

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



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

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

Beverly O'Neill, Mayor

Robert E. Shannon, City Attorney

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**FINISHED AGENDA & MINUTES**

**ROLL CALL: (5:05 PM)**

**Councilmembers** B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson,  
**Present:** Reyes Uranga, Gabelich and Lerch

Absent/Excused: Mayor O'Neill

Also Present: Gerald Miller, City Manager; Christine Shippey, Assistant City Manager;  
Robert Shannon, City Attorney; Larry Herrera, City Clerk; Jerry Soriano, City Clerk  
Assistant.

Vice Mayor Kell presiding.

Invocation: Moment of Silence.

Flage Salute: Laura Richardson, Councilwoman, Sixth District.

Pet Adoption: Jo Trent, spcaLA, presented a feline .

Recognition of International Public Management Association Assessment Council Award  
given to the Civil Service Department in recognition for their Fire Recruitment Process.

Councilmember Reyes Uranga spoke.

Councilmember Colonna spoke.

Councilmember Lowenthal moved, seconded by Councilmember Baker, that the minutes of  
the City Council meeting of Tuesday, August 2, 2005 be approved.

Item No. 15 was considered at this time.

**PUBLIC COMMENT: (5:57 PM)**

Dennis Head spoke regarding budget cuts.

Thomas McFarland spoke regarding City employee contract negotiations.

Tony Esparza spoke regarding City employee contract negotiations.

Roger Holman spoke regarding the Pier Pass Program.

Cynthia Y. Moore spoke regarding City employee contract negotiations.

Roz Boger spoke regarding budget cuts.

Thomas Murphy spoke regarding diabetes on the rise.

Janet Wright spoke regarding budget cuts.

Dan Rosenberg spoke regarding public safety and distributed a petition.

**CONSENT CALENDAR: (6:26 PM)**

Motion: Approve Consent Calendar Items 1-10, except for Item No. 9A

1. [05-3021](#) Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$10,600 in compliance with the Appeals Board Order for John Derouen.  
**A motion was made to approve recommendation on the Consent Agenda.**
  
2. [05-3022](#) Recommendation to authorize City Attorney to pay sum of \$9,000 in full settlement of lawsuit entitled Hall et al. v. City of Long Beach.  
**A motion was made to approve recommendation on the Consent Agenda.**
  
3. [05-3025](#) Recommendation to receive and approve changes to the Conflict of Interest Code of the Long Beach Fire Department.

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

4. [05-2948](#) Recommendation to refer to City Attorney damage claims received between July 28, 2005 and August 4, 2005.

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

5. INTENTIONALLY LEFT BLANK

6. [05-3009](#) Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2005 to September 30, 2006, for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment; and set the date of hearing for Tuesday, September 6, 2005. (District 3)

**A motion was made to approve recommendation ; adopt Resolution No. RES-05-0070; and set the date of hearing for September 6, 2005 on the Consent Agenda.**

**Enactment No: RES-05-0070**

7. [05-3010](#) Recommendation to adopt resolution of intention to approve a substitution of facilities in Community Facilities District No. 1, Belmont Shore; set the date of public hearing for Tuesday, September 13, 2005; authorize City Manager to initiate majority protest proceedings; and authorize City Clerk to receive written protests. (District 3)

**A motion was made to approve recommendation ; adopt Resolution No. RES-05-0071; and set the date of hearing for September 13, 2005 on the Consent Agenda.**

**Enactment No: RES-05-0071**

8. [05-3011](#) Recommendation to set the schedule for the workshops and hearings on the Fiscal Year 2006 (FY 06) Proposed Budget to hear presentations by the Mayor, City Manager and City Department representatives and to provide an opportunity for all interested persons to be heard regarding the Proposed Budget. (Citywide)

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

9. [05-3012](#)  
A Recommendation to receive and file the application of New Paradise Restaurant LLC, dba New Paradise Restaurant, for a person-to-person transfer of an On-Sale General Alcoholic Beverage Control License for a bonafide eating place at 1350 East Anaheim Street, with existing conditions. (District 6)
- Distributed at meeting: Councilwoman Richardson's August 9, 2005 memorandum
- A motion was made by Councilwoman Richardson, seconded by Councilmember Baker, that this matter be laid over for August 23, 2005, in order to discuss conditions with the applicant. The motion carried by the following vote:**
- Yes: 8 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
- Absent: 1 - Colonna

9. [05-3013](#)  
B Recommendation to receive and file the application of Chau Thanh Mac and Soo Jin Mac, dba K C Liquor, for a person-to-person transfer of an Off-Sale General Alcoholic Beverage Control License at 4128 Orange Avenue, with existing conditions. (District 7)
- A motion was made to approve recommendation on the Consent Agenda.**

10. [05-3024](#) Recommendation to receive and file minutes of:  
Harbor Commission - July 25, 2005.  
Water Commission - July 7, 2005.
- A motion was made to approve recommendation on the Consent Agenda.**

**Passed The Consent Agenda**

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

Yes: 8 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

Absent: 1 - Colonna

**UNFINISHED BUSINESS: (6:28 PM)**

11. [05-2992](#) Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 1.21 regarding elections in which no one or only one candidate files nomination papers read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)
- A motion was made by Councilmember Baker, seconded by Councilwoman Richardson, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:**
- Yes:** 8 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
- Absent:** 1 - Colonna
- Enactment No:** ORD-05-0023

**REGULAR AGENDA: (6:29 PM)**

12. [05-3029](#) Recommendation to request the Personnel and Civil Service Committee meet on or before August 16, 2005 to review the recommended appointments to the following Charter Commissions: Redevelopment Agency Board and Water Commission.
- A motion was made by Councilmember O'Donnell, seconded by Councilmember Baker, to approve recommendation. The motion carried by the following vote:**
- Yes:** 8 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch
- Absent:** 1 - Colonna
13. [05-3023](#) Recommendation to request City Manager to evaluate the addition of two more Municipal Band concerts in each park next season and present the findings at a scheduled budget study session.
- Councilmember Colonna spoke.
- Councilwoman Gabelich spoke.
- Councilmember O'Donnell spoke.
- Councilmember Reyes Uranga spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Councilwoman Richardson spoke.

Councilmember Lowenthal spoke.

Councilmember O'Donnell spoke.

Thomas Murphy spoke.

John Deets spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

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

**Yes:** 8 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Gabelich and Lerch

**No:** 1 - Reyes Uranga

**14.** [05-3026](#)

Recommendation to request City Manager to seek input from each of the airlines currently serving the Long Beach Airport regarding any issue related to the proposed airport terminal improvements. Input should include the position of each airline as to the following:

- a) Current deficiencies in airport facilities,
- b) Future projected needs of the airline,
- c) Space allocations,
- d) Sources of financing for airport improvements, including the assumption of costs by the airlines themselves, and
- e) Any other information the airline feels is appropriate; and

Request City Attorney to provide a report to the Transportation and Infrastructure Committee within 30 days regarding potential mitigation plans.

Distributed at meeting: A Long Beach Alliance slide presentation.

Councilwoman Gabelich spoke.

Mark Bixby, Long Beach Alliance, spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Councilwoman Richardson spoke.

Mark Berg spoke.

Joe Sopo spoke.

Laura Sellmer spoke.

John Deets spoke.

Councilwoman Richardson spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

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

**Yes:** 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

Item No. 15 was considered prior to Public Comment.

**15. [05-3027](#)**

Recommendation to receive and file the report from Smith, Esposito and Lyerly on the Passage of the Federal Energy Bill.

Distributed at meeting: Letter received from Thomas Giles, President, Sound Energy Solutions.

Del Smith spoke.

Bry Myown spoke.

Thomas Giles, President, Sound Energy Solutions, spoke.  
Donald Sims spoke.  
Ken Erlich spoke.  
Ben Rockwell spoke.  
Dan Rosenberg spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Councilmember Colonna spoke.

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

**Yes:** 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

**16. [05-3028](#)**

Recommendation to request that the name Grace Park, for the new park at Plymouth Street and Elm Avenue, be referred to the Parks and Recreation Commission for consideration and recommendation.  
(District 8)

Councilwoman Gabelich spoke.

Martha Thuente spoke.

**A motion was made by Councilwoman Gabelich, seconded by Councilmember Lowenthal, to approve recommendation and refer to the Parks and Recreation Commission for consideration and recommendation. The motion carried by the following vote:**

**Yes:** 7 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson, Gabelich and Lerch

**Absent:** 2 - Colonna and Reyes Uranga



17. [05-3014](#) Recommendation to proceed with feasibility assessment for the financing and delivery of combined police and fire facility in central area of Long Beach. (Districts 1,2,4,6)

Distributed at meeting:  
A Long Beach Fire Department slide presentation.

Gerald Miller, City Manager, spoke.  
Anthony Batts, Chief of Police, spoke.  
Dave Ellis, Fire Chief, spoke.

Councilmember O'Donnell spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Colonna spoke.

Vice Mayor Kell spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Councilwoman Richardson spoke.

John Deets spoke.  
Dave Kean, President, Long Beach Firefighters Association, spoke.  
Unidentified person spoke.  
John Malvo spoke.  
Unidentified person spoke.  
Martha Thuente spoke.

Vice Mayor Kell spoke.

Councilwoman Gabelich spoke.

**A motion was made by Councilwoman Richardson, seconded by Councilmember Lowenthal, to approve recommendation with friendly amendment to include the Eighth District into the assessment. The motion carried by the following vote:**

**Yes:** 8 - B. Lowenthal, Baker, Colonna, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

**No:** 1 - O'Donnell

18. [05-3015](#)

Recommendation to authorize City Manager to develop and recommend a financing structure to provide funds to acquire and develop new open space in underserved areas of the City as identified by the Open Space Element of the General Plan and Strategic Plan of the Department of Parks, Recreation and Marine. (Districts 1,4,6,7)

Councilmember O'Donnell spoke.

Councilwoman Richardson spoke.

Councilmember Reyes Uranga spoke.

Councilmember Lowenthal spoke.

Councilwoman Richardson spoke.

Councilwoman Gabelich spoke.

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

**Yes:** 5 - B. Lowenthal, Baker, Colonna, Kell and Richardson

**No:** 4 - O'Donnell, Reyes Uranga, Gabelich and Lerch

Public comment, normally taken at the end of the meeting, was considered at this time.

19. [05-3016](#)

Recommendation to approve the budget for the Long Beach Tourism Business Improvement Area; and authorize City Manager to execute a contract with the Long Beach Convention and Visitors Bureau for the period of August 1, 2005 through September 30, 2006, to manage the Long Beach Tourism Business Improvement Area. (Districts 1,2,4,5)

Thomas Murphy spoke.

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

**Yes:** 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

**20. [05-3017](#)**

Recommendation to authorize City Manager to execute all documents necessary to accept and expend all Environmental Justice Planning Grant funds for the I-710 Long Beach Community Livability Plan, and increase appropriations in the Transportation Fund (SR182) in the Department of Public Works (PW) by \$182,400. (Districts 1,2,6,7,8,9)

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

**Yes:** 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

**21. [05-3018](#)**

Recommendation to adopt Plans and Specifications No. R-6662 for the improvement of Anaheim Street between Alamitos Avenue and Ximeno Avenue, and authorize City Manager to execute a contract with All American Asphalt, in the amount of \$2,286,286. (Districts 2,4,6)

Thomas Murphy spoke.

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

**Yes:** 7 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson, Reyes Uranga and Lerch

**Absent:** 2 - Colonna and Gabelich

**22. [05-3019](#)**

Recommendation to authorize City Manager to submit grant application 3-06-0127-26 and accept, execute and amend grants from the Federal Aviation Administration for entitlement and discretionary funds for the rehabilitation of Taxiway L, the installation of in-pavement runway guard lights, the construction of Taxilane H, and the purchase of one

3,000-gallon Aircraft Rescue and Fire Fighting vehicle; and

Increase appropriations in the Airport Enterprise Fund (EF320) in the Department of Public Works (PW) by \$7,154,252. (District 5)

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

**Yes:** 7 - B. Lowenthal, Baker, O'Donnell, Kell, Richardson, Gabelich and Lerch

**Absent:** 2 - Colonna and Reyes Uranga

**23. [05-3020](#)**

Recommendation to authorize City Manager to execute a First Amendment to Agreement No. 28496 with Edward D. Stone, Jr., & Associates (EDSA) adding an amount not to exceed \$500,000 for additional engineering services at Ed "Pops" Davenport Park, formerly referred to as the 55th Way Neighborhood Park Project. (District 9)

Thomas Murphy spoke.

Councilwoman Gabelich spoke.

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

**Yes:** 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

**ORDINANCES: (9:45 PM)**

24. [05-2964](#) Recommendation to declare ordinance finding and determining that a credit is due against the Transportation Improvement Impact Fee applicable to LBWTC Real Estate Development Partners for the development located at 701 W. Ocean Boulevard in Long Beach; and authorizing City Manager to execute an agreement related to the construction of transportation improvements, read and adopted as read. (District 2)

**A motion was made by Councilmember Baker, seconded by Councilmember Lowenthal, to approve recommendation and adopt Ordinance No. ORD-05-0021 The motion carried by the following vote:**

**Yes:** 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

**Enactment No:** ORD-05-0021

25. [05-3007](#) Declare the ordinance increasing the General Plan Surcharge read and adopted as read. (Citywide)

**A motion was made by Councilmember Lowenthal, seconded by Councilmember Baker, to approve recommendation and adopt Ordinance No. ORD-05-0022 The motion carried by the following vote:**

**Yes:** 9 - B. Lowenthal, Baker, Colonna, O'Donnell, Kell, Richardson, Reyes Uranga, Gabelich and Lerch

**Enactment No:** ORD-05-0022

**NEW BUSINESS: (9:46 PM)**

26. [05-3030](#) Recommendation to request City Manager and City Prosecutor for a report to City Council on the potential usefulness, feasibility of operations, evidentiary uses and funding for surveillance devices to deter illegal activity and assist with apprehending criminals.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Baker spoke.

Vice Mayor Kell spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Colonna spoke.

Robert Shannon, City Attorney, spoke.

Anthony Batts, Chief of Police, spoke.

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

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

**No:** 2 - Baker and O'Donnell

**ANNOUNCEMENTS:**

Councilmember O'Donnell made community announcements.

Councilwoman Gabelich made community announcements.

Councilwoman Richardson made community announcements.

Vice Mayor Kell made community announcements.

Councilmember Reyes Uranga made community announcements and requested that the meeting adjourn in memory of Seventh District resident, Richard Dixon.

Public comment was considered prior to Item No. 19.

**PUBLIC COMMENT: (9:24 PM)**

Barbara Gails spoke regarding Long Beach Transit layoffs.

Councilwoman Richardson spoke.

In response to Councilwoman Richardson, Robert Shannon, City Attorney, advised that in order to request more information, an item would have to be placed on a future City Council agenda.

Councilmember Colonna spoke.

Stephen James, President, Police Officers Association, spoke.

**ADJOURNMENT: (10:13 PM)**

At 10:13 P.M., Vice Mayor Kell adjourned the meeting in memory of Seventh District resident, Richard Dixon.

**NOTE:**

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

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

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

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