

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District



Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk

Beverly O'Neill, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

ROLL CALL (05:05 PM)

Councilmembers B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga
Present: and Lerch

Councilmembers O'Donnell and Gabelich
Absent:

Also Present: Gerald Miller, City Manager; Reggie Harrison, Deputy City Manager; Heather Mahood, Assistant City Attorney; Larry Herrera, City Clerk; Jerryl Soriano, City Clerk Assistant.

Mayor O'Neill presiding.

Invocation: Moment of Silence.

Presentation of Colors by Poly High School R.O.T.C. (05:07 PM)

Flag Salute: Eric Joiner

Councilmember Baker moved, seconded by Councilmember Lowenthal, that the minutes of the City Council meeting of Tuesday, November 15, 2005 be approved.

Presentations by Councilwoman Laura Richardson, Sixth District, in recognition of community members and organizations for their significant contributions to the Sixth District. (05:10 PM)

PUBLIC COMMENT: (06:01 PM)

Reverand Kit Wilke spoke regarding the New Image Winter Homeless Shelter Program.

Brenda Wilson spoke regarding the New Image Winter Homeless Shelter Program.

Lynda Moran spoke regarding the New Image Winter Homeless Shelter Program.

Pastor Miguel Botello spoke regarding the New Image Winter Homeless Shelter Program.

Thomas Murphy spoke regarding Rosa Parks Day.

James Brown spoke regarding the New Image Winter Homeless Shelter Program.

Linda Sneed spoke regarding the New Image Winter Homeless Shelter Program.

Maria Giesey spoke regarding the New Image Winter Homeless Shelter Program.

Reverand Arthur Gray spoke regarding the New Image Winter Homeless Shelter Program.

Annette LaBarca spoke regarding the New Image Winter Homeless Shelter Program.

Councilwoman Richardson spoke.

Gerald Miller, City Manager, spoke.

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (06:31 PM)

Motion to Approve Consent Calendar Items 1-28, except for Items 1, 2, 10, 11, 13, 20, 23, 24, and 26.

1. [05-3471](#) Recommendation to authorize City Manager to execute the Fourth Amendment to Contract No. 27905 with the law firm of Richards, Watson & Gershon in the matter entitled, Shell Chemical Company, et al. vs.

County of Los Angeles, et al., Case Nos. CV-00-1917 MRP (MANx);
CV-00-1938 MRP (MANx); CV-00-6420 MRP (MANx).

Robert Bastian spoke regarding Item Nos. 1 and 2.

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

Yes: 5 - B. Lowenthal, Baker, Richardson, Reyes Uranga and Lerch

Absent: 4 - Colonna, O'Donnell, Kell and Gabelich

2. [05-3472](#)

Recommendation to authorize City Manager to execute an agreement with legal counsel, Russell, Mirkovich and Morrow, for insurance matters in the matter entitled, McClure vs. City of Long Beach, et al., USDC Case No. CV 92-2776-E.

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

Yes: 5 - B. Lowenthal, Baker, Richardson, Reyes Uranga and Lerch

Absent: 4 - Colonna, O'Donnell, Kell and Gabelich

Passed The Consent Agenda

A motion was made by Councilmember Colonna, seconded by Councilmember Baker, including all the items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

3. [05-3468](#)

Recommendation to refer to City Attorney damage claims received between November 10, 2005 and November 17, 2005.

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

4. [05-3475](#)

Recommendation to approve the destruction of records for the departments of Community Development/Code Enforcement and Financial Mangement/Administration sections as shown in the

Attachment; and adopt the resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-05-0136.

Enactment No: RES-05-0136

5. [05-3444](#) Recommendation to authorize City Manager to execute a lease between the City of Long Beach and the Long Beach Community College District for the short-term use of parking spaces at Veterans Memorial Stadium. (District 5)
- A motion was made to approve recommendation on the Consent Agenda.**
6. [05-3445](#) Recommendation to authorize City Manager to execute a sublease between the City of Long Beach and AbilityFirst, a California nonprofit corporation, for use of office space at 3447 Atlantic Avenue. (District 7)
- A motion was made to approve recommendation on the Consent Agenda.**
7. [05-3448](#) Recommendation to authorize City Manager to execute all documents necessary for an agreement with Keyser Marston Associates, Inc., a California corporation, for real estate economic market analysis services. (Citywide)
- A motion was made to approve recommendation on the Consent Agenda.**
8. [05-3449](#) Recommendation to adopt specifications No. PA-00406; and award contract to 911 Vehicle for providing miscellaneous parts and the installation of ten mobile radio communication computer terminals for ten replacement fire pumper trucks, in the amount of \$184,977 including tax, with the option of increasing the contract ten percent if funds are available. (Citywide)
- A motion was made to approve recommendation on the Consent Agenda.**
9. [05-3450](#) Recommendation to adopt specifications No. PA-00106; and award contracts to Ganahl Lumber and Penn Forest Products, Inc., for furnishing and delivering lumber and related building material, in the

estimated annual amount of \$195,000 for the period of one year, with the option of renewing for two additional one-year periods, at the discretion of the City Manager. (Citywide)

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

10. [05-3451](#)

Recommendation to adopt specifications No. PA-02605; and award contracts to Danny's Auto Painting, Prestige Auto Body Clinic, Inc., and Eddy's Auto Body & Paint for providing vehicular body, frame and refinishing repairs, in the estimated annual amount of \$350,000 for the period of one year, with the option of renewing for two additional one-year periods, at the discretion of the City Manager. (Citywide)

Thomas Murphy spoke.

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

Yes: 6 - B. Lowenthal, Baker, Kell, Richardson, Reyes Uranga and Lerch

Absent: 3 - Colonna, O'Donnell and Gabelich

11. [05-3452](#)

Recommendation to adopt specifications No. PA-02405; and award a contract to West Coast Sand & Gravel for furnishing and delivering rock, sand, and crushed aggregate base, in the estimated annual amount of \$375,000 for the period of one year, with the option of renewing for two additional one-year periods, at the discretion of the City Manager. (Citywide)

Thomas Murphy spoke.

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

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

12. [05-3453](#)

Recommendation to authorize the issuance of a refund check in the amount of \$5,186.20 to Pacific Ford, Inc.

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

13. [05-3446](#)

Recommendation to authorize City Manager to execute a contract with LINK2GOV Corporation (L2G) to provide credit card processing services for City services for the period of one year, with the option of renewing for three additional one-year periods, at the discretion of the City Manager. (Citywide)

Thomas Murphy spoke.

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

Yes: 6 - Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 3 - B. Lowenthal, O'Donnell and Gabelich

14. [05-3454](#)

Recommendation to receive and file the application of Seng Heng Supermarket Incorporated, dba Seng Heng Supermarket Incorporated, for a person-to-person transfer of an On-Sale Beer and Wine Alcoholic Beverage Control License, at 1734 East Anaheim Street, with existing conditions. (District 2)

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

15. [05-3456](#)

Recommendation to receive and file the application of Moxie Partners Incorporated, dba Sachi, for a person-to-person transfer of an On-Sale General Alcoholic Beverage Control License for public premises, at 6400 East Pacific Coast Highway, with existing conditions. (District 3)

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

16. [05-3457](#)

Recommendation to receive and file the application of Skydog Media, dba 62nd Place Peninsula Cafe, for a person-to-person transfer of an On-Sale Beer and Wine Alcoholic Beverage Control License for bonafide eating place, at 76-½ 62nd Place, with existing conditions. (District 3)

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

17. [05-3458](#) Recommendation to receive and file the application of M1K Corporation, dba Plaza Liquor, for a fiduciary transfer of an Off-Sale General Alcoholic Beverage Control License, at 6537 East Spring Street, with existing conditions. (District 5)

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

18. [05-3459](#) Recommendation to receive and file the application of Angiolino Picarelli, dba Cirivello's Restaurant and Sports Bar, dropping a partner from an On-Sale General Alcoholic Beverage Control License for bonafide eating place, at 4115 Viking Way, with existing conditions. (District 5)

A motion was made that these files be approved by consent voice vote.

19. [05-3460](#) Recommendation to receive and file the application of Duong Trung Phan, dba Host Shop, for a person-to-person transfer of an Off-Sale General Alcoholic Beverage Control License, at 2265 Lakewood Boulevard, with existing conditions. (District 5)

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

20. [05-3461](#) Recommendation to receive and file the application of Gary Ung and Phally Ung, dba Bamboo Island, for a person-to-person transfer of an On-Sale Beer and Wine Alcoholic Beverage Control License for bonafide eating place, at 816-18 East Anaheim Street, with existing conditions. (District 6)

Distributed at meeting: Councilwoman Richardson's November 22, 2005 memorandum and conditions to license.

Councilwoman Richardson spoke.

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

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

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

21. [05-3074](#) Recommendation to receive and file the application of Fernando Legaspi
-

Bernabe, dba Inihaw Karaoke Restaurant, for a person-to-person transfer of an On-Sale Beer and Wine Alcoholic Beverage Control License for bonafide eating place, at 1950 West Willow Street, Unit A, with existing conditions. (District 7)

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

22. [05-3462](#)

Recommendation to receive and file the application of Jose Saul Miranda-Flores, dba Eddie's Restaurant, for a person-to-person transfer of an On-Sale Beer and Wine Alcoholic Beverage Control License for bonafide eating place, at 1154 East San Antonio Drive, with existing conditions. (District 8)

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

23. [05-3463](#)

Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Bulletproof Vest Partnership Program; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$94,250.77. (Citywide)

Thomas Murphy spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 6 - Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 3 - B. Lowenthal, O'Donnell and Gabelich

24. [05-3464](#)

Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Paul Coverdell Forensic Science Improvement Grant; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$95,000. (Citywide)

Thomas Murphy spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 6 - Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 3 - B. Lowenthal, O'Donnell and Gabelich

25. [05-3465](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Long Beach Earmark 2005 Grant; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$98,664. (Citywide)

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

26. [05-3466](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Driving While Impaired Impact Project Grant; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$283,901. (Citywide)

Thomas Murphy spoke.

A motion was made by Councilmember Baker, seconded by Councilmember Colonna, to approve recommendation. The motion carried by the following vote:

Yes: 6 - Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 3 - B. Lowenthal, O'Donnell and Gabelich

27. [05-3469](#) Recommendation to enter into a purchase order with Harris and Associates for assessment engineering services for the proposed Toledo Utility Undergrounding District in the amount of \$25,000; and increase budget appropriation by \$25,000 in the General Fund (GP) in the Department of Public Works (PW). (District 3)

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

28. [05-3467](#) Recommendation to receive and file minutes of:
Water Commission - November 3, 2005.

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

REGULAR AGENDA: (06:51 PM)

- 29. [05-3474](#)** Recommendation to suspend the rule contained in Municipal Code Section 2.03.020 (B) relating to the meeting schedule of the City Council in order to cancel the meeting of December 6, 2005.
- A motion was made by Councilmember Colonna, seconded by Councilmember Baker, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch
- Absent:** 2 - O'Donnell and Gabelich
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- 30. [05-3447](#)** Recommendation to receive and file the application of Creama LLC, dba Creama, for an original On-Sale Beer Alcoholic Beverage Control License for beer pub, at 440 Pine Avenue, with conditions. (District 1)
Councilmember Lowenthal spoke.
- A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to laid over to December 13, 2005. The motion carried by the following vote:**
- Yes:** 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch
- Absent:** 2 - O'Donnell and Gabelich
-
- 31. [05-3470](#)** Recommendation to adopt Plans and Specifications No. R-6700 for the Annual Contract for Street Repairs and Minor Improvements; and authorize City Manager to execute a contract with Sully-Miller Contracting Company in an estimated amount of \$8,500,000. (Citywide)
- Vice Mayor Kell spoke.
- Councilmember Colonna spoke.
- A motion was made by Councilmember B. Lowenthal, seconded by Councilmember Baker, to approve recommendation. The motion carried by the following vote:**
- Yes:** 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

ORDINANCES: (06:54 PM)

32. [05-3473](#) Recommendation to declare ordinance amending the Long Beach Municipal Code relating to dog breeding read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Vice Mayor Kell spoke.

Linda Treffery spoke.

Jack Smith spoke.

Councilmember Colonna spoke.

A motion was made by Vice Mayor Kell, seconded by Councilmember Baker, to approve recommendation and require the City Attorney and Health Department to semi-annually report back to the City Council regarding the effects and results of the ordinance and allow the City Council to determine whether the ordinance should be enforced or repealed. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

Enactment No: ORD-06-0012

33. [05-3428](#) Recommendation to declare ordinance amending the Downtown Long Beach Planned Development District (PD-30) Ordinance, read and adopted as read (Case No. 0507-07). (Districts 1,2)

A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation and adopt Ordinance No. ORD-05-0042. The motion carried by the following vote:

Yes: 7 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga and Lerch

Absent: 2 - O'Donnell and Gabelich

Enactment No: ORD-05-0042

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

NEW BUSINESS:

34. Affidavit of Service for meeting held Tuesday, November 22, 2005.

ANNOUNCEMENTS: (07:08 PM)

Vice Mayor Kell made community announcements and requested that the meeting adjourn in memory of Chief Park Ranger, Steven Neil.

Councilmember Lowenthal made community announcements.

Councilmember Colonna made community announcements and requested that the meeting adjourn in memory of Larry Shaw.

Councilwoman Richardson made community announcements and requested that the meeting adjourn in memory of John Farkas.

Councilmember Reyes Uranga made community announcements.

PUBLIC COMMENT: (07:21 PM)

Diana Lejins spoke.

Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., Council Lounge.

Monday, November 28, 2005 -- I-710 Oversight Committee at 6:00 P.M., Elizabeth Hudson School Auditorium, 2335 Webster Avenue.

ADJOURNMENT: (07:24 PM)

December 13, 2005 -- Continued Hearing for Permit for Entertainment with Dancing by Patrons at Existing Restaurant with Alcohol for Perlman Incorporated, dba Hush Restaurant and Banquet Facility, 217 Pine Avenue. (District 2)

December 13, 2005 -- Hearing for consideration of an appeal of the Planning Commission item for 285 Bays Hotel at the Pike. (District 1)

December 13, 2005 -- Hearing on resolution of intention to vacate portions of 4th and Elm Avenue adjacent to 395 E. 4th Street. (District 1)

December 13, 2005 -- Hearing on the Disposition and Development Agreement for Wilmore Historic Home Relocation and Restoration, 419-421 Daisy Avenue. (District 1)

December 13, 2005 -- Hearing on the Disposition and Development Agreement for Lennar Project on the Promenade, 200 E. Broadway. (District 2)

December 20, 2005 -- Hearing for the proposed expansion of Preferential Parking District "I." (District 3)

December 20, 2005 -- Hearing on General Plan Open Space and Recreation Element, and Zoning Regulations, to add new and expanded parks and to dedicate them as Parks in Perpetuity. (Citywide)

At 7:24 P.M., Mayor O'Neill adjourned the meeting in memory of Chief Park Ranger, Steven Neil, Larry Shaw, John Farkas, and Jean Van Nostran.

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

NOTE:

If written language translation of the City Council agenda and minutes for non-English speaking persons is desired, please make your request by phone to the City Clerk Department at (562) 570-6101, 72 hours prior to the City Council meeting.

Kung ang nakasulat na pagsasalin-wika ng adyenda at mga katitikan ng Konseho ng Lunsod ay hinahangad para sa mga taong hindi nagsasalita ng Ingles, mangyaring gawin ang iyong kahilingan sa pamamagitan ng telepono sa Kagawaran ng Klerk ng Lunsod sa (562) 570-6101, 72 oras bago ang pulong ng Konseho ng Lunsod.”

Si desea obtener la traducción lingüística escrita de la agenda y las actas del Concejo Municipal para las personas que no hablan inglés, realice su pedido por teléfono al Departamento de la Secretaría Municipal al (562) 570-6101, 72 horas antes de la reunión del Concejo Municipal.

បើលោកអ្នកមិនចេះនិយាយភាសាអង់គ្លេស ហើយត្រូវការរបៀបវារៈកិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង និងរបាយការណ៍កិច្ចប្រជុំនៃក្រុមប្រឹក្សាសាលាក្រុង ជាសំណៅប្រែសម្រួលលាយលក្ខណ៍អក្សរទៅជាភាសារបស់លោកអ្នក នោះសូមស្នើសុំមកនាយកដ្ឋានសៀវភៅសាលាក្រុង តាមទូរស័ព្ទលេខ (562) 570-6101 អោយបាន 72 ម៉ោងមុនកិច្ចប្រជុំក្រុមប្រឹក្សាសាលាក្រុងត្រូវបានធ្វើឡើង។