

**LONG BEACH CIVIL SERVICE COMMISSION
F. PHIL INFELISE, PRESIDENT
AUGUST 11, 2010**

The regular meeting of the Civil Service Commission was held at 8:00 a.m., Wednesday, August 11, 2010, in the Board Room of the Commission, 333 West Ocean Boulevard, Seventh Floor, Long Beach, California.

MEMBERS PRESENT: F. Phil Infelise, Jeanne Karatsu, Carolyn Smith Watts
Charles Hicks Jr., Gerald Good

MEMBER EXCUSED:

OTHERS PRESENT: Mario R. Beas, Executive Director & Secretary
Diane Dzodin, Acting Deputy Director
Marilyn Hall, Executive Assistant
Caprice McDonald, Personnel Analyst
Robert Pfingsthorn, Personnel Analyst
Lourdes Ferrer, Personnel Analyst
Ken Walker, Personnel Operations Manager, Human Resources

President F. Phil Infelise presided.

President Infelise welcomed newly appointed Commissioner Gerald Good to the Commission.

MINUTES:

It was moved by Commissioner Hicks, seconded by Commissioner Karatsu and carried that the minutes of the regular meeting of August 4, 2010, be approved as prepared. The motion carried by a unanimous roll call vote. Commissioner Gerald Good abstained from voting as he was not present at the meeting.

It was moved by Commissioner Smith Watts, seconded by Commissioner Karatsu and carried that Reduction Hearing 13-R-89 minutes of July 28 and August 4, 2010, be approved as prepared. The motion carried by a unanimous roll call vote. Commissioners Charles Hicks Jr. and Gerald Good abstained from voting as they were not present at the hearing.

**REQUEST TO REAPPOINT
RESIGNED EMPLOYEE:**

BRIAN JOHNSON/POLICE OFFICER/POLICE

The Secretary presented a communication from Jim McDonnell, Chief of Police, requesting Commission authorization to reappoint Brian Johnson to his former classification of Police Officer. In addition, the Secretary presented a staff report prepared by Lourdes Ferrer,

Personnel Analyst. After discussion, it was moved by Commissioner Smith Watts, seconded by Commissioner Hicks and carried that the request be approved, pursuant to Section 45 of the Civil Service Rules and Regulations. The motion carried by a unanimous roll call vote.

BULLETIN:

PORT RISK MANAGER

It was moved by Commissioner Karatsu, seconded by Commissioner Smith Watts and carried that the subject Job Opportunity Bulletin be approved. The motion carried by a unanimous roll call vote.

EXAMINATION RESULTS:

PROGRAM SCHEDULER – 105 Applied, 15 Qualified

It was moved by Commissioner Karatsu, seconded by Commissioner Smith Watts and carried that the subject examination results be approved. The motion carried by a unanimous roll call vote.

EXTENSION OF EXPIRING ELIGIBLE LISTS:

It was moved by Commissioner Smith Watts, seconded by Commissioner Karatsu and carried that the following eligible lists be extended for an additional six months. The motion carried by a unanimous roll call vote.

Environmental Specialist Associate
Equipment Mechanic
Microbiologist (8/18/09)

RETIREMENTS:

It was moved by Commissioner Hicks, seconded by Commissioner Karatsu and carried that the following retirements be received and filed. The motion carried by a unanimous roll call vote.

Lewie Silva/Hazardous Materials Specialist/Fire
Doran Barnes/Equipment Operator II/Public Works

RESIGNATIONS:

It was moved by Commissioner Karatsu, seconded by Commissioner Smith Watts and carried that the following resignations be received and filed. The motion carried by a unanimous roll call vote.

Shayla Blatchford/Clerk Typist III/Public Works
Kristie Miller/Combination Building Inspector Aide II/
Community Development

MANAGERS' REPORT:

The Secretary informed the Commission that while Melinda George, Deputy Director, is on vacation, Diane Dzodin, Administrative Officer, will be acting as the Deputy Director and Caprice McDonald, Personnel Analyst, will be acting as the Administrative Officer. He also informed the Commission that at last night's City Council, the City Council and Mayor approved the following names for Argument Writers for the ballot measure related to the Civil Service Commission: **ARGUMENT FOR:** Patrick West, City Manager, Laura Doud, City Auditor, Alan Patalano, Fire Chief, Debbie Mills, Director of Human Resources. **ARGUMENT AGAINST:** Sherrie Nixon-Joiner, Dale Clinton, Doris Topsy-Elvord, Charles Parks and Ahmed Saafir.

COMMENTS FROM PUBLIC:

Margaret Huebner, newly appointed Director of Human Resources, Harbor, introduced herself to the Commission, and stated that she is looking forward to working with the Commission and staff.

ADJOURNMENT:

There being no further business before the Commission, President Infelise adjourned the meeting.



MARIO R. BEAS
Secretary

MRB:meh

**CITY OF LONG BEACH
DEPARTMENT OF PARKS, RECREATION AND MARINE
PARKS AND RECREATION COMMISSION MINUTES
JULY 22, 2010**

I. CALL TO ORDER

The Parks and Recreation Commission meeting was called to order by Brett Waterfield, President, at 9:03 a.m., at the El Dorado Park West Community Center, in the Senior Center Library. JC Squires, Manager of Business Operations Bureau, took roll call and confirmed a quorum.

Present: Brett Waterfield, President
Sarah Sangmeister, Vice President
Ron Antonette
Simon George
Harry Saltzgaver
Sarah Sangmeister
Drew Satariano

Absent: Albert Guerra

Staff: JC Squires, Manager, Business Operations
Ed White, Superintendent of Facility Maintenance
Sandra Gonzalez, Manager, Planning and Development
Gladys Kaiser, Acting Manager, Community Recreation Services
Ted Stevens, Acting General Superintendent, Community Recreation Services
Marc Gutfeld, Superintendent, Community Recreation Services
Mark Sandoval, Manager of Marinas and Beaches
Robin Black, Executive Assistant to the Director

Guests: Eric Zahn, Friends of Colorado Lagoon
Annie Greenfeld, W&S and NAG
Virgia Wade, CNAC
Bill Heck, Neighbor
Spencer Lyons, American Cancer Society, Coalition for Smoke Free Long Beach
Elpryl Tello, DHHS, Tobacco Ed. Program
Joan Waddell, NCADD/SoBay
Barbara Devko, NCADD/SoBay
Erica Younge, TEP Intern
Kari Rovenbaum, TL Planning Center
Jose Flores, Peace Garden, CNAC
Dr. Lydia Hollie, Chair, Weed and Seed Steering Committee
Deborah Kearn, LBW&S, LBUSD
Evan Braude
Jonathan Schnack, Naples Improvement Assoc., President
Jennifer Morse, Keep Naples Safe
Suellen Gonzalez, TEP
Mary Parsell, Long Beach Audubon Society

Tracy Colunga, Health Department Weed and Seed Program
Kim Garvey, Mofatt & Nichol
Ray Thorn, FOCL
Dave Pirazzi, FOCL
Taylor Parker, Education Director of Colorado Lagoon
Bill Hobbs, President of Alamitos Heights Improvement Association
Mary Parsell, Long Beach Audubon
Eric Lopez, Community Development Department
Stafford Cox, Block Captain in the Lakewood Village Association
Claudette Powers, Co-Chair for the Coalition for Smoke Free Long Beach

It was moved by Commissioner Saltzgaver and seconded by Commissioner George to excuse Commissioner Guerra. The motion carried unanimously.

II. APPROVAL OF MINUTES – JUNE 17, 2010

It was moved by Commissioner Satariano and seconded by Commissioner George to approve the June 17, 2010 Parks and Recreation Commission minutes. The motion carried unanimously.

III. COMMISSION ACTION ITEMS

#10-0701

Recommendation to authorize the Director, or his or her management designee to execute the Personal Services and Instruction Agreements and amend Attachment "A" of the agreements as needed.

President Waterfield stated that there are no agreements this month.

#10-0702

Recommendation to authorize the Director of Parks, Recreation and Marine to execute all documents necessary to issue a non-exclusive Special Event Concession Permit to Merie Leon, an individual doing business as Coda's Kettle Korn, for the sale of food and non-alcoholic beverages at the Department's Movies in the Park and Thursday Concerts in the Park series of events for one year with two, one-year renewal options at the discretion of the Director.

It was moved by Commissioner Saltzgaver and seconded by Vice President Sangmeister to approve the recommendation. The motion carried unanimously.

#10-0703

Recommendation to authorize the Director of Parks, Recreation and Marine to execute all documents necessary to issue a permit for the operation of a picnic service concession with Above All Catering, Inc., for a term of one year, expiring on July 1, 2011, with options for renewal at the discretion of the Director.

President Waterfield said this item was pulled from the agenda to be heard at a later date.

#10-0704

Recommendation to authorize the Director of Parks, Recreation and Marine to issue a non-exclusive permit and any related documents to Central Neighborhood Advisory Committee, South Wrigley Neighborhood Advisory Group, and Long Beach Local and to any subcontractors appropriately contracted by same, to enter Martin Luther King, Jr. Park, located at 1950 Lemon Avenue, for the provision and administration of a community garden on City-owned property, for a term beginning July 1, 2010 through July 1, 2012, with options for renewal on an annual basis, at the discretion of the Director.

Mr. Squires said that Long Beach Local has dropped out and is being replaced with the Health and Human Services Department's Weed and Seed Program.

Commissioner Saltzgaver asked where this garden would be located?

Mr. Ted Stevens responded that it would be adjacent to the Central Facility Center, on the east side, and that there is a map included in the packet.

It was moved by Commissioner Saltzgaver and seconded by Commissioner Satariano to authorize the Director of Parks, Recreation and Marine to issue a non-exclusive permit and any related documents to Central Neighborhood Advisory Committee, South Wrigley Neighborhood Advisory Group, and the Health and Human Services Department's Weed and Seed Program and to any subcontractors appropriately contracted by same, to enter Martin Luther King, Jr. Park, located at 1950 Lemon Avenue, for the provision and administration of a community garden on City-owned property, for a term beginning July 1, 2010 through July 1, 2012, with options for renewal on an annual basis, at the discretion of the Director. The motion carried unanimously.

Commissioner Saltzgaver mentioned that there is a whole group attending for this item and they might want to speak.

Ms. Annie Greenfeld said she was from the South Wrigley Advisory Group and thanked the Commission for approving the site. She said this is so important to the neighborhood and will be an asset to the park and the 6th District.

Ms. Debra Kearns introduced herself as the Peace Garden Manager and a LBUSD teacher. She said they are employing youth at this garden. She thanked the Commission for approving this wonderful collaboration.

Dr. Lydia Holley introduced herself as Chair of the steering committee. She said this helps fulfill our mission to restore our neighborhood and helps attach the youth to the seniors and create a connection.

Ms. Virginia Wade introduced herself as Vice Chair of the Central Neighborhood Advisory Committee. She thanked the Commission for approving this. She said she is a senior citizen who is a mentor to youth.

Mr. Jose Flores introduced himself as Chair of CNAC and Co-Chair of Peace Garden. He thanked the Commission and said there are a lot of kids waiting at the garden to hear the good word that this has been approved.

Ms. Tracy Colunga said she was from the Health Department Weed and Seed Program and they are really excited to see this garden. She said they would invite the Commission to the opening ceremony.

President Waterfield moved up item IX. B., the Colorado Lagoon open channel presentation, to be heard next.

IX. NEW BUSINESS

- B. Recommendation to review and refer this matter to the August 19, 2010 Parks and Recreation Commission meeting to rank the alternatives for the Colorado Lagoon open channel.

Ms. Sandra Gonzalez said there are key people from Friends of the Colorado Lagoon in attendance. She introduced Kim Garvey, from Mofatt and Nichol, and said that Eric Lopez, the Project Manager with Neighborhood Services, would be making the presentation today.

Mr. Lopez thanked the Commission for the opportunity today to provide an update of the second phase of the project, which involves building some form of open channel or parallel underground culvert. He distributed copies of the presentation to the Commission. He said that establishing native habitat as well as improving water quality has been important. A restoration feasibility study was funded by the State Coastal Conservancy and completed in 2005 by Mofatt and Nichol Engineers. A public scoping meeting was held in November 2007. During the summer of 2008, we circulated the draft EIR. In June 2009, we held multiple community meetings and also made a presentation to the Parks and Recreation Commission. The Commission recommended certification of the draft EIR to the Planning Commission and the City Council. In September of 2008, the Planning Commission held a public hearing and approved certification of the EIR with both phases. Some concerns were brought up about Phase 2 and the loss of active park space. On October 14, the City Council approved to certify Phase 1 only. For Phase 2, they asked us to go back and look at alternatives and take under consideration a second, parallel underground culvert and to look at variations of the open channel concept to minimize impact on the park. On March 12, 2009, Community Development held a community meeting about Phase 2. We got feedback on the alternatives and got a consensus on the next steps. Per the City Council's request, staff analyzed additional alternatives to improve tidal flushing. Mr. Lopez showed conceptual renderings of each of the four alternatives.

Mr. Lopez explained that Alternative 1 is to build a second underground culvert parallel to the existing culvert. The existing culvert is currently being cleaned. This alternative would have no impact to the park. Alternative 2 is an open culvert adjacent to Eliot Street and would avoid splitting up the sports fields. It would require two bridges to be constructed. The footprint of the channel would be approximately 100 feet. Alternative 3 has a slightly wider footprint, but instead of bridges we looked at possibly smaller culverts on each of the sides. Alternative 4 is a wider, more open channel and calls for the construction of one bridge on Eliot Street and a smaller culvert on Colorado Street. We also looked at a variation of this, which is instead of a short culvert we would also do a short bridge on that end.

Mr. Lopez said that some people were concerned that we were planning on constructing a concrete flood control type channel. That is not the case. One of the main features is to have a natural looking channel, with vegetation, some riprap to preserve the

integrity of the slopes, but no concrete. Mr. Lopez said that they hired Mofatt and Nichol, with funding from the Port of Long Beach, to look at the type of habitat that would be created and to look at the hydrodynamic performance of each of the alternatives. We also asked Mofatt and Nichol to look at the long-term stability and maintenance and impacts to the park and surrounding areas. All alternatives meet project objectives and hydrodynamic performances. It would restore a full tidal range and would improve existing habitat.

Mr. Lopez said that there are more funding opportunities for an open channel than a closed culvert. Maintenance costs would be between \$4 million and \$8.4 million. Bridges historically cost less to maintain than do culverts. There is a range of \$12.9 and \$15.2 million for a 50-year life span, before any major repair would have to be done. Alternatives 2, 3, and 4 are more cost effective and have more potential for grant funding. We respectfully request that you consider these alternatives and rank them so that we can present your ranking to the City Council for consideration. The next step is to hold the August 11 public meeting at 6:00 p.m. at the El Dorado community center and would like the Parks and Recreation Commission to be there. There would then be a Planning Commission meeting to look at the environmental assessment under the California Environmental Quality Act. This item would then go before the City Council for approval. Once this is done, we would meet with the resource agencies about funding opportunities for the selected alternative.

Commissioner Saltzgaver commented about Alternatives 2 and 4, and asked if they are essentially the same, except for the course of the channel?

Mr. Lopez responded yes, that in Alternative 4 the channel is wider.

Commissioner Saltzgaver asked why we are having the public meeting here instead of near the lagoon?

Mr. Lopez responded that the meetings are usually held at Rogers Middle School or Lowell Elementary School, but they were not available.

Commissioner Saltzgaver said the biggest concern has been the protection of the public from falling in and drowning. What would happen on the perimeter of the channel?

Mr. Lopez responded that they looked at those concerns and at the flow of water, how fast the water would be moving.

Ms. Kim Garvey responded that the velocity of an open channel would be significantly less than an underground culvert. It would take about 18 minutes for an item to travel the open channel. There would be shrubbery along the edge as a buffer and a potential for a fence.

Mr. Lopez stated that would be a feature they would look at more closely during the design development phase, whether it is necessary or not. Also, the slopes would be gentle and not sharp.

Commissioner Saltzgaver asked about the current culvert vs. option 1, would the new culvert be 20 feet wide?

Ms. Garvey responded that the new culvert would be 20 feet wide and the existing culvert at its widest is 14 feet.

Commissioner Saltzgaver asked how high the culvert would be?

Ms. Garvey responded that the new culvert would be 8 feet high. The existing culvert is also 8 feet high.

Commissioner Saltzgaver asked if we would be losing any trees?

Ms. Garvey responded yes. Part of the alignment that we proposed was to retain the Coral trees. For each alternative, we have in the report the number of trees that would have to be removed.

President Waterfield asked for comments from the public.

Mr. Ray Thorn introduced himself as with Friends of the Colorado Lagoon (FOCL), and that he would like to address cost to the park. Alternative 2 does take up a portion of the park, which some people have strongly contested because of the loss of playing fields. He said yesterday he measured the berm currently in the park. There are no sport fields on the berm, which is 96 to 100 feet wide. He said there would be no loss to playing field space. This open channel affords a broader range to the community and connects the community to marine life in a much greater way. Having destroyed 98 percent of the Long Beach wetlands, this is a unique opportunity to restore some of the salt marsh wetlands. Fundability is essential for this project. There are only two good sources of fundability for an additional underground culvert. One is the Federal Clean Water Act, which has a \$1 billion limit and 25

percent matching funds. That would not begin to cover the cost. The other funding source for that is the State Water Board, which has already contributed \$6.8 billion to the restoration of the Colorado Lagoon.

Mr. Thorn said the funding for Alternative 4A was proposed by resource agencies that contributed to the design of this. These are the same resource agencies that are eager to see this open channel and are one of the key funding sources for this option. The other key funding resource is the Port of Long Beach, which has loaned Long Beach \$1.3 billion on the condition that they have mitigation credits coming from the Colorado Lagoon. Alternative 4A has the most mitigation credits because it restores the greatest wetland area and becomes the most fundable option. FOCL strongly recommends that you consider Alternative 4A. It has the lowest maintenance, greatest mitigation, and highest probability of funding.

President Waterfield asked if the public could limit their comments to three minutes. He also asked if the community meeting could be held closer to the lagoon?

Ms. Gonzalez responded that she would look for a location.

Commissioner Satariano suggested using the Bruin's Den.

Mr. Dave Pirazzi introduced himself as with FOCL. He said a full EIR was prepared for the entire Colorado Lagoon restoration and in that, it was concluded that open tidal was best. We now have a second study that provides even more data that suggests that Alternative 4A does the best job of restoring tidal circulation. It also has the highest chances of getting funded and has the lowest maintenance costs. The City would be stuck with maintenance costs over time. A culvert has the highest maintenance costs. They are cleaning the culvert now and it is very smelly and may go over budget. With an open channel, we would also bring new and diverse recreational activities to this park that right now is mostly used for sports. The sports in the park are localized to certain times of the year, certain times of day, and certain days. The City has forfeited the lagoon as a recreational facility. If we don't fix the circulation and change the perception that it is a polluted place, we are taking away a resource.

Ms. Mary Parsell introduced herself as the Conservation Chair of Long Beach Audubon. She said Mr. Pirazzi made a lot of good points. A cost of maintenance is a big issue. I see that the park goes unused during certain times of the year and certain times of the day. I think this open channel is the way to go.

Mr. Bill Hobbs introduced himself as President of Alamitos Heights Improvement Association, which is adjacent to the Colorado Lagoon. We have a policy of not taking a group position on anything. I have spoken to many neighbors and I believe that Alternative 4A is the best solution. The safety was a concern, but he said he was happy with the result and answering of the questions about the safety.

Mr. Taylor Parker introduced himself as Education Director for the FOCL. He said he works with many students and spends many weekends in the summer there. He knows there are many who come out and swim, but they are from other cities. A beautiful meandering tidal creek would offer the community a valuable connection to wildlife. The students care about having a habitat.

President Waterfield asked if anyone had a recommendation for a different alternative to speak at this time.

Mr. Hobbs asked if this would be referred to a committee?

President Waterfield responded that the Parks and Recreation Commission would hold a community meeting and then bring back as an agenda item to the next Parks and Recreation Commission meeting in August and make a recommendation at that point.

Commissioner Saltzgaver asked for the time frame for the maintenance period.

Mr. Lopez responded that it is a 50-year maintenance period.

President Waterfield thanked everyone for their input and comments and looks forward to the public meeting for further discussion.

It was moved by Commissioner Saltzgaver and seconded by Vice President Sangmeister to conduct a public hearing on August 11, 2010, and then return to the August 19, 2010 regular meeting of the Parks and Recreation Commission for a recommendation to rank the alternatives for the Colorado Lagoon open channel. The motion carried unanimously.

IV. PUBLIC HEARING

- A. Recommendation to adopt a resolution and approve the proposed Fiscal Year 2011 (FY 11) General Park Fees Schedule and make such changes effective October 1, 2010.

President Waterfield opened the public hearing.

Ms. Black swore in those who were intending to speak on this item.

Mr. Squires it is time for the annual adjustment of fees for the Department. Traditionally we would take the prior year's fees and take the cost of inflation. The City also has a City cost that they provide to us, which was factored this year to 1.47 percent. We then looked at the programs and fees as it pertains to marketplace, the volume and capacity of our attendees, and we looked if there was any cost increase in providing services. The increases are pretty modest. Any item that appears in green is a new fee for the year. There are a few of those. There is no dramatic increase in fees this year.

President Waterfield asked if there were any questions.

Commissioner Saltzgaver asked for the Chair of the Finance and Appeals Committee to make comments.

Commissioner Satariano stated that these fee increases were vetted fully and the Committee unanimously approved these fees as is.

President Waterfield asked for public comments at this time.

Mr. Stafford Cox introduced himself as the Block Captain in the Lakewood Village Association. He stated that he is in favor of the fee schedule. He asked if there is a deposit that people would pay for use of the parks in addition to the fees?

Mr. Squires responded there is, depending on the use, a deposit for cleaning and security.

Mr. Cox asked if it was related to the size of the group?

Mr. Squires responded that most frequently it is. It depends on whether they are indoors, outdoors, or using a reservable site.

It was moved by Commissioner Saltzgaver and seconded by Commissioner Satariano to approve the recommendation. The motion carried unanimously.

President Waterfield closed public hearing.

V. **COMMITTEE STATUS REPORTS**

A. EXECUTIVE COMMITTEE President Waterfield, Chair

President Waterfield said the Committee met and discussed the agenda.

1) Committee Assignments

President Waterfield said that the roster of committee assignments was included in the packet. He said he would like to talk to the Commissioners about their requests and recommendations and put the committees together for the next meeting.

2) Discussion on Prohibiting Smoking in Small Parks

President Waterfield said included in the packet is an item that is moving forward from the City Council recommending that no smoking be allowed in the smaller parks.

Mr. Squires stated that the City Council, on July 6, 2010, had an item on their agenda requesting the Parks and Recreation Commission review a policy of prohibiting smoking in small parks. They did not define the size or definition of small parks. The conversation was, in essence, that in some of the small pocket parks that don't have playgrounds, the current rules for no smoking within 20 feet of a tot lot or playground technically does not exist. When you have children playing in a small grassy area, you have

smokers intermingling with them. They requested the Parks and Recreation Commission discuss and then come back with a recommendation some time in September, as to the feel and preference of the Commission, to whether there should be a policy to ban smoking in these small parks and with the definition of what a small park is. Staff has already discussed this item with the Health and Human Services Department and the City Attorney's Office and gathered information on this for you. It is our recommendation that you put this into one of your subcommittees for conversation and you might want to schedule a night meeting and get the public's input.

President Waterfield said that the City Council recommends this come back to them in 60 days.

Mr. Squires said that means it would go back to the City Council some time in September and would be on your August meeting agenda for a recommendation.

President Waterfield recommended that we hold a public meeting and put this together in the Executive Committee and put it as an agenda item at the next Commission meeting.

Commissioner Saltzgaver said he was not certain we need a public meeting. I think it is fairly clear what the current feeling of this community is, even though I might disagree with it. I am not real sure what we would get out of a public meeting. If I could be convinced that it makes some sense I'd agree with it. As it stands now, I know where our requirement lies. I am not particularly pleased with that requirement, frankly.

Mr. Squires said if you prefer not to have a night meeting, we can add additional advertising for the August meeting.

Commissioner Saltzgaver said he would prefer to have a staff recommendation to debate or discuss at the August meeting with public input. We are going to have a meeting as heavy as this one with the Colorado Lagoon also. I think I know where the City Council wants to go and I question just how strongly we can influence the direction. It has been our policy to support smoke-free areas and I see no reason why we would oppose this, other than general first amendment rights. Outside of that I don't see a purpose of a public meeting. I prefer a staff recommendation.

Commissioner Satariano said he doesn't disagree with Commissioner Saltzgaver. I am wondering if staff can help define a small park?

Mr. Squires responded that I believe we can do that. We have some statistics, under an acre and a half I think we have about 75 parks, under three quarters of an acre we have 41 parks. We will get the dimensions of what an acre, half acre, three quarters of an acre and get some photos and examples for you to look at. The Health Department is assisting in doing a survey of cities throughout California and we will be able to include in the report what other cities are doing in this area.

Commissioner Satariano said that he doesn't necessarily agree that this is a fate accompli, but if we could get that sort of recognition out of this exercise, I believe that the Commission has a responsibility to discuss this in the month of August. But I agree that we don't need another public meeting, but we do need to do some due diligence.

Commissioner Saltzgaver said that is what he thought the staff report was all about.

President Waterfield said what he is hearing is that we should have a staff report prepared for the August meeting. We can discuss this in the Executive Committee on how we should present this. President Waterfield asked if any members of the audience would like to speak on this item.

Ms. Claudette Powers introduced herself as one of the Co-Chairs for the Coalition for Smoke Free Long Beach. She said she was excited when this came up at the City Council meeting because at the end of last year we did a survey of the Coalition members to see what they would like for the next project to embark upon and they would like to push smoke free parks. It is a health issue for our children. We have prepared a position paper and a letter from the Belmont Shore Residents Association in support of smoke free parks. She distributed these to the Commissioners. She said it is her interpretation that small parks would be anything 5 acres or less. She thanked the Parks and Recreation Commission for all the work they do. In January of 2006, the California Air Resources Board identified second hand smoke as a toxic air contaminate which may cause or contribute to increased fatality or serious illnesses.

There is no way to measure the damage this does, especially to young children. She said she is a cancer survivor. Cigarettes are left on the ground for children to pick up. Please consider this as a very serious health issue and one that you would be proud of to save the life of young children.

Mr. Spencer Lyons introduced himself as working for the American Cancer Society and a member of the Coalition for Smoke Free Long Beach. We urge you to support this consideration to make the parks smoke-free. There are several surrounding cities that have their parks smoke-free.

Ms. Joan Waddell introduced herself as with the National Council on Alcoholism and Drug Dependence/South Bay and is the Tobacco Director and Technical Advisor to the Smoke Free Parks Coalition. She said she worked for five years for smoke free parks and beaches in the County of Los Angeles. We need to protect 87 percent of the citizens who do not smoke and to protect those who have breathing issues and children. The Parks and Recreation Commission in Torrance has recommended to their City Council that they do this. We did a survey there and 98.3 percent of the people surveyed said they would support a citywide park ban on smoking. Why not make all parks non-smoking, is my recommendation.

Mr. Stafford Cox introduced himself as with neighborhood watch. Before coming this morning he did a Google search and found that the University of Michigan is going smoke free in 2011. There are now 200 universities that are smoke free. He also found an article on smoke free laws. He said he didn't think anyone should have to go to a university to find a smoke free area. He said he shouldn't have to go looking for a small park to have a smoke free park.

Mr. Evan Braude introduced himself as a former City Councilmember. He said for 20 years he has been working on smoke free areas and he was the author of the smoke free law with restaurants. We got awards for Long Beach being a healthy city and have gotten away from that. I don't think it should only be in small parks. I think it should be in all parks. The vast majority of people are not smokers and they have the right to ask for that. Maybe a small park like dog parks could be for smokers. As a commission, you should come back to the City Council and expand it to all

parks. You have the beaches and tot lots, why not all parks? A lot of other cities have done this and we should too.

Commissioner Saltzgaver stated I don't want to leave this with the impression that I am in favor of smoking and I don't want to leave this with the impression that this commission has been dragging its feet on this issue. We were one of the first cities in the state to pass an ordinance banning smoking within 20 feet of playgrounds and playing fields. Our issue is more of a matter of enforcement than anything else. You say you have seen people smoking next to playgrounds right now. That's because we can't enforce it. We have signs out there saying they are not supposed to smoke there. The problem that I have is what you really want to do is ban smoking in Long Beach. Don't bite it in little steps and take it upon the Parks and Recreation Commission to do your bidding. I don't think we are going to have a problem getting this done. I do think there is a perception issue that somehow we are opposed to this. The case is we are the ones that have to enforce this. We are the ones that have to find the money to put the signs up. We are the ones that have to find the money for park rangers to enforce the smoking ban. We don't have that money. If you want to continue to make laws we can't enforce, I am all for it.

Commissioner Satariano said I am somewhat in agreement with what Harry said and I appreciate the people who spoke to this. I think the process is working well today and a lot of good input has been given to the Commission. I am astounded that only 15 percent smoke. I come back to the fact that we are talking about first amendment rights here. Although Harry said we don't want to be perceived that we are dragging our feet. We want to protect first amendment rights. I think about a veteran who lives across the street from the park and he does not want to do anyone harm, but he wants to go across the street to have a cigarette. It is not my cup of tea and probably not most of yours. He is a resident that relies on the Commission to make decisions on behalf of residents, right or wrong. I agree with Harry and know where this is going, ultimately. Maybe it is not time to talk about the size of parks but to talk about parks in general. I just wanted to say thanks for being involved in the process and for your support. Being a commissioner is not as easy as it looks. We are trying to do the right thing.

President Waterfield said this is a discussion item right now, but we will put it on the agenda for the August meeting to make our recommendation back to the City Council.

3) Discussion on Permits to Gather

Mr. Squires said that Ms. Kaiser and he are working together and Recreation is taking the first step to put together a draft policy for this. We have had meetings with the Police Department on this to discuss the process. We have some reports we are exchanging right that now we are trying to modify to make it easier for the Police Department, so they can identify where the large groups will be and where they are not going to be. As the patrols are out on Saturday and Sunday, they can look at their report and know if a big group is supposed to be in a park. The communication between departments is improving in this area and we are tasked with continuing this process. We will have a letter to the City Council in the next few weeks. This is really a policy decision, so we will bring it back to your committee for discussion. It is an operating policy.

President Waterfield stated that shouldn't this possibly go to the Park Safety Committee?

Mr. Squires responded that he was thinking that it would go to the Special Events and Recreation Committee.

Mr. Stafford Cox said that in Pan American Park on May 31, there was a shooting. What preceded that shooting was a nuisance call for music. The police officer responded to the call and asked them to turn down the music, which they did. The officer drove away and about an hour later the shooting occurred. I would like to recommend that the permits that are issued be linked to the Police Department's units so they are aware of large parties in general. There is an importance to having a deposit to reduce the cost of cleanup. There needs to be a suspension of those who are abusing the parks.

Mr. Squires said that the idea of having every group get a permit to gather would be quite difficult. We have a large number of users from outside the city. One of the things we are talking about now is the advertising and signage. The groups still arrive. With arrangements in place, the large groups would be contacted by the Police Department, who

would let the groups know what the rules are. We don't have the rangers and we can't catch all the large groups. A permit to gather is a regulatory issue, so we know where the groups are going to be. When there is a family gathering of 200 to 300 people, we need to make sure there are adequate trash cans and the restrooms cleaned. This group did not have a permit. The conversation we are having with the Police Department is about a report we have been giving them every week. We are going to give them an e-mail report with only the large permits to gather listed. The police contacted this group and the shooting still occurred. We are trying to give more information to the Police Department. Every call in a park is now a priority call for police.

B. FINANCE AND APPEALS COMMITTEE
Commissioner Satariano, Chair

Commissioner Satariano said that the P and L statement is in the packet.

Commissioner Saltzgaver said there is a City Council budget hearing next Tuesday on public safety and the Department is part of that agenda.

Mr. Squires said next Tuesday is a budget meeting for public safety departments.

C. PARK SAFETY COMMITTEE
Commissioner Saltzgaver, Chair

Commissioner Saltzgaver said that the Committee did not meet. The park ranger incident statistics are in the packet. He said that there was a huge amount of public contacts last year and was not sure what the issue was.

Ms. Kaiser responded that she would check on that.

D. MARKETING AND CUSTOMER SERVICE COMMITTEE
Commissioner Guerra, Chair

President Waterfield said that the Committee did not meet.

E. CAPITAL IMPROVEMENT AND INFRASTRUCTURE COMMITTEE
President Waterfield, Chair

President Waterfield said that the Committee met this morning. He said that there would be a groundbreaking at McBride Park on August 7, at 11:00 a.m. Homeland is coming along. There are a couple of issues with the Rancho and Seaside Park.

Ms. Gonzalez said there are a lot of issues with the turf at Seaside Park. We are waiting to accept this park until the turf is healthy. We are having issues with the Rancho Los Cerritos visitors center.

President Waterfield discussed the opening of 14th Street Skate Park and that Supervisor Knabe gave money for the basketball court.

F. SPECIAL EVENTS AND RECREATION COMMITTEE
President Brett Waterfield, Chair

President Waterfield stated that the Committee has not met.

Mr. Squires mentioned that the Office of Special Events and Filming would be transferred to the City Manager's office in 2011. Many of the events that they handle take place on our property.

VI. **DIRECTOR'S REPORT TO COMMISSION**

- A. Recommendation to receive and file the Director's Monthly Highlights Report for May 2010.

It was moved by Commissioner Saltzgaver and seconded by Vice President Sangmeister to approve the recommendation. The motion carried unanimously.

VII. **CORRESPONDENCE**

President Waterfield said no correspondence was received.

VIII. **UNFINISHED BUSINESS**

President Waterfield said that there was no unfinished business.

X. NEW BUSINESS

- A. Recommendation to approve the request by Visions in Time for a partial fee waiver of concession fees for exclusive use of Area III in the El Dorado East Regional Park for a Civil War Reenactment on Saturday, July 31, and Sunday, August 1, 2010, with the following stipulated: Visions in Time will provide to the City a complete accounting of the event expenses and revenues.

Mr. Squires said that the partial fee waiver is limited only to the sale of food and beverage concessions.

Commissioner Satariano said that since Mary Parsell is attending from Long Beach Audubon, is this to her satisfaction about noise and disturbing the birds?

Ms Parsell said there are a large amount of nesting birds and this date is the second choice to have this event. This group only uses a portion of Area III. They stay a certain distance from the lake. They are well run and follow our requests. There are the least problems at this time of year. We appreciate the help.

Commissioner Antonette asked if they previously sold food and beverages?

Mr. Marc Gutfeld responded that another vendor sold food and beverages last year.

Commissioner Antonette asked if they would be contacting schools, as last year they had about 375 students attend?

Mr. Gutfeld responded it is difficult this time of year because school is not in session. They are letting in Boy Scouts for free. They will be notifying the residents of the event. They will also let in LBUSD kids for free.

Ms. Kaiser said you would really enjoy this event.

It was moved by Vice President Sangmeister and seconded by Commissioner Saltzgaver to approve the recommendation. The motion carried unanimously.

X. COMMENTS

A. AUDIENCE

President Waterfield asked for comments from the audience.

Jennifer Morse introduced herself as a Naples resident and that she is here today to discuss a public safety issue, the medical marijuana zone does not include parks. My issue is that these kinds of places bring violence. These places are selling an illicit drug and cause a great cash flow. I am asking for your support to help pass an ordinance to include parks in the buffer zone.

Commissioner Saltzgaver said that the original ordinance included parks, but the City Council pulled it out per the City Attorney, for the severe limitation it would impose. I may be wrong about that, but this could be amended.

Jonathan Schnack introduced himself. Yes, it was discussed about including the parks, but was pulled possibly because they didn't have the support of enough Council members. The violence is not something we have seen in this community and they are moving to the heart of the community. In other cities they are protecting preschools and parks and these are not in the ordinance. We are encouraging you to talk to Councilmembers.

Mr. Stafford Cox said he agreed with both of these folks. The City is getting money from these people. Those who need medicinal marijuana should use it in their home.

B. STAFF

President Waterfield asked for comments from staff.

Ms. Kaiser said we are finishing our fifth week of summer. Popular moves and day camps are all very well attended. We hosted our dance fest at the community center. There were about 750 people attending. On August 14, we are holding our second annual class expo. On Saturday, we will be hosing a grand opening of Promenade Park, located at 133 Promenade, between Broadway and Long Beach Boulevard, at 10:00 a.m. We will then be setting up a movie in the park there.

President Waterfield asked if we have one set-up for movies?

Ms. Kaiser responded that we have a smaller backup screen. We get requests to rent out this equipment and we are working on that.

Ms. Gonzalez stated said she would check what night would be available to have the Colorado Lagoon meeting at the Bruin Den.

Mr. Squires said that this morning ABC Channel 7 news had the top family friendly parks and said that the Rainbow Lagoon made number seven today.

Mr. Mark Sandoval said Rainbow Lagoon is a great place to go. There is a lot happening in the downtown area. AVP is setting up this weekend and three quarters of the event is free.

C. COMMISSIONERS

President Waterfield asked for comments from the Commissioners.

Commissioner Satariano said that both the Baseball and Softball Selection Committees concluded for the Hall of Fame. This will be our seventh year and will be at the August Commission meeting. September 18th will be the ceremony.

Commissioner Saltzgaver said that he met with Ron and wanted to welcome him and also congratulated Sarah for being reappointed. Sea Festival and the Department are having a great summer. AVP is here next week, thanks to Dave. That is pretty impressive.

Vice President Sangmeister welcomed Ron. The Mothers Beach playground is opened and is being used heavily.

President Waterfield officially welcomed Ron and said he met with him earlier.

Commissioner Antonette said he is excited and grateful for the opportunity. I have been in Long Beach for 11 years. We have two children who are active and I am active in co-ed softball. I am excited about the City and where it is headed. I am looking forward to working with everyone here.

President Waterfield said two of his co-workers are excited about 100 days of summer and have planned out their whole summer according to the calendar.

XI. NEXT MEETING

President Waterfield stated that the next meeting would be held at 9:00 a.m., on Thursday, August 19, 2010, at the El Dorado Park West Community Center, in the Senior Center Library, 2800 N. Studebaker Road, Long Beach, California.

XIII. ADJOURNMENT

President Waterfield adjourned the meeting at 11:08 a.m.

Respectfully submitted,



Robin Black
Executive Assistant to the Director

c: Phil T. Hester, Director of Parks, Recreation and Marine

Melani Smith, Chair
Charles Durnin, Vice-Chair



Becky Blair, Commissioner
Alan Fox, Commissioner
Leslie Gentile, Commissioner
Phil Saumur, Commissioner
Donita Van Horik, Commissioner

FINISHED AGENDA AND MINUTES

CALL TO ORDER (5:10 PM)

see media

At 5:10 p.m., Chair Smith called the meeting to order.

ROLL CALL (5:10 PM)

see media

Boardmembers Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie

Present: Fernald Gentile, Melani Smith and Becky Blair

Boardmembers Donita Van Horik

Absent:

Also present: Reginald Harrison, Interim Director of Development Services; Jill Griffiths, Advance Planning Officer; Michael Mais, Assistant City Attorney; Jeff Winklepleck, Senior Planner; Ira Brown, Project Planner; Scott Kinsey, Project Planner; Heidi Eidson, Bureau Secretary.

FLAG SALUTE (5:10 PM)

see media

Commissioner Saumur led the flag salute.

MINUTES (5:11 PM)

see media

see media

10-031PL

Recommendation to receive and file the Planning Commission minutes of May 20, 2010.

A motion was made by Commissioner Saumur, seconded by Commissioner Gentile, to approve the recommendation. The motion carried by the following vote:

Yes: 6 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith and Becky Blair

Absent: 1 - Donita Van Horik

DIRECTOR'S REPORT (5:12 PM)

see media

Reginald Harrison, Interim Director of Development Services, provided the Director's Report.

PUBLIC PARTICIPATION (5:14 PM)

see media

There was no public comment given at this time.

SWEARING OF WITNESSES (5:14 PM)

see media

Do you solemnly swear or affirm that the evidence you shall give in this Planning Commission Meeting shall be the truth, the whole truth, and nothing but the truth.

REGULAR AGENDA (5:15 PM)

see media

see media

1. 10-029PL Recommendation to approve finding of conformity with the adopted General Plan for a public right-of-way vacation between Janice Drive and Harding Street. (District 9) (Application No. 60311-1)

Ira Brown, Project Planner, presented the staff report.

Ira Brown responded to queries from Chair Smith.

Reginald Harrison, Interim Director of Development Services, introduced Mike Conway, Director of Public Works, who provided further information regarding the vacation.

Mike Conway responded to queries from Commissioner Blair.

Reginald Harrison spoke.

Commissioner Blair spoke.

Bob Ladd provided public comment.

Chair Smith spoke.

Commissioner Saumur spoke.

A motion was made by Commissioner Saumur, seconded by Commissioner Blair, to approve the recommendation. The motion carried by the following vote:

Yes: 6 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith and Becky Blair

Absent: 1 - Donita Van Horik

see media

2. 10-030PL

Recommendation to approve a Conditional Use Permit for sales of beer and wine for off-site consumption (Type 20 license) in a new Circle K retail store, to be built in an existing retail space at 3525-3543 E. Anaheim Street in the CCP zoning district. (District 4) (Application No. 1002-30)

Scott Kinsey, Project Planner, presented the staff report.

John Perica, applicant's representative, spoke.

John Perica responded to a query from Commissioner Gentile.

John Perica responded to queries from Commissioner Fox.

Scott Kinsey spoke.

A dialogue ensued between Yoram Cohen, applicant, and Commissioner Durnin.

Scott Kinsey responded to a query from Chair Smith.

A dialogue ensued between Reginald Harrison, Interim Director of Development Services, Chair Smith, and Scott Kinsey.

John Perica spoke.

John Perica responded to a query from Commissioner Saumur.

Yoram Cohen responded to queries from Commissioner Saumur.

Commissioner Blair spoke.

Chair Smith spoke.

Jeff Winklepleck, Senior Planner, responded to a query from Chair Smith.

Chair Smith spoke.

A dialogue ensued between Chair Smith and Reginald Harrison.

Scott Kinsey responded to a query from Commissioner Fox.

Jeff Winklepleck responded to a query from Commissioner Fox.

Commissioner Saumur spoke.

Chair Smith spoke.

John Perica responded to a comment from Chair Smith.

A dialogue ensued between Jeff Winklepleck, Commissioner Gentile and John Perica.

John Perica responded to a query from Commissioner Fox.

A dialogue ensued between Assistant City Attorney Michael Mais, Jeff Winklepleck and Commissioner Durnin.

A motion was made by Commissioner Gentile, seconded by Commissioner Durnin, to approve the recommendation with an amendment to include additional conditions as discussed, the limitation of alcohol sales to 20 percent of gross sales and the installation of lighting and cameras on the Loma side of the parking lot. The motion carried by the following vote:

Yes: 6 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith and Becky Blair

Absent: 1 - Donita Van Horik

COMMENTS FROM THE PLANNING COMMISSION (6:24 PM)

see media

There were no comments from the Commission.

ADJOURNMENT (6:24 PM)

see media

At 6:24 p.m., Chair Smith adjourned the meeting.

NEXT REGULAR MEETING: June 17, 2010 - 5:00 PM

hge

Melani Smith, Chair
Charles Durnin, Vice-Chair



Becky Blair, Commissioner
Alan Fox, Commissioner
Leslie Gentile, Commissioner
Phil Saumur, Commissioner
Donita Van Horik, Commissioner

FINAL AGENDA AND MINUTES

CALL TO ORDER (5:16 PM)

[see media](#)

At 5:16 p.m., Chair Smith called the meeting to order.

ROLL CALL (5:17 PM)

[see media](#)

Boardmembers Alan L. Fox, Charles Durnin, Melani Smith, Donita Van Horik and
Present: Becky Blair

Boardmembers Phillip Joseph Saumur and Leslie Fernald Gentile
Absent:

Also present: Derek Burnham, Current Planning Officer; Michael Mais, Assistant City Attorney; Meredith Elguira, Project Planner; Steven Valdez, Project Planner; Scott Kinsey, Project Planner; Heidi Eidson, Bureau Secretary.

FLAG SALUTE (5:17 PM)

[see media](#)

Commissioner Van Horik led the flag salute.

DIRECTOR'S REPORT (5:17 PM)

[see media](#)

Derek Burnham, Current Planning Officer, provided the Director's Report.

Derek Burnham responded to a query from Commissioner Van Horik.

PUBLIC PARTICIPATION (5:18 PM)

[see media](#)

There was no public comment given at this time.

SWEARING OF WITNESSES (5:18 PM)

see media

Do you solemnly swear or affirm that the evidence you shall give in this Planning Commission Meeting shall be the truth, the whole truth, and nothing but the truth.

REGULAR AGENDA (5:19 PM)

see media

see media

1. 10-035PL Recommendation to receive and file the report from The Boeing Company and concur with staff's recommendation that they complied with the terms and conditions required under the Douglas Park Development Agreement, and fulfilled the requirements for the reporting period of January 2009 through December 2009. (District 5) (Application No. 1002-18)

Derek Burnham, Current Planning Officer, introduced Meredith Elguira, Project Planner, who presented the staff report.

Gene Warden, applicant, spoke.

Gene Warden responded to queries from Commissioner Blair.

Chair Smith spoke.

Michael Mais, Assistant City Attorney, responded to a query from Commissioner Fox.

Commissioner Van Horik spoke.

Gabriel Marillo, consultant, responded to a query from Chair Smith.

Dave Roseman, City Traffic Engineer, spoke.

Dave Roseman responded to a query from Chair Smith.

Dave Roseman responded to a query from Commissioner Fox.

Dave Roseman responded to queries from Commissioner Van Horik.

A motion was made by Commissioner Van Horik, seconded by Commissioner Durnin, to approve the recommendation. The motion carried by the following vote:

Yes: 5 - Alan L. Fox, Charles Durnin, Melani Smith, Donita Van Horik and Becky Blair

Absent: 2 - Phillip Joseph Saumur and Leslie Fernald Gentile

see media

2. 10-032PL

Recommendation to approve a Conditional Use Permit to construct a courtesy parking lot with eleven parking spaces and a trash enclosure located at 4110 Fountain Street in the R-3-4 zoning district. (District 4) (Application No. 1004-03)

Derek Burnham, Current Planning Officer, introduced Steven Valdez, Project Planner, who presented the staff report.

Steven Valdez responded to queries from Commissioner Blair.

Patricia Blongren provided public comment.

Patricia Blongren responded to a query from Commissioner Blair.

Thomas Reichert, representing the applicant, spoke.

Thomas Reichert responded to queries from Chair Smith.

Commissioner Blair spoke.

Chair Smith spoke.

A motion was made by Commissioner Blair, seconded by Commissioner Durnin, to approve the recommendation. The motion carried by the following vote:

Yes: 5 - Alan L. Fox, Charles Durnin, Melani Smith, Donita Van Horik and Becky Blair

Absent: 2 - Phillip Joseph Saumur and Leslie Fernald Gentile

see media

3. 10-033PL

Recommendation to approve a Conditional Use Permit to upgrade a legal nonconforming alcohol license from a Type 42 (beer and wine) to a Type 48 (beer, wine, and distilled spirits) at an existing tavern located at 2020 E. Artesia Boulevard. (District 9) (Application No. 1004-24)

Derek Burnham, Current Planning Officer, introduced Steven Valdez, Project Planner, who presented the staff report.

Robert Stace, owner, spoke.

Robert Stace responded to queries from Commissioner Blair.

Derek Burnham responded to comments made by Robert Stace.

Michael Mais, Assistant City Attorney, and Derek Burnham responded to a query from Commissioner Van Horik.

Derek Burnham responded to a query from Commissioner Van Horik.

Derek Burnham responded to a query from Chair Smith spoke.

Steve Kutcher provided public comment.

Laurel Kutcher provided public comment.

Gary Bowing provided public comment.

Derek Burnham responded to a query from Commissioner Fox.

Robert Stace responded to queries from Commissioner Van Horik.

A dialogue ensued between Derek Burnham and Commissioner Blair.

A motion was made by Commissioner Van Horik, seconded by Commissioner Blair, to approve the recommendation with an amendment to include a condition that the applicant shall provide a minimum of 20 off-site parking spaces via a lease agreement and that the applicant shall notify the Department of Development Services 30 days prior to the expiration of the lease agreement and will provide additional parking, as needed, to meet the requirement. Change the Findings to strike language waiving the parking requirement and clarify that the requirement is for 20 parking spaces.

Yes: 5 - Alan L. Fox, Charles Durnin, Melani Smith, Donita Van Horik and Becky Blair

Absent: 2 - Phillip Joseph Saumur and Leslie Fernald Gentile

see media

4. 10-034PL

Recommendation to approve Site Plan Review for construction of a 23,300-square-foot addition to the Aquarium of the Pacific, approve a Conditional Use Permit for an electronic message center sign consisting of 11,520 square feet of digital illuminated display tiles to be used as an architectural feature on the facade of the new addition; recommend that City Council approve an amendment to the Downtown Shoreline Planned Development District (PD-6) to eliminate the size restriction on an aquarium; recommend that City Council approve an amendment to the

Local Coastal Program incorporating the requested changes to PD-6; and certify Negative Declaration 01-10, for the proposed project at 100 Aquarium Way. (District 2) (Application No. 0910-06)

Derek Burnham, Current Planning Officer, introduced the item.

Scott Kinsey, Project Planner, provided the staff report and information regarding the entitlements.

Jerry Schubel, President and CEO of the Aquarium of the Pacific, discussed the proposed expansion.

Scott Schell, Project Architect, provided further information regarding the expansion.

Commissioner Durnin spoke.

Jerry Schubel responded to comments from Commissioner Durnin.

A dialogue ensued between Chair Smith, Jerry Schubel, Scott Schell and Derek Burnham.

A dialogue ensued between Commissioner Fox, Jerry Schubel and Derek Burnham.

Chair Smith spoke.

Commissioner Blair spoke.

Commissioner Van Horik spoke.

A dialogue ensued between Commissioner Van Horik, Scott Schell and Jerry Schubel.

Scott Schell responded to a query from Chair Smith.

Jerry Schubel responded to a query from Chair Smith.

Commissioner Blair spoke.

Derek Burnham responded to a query from Chair Smith.

Commissioner Durnin spoke.

Derek Burnham responded to a query from Chair Smith.

Jack Smith provided public comment.

A dialogue ensued between Jack Smith, Commissioner Van Horik and Chair Smith.

Steve Kutcher provided public comment.

Laurie Angel, Chair of North PAC, provided public comment.

Joe Gannon provided public comment.

Michael Mais, Assistant City Attorney, and Derek Burnham responded to a query from Commissioner Van Horik.

Laurie Angel responded to a query from Commissioner Van Horik.

Michael Mais responded to a query from Commissioner Blair.

A dialogue ensued between Chair Smith, Michael Mais and Derek Burnham.

A dialogue ensued between the Commission, the applicant and staff.

Commissioner Van Horik spoke.

Chair Smith spoke.

A motion was made by Commissioner Van Horik, seconded by Commissioner Fox, to approve the recommendation with an amendment to strike Condition #6 and replace it with a new Condition #6 stating that the main purpose of the sign is architectural and artistic in nature and that only graphic images directly related to the Aquarium of the Pacific, including its logo, shall be permitted or displayed at anytime; strike all of Condition #7 except 7a, relating to hours of operation; and state that the technology used will be colorized LCD, or similar technology, to the satisfaction of the Director of Development Services. The motion carried by the following vote:

Yes: 5 - Alan L. Fox, Charles Durnin, Melani Smith, Donita Van Horik and Becky Blair

Absent: 2 - Phillip Joseph Saumur and Leslie Fernald Gentile

STUDY SESSION - Wireless Telecommunication Ordinance Amendment (8:27 PM)
see media

Derek Burnham, Current Planning Officer, introduced the study session item.

Scott Kinsey, Project Planner, presented the study session item regarding the Wireless Telecommunication Ordinance Amendment.

Derek Burnham responded to a query from Chair Smith.

A dialogue ensued between Commissioner Blair and Derek Burnham.

Michael Mais, Assistant City Attorney, responded to a query from Commissioner Durnin.

Derek Burnham responded to queries from Commissioner Van Horik.

Michael Mais responded to a query from Commissioner Van Horik.

Derek Burnham spoke.

Chair Smith spoke.

Derek Burnham responded to queries from Chair Smith.

Chair Smith spoke.

Derek Burnham and Michael Mais responded to queries from Commissioner Blair.

Commissioner Durnin spoke.

COMMENTS FROM THE PLANNING COMMISSION (8:52 PM)

see media

There were no comments from the Planning Commission.

ADJOURNMENT (8:52 PM)

see media

At 8:52 p.m., Chair Smith adjourned the meeting.

NEXT REGULAR MEETING: July 15, 2010 - 5:00 PM

hge

Melani Smith, Chair
Charles Durnin, Vice-Chair



Becky Blair, Commissioner
Alan Fox, Commissioner
Leslie Gentile, Commissioner
Phil Saumur, Commissioner
Donita Van Horik, Commissioner

FINAL AGENDA AND MINUTES

CALL TO ORDER (5:08 PM)

[see media](#)

At 5:08 p.m., Chair Smith called the meeting to order.

ROLL CALL (5:08 PM)

[see media](#)

Boardmembers Phillip Joseph Saumur, Charles Durnin, Leslie Fernald Gentile,
Present: Melani Smith, Donita Van Horik and Becky Blair

Boardmembers Alan L. Fox

Absent:

Also present: Derek Burnham, Current Planning Officer; Jill Griffiths, Advance Planning Officer; Michael Mais, Assistant City Attorney; Jeff Winklepleck, Project Planner; Monica Der Gevorgian, Project Planner; Heidi Eidson, Planning Bureau Secretary.

FLAG SALUTE (5:08 PM)

[see media](#)

Commissioner Van Horik led the flag salute.

MINUTES (5:09 PM)

[see media](#)

[see media](#)

[10-042PL](#)

Recommendation to receive and file the Planning Commission minutes of July 15, 2010.

A motion was made by Commissioner Gentile, seconded by Commissioner Saumur, to approve the recommendation. The motion carried by the following vote:

Yes: 5 - Phillip Joseph Saumur, Charles Durnin, Leslie Fernald
Gentile, Melani Smith and Becky Blair

Abstain: 1 - Donita Van Horik

Absent: 1 - Alan L. Fox

DIRECTOR'S REPORT (5:10 PM)

see media

Derek Burnham, Current Planning Officer, provided the Director's report.

Chair Smith spoke.

PUBLIC PARTICIPATION (5:11 PM)

see media

There was no public comment given at this time.

SWEARING OF WITNESSES (5:11 PM)

see media

Do you solemnly swear or affirm that the evidence you shall give in this Planning
Commission Meeting shall be the truth, the whole truth, and nothing but the truth.

CONSENT CALENDAR (5:12 PM)

see media

see media

1. 10-043PL Recommendation to adopt revised Classification of Use findings for 3400
Locust Avenue (off-site Cabe Toyota sign).(District 8) (Application No.
0901-06)

**A motion was made by Commissioner Van Horik, seconded by
Commissioner Saumur, to approve the recommendation. The
motion carried by the following vote:**

Yes: 6 - Phillip Joseph Saumur, Charles Durnin, Leslie Fernald
Gentile, Melani Smith, Donita Van Horik and Becky Blair

Absent: 1 - Alan L. Fox

CONTINUED ITEMS (5:15 PM)

see media

see media

2. 10-038PL Recommendation to approve a Conditional Use Permit to allow the sale of beer and wine for off-site consumption (Type 20 License) at a 7-Eleven convenience store located at 2001 E. South Street within the Commercial Regional Highway zone. (District 9) (Application No. 1001-07)

Derek Burnham, Current Planning Officer, introduced Monica Der Gevorgian, Project Planner, who presented the staff report.

Derek Burnham responded to a query from Commissioner Blair.

Derek Burnham responded to a query from Commissioner Saumur.

Arlene Huang, representing the applicant, spoke.

Arlene Huang responded to a query from Commissioner Saumur.

A dialogue ensued between Commissioner Saumur and Hersel Mikhail, property owner.

Arlene Huang responded to a query from Commissioner Van Horik.

Arlene Huang responded to a query from Commissioner Blair.

Tila To provided public comment.

Tila To responded to a query from Commissioner Blair.

Hoo Tang provided public comment.

Chair Smith swore in a late arriving member of the public who wished to provide testimony.

Jacqueline Owens provided public comment.

Jennifer Choi provided public comment.

Sherrie Olson, representing the applicant, spoke.

Sherrie Olson responded to a query from Commissioner Gentile.

Derek Burnham responded to a query from Commissioner Van Horik.

Christina Reeder, representing the applicant, spoke.

Commissioner Saumur spoke.

Michael Mais, Assistant City Attorney, and Derek Burnham responded to a query from Commissioner Saumur.

Commissioner Durnin spoke.

Commissioner Van Horik spoke.

Commissioner Blair spoke.

Chair Smith spoke.

A motion was made by Commissioner Blair, seconded by Commissioner Van Horik, to approve the recommendation. The motion carried by the following vote:

Yes: 5 - Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

No: 1 - Phillip Joseph Saumur

Absent: 1 - Alan L. Fox

REGULAR AGENDA (6:05 PM)

see media

see media

3. 10-041PL

Recommendation to certify a Negative Declaration of Environmental Impact; recommend approval of a General Plan Amendment from Single Family (LUD#1) to Open Space and Park District (LUD#11) and a Zone Change from Institutional (I) to Park (P) and approve a Site Plan Review to allow construction of a 3.3-acre neighborhood park at 4951 Oregon Avenue. (District 8) (Application No. 1002-28)

Chair Smith and Commissioner Gentile recused themselves from the item.

Derek Burnham, Current Planning Officer, introduced Jeff Winklepleck, Project Planner, who presented the staff report.

Jeff Winklepleck responded to a query from Commissioner Blair.

Commissioner Van Horik spoke.

Jeff Winklepleck responded to queries from Vice Chair Durnin.

A dialogue ensued between Vice Chair Durnin, George Gentner, representing the applicant, and Jeff Winklepleck.

Commissioner Van Horik spoke.

George Gentner responded to comments from Commissioner Van Horik.

Commissioner Saumur spoke.

Commissioner Blair spoke.

Commissioner Saumur responded to comments from Commissioner Blair.

A motion was made by Commissioner Saumur, seconded by Commissioner Blair, to approve the recommendation. The motion carried by the following vote:

Yes: 4 - Phillip Joseph Saumur, Charles Durnin, Donita Van Horik and Becky Blair

Abstain: 2 - Leslie Fernald Gentile and Melani Smith

Absent: 1 - Alan L. Fox

COMMENTS FROM THE PLANNING COMMISSION (6:28 PM)

see media

Derek Burnham, Current Planning Officer, responded to a query from Commissioner Van Horik.

Derek Burnham spoke.

ADJOURNMENT (6:30 PM)

see media

At 6:30 p.m., Vice Chair Durnin adjourned the meeting.

NEXT REGULAR MEETING: August 19, 2010 - 5:00 p.m.

hge