

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

**TUESDAY, APRIL 4, 2023
411 W. OCEAN BOULEVARD
CIVIC CHAMBERS, 5:00 PM**

Mary Zendejas, 1st District
Cindy Allen, Vice Mayor, 2nd District
Kristina Duggan, 3rd District
Daryl Supernaw, 4th District



Megan Kerr, 5th District
Dr. Suely Saro, 6th District
Roberto Uranga, 7th District
Al Austin, 8th District
Dr. Joni Ricks-Oddie, 9th District

Thomas B. Modica, City Manager
Monique De La Garza, City Clerk

Rex Richardson, Mayor

Dawn McIntosh, City Attorney

REVISED

**MEMBERS OF THE PUBLIC HAVE THE OPTION TO USE eCOMMENT TO PROVIDE
COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS MAY ALSO BE SUBMITTED
BY EMAIL TO CITYCLERK@LONGBEACH.GOV**

**PLEASE VIEW THE MEETING FROM YOUR COMPUTER, TABLET, OR SMARTPHONE
VIA: https://longbeach.granicus.com/ViewPublisher.php?view_id=84**

PLEDGE OF ALLEGIANCE

NOTICE TO THE PUBLIC

The consent calendar shall be heard immediately after the pledge of allegiance, and prior to 6:30 PM. All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless the Mayor, City Councilmembers or the City Manager request specific items be discussed and/or removed from the Consent Calendar for separate action.

CONSENT CALENDAR: (1 - 20)

1. [23-0292](#) Recommendation to increase appropriations in the General Fund Group in the City Manager Department by \$500, offset by the Fifth Council District One-Time District Priority Funds transferred from the Citywide Activities Department to provide a contribution to Partners of Parks; and

Decrease appropriations in the General Fund Group in the Citywide Activities Department by \$500 to offset a transfer to the City Manager Department.

Office or Department: COUNCILWOMAN MEGAN KERR, FIFTH DISTRICT

Suggested Action: Approve recommendation.

2. [23-0293](#) Recommendation to increase appropriations in the General Fund Group in the City Manager Department by \$2,075, offset by the Third Council District One-Time District Priority Funds, transferred from the Citywide Activities Department, to provide donations of:

1. \$1,700 to the Friends of Belmont Shore to support their Summer Community Concert;
2. \$375 to the Belmont Heights Community Association to support their Egg Hunt in the Heights; and

Decrease appropriation in the General Fund Group in the Citywide Activities Department by \$2,075, to offset a transfer to the City Manager Department.

Office or Department: COUNCILMEMBER KRISTINA DUGGAN, THIRD DISTRICT

Suggested Action: Approve recommendation.

3. [23-0294](#) Recommendation to authorize City Attorney to pay sum of \$150,000, in full settlement of lawsuit entitled *Edward Benavidez vs. City of Long Beach, et al.*, Los Angeles Superior Court Case No. 21STCV02509.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

4. [23-0296](#) 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 \$52,200, in compliance with the Appeals Board Order for William Foster.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

5. [23-0295](#) Recommendation to authorize City Attorney to pay sum of \$99,000, in full settlement of lawsuit entitled *Michael Medina-Fernandez v. City of Long Beach, et al.*, United States District Court Case No. 2:21-cv-07038-JPR.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

6. [23-0297](#) Recommendation to authorize City Attorney to submit two Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$125,642.50 for Stipulations with Request for Award with a life pension thereafter of \$77.31 per week and also 2) separate authority to pay \$111,142.50 in compliance with the Appeals Board Order for Keith Mullally.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

REVISED

7. [23-0298](#) 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 \$122,742.50 in compliance with the Appeals Board Order for Donald Radcliff.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

8. [23-0299](#) Recommendation to authorize City Attorney to pay sum of \$75,000, in full settlement of lawsuit entitled Jane Doe v. City of Long Beach, et al., Los Angeles Superior Court Case No. 22STCV16940.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

9. [23-0300](#) Recommendation to adopt resolution recognizing the 31st of March of every year as César Chávez Day, a Day of Celebration in the City of Long Beach; and

[23-0301](#) Adopt resolution recognizing the 10th of April of every year as Dolores Huerta Day, a Day of Celebration in the City of Long Beach. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

10. [23-0302](#) Recommendation to approve the minutes for the City Council Special Meeting of Tuesday, March 7, 2023; and City Council meeting of Tuesday, March 14, 2023.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

11. [23-0303](#) Recommendation to refer to City Attorney damage claims received between March 13, 2023 and March 27, 2023.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

12. [23-0304](#) Recommendation to authorize City Manager, or designee, to execute a contract, and any necessary documents including any necessary subsequent amendments, with Sprout Social, Inc., of Chicago IL, to provide social media support services and tools, in a total annual amount not to exceed \$40,000, for a period of two years, with the option to renew for additional one-year periods, at the discretion of the City Manager. (Citywide)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

13. [23-0305](#) Recommendation to authorize City Manager, or designee, to execute a contract, and any necessary documents including any necessary subsequent amendments, with various Pacific Gateway Workforce Innovation Network training and service providers, for training and employment services to residents, in a total aggregate amount not to exceed \$750,000, for a term ending December 31, 2023, with the option to renew for an additional one-year period, at the discretion of the City Manager. (Citywide)

Office or Department: ECONOMIC DEVELOPMENT

Suggested Action: Approve recommendation.

14. [23-0306](#) Recommendation to authorize City Manager, or designee, to execute all documents necessary to amend Contract No. 34878 with Tait Environmental Services, Inc., of Santa Ana, CA, to provide technical support, construction management services, and regulatory updates for the City's Fuel Operations program, to increase the contract amount by \$70,839, for a revised contract amount not to exceed \$1,105,839, and extend the term to September 30, 2023. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

15. [23-0307](#) Recommendation to adopt resolution authorizing City Manager, or designee, to execute a contract, and any necessary documents including any necessary subsequent amendments, with Elastec, Inc., of Carmi, IL, for the purchase of an Elastec E30 work boat, with trailer and other accessories, in a total amount not to exceed \$416,934, including taxes and fees. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

16. [23-0315](#) Recommendation to adopt resolution amending the Fiscal Year 2023 Salary Resolution RES-22-0159 to increase the maximum annual compensation permitted for the Metropolitan Water District Board of Directors representative to \$200 per meeting attended limited to no more than four meetings per month, inclusive of subcommittee meetings, not to exceed \$7,000 maximum per calendar year. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

17. [23-0308](#) Recommendation to authorize City Manager, or designee, to execute an agreement, and all necessary documents, subcontracts, and any necessary amendments, including any amendments to the award amount, with Public Strategies, Inc., a Technical Assistance provider for the Fundamentals of Fatherhood Project, to accept and expend grant funding in the amount of \$35,000, for the National Responsible Fatherhood Alliance, for the period of April 1, 2023 through October 31, 2023, with the option to extend the agreement for three additional one-year periods at the discretion of the City Manager; and

Increase appropriations in the Health Fund Group in the Health and Human Services Department by \$35,000, offset by grant revenue. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

18. [23-0309](#) Recommendation to request City Attorney to prepare ordinance amending the Long Beach Municipal Code (LBMC) to clarify the City's authority to enforce the Long Beach Public Library Patron Rules of Conduct (Library Rules) in all Library facilities and on all Long Beach Public Library (LBPL) property. (Citywide)

Office or Department: LIBRARY SERVICES

Suggested Action: Approve recommendation.

19. [23-0310](#) Recommendation to adopt resolution authorizing City Manager, or designee, to execute a contract, and any necessary documents, including subsequent amendments, with Bibliotheca, of Norcross, GA to provide updated patron self-checkout machines at the eleven Long Beach Public Library branch libraries, and maintenance services, in a total amount not to exceed \$224,726 for a period of 5 years, with no renewal options, at the discretion of the City Manager; and, authorize City Manager, or designee, to execute all documents necessary to enter into the contract, including any necessary subsequent amendments. (Citywide)

Office or Department: LIBRARY SERVICES

Suggested Action: Approve recommendation.

20. [23-0311](#) Recommendation to receive and file the application of Sake Secret, LLC, dba Sake Secret, for an original application of an Alcoholic Beverage Control (ABC) License, at 460 Pine Avenue; determine that the application serves the public convenience and necessity, and submit a Public Notice of Protest to ABC; and, direct City Manager to withdraw the protest if a Conditional Use Permit (CUP) is granted. (District 1)

Office or Department: POLICE

Suggested Action: Approve recommendation.

CEREMONIALS AND PRESENTATIONS:

BOOKS & BUCKETS

ACS PET ADOPTION

EARTH MONTH KICK-OFF

HEARING:

21. [23-0312](#) Recommendation to receive supporting documentation into the record and conclude the public hearing and consider one third-party appeal by the Westside Business Association of Long Beach (APL23-005);

Adopt resolution adopting and certifying a Mitigated Negative Declaration (IS/MND 01-23) and making findings of fact related thereto, and adopting a Mitigation Monitoring and Reporting Program; and

Deny the appeal of the Planning Commission's decision and approve two (2) Conditional Use Permits (CUP21-010 & CUP21-011) to operate a trucking use on two (2) properties located at 1711 Harbor Avenue and 1515 West 17th Street that total 4.85 acres in size in the General Industrial (IG) Zoning District. (District 7)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

REVISED

REGULAR AGENDA:

22. [23-0313](#) Recommendation to request City Manager to work with local educational institutions including California State University Long Beach (CSULB), California State University Dominguez Hills (CSUDH), Long Beach City College (LBCC), and Long Beach Unified School District (LBUSD), as well as industry partners in Long Beach’s key growth sectors, to pursue strategic partnerships and cooperation agreements that make meaningful investments to support housing production and add to Long Beach’s existing housing stock, and refer to the Educational Partnerships Committee and the Housing and Public Health Committee for input and discussion.

Office or Department: MAYOR REX RICHARDSON;
COUNCILWOMAN MEGAN KERR, FIFTH DISTRICT, CHAIR; EDUCATIONAL PARTNERSHIP COMMITTEE; HOUSING AND PUBLIC HEALTH COMMITTEE

Suggested Action: Approve recommendation.

23. [23-0314](#) Recommendation to authorize City Attorney to join amicus briefs that align with the annually adopted City of Long Beach State Legislative Agenda and/or Federal Legislative Agenda, and to request subsequent affirmation by the City Council. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

24. [23-0316](#)

Recommendation to authorize City Manager, or designee, to execute an amendment to accept and expend grant funds from the State of California Department of Parks and Recreation Land and Water Conservation Fund, increasing the award from \$2,016,000 to an amount not to exceed \$3,656,000, for the period from July 1, 2020 through December 31, 2023, for the Davenport Park Phase II Project;

Increase appropriations in the Capital Projects Fund Group in the Public Works Department by \$1,640,000, offset by grant revenue; and

Increase appropriations in the Capital Projects Fund Group in the Public Works Department by \$1,640,000, offset by a transfer of Land and Water Conservation Grant Funds from the State of California Department of Parks and Recreation from the Capital Grants Fund. (District 8)

Office or Department: PARKS, RECREATION AND MARINE;
PUBLIC WORKS

Suggested Action: Approve recommendation.

25. [23-0317](#)

Recommendation to adopt resolution authorizing City Manager, or designee, to execute a contract, and any necessary documents including subsequent amendments, with Safeware, Inc., of Lanham, MD; and Mallory Safety and Supply, LLC, of Portland, OR, for furnishing and delivering emergency response and public safety equipment and supplies, on the same terms and conditions afforded to the Port of Portland, OR, through Omnia Partners, in an annual aggregate amount of \$3,000,000, with a 20 percent contingency in the amount of \$600,000, for a total annual aggregate contract amount not to exceed \$3,600,000, until the Omnia Partners contract expires on April 1, 2026, with the option to renew for as long as the Omnia Partners contract is in effect, at the discretion of the City Manager. (Citywide)

Office or Department: POLICE; FIRE; TECHNOLOGY AND INNOVATION

Suggested Action: Approve recommendation.

REVISED

ORDINANCES:

26. [23-0318](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 5.24.010, 5.24.020, 5.24.080, and 5.24.140, relating to boxing and wrestling exhibitions, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

27. [23-0265](#) WITHDRAWN
~~Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 2.18.050; and, by repealing Section 2.06.060, all relating to compensation and training requirements for members of boards and commissions, read and adopted as read. (Citywide)~~

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

REVISED

NEW BUSINESS:

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

28. [23-0321](#) Recommendation to continue the local emergency caused by conditions or threatened conditions of homelessness within the City of Long Beach, which if not corrected, constitute an imminent and proximate threat to the safety of persons and property within the City; and

Receive and file an update on the emergency declaration and associated activities and provide any additional direction to City staff regarding the emergency. (Citywide)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

29. Affidavit of Service for special meeting held Tuesday, April 4, 2023.

30.

- [23-0322](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, March 31, 2023.

PUBLIC COMMENT: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Tuesday, April 11, 2023 - Housing Authority of the City of Long Beach, California at 4:30 P.M., Civic Chambers.

Tuesday, April 18, 2023 - Government Operations and Efficiency Committee (Attorney/Client) at 3:45 P.M., The Beach Conference Room.

HEARING REMINDERS:

Tuesday, April 18, 2023 - Hearing for the Mosaic Project Appeal (450 The Promenade North).

Tuesday, April 18, 2023 - Hearing for Appeal of the Planning Commission's decision at 5910 Cherry Avenue. (District 9)

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NOTE:

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Agenda items may also be reviewed in the Office of the City Clerk or online at the Main Library and at the Branch Libraries. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach LinkLB System at www.longbeach.gov/linklb.

Any supplemental writings or documents regarding an agenda item that are distributed to a majority of the City Council after the posting of this agenda will be available for public inspection in the Office of the City Clerk during normal business hours and available on the internet at <http://longbeach.legistar.com/Calendar.aspx>.

If oral language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 24 business hours prior to the City Council meeting.

Kung humihiling ng pasalitang interpretasyon ng wika ng agenda at minutes ng Konseho ng Lungsod o kung humihiling ng isang natatanging pagtulong ayon sa Americans with Disabilities Act, mangyaring humiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 24 oras ng negosyo bago isagawa ang pulong ng Konseho ng Lungsod.

Si desea interpretación oral en otro idioma para las personas que no hablan inglés o si desea una adaptación especial en conformidad con la Ley de Estadounidenses con Discapacidades, haga su solicitud por teléfono a la oficina del secretario municipal al (562) 570-6101, 24 horas hábiles antes de la reunión del ayuntamiento de la ciudad.

បើមានការចង់បាននូវការបកប្រែភាសាផ្ទាល់មាត់សម្រាប់អ្នកមិនចេះនិយាយអង់គ្លេស

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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 Office of the City Clerk at (562) 570-6101, 72 business hours prior to the City Council meeting.

Kung humihiling ng nakasulat na pagsasalin ng wika ng agenda at minutes ng Konseho ng Lungsod para sa mga taong hindi nagsasalita ng Ingles, mangyaring humiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras bago isagawa ang pulong ng Konseho ng Lungsod.

Si desea obtener la traducción escrita en otro idioma de la agenda y las actas del ayuntamiento de la ciudad para las personas que no hablan inglés, haga su solicitud por teléfono a la oficina del secretario municipal al (562) 570-6101, 72 horas hábiles antes de la reunión del ayuntamiento de la ciudad.

បើមានការចង់បាននូវការបកប្រែភាសាឯកសារកម្មវិធី និងកំណត់ហេតុប្រជុំក្រុមប្រឹក្សាសម្រាប់អ្នកមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើការស្នើសុំទៅកាន់ស្នើសុំនៃសាលាក្រុងតាមទូរស័ព្ទដែលមានលេខ (562) 570-6101 រយៈពេល 72 ម៉ោងធ្វើការនៅមុនកិច្ចប្រជុំនៃក្រុមប្រឹក្សាក្រុង ។