

MINUTES OF A REGULAR MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON MONDAY, SEPTEMBER 20, 2004, AT 1 P.M.

Present: Commissioners: Hancock, Cordero, Topsy-Elvord, Calhoun
Absent: " Hankla*
(*On Port Business)

Also present:

R. D. Steinke	Executive Director
G. Knatz	Managing Director
S. B. Rubin	Managing Director
G. T. Hein	Executive Secretary
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
A. W. Wong	Communications Specialist
M. J. Slavin	Director of Finance
C. L. Thomsen	Office Automation Analyst
W. D. Bower	Acting Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
W. C. Ellis	Interim Director of Security
J. A. Morgan	Manager of Maritime Services
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Cordero and unanimously carried, the minutes of the regular meeting of September 13, 2004, were declared read and approved as read.

CONSENT CALENDAR – ITEMS NOS. 1-11.

Items Nos. 1 and 7 were removed from Consent Calendar for discussion.

2. TRAYLOR PACIFIC - PARTIAL ACCEPTANCE OF WORK UNDER SPECIFICATION NO. HD-S2153.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 15, 2004, advising that Traylor Pacific has satisfactorily partially completed, as of July 30, 2004, the Wharf Upgrade and Conveyor improvements at Berths G212-G215, as described in Specification No. HD-S2153 and recommending

that said work be accepted as partially complete as of that date, was presented to the Board. The recommendation was approved by the Acting Executive Director.

3. SPECIFICATION NO. HD-S2254 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – PIER E, BERTHS D28-E27, TERMINAL REDEVELOPMENT NEW GATE.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 15, 2004, submitting Specification No. HD-S2254 for Pier E, Berths D28-E27, Terminal Redevelopment New Gate and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Acting Executive Director.

4. MCKAY INTERNATIONAL ENGINEERS, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR AQMD RULE 1158 COMPLIANCE UPGRADE – DOCUMENT NO. HD-6596A.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 16, 2004, requesting approval of an amendment to Contract with McKay International Engineers, Inc., for AQMD Rule 1158 Compliance Upgrade at Pier G, Berths G212-G215, extending the contract term to March 30, 2007, was presented to the Board. The request was approved by the Acting Executive Director.

5. LEVEL I HARBOR DEVELOPMENT PERMITS – RECEIVED AND FILED.

Communication from Robert Kanter, Director of Planning, dated September 15, 2004, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #04-089	Foss Maritime – Electrical Power Source
HDP #04-096	Port of Long Beach – Middle Harbor Geotechnical Investigation
HDP #04-102	Port of Long Beach – Berth F200 Slope Repair
HDP #04-103	Long Beach Container Terminal – Fuel Tank Removal and Installation
HDP #04-106	Port of Long Beach – Emergency Pipeline Relocation and Debris Removal

was presented to the Board. The request was approved by the Acting Executive Director.

6. PORT OF LONG BEACH – ISSUANCE OF LEVEL III HARBOR DEVELOPMENT PERMIT HDP #04-059 FOR MODIFICATION OF EXISTING FACILITIES – APPROVED.

Communication from Robert Kanter, Director of Planning, dated September 13, 2004, requesting approval of issuance of Harbor Development Permit HDP #04-059 to Port of Long Beach for modification of existing facilities at the California United Terminal located at 1200 Pier E Street, was presented to the Board. The recommendation was approved by the Executive Director.

8. TIDELANDS OIL PRODUCTION COMPANY – PURCHASE ORDER FOR OIL FIELD OPERATIONS – APPROVED.

Communication from Robert Kanter, Director of Planning, dated September 15, 2004, requesting approval of a Purchase Order with Tidelands Oil Production Company for oil field operations for the period of October 1, 2004, to March 31, 2005, in the amount of \$12.302 million, was presented to the Board. The request was approved by the Acting Executive Director.

9. CALSTART - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR LNG YARD HOSTLER DEMONSTRATION PROJECT - DOCUMENT NO. HD-6855 AND EWO NO. 5065 - APPROVED

Communication from Robert Kanter, Director of Planning, dated September 14, 2004, recommending authorization of a Contract with CalStart to conduct a liquefied natural gas yard hostler demonstration project at the Long Beach Container Terminal, in coordination with Sound Energy Solutions, in the amount of \$335,000, and EWO No. 5065, in the amount of \$655,000, was presented to the Board. The recommendation was approved by the Executive Director.

10. HARBOR REVENUE FUND – APPROVAL OF FUND TRANSFER JOURNALS AND AUTHORIZATION OF TRANSFER OF FUNDS.

Communication from Michael J. Slavin, Director of Finance, dated September 15, 2004, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
\$96,494.00	Information Services Bureau – data processing operations and maintenance for August and estimated September 2004
499.61	Information Services Bureau – wireless communication for August 2004

848.13	Public Works Department – maintenance of streetlights for September 2004
13,589.50	Public Works Department – maintenance of traffic signals for 4 th quarter of FY 2004
1,712,694.25	Tidelands Fund – first installment of the operating transfer of 10% of FY 2003 Harbor net income. Due 10/1/04
128.00	Fingerprinting for July 2004
22.00	Technology Services – phone charges for August 2004
19,198.27	Utility user's tax billed for August 2004

was presented to the Board. The Fund Transfer Journals were approved by the Acting Executive Director.

11. TRAVEL STORE - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR PORT TRAVEL SERVICE ARRANGEMENTS - DOCUMENT NO. HD-6856.

Communication from Gustav T. Hein, Executive Secretary, dated September 15, 2004, recommending authorization of a Contract with Travel Store for Port travel service arrangements for the period of October 1, 2004, through September 30, 2005, was presented to the Board. The recommendation was approved by the Acting Executive Director.

12. M. ARTHUR GENSLER, JR., AND ASSOCIATES - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR DESIGN SERVICES FOR A REPLACEMENT PORT ADMINISTRATION BUILDING AND MAINTENANCE FACILITY - CITY ATTORNEY REQUESTED TO PREPARE CONTRACT - DOCUMENT NO. HD-6857 - CWO NO 1234, SUPPLEMENT NO. 3 - APPROVED.

Communication from Geraldine Knatz, Managing Director, dated September 14, 2004, recommending authorization of a Contract with M. Arthur Gensler, Jr., and Associates for design services for a replacement Port administration building and Maintenance facility, in the amount of \$736,227, and approval of CWO No. 1234, Supplement No. 3, in the amount of \$860,000, was presented to the Board. The recommendation was approved by the Executive Director.

Commissioner Cordero moved, seconded by Commissioner Topsy-Elvord that the communications be received and filed and that Items Nos. 2-6 and 9-12 be approved as recommended. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	Hankla

1. REJECTION OF BIDS FOR OCEAN BOULEVARD/TERMINAL ISLAND FREEWAY INTERCHANGE UNDER SPECIFICATION NO. HD-S2103 - AUTHORITY TO RE-ADVERTISE THE PROJECT.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 15, 2004, recommending the rejection of bids for the Ocean Boulevard/ Terminal Island freeway interchange project under Specification No. HD-S2103, authorization to re-advertise the project, and return all bidders deposits, was presented to the Board. The request was approved by the Acting Executive Director.

In response to a question by Commissioner Hancock, Mr. Thiessen stated the project would be re-advertised and the anticipated bid opening date would be late October, early November.

Additionally, Mr. Thiessen stated the City Attorney's office had received a letter from one of the bidders, Sema Construction Company, who was the second low bidder which had numerous errors in the bid proposal. They have taken exception to the determination that they have been potentially barred from bidding. They have requested all related documents pertaining to this decision.

Commissioner Hancock moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed, that all bids for Specification No. HD-S2103 be rejected and that the Executive Director be authorized to re-advertise the project. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	Hankla

7. DEPARTMENT OF OIL PROPERTIES – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE MEMORANDUM OF UNDERSTANDING FOR GUIDELINES FOR FUTURE OIL OPERATIONS IN THE HARBOR DISTRICT – DOCUMENT NO. HD-6858.

Communication from Robert Kanter, Director of Planning, dated September 15, 2004, recommending authorization of a Memorandum of Understanding with Department of Oil Properties for guidelines for future oil operations in the Harbor

District, was presented to the Board. The recommendation was approved by the Acting Executive Director.

In response to a question by President Calhoun, Ms. McDermott stated they had negotiated a time period of 10 years, which is what they felt the Board could set aside for this property.

Mr. Henderson from Department of Oil Properties stated they concurred with this time period.

In response to a question by President Calhoun, Mr. Henderson stated the net present value analysis is how the wells would be bought out, if necessary.

Commissioner Hancock moved, seconded by Commissioner Cordero that the communication be received and filed and that the Executive Director be authorized to execute said Memorandum of Understanding. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	Hankla

REGULAR AGENDA.

13. SOUTHEAST RESOURCE RECOVERY FACILITY – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE TEMPORARY RIGHT OF ENTRY AGREEMENT FOR A TEMPORARY DETOUR ROAD - DOCUMENT NO. HD-6859 - RESOLUTION NO. HD-2215 - ADOPTED.

Communication from Kathryn McDermott, Director of Properties, dated September 14, 2004, recommending authorization of a temporary Right of Entry Agreement with Southeast Resource Recovery Facility for a temporary detour road in connection with the Ocean Boulevard/Terminal Island freeway interchange, was presented to the Board together with the authorizing resolution therefore. The request was approved by the Acting Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the communication be received and filed and that the resolution entitled, "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A RIGHT OF ENTRY AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND SOUTHEAST RESOURCE RECOVERY FACILITY ("SERRF") FOR TEMPORARY CONSTRUCTION

AND A ROAD DETOUR ON PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read and adopted as read. Carried by the following vote:

AYES:	Comms:	Hancock,Cordero,Topsy-Elvord,Calhoun
NOES:	"	None
ABSENT:	"	Hankla

14. CALIFORNIA DEPARTMENT OF TRANSPORTATION – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE PROGRAM SUPPLEMENT NO. M022, REVISION 1, TO THE ADMINISTRATING AGENCY-STATE AGREEMENT NO. 07-5108 FOR THE OCEAN BOULEVARD/ TERMINAL ISLAND FREEWAY INTERCHANGE PROJECT – DOCUMENT NO. HD-6860 - RESOLUTION NO. HD-2216 - ADOPTED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 15, 2004, recommending approval of a Program Supplement-revision to the Administrating Agency-State Agreement with California Department of Transportation for the Ocean Boulevard/Terminal Island freeway interchange, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Acting Executive Director.

In response to a question by President Calhoun, Mr. Thiessen stated that we should meet the statue for reimbursement since the contract will be awarded by the end of the year and the project has a 26-month construction duration.

Commissioner Topsy-Elvord moved, seconded by Commissioner Hancock that the communication be received and filed and that the resolution entitled, "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE PROGRAM SUPPLEMENT NO. M022, REVISION 1, TO AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 07-5108," be declared read and adopted as read. Carried by the following vote:

AYES:	Comms:	Hancock,Cordero,Topsy-Elvord,Calhoun
NOES:	"	None
ABSENT:	"	Hankla

15. RESOLUTION CANCELLING THE REGULAR MEETING OF OCTOBER 4, 2004 – RESOLUTION NO. HD-2217 - ADOPTED.

Communication from Gustav T. Hein, Executive Secretary, dated September 14, 2004, recommending adoption of a resolution authorizing cancelling of the regular meeting of October 4, 2004, was presented to the Board together with the authorizing resolution therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Cordero moved, seconded by Commissioner Topsy-Elvord that the communication be received and filed and that the resolution entitled "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH SUSPENDING RULE 1(B) AS SET FORTH IN HARBOR DEPARTMENT RESOLUTION NO. HD-519, AS AMENDED, RELATING TO THE MEETING SCHEDULE OF THE BOARD OF HARBOR COMMISSIONERS, AND CANCELLING THE REGULAR MEETING OF OCTOBER 4, 2004," be declared read and adopted as read. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	Hankla

16. CALIFORNIA UNITED TERMINALS - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE SEVENTH AMENDMENT TO AMENDED AND RESTATED PREFERENTIAL ASSIGNMENT AGREEMENT FOR GATE CONSTRUCTION AT PIER E – FIRST READING OF ORDINANCE.

Communication from Kathryn McDermott, Director of Properties, dated September 15, 2004, recommending approval of the Seventh Amendment to Amended and Restated Preferential Assignment Agreement with California United Terminals for gate construction at Pier E, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Hancock that the communication be received and filed and that the ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SEVENTH AMENDMENT TO AMENDED AND RESTATED PREFERENTIAL ASSIGNMENT AGREEMENT BETWEEN THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND CALIFORNIA UNITED TERMINALS, INC., FOR THE USE OF CERTAIN PREMISES IN THE HARBOR DISTRICT, AND MAKING A DETERMINATION RELATING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	Hankla

17. METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE MEMORANDUM OF UNDERSTANDING FOR SHARING OF SMALL BUSINESS ENTERPRISES INFORMATION – ANNUAL OVERALL SMALL BUSINESS PARTICIPATION GOAL FOR FISCAL YEAR 2004-2005 - FIRST READING OF ORDINANCE.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated September 15, 2004, recommending approval of the Memorandum of Understanding with Metropolitan Water District of Southern California for sharing of small business enterprises information and annual overall SBE participation goal of 20% for fiscal year 2004-2005, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Acting Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the communication be received and filed and that the ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH ADOPTING A SMALL AND VERY SMALL BUSINESS ENTERPRISE PROGRAM FOR PUBLIC WORKS CONSTRUCTION AND PROFESSIONAL SERVICES CONTRACTS AND MAKING A DETERMINATION RELATED THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	Hankla

COMMISSIONER ANNOUNCEMENTS.

President Calhoun announced that the Port of Long Beach will be hosting the 93rd Annual Conference of the American Association of Port Authorities during the week of September 27, 2004. He stated there will be over 1,200 attendees from all over the western hemisphere and the conference will be good for the local economy and good for the image of the City and Port.

Commissioner Topsy-Elvord stated on behalf of the Board she would like to welcome Mr. William Bower, Acting Director of Maintenance.

Mr. Bower thanked the Commissioners and stated he is pleased to be here and for the opportunity to direct the activities of the maintenance department.

CLOSED SESSION.

At 2:00 p.m., President Calhoun recessed the Board meeting to hold a closed session pursuant to Section 54956.8 of the Government Code for a conference with real property negotiators regarding Pier J Marine Container Terminal. The Port's negotiator is Richard D. Steinke. Instructions to negotiator may concern certain modifications of the Preferential Assignment Agreement HD-6542 with Pacific Maritime Services, LLC, which may include both price and terms of payment for potential expansion of premises.

At 4:05 p.m., the meeting was again called to order by President Calhoun.

ADJOURNED.

At 4:10 p.m., Commissioner Cordero moved, seconded by Commissioner Hancock that the meeting be adjourned sine die. Carried by the following vote:

AYES:	Commrs:	Hancock,Cordero,Topsy-Elvord,Calhoun
NOES:	"	None
ABSENT:	"	Hankla

MINUTES OF A SPECIAL MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON MONDAY, SEPTEMBER 27, 2004, AT 9 A.M.

Present: Commissioners: Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
Absent: " None

Also present:

R. D. Steinke Executive Director
G. Knatz Managing Director
S. B. Rubin Managing Director
G. T. Hein Executive Secretary
D. T. Holzhaus Principal Deputy City Attorney

PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

PUBLIC INVITED TO ADDRESS THE BOARD.

There was none present wishing to address the Board.

CLOSED SESSION.

At 9:05 a.m., President Calhoun recessed the Board meeting to hold a closed session pursuant to Section 54956.8 of the Government Code for a conference with real property negotiators regarding Pier J Marine Container Terminal. The Port's negotiator is Richard D. Steinke. Instructions to negotiator may concern certain modifications of the Preferential Assignment Agreement HD-6542 with Pacific Maritime Services, LLC, which may include both price and terms of payment for potential expansion of premises.

At 10:55 a.m., the meeting was again called to order by President Calhoun.

ADJOURNED.

At 11:00 a.m., Commissioner Cordero moved, seconded by Commissioner Hankla that the meeting be adjourned sine die. Carried by the following vote:

AYES: Commrs: Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES: " None
ABSENT: " None

MINUTES OF A SPECIAL MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON WEDNESDAY, SEPTEMBER 29, 2004, AT 8 A.M.

Present: Commissioners: Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
Absent: " None

Also present:

R. D. Steinke Executive Director
G. Knatz Managing Director
S. B. Rubin Managing Director
G. T. Hein Executive Secretary
A. W. Wong Communications Specialist
W. C. Ellis Interim Director of Security
D. T. Holzhaus Principal Deputy City Attorney

PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

- 1. PIER J SOUTH TERMINAL DEVELOPMENT – RESCIND RESOLUTION NO. HD-2207 CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PORT OF LONG BEACH PIER J SOUTH TERMINAL DEVELOPMENT PROJECT - RESOLUTION NO. HD-2218 - ADOPTED.

In response to a request by President Calhoun, Mr. Holzhaus read the resolution for the record.

In response to a request by President Calhoun, Mr. Steinke stated in light of this new and latest information it is recommended that the Board rescind the certification of the EIR so that staff can have the opportunity to revise the report.

Ms. Gail Ruderman Feuer from the Natural Resources Defense Council thanked the Board for bringing this item back to look at the step of rescinding the certification of the EIR and the project approval.

Additionally, she stated that she hoped staff would also look at the deficiencies that were noted in the manual submitted by the NRDC. Ms. Ruderman Feuer urged the Board to cure all the deficiencies raised in their letter, as well as the AQMD letter, both of which were submitted on September 22, 2004, and deal with the calculation of emissions. She also requested the Board to direct staff to not only address and analyze but to adopt additional mitigation for the project.

In closing Ms. Ruderman Feuer stated they support decertifying the EIR and the approval of the project and sending it back to staff for review and revisions.

Commissioner Hankla thanked Ms. Ruderman Feuer for her comments and stated he felt NRDC had done this Board a great service in raising issues which are pertinent, important, and timely. He assured her that everything in the EIR would be reworked in light of the findings suggested, and he stated we may not necessarily agree but they will be fully evaluated and the results of those evaluations will be clear, including the math, for everyone to see.

Commissioner Cordero stated he concurred with Commissioner Hankla and in addition the resolution does not exclude, now or at a later date, the Commission to further address questions with regard to additional mitigation factors that we need to address here.

Commissioner Topsy-Elvord stated that she is well aware we all breathe the same air and we want staff to go back and look at this EIR to get it right as we are committed to that.

Mr. Don May from Earth Corps addressed the Board and stated the Commissioners now have an opportunity to address each of the deficiencies in the report and to adopt the mitigations.

Ms. Susan Nakamura from the South Coast Air Quality Management District addressed the Board and stated the SCAQMD staff is pleased that the Board is reconsidering the certification of the final EIS/EIR for the Pier J project and will be addressing all issues in their comment letters. These issues include, but are not limited to, emission estimates from ships, trucks, and cargo handling equipment, and the reconsideration of mitigation measures such as shore side power, and clean fuel. Additionally, Ms. Nakamura stated the SCAQMD staff is happy to work with the Board and staff to address emission estimates and identification of all feasible mitigation measures for this project.

Mr. Todd Campbell from Coalition for Clean Air addressed the Board and stated this is such an important decision and we now have the opportunity to re-look at the EIR and make sure it adequately assesses all the impacts. He stated this is an opportunity to move forward, protect the community, and consider all the options.

Commissioner Cordero moved, seconded by Commissioner Topsy-Elvord that the resolution entitled "A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH RESCINDING RESOLUTION NO. HD-2207 WHICH CERTIFIED THE FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE PORT OF LONG BEACH PIER J SOUTH TERMINAL DEVELOPMENT PROJECT AMONG OTHER ACTIONS," be declared read and adopted as read. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

COMMISSIONER COMMENTS.

Commissioner Hankla stated the staff should consider that the Board is directing them to evaluate this process and every single aspect of the EIR from the standpoint of the information we received from the Natural Resources Defense Council, Earth Corps, Coalition for Clean Air, and the South Coast Air Quality Management District. Additionally, Commissioner Hankla stated the key test is feasibility and if we can come to some objective stand and for feasibility that may be the beginning of an agreement.

ADJOURNED.

At 8:45 a.m., Commissioner Hankla moved, seconded by Commissioner Topsy-Elvord that the meeting be adjourned sine die. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

CITY PLANNING COMMISSION MINUTES 37

JULY 15, 2004

The regular meeting of the City Planning Commission convened Thursday, July 15, 2004, at 1:33pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Greenberg, Leslie Gentile, Mitch Rouse, Nick Sramek, Morton Stuhlbarg, Charles Winn

ABSENT: COMMISSIONERS: Matthew Jenkins

CHAIRMAN: Charles Greenberg

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director
Greg Carpenter, Zoning Officer
Angela Reynolds, Advance Planning
Carolyne Bihn, Senior Planner
Craig Chalfant, Planner
Jayme Mekis, Planner
Ira Brown, Planner
Jamilla Vollmann, Planner

OTHERS PRESENT: Lisa Malsten, City Attorney
Dennis Eschen, Manager, Planning and Development; Parks, Recreation & Marine
Marcia Gold, Minutes Clerk

PLEDGE OF ALLEGIANCE

Commissioner Rouse led the pledge of allegiance.

SWEARING OF WITNESSES

CONSENT CALENDAR

At the request of Commissioner Sramek, Items 1E and 1F were removed from the Consent Calendar for discussion.

Items 1A, 1B, 1C and 1D were approved as presented on a motion by Commissioner Winn, seconded by Commissioner Sramek, and passed 6-0. Commissioner Jenkins was absent.

1A. Case No. 0405-01, Vesting Tentative Parcel Map, CE 04-140

Applicant: K. C. Coultrup
Subject Site: 1001 Belmont Avenue (Council District 4)
Description: Request for approval of Vesting Tentative Parcel Map No. 61188, to convert an existing 35-unit apartment building into condominiums.

Approved Tentative Parcel Map No. 61188, subject to conditions.

1B. Case No. 0405-25, Conditional Use Permit, CE 04-109

Applicant: Long Beach PCH Associates LLC c/o Paul Best
Subject Site: 5755 E. Pacific Coast Highway
(Council District 3)
Description: Request to allow the establishment of a restaurant with full bar in an existing commercial retail center.

Approved the Conditional Use Permit, subject to conditions.

1C. Case No. 0405-22, Conditional Use Permit, CE 107-04

Applicant: Marie Love and Andy Edwards
Subject Site: 3131 E. Broadway (Council District 3)
Description: Conditional Use Permit for on- and off-premises alcoholic beverage sales at a retail wine store with wine tasting.

Approved the Conditional Use Permit for the retail wine store with wine tasting, subject to conditions.

1D. Case No. 0405-02, Condominium Conversion, CE 03-73

Applicant: K. C. Coultrup
Subject Site: 1001 Park Avenue (Council District 3)
Description: Request for approval of Vesting Tentative Parcel Map No. 61215, to convert an existing 14-unit apartment building into condominiums.

Approved Tentative Parcel Map No. 61215, subject to conditions.

1E. OS&RE amd. 1-04; LUE amd. 1-04

Applicant: Fady Mattar, Planning & Building Dept.,
City of Long Beach
Subject Site: Citywide
Description: Amendment to the Open Space and Recreation
Element to list the new 55th Way Neighborhood Park and Daryl
Black mini-park; and the repeal of the limitation to three
Land Use Element amendments per calendar year.

Removed to the Regular Agenda.

1F. Case No. 0406-38, Zone Change

Applicant: City of Long Beach Department of Planning
and Building
Subject Site: Martin Luther King Jr. Avenue between
Pacific Coast Highway and 17th Street; and
New York Street between Myrtle Avenue and
Martin Luther King Jr. Avenue (Council
District 6)
Description: Request for Zone Changes from R-3-S to CNR;
and from R-1-S to I in order to allow upgrades to
properties that are not allowed under current zoning
restrictions.

Removed to the Regular Agenda.

R E G U L A R A G E N D A

1E. OS&RE amd. 1-04; LUE amd. 1-04

Applicant: Fady Mattar, Planning & Building Dept.,
City of Long Beach
Subject Site: Citywide
Description: Amendment to the Open Space and Recreation
Element to list the new 55th Way Neighborhood Park and Daryl
Black mini-park; and the repeal of the limitation to three
Land Use Element amendments per calendar year.

Ira Brown presented the staff report, noting the new
recommendation that action be postponed on the Amendment to the
Open Space and Recreation Element.

Commissioner Sramek mentioned that as a result of this effort,
the overall visibility of the parks and parkland development

efforts had been raised, and he lauded Mr. Eschen's contribution.

Commissioner Sramek then moved to accept the staff recommendation to postpone action on the Amendment to the Open Space and Recreation Element to a date uncertain, and to repeal the limitation in the Land Use Element to three Land Use Element amendments per calendar year, resulting in the default limitation of four amendments per calendar year, as depicted in Exhibit A. Commissioner Stuhlbarg seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

1F. Case No. 0406-38, Zone Change

Applicant: City of Long Beach Department of Planning and Building

Subject Site: Martin Luther King Jr. Avenue between Pacific Coast Highway and 17th Street; and New York Street between Myrtle Avenue and Martin Luther King Jr. Avenue (Council District 6)

Description: Request for Zone Changes from R-3-S to CNR; and from R-1-S to I in order to allow upgrades to properties that are not allowed under current zoning restrictions.

Pastor Michael Ealey, Christ Second Baptist Church, no address given, outlined the church plans to purchase the adjacent property to expand their facilities and better serve the community.

James A. Kirk, 1390 Martin Luther King Jr. Avenue, adjacent business owner, expressed objection to the proposed expansion, citing noise and traffic issues that he claimed were already negatively impacting his business.

Pastor Ealey promised to follow City noise ordinances, and noted he had increased his security level to avoid after-hours use of the parking area to address Mr. Kirk's concerns.

Commissioner Sramek suggested that Pastor Ealey advise his parishioners to be more sensitive to the neighborhood concerns about noise and parking.

Commissioner Stuhlbarg said he felt the situation would be easy to resolve, and he moved to approve the Zone Change request.

Commissioner Sramek seconded the motion, which passed 6-0.
Commissioner Jenkins was absent.

(Item taken out of order to be continued to a date certain)

5. Case No. 0404-17, CE 03-131

Applicant: City of Long Beach
Subject Site: Citywide
Description: Proposed Zoning Code Amendment establishing a procedure for the operation of temporary homeless shelters.

Commissioner Sramek asked that in order to better understand the shelter operations before changing the zoning, he wanted to see the next staff report address issues of zoning; permanent versus temporary shelters; shelter operation; over-concentration of the use; and the criteria for the crisis designation.

Commissioner Winn moved to continue the item to the August 19, 2004 meeting. Commissioner Stuhlbarg seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

2. Case No. 0405-23, Conditional Use Permit, Site Plan Review; CE 04-67

Applicant: Javier and Dorian Villasenor
Subject Site: 101 W. Pacific Coast Hwy. (Council Dist. 6)
Description: Request for a Conditional Use Permit and Site Plan Review to establish a courtesy parking lot in a residential district that would serve a newly constructed restaurant.

Jamilla Vollmann presented the staff report recommending approval of the request since it would provide required parking; positively impact the surrounding residential properties, and present appropriate landscaping and compatible architectural details and colors.

Javiar Villasenor, 10253 Cheney Avenue, Downey, 90241; and Jesse Gonzales, 17817 Valley View Avenue, Cerritos, project development director, stated that they were in agreement with the conditions of approval.

Commissioner Sramek moved to approve the Conditional Use Permit and Site Plan Review, subject to conditions of approval.

Commissioner Winn seconded the motion, which passed 6-0.
Commissioner Jenkins was absent.

3. Case No. 0306-09, Waived Parcel Map, CE 03-117

Applicant: Kadee Della Donna
Subject Site: 502-504 Nebraska (Council Dist. 2)
Description: Approval of Tentative Map No. 60282 for the purpose of creating a three-lot subdivision in the townhouse (R-3-T) Zone District.

Jayme Mekis presented the staff report recommending denial of the request since the proposal was not consistent with the requirements of the municipal code due to the proposed lot sizes, which have been reduced by the irrevocable dedication of a piece of the property for future street widening.

Kadee Della Donna, 3540 Lemon Avenue, applicant, stated she was hoping to improve and beautify the neighborhood, and increase home ownership opportunities and property values with her project. Ms. Della Donna presented photos of her proposal, saying she was willing to plant street trees; install a handicapped ramp on the corner; repair and reinstall the uprooted city sidewalk; require that her three properties only be sold to owner-occupants, and that she would carry the loan on one of the homes to assist first-time buyers.

Ms. Della Donna addressed the City's objection to the undersized lot by presenting a density study she had done within a 300 foot radius of her property showing that most families in the area lived on much less square footage than her proposed properties and with much higher density. She added that the side yard setback had already been redesigned to accommodate city setbacks by cutting off part of the existing Craftsman home.

The applicant added that she was not willing or able to give up 1080 feet of her property for the public right-of-way dedication, especially since she felt a street widening would probably never be necessary, given the quiet nature of the street. Ms. Della Donna added that no one else on the street had been asked to dedicate land for such a purpose, and if they were, the encroachment would actually cut right up to the front of their homes. The applicant said that with all the existing situations on the site, she felt her property should be grandfathered in to allow the development.

In response to a query from Commissioner Greenberg about pursuing the alternate option of airspace subdivision, the applicant replied that more parking would be required, resulting in the loss of backyard space, which would be less attractive to potential homebuyers.

David Arnold, 515 Nebraska, neighbor, stated he supported the applicant's request to build homes, not condominiums, because owner-occupied residences would be better maintained.

In response to a query from Commissioner Gentile regarding future street widening plans, Mr. Carpenter stated that the current street width was below standards, and that the Department of Public Works planned to ask for more dedications in the future for the project.

Mr. Carpenter added that staff's issue was that they did not want to establish a precedent with the undersized lot. He noted that subdivision regulations provided a fair method for determining lot sizes, with the Commission able to waive those sizes if the rest of the neighborhood also had smaller lots. Mr. Carpenter said that whether or not the Department of Public Works dedication requests were not staff's main concern.

Chairman Greenberg said that such a precedent would be acceptable if on balance her project would improve the overall housing situation while not compromising the long-term objectives of the Department of Public Works. Mr. Greenberg added that on the other hand, if the City had a consistent policy that it would require a dedication of the front of the property for road widening, it had to be enforced. However, Mr. Greenberg pointed out that he thought the City needed to review whether or not such a requirement was constitutional; otherwise, a 2500 sq.ft. lot could be a minor issue.

Chairman Greenberg then moved to continue the item to the August 19, 2004 meeting, to allow the City Attorney to research the constitutional issues presented by this case.

Commissioner Winn agreed that it was an important issue, although he didn't want to establish a precedent of non-dedication rights. Commissioner Winn then seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

4. Case No. 0404-19, Administrative Use Permit, ND 14-04

Applicant: Dennis Eschen, Department of Parks,
Recreation and Marine
Subject Site: 1729 Junipero Avenue (Council Dist. 4)
Description: Administrative Use Permit to allow
construction and operation of a recreational park on
existing vacant lots.

Craig Chalfant presented the staff report recommending approval of the request since the proposed park would be a positive improvement to the community and was an appropriate land use for the vacant and irregularly dimensioned project site, while conditions of approval would address potential impacts to the surrounding community.

Dennis Eschen, Manager, Planning and Development, Department of Parks, Recreation and Marine, stated they agreed with all the conditions of approval, and asked about the required block wall.

Mr. Chalfant responded that it was staff's intent to provide separation between a neighbor's property and the park if the existing private wall was to be removed.

In response to a query from Commissioner Sramek about public safety issues raised by a block wall, Mr. Carpenter stated that noise and privacy issues were better addressed with a solid wall.

Commissioner Winn asked why gates were included in the plans for the park, which he felt was unusual, and Mr. Eschen replied that they had been requested by the community, and were for nighttime security only, closed by the recreation department staff or park rangers.

Commissioner Sramek moved to certify Mitigated Negative Declaration 14-04, and to approve the Administrative Use Permit, subject to conditions. Commissioner Rouse seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

6. Case No. 0403-40, Conditional Use Permit

Applicant: Cindy Leinart for Compass Technology
Services, Inc.
Subject Site: 2819 E. South Street (Council Dist. 9)
Description: Conditional Use Permit request to install
and maintain a wireless telecommunications facility (45'

monopalm) with three sectors of antennas (four antennas per sector); and associated equipment.

Jayne Mekis presented the staff report recommending approval of the request since the proposed facility had been designed with a palm tree to reduce its visual impact; and because the project would improve service quality for area cell users.

Cindy Leinart, 27 Orchard, Lake Forest, CA, applicant, stated they were in agreement with the conditions of approval.

In response to a query from Chairman Greenberg, Ms. Leinart said there was room for co-location on the pole.

Commissioner Sramek moved to approve the Conditional Use Permit, subject to conditions. Commissioner Stuhlbarg seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

Mr. Mattar presented a map of Commissioner residences for the conflict of interest purposes.

M A T T E R S F R O M T H E P L A N N I N G C O M M I S S I O N

Chairman Greenberg expressed disappointment that the Coastal Commission had appealed the amphitheater at Bixby Park.

A D J O U R N

The meeting adjourned at 3:32pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk

CITY PLANNING COMMISSION MINUTES**September 2, 2004**

The regular meeting of the City Planning Commission convened Thursday, September 2, 2004 at 1:34 pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Greenberg, Leslie Gentile, Matthew Jenkins, Nick Sramek, Morton Stuhlbarg, Charles Winn

ABSENT: COMMISSIONERS: Mitchell Rouse

CHAIRMAN: Charles Greenberg

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director
Greg Carpenter, Planning Bureau Manager
Angela Reynolds, Advance Planning Officer
Craig Chalfant, Planner
Vickie Becker, Planner
Jayme Mekis, Planner
Heidi Eidson, Minutes Clerk

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Mark Christoffels, City Engineer
Tom Shippey, Parks, Recreation & Marine,
Maintenance Operations Bureau Manager

PLEDGE OF ALLEGIANCE

Angela Reynolds led the pledge of allegiance.

SWEARING OF WITNESSES**CONSENT CALENDAR**

Item 1A was pulled from the consent calendar for questions.

In response to a query from Commissioner Winn, Mark Christoffels, City Engineer stated that the items listed in the Capital Improvement Plan are prioritized based on infrastructure needs and available funding.

Items 1A, 1B, 1C and 1D were approved as presented by staff on a motion from Commissioner Stuhlbarg, seconded by Commissioner Jenkins and passed 6-0. Commissioner Rouse was absent.

1A. Case No. CIP-05

Applicant: City of Long Beach
Subject Site: Citywide
Description: Finding of conformity with the General Plan for the Proposed Fiscal Year 2005 Capital Improvement Plan.

Found the proposed projects in conformance with the General Plan.

1B. Case No. 0306-09, Tentative Map No. 60282, CE 03-117

Applicant: Kadee Della Donna
Subject Site: 502-504 Nebraska Avenue
Description: Approval of Tentative Map No. 60282 for the purpose of creating a 3-lot subdivision in the Townhouse (R-3-T) Zone District.

Approved Tentative Map.

1C. Case No. 0408-05, Conditional Use Permit

Applicant: Richard Saldano and Ira Handelman
Subject Site: 3410 N. Long Beach Boulevard
Description: Conditional Use Permit for the sale of alcoholic beverages for off-premise consumption at a retail 7-Eleven convenience store.

Continued to the Planning Commission hearing of October 21, 2004.

1D. Case No. 0406-35, Tentative Parcel Map No. 61481, CE 04-134

Applicant: K.C. Coultrup
Subject Site: 1401 Greenbrier Road
Description: Approval of Vesting Tentative Parcel Map No. 61481 to convert an existing nineteen-unit apartment building into condominiums.

Approved Tentative Map.

REGULAR AGENDA

2. Case No. 0401-09, Standards Variance, CE 04-06

Applicant: Charles Belak-Berger
Subject Site: 56 La Linda Drive
Description: Standards Variance for construction of a two story single family residence with an attached two-car garage and approval of an Oak Tree Permit.

Craig Chalfant presented the staff report recommending approval of the Standards Variance request including an overhead presentation of the revised Site Plan and specific conditions regarding the preservation of the oak tree located on the site. Mr. Chalfant reported that this item had been continued by the Commission until the moratorium regarding the alteration or destruction of historically significant oak trees was lifted or revised. The City Council adopted an ordinance on August 10, 2004 requiring the issuance of an oak tree permit prior to any pruning or alteration of a protected oak tree, including the tree located on this site.

Greg Applegate, consulting arborist on the project, stated that after testing the age of the oak tree, he estimated that it is well under 100 years old.

Mr. Applegate also requested some changes to the suggested Conditions of Approval regarding the preservation of the oak tree. First of all, he stated that he felt that monthly monitoring reports were not necessary and that quarterly reports would be adequate. Secondly, he remarked that the tree protection zone should be determined by the trunk diameter and not the drip line and that Condition #21 should be changed to reflect that area as a 32' radius from the trunk of the tree.

Jeff Kaufman, co-owner of the property, stated that he had a list of the square footages of homes on La Linda Drive and that the proposed project was in conformance with over one-third of them.

Mr. Kaufman also stated that the tree was never intended to be removed from the property and that an arborist was hired to make sure that the tree was not harmed during the construction of the home. He also remarked that the tree was planted after the Bixby family lived on the property and was therefore not of historical significance.

Harry Pope, 45 La Linda Drive, stated that he felt that the protection of the oak tree was a primary concern as was the preservation of the character of La Linda Drive.

Mr. Pope remarked that he had a problem with the size and appearance of the proposed house stating that it was 20% larger than the average size of houses in the neighborhood, it was double the average density and it was too vertical and visually massive.

Mr. Pope also stated that he had observed construction crews violating the construction recommendations for the preservation of the oak tree.

Mike Kowal, 3756 Pine Avenue, Los Cerritos Improvement Association, stated that the residents in his area were concerned about the 10'

setback along Bixby Road and the appearance of a 2-story, 20' high building.

Richard Ivey, 242 E. Bixby Road, stated that he felt the project was out of character with the rest of the neighborhood and would affect the desirability of the neighborhood.

Jeff Kellogg, 202 E. Bixby Road, stated that he was opposed to the project because of the setbacks and was concerned about the precedent it would set in the area.

Mike Murchison, consultant representing the owner and applicants, stated that he was opposed to Condition #23 which requires that a covenant be put in place. He added that an ordinance could be put in place to protect the oak tree in perpetuity without placing the further restriction of a covenant on the project.

Commissioner Greenberg remarked that variances were requested because they were necessary to preserve the tree and that the covenant would be a permanent means of ensuring that the tree be protected. He added that ordinances can be changed and are not as permanent.

In response to a query from Commissioner Greenberg, Mr. Murchison stated that he was opposed to the covenant because it would make it very restrictive to go through the deed process to sell the home in the future.

Charles Belak-Berger, project architect, stated that he concurred with the Conditions of Approval and added that the house was designed to fit the restrictions that were placed on the project.

Mr. Belak-Berger also remarked that they tried to work with as many people and as many ideas as possible to make the project work for the builder and the neighbors and to keep it economically viable.

Patrick Jones, general contractor on the project, clarified that the house would be built three feet from the property line and about 10-12 feet from the neighboring house.

In response to a query from Commissioner Jenkins regarding the applicant's concerns about changing Conditions #10, 21 and 23, Mr. Carpenter stated that staff did not feel it was unreasonable to request monthly arborist reports since the project would probably take about two quarters to build. Secondly, Mr. Carpenter stated that since the City Arborist recommended accepting Mr. Applegate's report, Condition 21 could be changed to use the radius measurement instead of the dripline measurement. Finally, Mr. Carpenter stated that the covenant would give an assurance that when someone bought the property they were made aware of the fact that they must protect the oak tree. He added

that he did not feel it was unreasonable considering the recommendation of variances was based on the continued life of the tree and that it was not unusual for the department to require covenants.

Commissioner Jenkins made a motion to approve the code exceptions, make a positive recommendation regarding the issuance of an oak tree permit and to amend Condition of Approval #21 to include Mr. Applegate's recommendation of a tree trunk protection zone. Commissioner Stuhlberg seconded the motion which passed 5-0-1, with Commissioner Gentile abstaining. Commissioner Rouse was absent.

3. Case No. 0406-29, Conditional Use Permit, CE 04-130

Applicant: Laurie Semon & Erin O'Hagan
Subject Site: 3510 E. Broadway
Description: Conditional Use Permit and Local Coastal Development Permit for the sale of beer and wine for off-premise consumption at a retail specialty foods store.

Vickie Becker presented the staff report recommending approval of the Conditional Use Permit and Local Coastal Development Permit.

Laurie Semon, owner of Olives, stated that the specialty grocery store would carry prepared foods and that beer and wine would serve as an add-on for people picking up dinner who then wouldn't have to stop at a liquor store too. There would be no seating available and all consumption would be off-site.

Ms. Semon also remarked that the neighbors were very supportive of the project.

Commissioner Winn made a motion to approve the Conditional Use Permit and Local Coastal Development Permit, subject to conditions. Commissioner Gentile seconded the motion, which passed 6-0. Commissioner Rouse was absent.

4. Case No. 0408-02, Conditional Use Permit, CE 04-159

Applicant: City Of Long Beach Department of Parks, Recreation & Marine
Subject Site: 4800 E. Wardlow Road
Description: Request to install and operate an electronic message center (community announcements only) in the Park Zone District.

Jayne Mekis presented the staff report recommending approval of the electronic message center sign at Skylinks golf course. The sign would

provide community oriented information regarding the golf course and other city programs approximately 16 hours per day, 7 days a week.

Commissioner Sramek remarked that previous message center projects had Conditions of Approval restricting the frequency of the messages displayed so as not to distract drivers. Mr. Carpenter responded that the four second maximum frequency in the Zoning Code comes from staff research of Cal Trans standards. Mr. Carpenter then remarked that the Commission could impose more stringent conditions on message frequency if they found it necessary.

Commissioner Gentile expressed her concerns that the sign could be precedent setting and that other businesses near that intersection may also want to have message center signs. She also stated that she felt the sign could be more creative in its presentation.

Commissioner Jenkins remarked that he felt the sign made a positive statement about Skylinks and Long Beach.

In response to a query, Ms. Mekis stated that the dimensions of the message portion of the sign were 3' x 15' and the overall dimensions of the sign were 12' x 16'.

Tom Shippey, Manager of Maintenance Operations of the Department of Parks, Recreation and Marine, stated that the messages needed to be up long enough to be easily read. He also stated that the sign was designed to match the deco design of the airport.

In response to queries from Commissioner Sramek, Mr. Shippey stated that the sign would be diagonal to the intersection and that he would not object to a reasonable limit regarding the frequency of messages.

In response to a query from Commissioner Winn, Mr. Shippey stated that American Golf's logo would appear on the body of the sign because they are the vendor for the City that operates the golf courses. However, the Department of Parks, Recreation and Marine would control the messages that were displayed on the electronic sign board and there would be no commercial advertising permitted. Mr. Carpenter further clarified that Condition #16 restricted the messages to golf course and community events and that no commercial advertising was allowed. Commissioner Gentile commented on the importance of design since the sign would be the first of its type on a newly renovated street near the Douglas Park project. She remarked that the sign needed more style and a reduction of mass, suggesting possibly that the Skylinks logo read as a silhouette above the monument.

Mr. Carpenter responded that a condition could be added to redesign the sign to reduce its mass and more closely reflect the architecture of

the vicinity to the satisfaction of the Director of Planning and Building.

Commissioner Greenberg concurred that the sign should be more imaginative and less bulky.

Commissioner Jenkins suggested that Commissioner Gentile get together with staff and the sign company to work on a new design.

Commissioner Winn agreed with Mr. Carpenter's suggestion of an additional condition for redesign, so as not to hold up the project any longer.

Mr. Shippey remarked that the golf course was set to open on October 1st with the new sign in place. The sign was currently within budget, but he was concerned that redesign could take the project out of budget.

Commissioner Gentile made a motion to approve the Conditional Use Permit to install and operate an electronic message center in the Park Zone District with the addition of Condition #21 regarding redesign of the sign.

Commissioner Sramek asked if the motion could also include the provision that message frequency be increased to once every 15 seconds. Commissioner Gentile agreed to amend the motion.

Commissioner Sramek then seconded the motion which passed 6-0. Commissioner Rouse was absent.

MATTERS FROM THE AUDIENCE

There were no matters from the audience.

MATTERS FROM THE DEPARTMENT OF PLANNING AND BUILDING

Fady Mattar reported that the City Council had recently approved the resolution to allow more than 3 amendments per year to the Land Use Element of the General Plan. Council had also approved the Alamitos Ridge residential tract and zone change for the residential tract, however the zone change requested for the abutting school was removed from the request. The Mark Twain Library was also approved by Council, as was the request to increase the budget for the consultant working on the Land Use and Mobility Elements of the General Plan.

Mr. Carpenter reminded the Commission that there would be a study session regarding the Central Strategic Plan prior to the meeting of September 16, 2004.

MATTERS FROM THE PLANNING COMMISSION

There were no matters from the Planning Commission.

ADJOURN

The meeting adjourned at 3:40 pm.

Respectfully submitted,

Heidi Eidson
Minutes Clerk

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