

Bonnie Lowenthal, Vice Mayor, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, 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

Bob Foster, Mayor

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

ROLL CALL: (5:17 PM)

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

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

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Laura Richardson, Councilwoman, Sixth District.

Pet Adoption: Julie Pruitt, spcaLA, presented a canine.

Presentation for Hispanic Heritage Month, September 15 - October 15, 2006. (5:20 PM)

Presentation of the Helen Putnam Awards to Department of Health and Human Services
and Department of Parks, Recreation, and Marine, by the League of California Cities.
(5:23 PM)

Presentation to The Library Foundation by BP, and Letters of Commendation to Water
Department Employees, Frank Wesley and John DeRouen. (5:31 PM)

Presentation of Letters of Commendation to Sharon Raven and Wil Shaw. (5:35 PM)

CONTINUED HEARINGS: (5:44 PM)

[see media](#)

1. [06-0826](#) Recommendation to receive supporting documentation into the record, conclude the hearing, and declare the ordinance amending the Downtown Planned Development District (PD-30) related to creation of a Downtown Loft District read for the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1,2)

Vice Mayor B. Lowenthal spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

Vice Mayor B. Lowenthal spoke.

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

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

2. [06-0958](#) Recommendation to receive the supporting documentation into the record, conclude the hearing and grant the Permit, with or without conditions, or deny the Permit on the application of Frisco's Food Services, dba Frisco's Restaurant, 4750 Los Coyotes Diagonal, for a Permit for Entertainment Without Dancing by Patrons at an existing restaurant. (District 4)

Councilmember O'Donnell spoke.

Motion to Approve recommendation to grant the permit, with conditions. Moved by O'Donnell, seconded by Reyes Uranga.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

Mayor Foster recused himself and left the chambers. Vice Mayor B. Lowenthal assumed the chair.

[see media](#)

3. [06-1039](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, find that it is in the public interest to underground utility lines along Alamitos Avenue between Seventh Street

and Pacific Coast Highway, and adopt resolution establishing Underground Utility District No. 41. (Districts 1,6)

Ben Rockwell spoke.

Motion to Approve recommendation and adopt Resolution No. RES-06-0122. Moved by Richardson, seconded by Reyes Uranga.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-06-0122

Agenda Item No. 24 was considered at this time.

PUBLIC COMMENT: (6:18 PM)

Antonio Ruiz spoke regarding the Homeland Cultural Center.

Councilwoman Gabelich spoke.

Thomas Murphy spoke regarding experiencing an earthquake at Poly High School.

Douglas Frankenfeld spoke regarding the Water Replenishment District of Southern California.

Robert Shannon, City Attorney, spoke.

Ben Rockwell spoke regarding sidewalk accessibility.

Ralph Vix spoke regarding emergency winter shelters.

Vice Mayor B. Lowenthal spoke.

Allen Hose spoke regarding the gay marriage ordinance.

Mayor Foster assumed the chair.

Kristen Autry spoke regarding the Shoreline Gateway project.

Robert Bastian spoke regarding the Bixby Park Chess Club.

Councilwoman Schipske spoke.

Mayor Foster spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Gabelich spoke.

CONSENT CALENDAR: (6:45 PM)

Passed The Consent Calendar

A motion was made by Councilmember DeLong, seconded by Councilmember O'Donnell, to approve Consent Calendar Items 4-19, except for items 6, 9, 13, 15, and 17. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

4. [06-1078](#) Recommendation to receive and file report on travel to the Conference of Mayors Event in Santa Barbara, CA, and travel to Sacramento, CA.

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

5. [06-1071](#) Recommendation to receive and file report on attendance at the National League of Cities FAIR Fall Steering Committee meeting in San Antonio, Texas.

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

[see media](#)

6. [06-1069](#) Recommendation to adopt resolution in support of marriage equality for same sex couples with full rights and responsibilities as any heterosexual civil marriage.

Julia Curtis Steele spoke.

Larry Goodhue spoke.

Councilmember S. Lowenthal spoke.

John Coleman spoke.

Ann Franchik spoke.

Phyllis Daniel spoke.

Fred Paudslow spoke.

Mina Meyer spoke.

Allen Hose spoke.

Sharon Rafael spoke.

Ralph Vix spoke.

Ben Rockwell spoke.

Motion to Approve recommendation and adopt Resolution No. RES-06-0123. Moved by B. Lowenthal, seconded by S. Lowenthal.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-06-0123

7. [06-1068](#) Recommendation to refer to City Attorney damage claims received between October 5, 2006 and October 12, 2006.

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

8. [06-1052](#) Recommendation to approve the Downtown Long Beach Property and Business Improvement District Annual Report for the period of January 1, 2007 through December 31, 2007, automatically extending the current agreement with the Downtown Long Beach Associates for one year; and increase budget appropriation by \$7,249 in the Civic Center Fund (IS 380) in the Department of Public Works (PW). (Districts 1,2)

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

[see media](#)

9. [06-0928](#) Recommendation to receive and file annual report of the Downtown Long Beach Parking and Business Improvement Area; approve the proposed budget for Fiscal Year 2007; and authorize City Manager to execute a contract with the Downtown Long Beach Associates for the period of October 1, 2006 through September 30, 2007. (Districts 1,2)

Thomas Murphy spoke.

Motion to Free Form Approve recommendation.

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

Absent: 2 - Gabelich and Lerch

10. [06-1053](#) Recommendation to authorize City Manager to execute an agreement with OSI Collection Services, Inc., to provide collection agency services, for a three-year term with options for two additional one-year periods.

(Citywide)

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

11. [06-1054](#) Recommendation to authorize City Manager to execute all documents necessary to assign Lease No. 28285 from Naples Yacht Sales, Inc., a California corporation, to Heritage Yacht Sales, Inc., a California corporation. (District 3)

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

12. [06-1055](#) Recommendation to authorize City Manager to execute a right of entry permit with Partners of Parks, a non-profit organization, to allow access to construct a playground at Orizaba Park on December 16, 2006. (District 4)

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

Mayor Foaster recused himself and left the chamber. Vice Mayor B. Lowenthal assumed the chair.

[see media](#)

13. [06-1056](#) Recommendation to authorize City Manager to execute a license agreement with Southern California Edison for use of Southern California Edison-owned right-of-way property. (District 9)

Vice Mayor B. Lowenthal spoke.

Motion to Free Form Approve recommendation.

Yes: 5 - B. Lowenthal, S. Lowenthal, DeLong, Richardson and Reyes Uranga

Absent: 4 - O'Donnell, Schipske, Gabelich and Lerch

14. [06-1062](#) Recommendation to authorize Department of Planning and Building to process a refund in the amount of \$10,057 to Oak Creek Inns in accordance with Long Beach Municipal Code Section 3.48.040.

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

Mayor Foster assumed the Chair.

[see media](#)

15. [06-1057](#) Recommendation to receive and file the application of Udom Phunghian, dba Khun Dom, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1990 Pacific Avenue, with

existing conditions. (District 6)

Distributed at meeting: Councilwoman Richardson's October 17, 2006 memorandum.

Motion to That the item be laid over to the October 24, 2006 meeting. Moved by Richardson, seconded by Reyes Uranga.

Yes: 5 - B. Lowenthal, S. Lowenthal, DeLong, Richardson and Reyes Uranga

Absent: 4 - O'Donnell, Schipske, Gabelich and Lerch

16. [06-1058](#)

Recommendation to receive and file the application of Hoa Kim Hinh, dba Q Beer & Wine, for a person-to-person transfer of an Alcoholic Beverage Control License, at 6203-05 Orange Avenue, with existing conditions. (District 9)

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

[see media](#)

17. [06-1059](#)

Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Department of Justice Earmark 2006 in the amount of \$394,891 and for a term of up to three years; and increase appropriations in the General Grants Fund (SR) in the Police Department (PD) by \$394,891. (Citywide)

Councilmember DeLong spoke.

Mayor Foster spoke.

Councilwoman Richardson spoke.

Councilwoman Gabelich spoke.

Motion to Free Form Approve recommendation.

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

Absent: 1 - S. Lowenthal

18. [06-1060](#)

Recommendation to authorize a public walkways occupancy permit for sidewalk dining at Quiznos Sub located at 450 Pine Avenue. (District 1)

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

19. [06-1015](#)

Recommendation to receive and file minutes of:
Planning Commission - July 20 and September 7, 2006

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

REGULAR AGENDA: (7:21 PM)

[see media](#)

20. [06-1076](#) Recommendation to suspend the rule contained in Long Beach Municipal Code Section 2.03.020 (B) relating to the meeting schedule of the City Council in order to cancel the meeting of November 7, 2006 due to the Statewide General Election.

Motion to Free Form Approve recommendation.

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

Absent: 1 - S. Lowenthal

[see media](#)

21. [06-1067](#) Recommendation to request City Manager to provide to the City Council within 30 days an aggressive multi-year "streets, sidewalks and curbs" infrastructure plan that will result in the upgrade of these facilities to a rating condition of "good."

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Councilmember S. Lowenthal spoke.

Motion to Free Form Approve recommendation.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

22. [06-1070](#) Recommendation to respectfully request that the recommendations from the Ethics Review Task Force report be referred to the Elections Oversight Committee for an evaluation of the adopted ethics rules and consideration of the unadopted recommendations.

Vice Mayor B. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Thomas Murphy spoke.

Motion to Approve recommendation. Moved by B. Lowenthal, seconded by S. Lowenthal.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

23. [06-1072](#)

Recommendation to respectfully request that the City Manager look at the feasibility of creating a full-time Mental Health Coordinator position within the Department of Health and Human Services to be potentially funded by non-local government sources, including Proposition 63, private grants and other non-general fund sources.

Vice Mayor B. Lowenthal spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Thomas Murphy spoke.

Dr. Doris Kagen spoke.

Martha Long spoke.

Steven Peck spoke.

Tracy Weaver spoke.

Motion to Free Form Approve recommendation.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

Agenda Item No. 24 was considered following Agenda Item No. 3 and prior to Public Comment.

[see media](#)

24. [06-1073](#)

Recommendation that City Council receive a presentation by California State University, Long Beach President F. King Alexander, regarding Proposition 1D - Kindergarten - University Public Education Facilities Bond Act of 2006.

Councilmember O'Donnell spoke.

Councilwoman Gabelich spoke.

Motion to Free Form Approve recommendation.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

25. [06-1075](#)

Recommendation to request City Manager to work with the Long Beach Police Department to conduct an internal audit/review of staff positions and assignments, ensuring the City Council directive that the number of sworn officers assigned to proactive crime-fighting positions is maximized.

Councilmember O'Donnell spoke.

Thomas Murphy spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Motion to Free Form Approve recommendation.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

26. 06-0754

Recommendation that the City Council concur in the recommendation of the Personnel and Civil Service Committee to request the City Manager to prepare a comprehensive review of the City's recruitment and retention strategy including tuition reimbursement, health benefits for permanent part-time employees, unused sick time to purchase post-employment health insurance, attendance records, and the possibility of extending the mortgage assistance program that's currently offered to police officers, to all City employees.

This Agenda Item was withdrawn.

[see media](#)

27. [06-1061](#)

Recommendation to adopt resolution making certain findings regarding the construction of certain public improvements with North Long Beach Redevelopment Project Area Funds; and

Request City Attorney to prepare an amendment to Section 10.14.020 of the Long Beach Municipal Code, adding new subsections to read: "113. (Westbound) 56th Street between Linden Avenue and Long Beach Boulevard"; and "114. (Eastbound) Ellis Street between Long Beach Boulevard and Linden Avenue." (Districts 8,9)

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Councilwoman Schipske spoke.

Motion to Approve recommendation and adopt Resolution No. RES-06-0124. Moved by Richardson, seconded by Reyes Uranga.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

Enactment No: RES-06-0124

[see media](#)

28. [06-1063](#)

Recommendation to determine if the application would serve the public convenience and necessity, and receive and file the application of Barnabas Hyung Yong Kim, dba Alta Dena Market, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 340 W. Pacific Coast Highway, with conditions. (District 1)

Motion to Free Form Approve recommendation.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

29. [06-1064](#)

Recommendation to receive and file the application of Pedro Garza Mora, dba El Yahualica Restaurant, for an original Alcoholic Beverage Control License, at 2001 Pacific Avenue, with conditions. (District 6)

Distributed at meeting: Councilwoman Richardson's October 17, 2006 memorandum.

Councilwoman Richardson spoke.

Motion to Protest the issuance of an Alcoholic Beverage Control License due to residences within 100 feet of the business. Moved by Richardson, seconded by B. Lowenthal.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

30. [06-1065](#)

Recommendation to adopt Plans and Specifications No. R-6499 for the Davies Launch Ramp Improvements Phase II, and authorize City Manager to award the contract to and execute an agreement with W.W. Stevenson Co., Inc., in an estimated amount of \$908,200, plus a 15 percent contingency amount, if necessary, and increase appropriation in the amount of \$390,000 in the Tidelands Fund (TF) in the Department of Public Works (PW). (District 3)

Motion to Free Form Approve recommendation.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske,
Richardson, Reyes Uranga, Gabelich and Lerch

ORDINANCES: (8:01 PM)

[see media](#)

31. [06-1066](#) Recommendation to declare ordinance requiring ethics training for members of boards, commissions and committees 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 Vice Mayor B. Lowenthal, seconded by Councilmember S. Lowenthal, to declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

32. [06-0967](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.14.020, Subsection A, relating to traffic operations, read and adopted as read. (District 8)

Motion to Approve recommendation and adopt Ordinance No. ORD-06-0048. Moved by DeLong, seconded by Reyes Uranga.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

Enactment No: ORD-06-0048

NEW BUSINESS: (8:02 PM)

[see media](#)

33. [06-1084](#) Recommendation to approve Certificates of Recognition presented to International City Theater - 21st Anniversary Celebration, Encore 2006 Crystal Arts and Humanitarian Award Recipients: Long Beach Harbor Commissioners James C. Hankla, President; Mario Cordero, Vice President; John W. Hancock, Secretary; Dr. Mike Walter, Assitant Secretary; and Doris Topsy-Elvord, Commissioner.

Motion to Free Form Approve recommendation.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

[see media](#)

34. [06-1085](#) Recommendation to receive and file report on reorganization meeting of Southern California Regional Airport Authority (SCRAA).

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilwoman Schipske spoke.

Robert Shannon, City Attorney, spoke.

Motion to Free Form Approve recommendation.

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

Robert Shannon, City Attorney, spoke.

A motion was made by Councilmember DeLong, seconded by Councilwoman Richardson, to approve amendment to request City Attorney to report back within 30 days regarding the legislation, the nature of the organization, and legal options for membership to the organization. The motion carried by the following vote:

Yes: 9 - B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Richardson, Reyes Uranga, Gabelich and Lerch

35. Affidavit of Service for meeting held Tuesday, October 17, 2006. (8:18 PM)

ANNOUNCEMENTS:

Councilmember O'Donnell made community announcements, and requested that the meeting adjourn in memory of Dr. Daniel O'Toole.

Councilmember Lerch made community announcements.

Vice Mayor B. Lowenthal made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilwoman Gabelich made community announcements.

Councilmember Reyes Uranga requested that the meeting adjourn in memory of Willie Husband.

Councilmember DeLong made community announcements, and requested that the meeting adjourn in memory of Halcyon Ball.

Councilwoman Schipske made community announcements.

Councilmember S. Lowenthal made community announcements.

PUBLIC: (8:29 PM)

Reyna Akers spoke regarding the Home Depot project.

Margarita Underhill spoke regarding the mentally ill.

Orlando Greenhill spoke regarding Department of Parks, Recreation, and Marine, Iterim Program Director, Zoot Velasco.

ADJOURNMENT: (8:41 PM)

At 8:41 P.M., Mayor Foster adjourned the meeting in memory of Dr. Daniel O'Toole, Halcyon Ball, and Willie Husband.

adb