter be approve recommendation and adopt Resolution No. RES-07-0157. The motion carried by the following vote:

Yes: 7 - S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 2 - B. Lowenthal and Gabelich

Enactment No: RES-07-0157

Agenda Item No. 21 was considered at this time.

Public Comment was considered following Agenda Item No. 23.

PUBLIC COMMENT: (6:27 PM)

Maria Norvell spoke regarding Daisy Avenue Christmas.

07-1391 George Johnson spoke regarding Veteran's parade and submitted information on our presidents and military leaders on war "Patriotism" and peace.

This Handout was received and filed.

Guillermo A. Granados spoke regarding Homeowner Bank Protection Act.

James Ota spoke regarding CAAP trucking issues.

Claudette Powers spoke regarding event at SuperMex.

Diana Lejins spoke regarding Thomas Murphy.

Benjamin Mailman spoke regarding Long Beach Pedicabs.

Harvey Cochran spoke regarding neon lighting issues.

Councilmember S. Lowenthal spoke.

CONSENT CALENDAR: (6:55 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Vice Mayor B. Lowenthal, to approve Consent Calendar Items 2-20, except for Item 8. 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

2. 07-1371 Recommendation to receive and file report on attendance at the National League of Cities 2007 Congress of Cities Conference from November 14

- 17, 2007, in New Orleans, LA.

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

3. 07-1367 Recommendation to refer to City Attorney damage claims received between November 8, 2007 and November 15, 2007.

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

4. 07-1368 Recommendation to adopt resolution ordering, proclaiming, calling and giving notice of a Primary Nominating Election in the City of Long Beach, California, on Tuesday, the 8th day of April, 2008, for the nomination and/or election of candidates for four (4) offices on the City Council, each for a full term of four (4) years, commencing with the third Tuesday of July, 2008, and adopting provisions relating to the translations of and the charges for costs of candidate statements;

A motion was made to approve recommendation and adopt Resolution No. RES-07-0158 on the Consent Calendar.

Enactment No: RES-07-0158

- 07-1369 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 Primary Nominating Election to be held on Tuesday, April 8, 2008, and a General Municipal Election to be held in the City on Tuesday, June 3, 2008; and

A motion was made to approve recommendation and adopt Resolution No. RES-07-0159 on the Consent Calendar.

Enactment No: RES-07-0159

- 07-1370 Adopt resolution consenting to requests from the Board of Education of the Long Beach Unified School District and the Board of Trustees of the Long Beach Community College District to consolidate Governing Board Member elections with the City of Long Beach Primary Nominating Election to be held on April 8, 2008. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-07-0160 on the Consent Calendar.

Enactment No: RES-07-0160

5. 07-1342 Recommendation to authorize City Manager to execute any and all documents necessary for a Lease with Behringer Harvard Downtown Plaza LP, a Delaware limited partnership, for office space at 211 East Ocean Boulevard, Suite 410, for the continued operation of the Citizen Police Complaint Commission, for an approximate 63-month term at an

initial monthly base rent of \$5,096. (District 2)

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

6. 07-1343

Recommendation to adopt resolution and map of the Long Beach Enterprise Zone; and direct City Manager to submit the resolution and map to the State of California. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-07-0161 on the Consent Calendar.

Enactment No: RES-07-0161

7. 07-1344

Recommendation to authorize City Manager to execute a First Amendment to Lease No. 30310 with the Los Angeles County Flood Control District for approximately 19 acres of unimproved property to extend the term for an additional 34 years for a total lease term of 99 years. (District 6)

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

8. 07-1345

Recommendation to amend Contracts No. 28522 with Bell Building Maintenance Co., 28552 with Goodwill Industries, and 28599 with Grace Building Maintenance Co. to extend the current custodial services contracts. (Citywide)

Councilmember Reyes Uranga spoke.

Tony Esparza spoke.

A motion was made by Councilmember Reyes Uranga, seconded by Councilmember S. Lowenthal, to approve recommendation. 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

9. 07-1346

Recommendation to adopt resolution authorizing City Manager to execute a contract with Deere & Company, dba John Deere Company, for the purchase of three (3) John Deere 7630 tractors per quote dated August 27, 2007, on the same terms and conditions afforded to the State of California, in an amount not to exceed \$278,695 including tax. (Districts 2,3)

A motion was made to approve recommendation and adopt Resolution No. RES-07-0162 on the Consent Calendar.

Enactment No: RES-07-0162

10. 07-1347 Recommendation to adopt resolution authorizing City Manager to execute a contract with Long Beach BMW for the purchase of six (6) BMW police certified motorcycles per quote dated August 2, 2007, on the same terms and conditions afforded to the State of California, in an amount not to exceed \$134,115.26 including tax, with the option to purchase additional units, plus a ten percent contingency for additional equipment if necessary and if funds are available. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-07-0163 on the Consent Calendar.

Enactment No: RES-07-0163

11. 07-1348 Recommendation to authorize City Manager to execute a permit with OWS Holdings, LLC, dba Offshore Watersports, to use and occupy portions of the docks, slips, and end ties at Rainbow Harbor for the purpose of operating a watercraft rental concession for a three-year term, with one two-year renewal option, at the discretion of the City Manager or his designee. (District 2)

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

12. 07-1349 Recommendation to authorize City Manager to execute a lease with Long Beach Organic for use of City-owned property located at Plymouth Street and Elm Avenue, for the development and management of a community garden, for a term of three years, with two two-year renewal options at the discretion of the City Manager. (District 8)

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

13. 07-1350 Recommendation to authorize City Manager to award contracts to Long Beach Non Profit Partnership, MVR Consulting, Transtech, and Kevin Crilley, for as-needed grant writing services; authorize City Manager to enter into three-year contracts in an amount not to exceed \$150,000 each; and execute amendments to agreements relative to the extension of the term, authorize additional services, if required, within the provisions of the agreements, and adjust the fee schedules of hourly rates for inflation. (Citywide)

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

14. 07-1351 Recommendation to receive and file the application of Cedar Liquor & Junior Market Inc., dba Cedar Liquor & Junior Market, for a fiduciary transfer of an Alcoholic Beverage Control License, at 301 West Anaheim

Street, with existing conditions. (District 1)

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

15. 07-1352 Recommendation to receive and file the application of Rose Liquor Inc., dba Rose Liquor Inc., for a person-to-person transfer of an Alcoholic Beverage Control License, at 1098 E. Wardlow Road, with existing conditions. (District 7)

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

16. 07-1004 Recommendation to receive and file the application of Victor Modesto Garcia, dba Los Plebes Mexican & Seafood, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2534 East South Street, with existing conditions. (District 8)

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

17. 07-1354 Recommendation to receive and file the application of Jamila Quang and Michael Tu, dba Eddies Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 301 East Market Street, with existing conditions. (District 8)

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

18. 07-1355 Recommendation to adopt Plans and Specifications No. R-6660 for the Belmont Plaza Improvements; and authorize City Manager to award the contract to and execute an agreement with Palp, Inc., dba Excel Paving Company, in an estimated amount of \$492,368, plus a 15 percent contingency amount, if necessary. (District 3)

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

19. 07-1356 Recommendation to find that all requirements of the final subdivision map for condominium conversion have been satisfied and approve the map for Tract No. 65852 located south of Del Amo Boulevard and west of Clark Avenue. (District 5)

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

20. 07-1366 Recommendation to receive and file minutes of:
Harbor Commission - November 5, 2007.
Water Commission - October 18, 2007.

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

Agenda Item No. 21 was considered following Agenda Item No. 1 and prior to Agenda Item No. 27.

REGULAR AGENDA: (6:05 PM)

- 21. 07-1377** Recommendation to make ten appointments to the Sustainable City Commission pursuant to Section 2.38.040 of the Long Beach Municipal Code, one new appointment to the Commission on Youth and Children, three new appointments to the Community Development Advisory Commission, one new appointment to the Board of Health and Human Services, two new appointments to the Homeless Services Advisory Committee, two new appointments to the Human Relations Commission, and one reappointment to the California State University Headquarters Building Joint Powers Authority.

Harvey Cochran spoke.

Diana Lejins spoke.

Mayor Foster spoke.

Councilmember Reyes Uranga spoke.

Councilmember S. Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

A motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to approve recommendation. 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

Agenda Item No. 27 was considered at this time, followed by Agenda Item No. 23.

- 22. 07-1378** Recommendation to amend the common practice used during the City Council meetings so that only the Mayor, Councilmembers or the City Manager may remove items from the Consent Calendar. In addition, provide an opportunity for any member of the public to speak on any

item or items on the Consent Calendar for up to three minutes.

Councilmember Reyes Uranga spoke.

Councilmember Lerch spoke.

Councilmember DeLong spoke.

Councilmember S. Lowenthal spoke.

A substitute motion was made by Councilmember Reyes Uranga, seconded by Vice Mayor B. Lowenthal, to refer to Housing and Neighborhood Committee. The motion failed by the following vote:

Yes: 3 - B. Lowenthal, Schipske and Reyes Uranga

Noes: 5 - S. Lowenthal, DeLong, O'Donnell, Andrews and Lerch

Absent: 1 - Gabelich

Mayor Foster spoke.

Eric Bradley spoke.

Jim McCabe spoke.

Diana Lejins spoke.

Les Pincu spoke.

Kate Karp spoke.

David Zane spoke.

Danny Guterrez spoke.

Harvey Cochran spoke.

Tony Esparza spoke.

Melinda Cotton spoke.

Don Dane spoke.

Joseph Sopo spoke.

Mike Ruehle spoke.

Claudette Powers spoke.

Councilmember Reyes Uranga spoke.

Vice Mayor B. Lowenthal spoke.

Larry Herrera, City Clerk, spoke.

Councilmember DeLong spoke.

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, Andrews and Lerch

Noes: 3 - B. Lowenthal, Schipske and Reyes Uranga

Absent: 1 - Gabelich

Agenda Item No. 23 was considered following Agenda Item No. 27 and prior to Public Comment.

- 23. 07-1372** Recommendation to receive and file report on "From Sea to Shining Sea: 200 Years of Charting America's Coasts" Exhibit.

Councilwoman Schipske spoke.

Jerry Shubel spoke.

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

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, Schipske, Andrews, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

Public Comment was considered at this time.

- 24. 07-1373** Recommendation that a number of procedures be put in place to assure residents that individuals or organizations offering to paint house numbers are authorized to perform the work and that it is performed correctly.

These procedures include:

1. The Police Department shall notify Council offices whenever a

permit is issued for house number painting so that the Council office can confirm with residents that the permit is appropriate;

2. The permit issued should be distinctive and readily identifiable and displayed by the individual or organization requesting to paint the house numbers and shown to residents;
3. Residents should have to give written permission to have their house numbers painted and individuals and organizations performing the service must provide the written permission to the City if asked to do so; and
4. Residents should be given written information on the permit number, the organization performing the service and a phone number in the Police Department where residents can call if they are not satisfied with the house number painting.

Councilwoman Schipske spoke.

Motion: Approve recommendation.
Moved by Schipske, seconded by B. Lowenthal.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Anthony W. Batts, Chief of Police, spoke.

Councilmember DeLong spoke.

Councilmember Reyes Uranga spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Motion: Substitute to receive and file.
Moved by DeLong, seconded by O'Donnell.

Dan Guterrez spoke.

Harvey Cochran spoke.

Councilmember Lerch spoke.

Councilmember S. Lowenthal spoke.

Councilmember Lerch accepted a friendly amendment to his motion from Vice Mayor B. Lowenthal to refer the issue to Public Safety Committee.

A second substitute motion was made by Councilmember Lerch, seconded by Vice Mayor B. Lowenthal, to refer to Public Safety Committee. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Noes: 1 - Reyes Uranga

Absent: 1 - Gabelich

25. 07-1375

Recommendation to respectfully request City Manager perform a comprehensive study of potential adaptive reuses for the Jergins Pedestrian Subway Tunnel to help identify the best way of effectively preserving and utilizing this historic "landmark" for the benefit of residents and visitors to Long Beach;

Request City Manager pursue grant funding for study, planning, preservation and adaptive reuse activities associated with the Jergins Pedestrian Subway Tunnel; and

Request City Manager return to the City Council within 60 days with an outline and approach for performing the study and pursuing grant funding.

Councilmember S. Lowenthal spoke.

Harvey Cochran spoke.

Mark Humphrey spoke.

Ron Pesky spoke.

John Thomas spoke.

Rachel Patusik spoke.

Ryan Smaller spoke.

Doug Bailey spoke.

Sally Braton spoke.

Councilmember O'Donnell spoke.

Councilmember S. Lowenthal 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: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

26. 07-1376

Recommendation to request City Manager establish and implement the Disease Prevention and Demonstration Project for the City of Long Beach through December 31, 2010, in accordance with Senate Bill 1159 (Vasconcellos, Chapter 608, Statutes of 2004), enabling access to non-prescription pharmacy-based sterile syringes as an effective means for reducing transmission of blood borne pathogens (HIV, Hepatitis C and other blood borne infections) among injection drug users (IDUs).

Distributed at the meeting: A PowerPoint presentation by Department of Health and Human Services entitled, California Disease Prevention Demonstration Project (DPDP).

Councilmember S. Lowenthal spoke.

Councilman Andrews spoke.

Dennis Fisher spoke and submitted information regarding drug policy.

Carlos Ruiz spoke.

Margaret Dooley spoke.

Harvey Cochran spoke.

Councilmember S. Lowenthal 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: 6 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Andrews and Lerch

Noes: 1 - Schipske

Absent: 2 - Reyes Uranga and Gabelich

Agenda Item No. 27 was considered following Agenda Item No. 21 and prior to Agenda Item No. 23.

27. 07-1357 Recommendation to authorize City Manager to execute an amendment to the Implementation Agreement with Aquarium of the Pacific, a California nonprofit public benefit corporation, providing up to \$250,000 in fiscal year 2008 toward capital reinvestment opportunities. (District 2)

Councilmember Reyes Uranga spoke.

Christine Shippey, Assistant City Manager, spoke.

Councilmember S. Lowenthal spoke.

Councilmember O'Donnell spoke.

Councilmember DeLong spoke.

Harvey Cochran spoke.

Diana Lejins spoke.

Jerry Shubel spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember Reyes Uranga, to approve recommendation. 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

Agenda Item No. 23 was considered at this time.

28. 07-1358 Recommendation to adopt resolution authorizing City Manager to amend Contract No. 29136 with Seagrave Fire Apparatus, LLC, for the purchase of one (1) new and one (1) previously owned aerial ladder truck per quotes dated September 24, 2007, and October 25, 2007, respectively, on the same terms and conditions afforded to the Village of Ridgefield Park, in an amount not to exceed \$1,304,108 including tax, with a 10 percent contingency for additional equipment if necessary and if funds are available. (Districts 2,3)

A motion was made by Councilmember DeLong, seconded by Councilman Andrews, to approve recommendation and adopt Resolution No. RES-07-0164. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

Enactment No: RES-07-0164

29. 07-1359

Recommendation to authorize City Manager to execute an agreement with Elite Underwriting Services, Inc. (American Fidelity Assurance Company), for healthcare specific stop-loss reinsurance coverage at a \$500,000 deductible level at a cost of \$455,852 for a 13-month period; and authorize City Manager to execute any subsequent amendments necessary to maintain current benefit levels and remain in compliance with state and federal laws. (Citywide)

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

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

30. 07-1360

Recommendation to authorize City Manager to approve a Memorandum of Understanding between City of Long Beach Parks, Recreation and Marine Department, and the City of Long Beach Harbor Department, with regard to placement of dredge material from the Los Angeles River Estuary and the Catalina Basin into the slip fill at Pier G. (District 2)

This Contract was withdrawn.

31. 07-1364

Recommendation to authorize the Director of Planning and Building on behalf of the City of Long Beach to join the California Climate Action Registry. (Citywide)

Vice Mayor B. Lowenthal spoke.

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

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

32. 07-1361

Recommendation to receive and file the application of PNS Stores Inc., dba Big Lots 4171, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 2300 East 7th Street, with conditions. (District 2)

Councilmember S. Lowenthal spoke.

Anthony W. Batts, Chief of Police, spoke.

A motion was made by Councilmember S. Lowenthal, seconded by Councilmember DeLong, that the application be protested on the basis of residence within 100 feet, school within 600 feet, and churches within the immediate vicinity. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

33. 07-1362

Recommendation to receive and file the application of Carnival Corporation, dba Carnival Cruise Ship Paradise, for an original Alcoholic Beverage Control License, at Berth H 4, with conditions. (District 2)

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: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

34. 07-1363

Recommendation to receive and file the application of Carnival Corporation, dba Carnival Cruise Ship Pride, for an original Alcoholic Beverage Control License, at Berth H 4, with conditions. (District 2)

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: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

35. 07-1365

Recommendation to adopt Plans and Specifications No. R-6630 for the improvement of Lakewood Boulevard between the Outer Traffic Circle and 500 feet south of Willow Street; and authorize City Manager to execute a contract with Sully-Miller Contracting Company, the lowest responsible bidder, in an estimated amount of \$1,853,823 plus a 15 percent contingency amount, if necessary. (Districts 4,5)

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

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

ORDINANCES: (8:48 PM)

- 36. 07-1321** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 10.38.090 C to extend the closing hours of the street to vehicular traffic on California Avenue between Bixby Road and Armando Drive, read and adopted as read. (District 8)
- A motion was made by Councilmember O'Donnell, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-07-0059. The motion carried by the following vote:**
- Yes:** 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch
- Absent:** 2 - Reyes Uranga and Gabelich
- Enactment No:** ORD-07-0059
- 37. 07-1324** Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Subsections DD, EE, FF and GG to Section 10.22.080 relating to parking vehicles for sale, read and adopted as read. (District 3)
- A motion was made by Councilmember Lerch, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-07-0060. The motion carried by the following vote:**
- Yes:** 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch
- Absent:** 2 - Reyes Uranga and Gabelich
- Enactment No:** ORD-07-0060
- 38. 07-1302** Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 18.48 relating to adoption of the latest California Fire Code, 2007 Edition, read and adopted as read. (Citywide)
- A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember S. Lowenthal, to approve recommendation and adopt Ordinance No. ORD-07-0061. The motion carried by the following vote:**

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

Enactment No: ORD-07-0061

39. 07-1304

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending and restating in their entirety Chapters 18.04, 18.08, 18.12, 18.16, 18.24, and 18.28; by amending Sections 18.36.010, 18.36.015, 18.36.030, 18.40.010, 18.40.020, 18.40.022, and 18.99.010; by adding Chapters 18.69, 18.70, 18.71, 18.72, and by repealing Sections 18.32.310, 18.36.040, 18.36.090, 18.36.091, 18.36.092, and Chapters 18.56 and 18.72, all relating to adoption of the latest California Building, Electrical, Mechanical and Plumbing Codes and the Uniform Housing Code, read and adopted as read. (Citywide)

A motion was made by Vice Mayor B. Lowenthal, seconded by Councilmember DeLong, to approve recommendation and adopt Ordinance No. ORD-07-0062. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

Enactment No: ORD-07-0062

NEW BUSINESS: (8:50 PM)

40. 07-1381

Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Kenneth Wayne Parks, dba The All American Melodrama Theater, for an original Alcoholic Beverage Control License, at 429 Shoreline Village Drive, Suite E & G, with conditions. (District 2)

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: 7 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews and Lerch

Absent: 2 - Reyes Uranga and Gabelich

41. Affidavit of Service for the special meeting held Tuesday, November 20, 2007.

ANNOUNCEMENTS: (8:50 PM)

Mayor Foster spoke concerning the passing of Thomas Murphy.

Councilmember O'Donnell made community announcements.

Mayor Foster thanked Christine Shippey, Assistant City Manager, for her years of service with the City of Long Beach.

Councilman Andrews made community announcements.

Vice Mayor B. Lowenthal wished everyone a Happy Thanksgiving.

Councilmember S. Lowenthal congratulated Christine Shippey, Assistant City Manager; and made community announcements.

Councilman Andrews made additional community announcement.

Mayor Foster wished everyone a Happy Thanksgiving.

PUBLIC: (9:02 PM)

Harvey Cochran spoke.

ADJOURNMENT: (9:03 PM)

At 9:03 p.m., Mayor Foster adjourned the meeting in memory of Thomas Murphy.

adb