

Lena Gonzalez, 1st District
Jeannine Pearce, 2nd District
Suzie A. Price, 3rd District
Daryl Supernaw, 4th District



Stacy Mungo, 5th District
Dee Andrews, Vice Mayor, 6th District
Roberto Uranga, 7th District
Al Austin, 8th District
Rex Richardson, 9th District

Patrick H. West, City Manager
Monique De La Garza, City Clerk

Dr. Robert Garcia, Mayor

Charles Parkin, City Attorney

REVISED

PLEDGE OF ALLEGIANCE

**PRESENTATION FOR
EDUCATION EQUALS OPPORTUNITY**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. [18-0650](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, consider a third-party appeal (APL18-002) from James Richardson; accept Categorical Exemption (CE18-079); and, uphold the Planning Commission's decision to approve a Conditional Use Permit (CUP18-006) for childcare services, health and wellness programming, and a 1,760 square-foot outdoor play area at an existing church at 2325 East 3rd Street, in the Single-Family Residential District (R-1-N) Zone. (District 2)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

2. [18-0651](#) Recommendation to receive supporting documentation into the record, conclude the public hearing to consider the re-establishment of the Uptown Property and Business Improvement District (UPBID); direct the City Clerk to tabulate the ballots and report the results of the tabulation to the Mayor and City Council during the August 7, 2018 meeting; and, if a majority of ballots received are in favor of the establishment of the UPBID, adopt resolution to re-establish the UPBID for a term of ten years, effective January 1, 2019 through December 31, 2028. (Districts 8,9)

Office or Department: ECONOMIC DEVELOPMENT

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.

NOTICE TO THE PUBLIC

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: (3 - 27)

3. [18-0639](#) 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) \$68,382.50, and also 2) separate authority to pay \$5,915 in compliance with the Appeals Board Order for Rosalie Barber.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

4. [18-0641](#) 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 \$58,290 in compliance with the Appeals Board Order for Jack Dial.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

5. [18-0640](#) 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 \$97,347.50 in compliance with the Appeals Board Order for Jesus Najera.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

6. [18-0642](#) Recommendation to authorize City Manager to execute an Agreement with the firm of Ferguson, Praet & Sherman, for legal services in the matter entitled *Estate of Feras Morad v. City of Long Beach* Federal Case Number 2:16-cv-06785-GHK-AJW.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

7. [18-0643](#) Recommendation to authorize City Attorney to pay sum of \$1,450,000 in full settlement of lawsuit entitled *Woods, et al. v. City of Long Beach, et al.*, U.S. Court of Appeals 9th Circuit Case No.16-56545; U.S. District Court Case No.: 2:14-cv-08374-VAP-SP.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

8. [18-0644](#) Recommendation to receive and file the Quarterly Report of Cash and Investments for the quarter ending March 31, 2018.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.

9. [18-0652](#) Recommendation to approve the minutes for the City Council Special Meetings of Tuesday, July 17 and July 24, 2018, and the Joint Meeting of the Charter Amendment Committee and City Council Special Meeting of Tuesday, July 17, 2018.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

10. [18-0653](#) Recommendation to refer to City Attorney damage claims received between July 16, 2018 and July 30, 2018.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

11. [18-0647](#) Recommendation to approve the destruction of records for Economic Development Department; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

12. [18-0645](#) Recommendation to approve the destruction of records for the Parks, Recreation and Marine Department; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

13. [18-0646](#) Recommendation to approve the destruction of records for Long Beach Police Department; and adopt resolution.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

14. [18-0654](#) Recommendation to authorize City Manager, or designee, to execute all documents necessary, including any amendments, to enter into an agreement with FUSE Corps, a non-profit corporation of San Francisco, CA, to participate in the FUSE Corps Fellowship Program, in an amount not to exceed \$435,000, for the period of October 1, 2018 to September 30, 2019; and

Increase appropriations in the Special Grants Fund (SR 120) in the City Manager Department (CM) in the amount of \$435,000, offset by a transfer of funds from participating departments. (Citywide)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

15. [18-0655](#) Recommendation to adopt resolution authorizing access to State and Federal level summary criminal history information for licensing of adult-use cannabis businesses under Chapter 5.92 of the Long Beach Municipal Code, and authorizing City Manager, or designee, to execute all necessary agreements and amendments. (Citywide)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

16. [18-0656](#) Recommendation to authorize the City of Long Beach to become a Kiva Trustee and facilitate the access of zero percent interest, no-fee microloans for local small businesses. (Citywide)

Office or Department: ECONOMIC DEVELOPMENT

Suggested Action: Approve recommendation.

17. [18-0657](#) Recommendation to authorize City Manager, or designee, to execute all documents necessary to amend the contracts with Westrux International, Inc., of Santa Fe Springs, CA; Los Angeles Truck Centers, LLC, of Carson, CA; and, Harbor Diesel and Equipment, Inc., of Long Beach, CA, for the purchase of Cummins and Detroit engine parts and repair services, to increase the annual contract amount by \$175,000, for an annual aggregate amount not to exceed \$425,000, for the remaining term of the contracts. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

18. [18-0658](#) Recommendation to authorize City Manager, or designee, to execute all documents necessary to amend Contract No. 34822 with HERC Rentals, Inc., of Carson, CA; Contract No. 34823 with Sunbelt Rentals, of Fort Mill, SC; and, Contract No. 34860 with United Rentals (North America), of Long Beach, CA, for as-needed rental and delivery of heavy-duty equipment, to increase the annual contract amount by \$400,000, for a revised annual aggregate amount of \$850,000, and authorize a 15 percent contingency in the amount of \$127,500, for a revised annual aggregate amount not to exceed \$977,500, for the remaining term of the contracts. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

19. [18-0659](#) Recommendation to adopt Specifications No. ITB FD18-088 and award a contract to Allstar Fire Equipment, Inc., of Arcadia, CA, for the purchase and delivery of Self-Contained Breathing Apparatus and related equipment, in an annual amount not to exceed \$200,000, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

Office or Department: FIRE; FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

20. [18-0660](#) Recommendation to authorize the refund of \$658,620 to the State of California Department of Health Care Services for overpayments made to the City of Long Beach by the County-Based Medi-Cal Administrative Activities Program for Fiscal Years 2011, 2012, and 2013; and

Authorize the refund of \$94,191 to the State of California Department of Health Care Services for overpayments made to the City of Long Beach by the Targeted Case Management Program for Fiscal Year 2013.
(Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

21. [18-0661](#) Recommendation to authorize City Manager, or designee, to execute all documents necessary to transfer ownership of the American Pride Tall Ship from the City of Long Beach to the Los Angeles Maritime Institute (LAMI), a California non-profit corporation, dba Children's Maritime Institute; and, to execute all documents necessary to enter into a permit with LAMI, for vessel mooring and operations at Rainbow Harbor, for a ten year term, with two, five-year renewal options, at the discretion of the City Manager. (District 2)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

22. [18-0662](#) Recommendation to authorize City Manager, or designee, to execute all necessary documents to receive and expend grant funding from the County of Los Angeles Real Estate Fraud Prosecution Program, for the period of July 1, 2018 to June 30, 2019; and

Increase appropriations in the General Grants Fund (SR 120) in the Police Department (PD) by \$60,000, offset by grant revenue. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

23. [18-0663](#) Recommendation to adopt resolution authorizing City Manager, or designee, to execute a contract with Dooley Enterprises, Inc., of Anaheim, CA, for furnishing and delivering Winchester ammunition without advertising for bids, in an annual amount not to exceed \$400,000, for a period of two years, with the option to renew for three additional one-year periods, at the discretion of the City Manager. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

24. [18-0664](#) Recommendation to authorize City Manager, or designee, to execute a Public Walkways Occupancy Permit for sidewalk dining at Dutch's Brewhouse, at 4244 Atlantic Avenue. (District 8)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

25. [18-0665](#) Recommendation to authorize City Manager, or designee, to execute all documents necessary for the First Amendment to Agreement No. 31706 with the City of Seal Beach, to provide maintenance, repair and collection services for additional parking meters by the City of Long Beach; and
- Increase appropriations in the General Fund (GF) in the Public Works Department (PW) by \$8,000, offset by reimbursement revenue.
(Citywide)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
26. [18-0666](#) Recommendation to authorize City Manager, or designee, to execute a First Amendment to Cooperative Agreement No. 33741 with the County of Los Angeles, for Phases I and II of the City's Bridge Preventive Maintenance Program, to increase the contract amount by \$649,000, for a revised total amount not to exceed \$1,489,000; and
- Authorize City Manager, or designee, to execute all necessary documents to receive and expend future funding received from other cities participating in the Bridge Preventive Maintenance Program. (Citywide)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
27. [18-0667](#) Recommendation to receive and file minutes for:
Planning Commission - June 21, 2018.
- Office or Department:** VARIOUS
- Suggested Action:** Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

28. [18-0668](#) Recommendation to request City Council to receive and file the Letter of Completion for the Hotel Workplace Requirements and Restrictions petition and approve one of three alternative actions, as required by the California Elections Code Section 9215 and the Long Beach City Charter Section 2000:
- 1) Adopt the Initiative Ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or
 - 2) Submit the ordinance, without alteration, to the voters pursuant to Section 1405, and adopt resolutions a) and b).
 - a) Adopt resolution calling for the placement of an initiative measure to amend the Long Beach Municipal Code to add Hotel Workplace Requirements and Restrictions, directing the City Attorney to prepare an impartial analysis of the measure, and providing for the filing of primary and rebuttal arguments and setting rules for the filing of written arguments regarding said measure to be submitted at the November 6, 2018 Special Municipal Election; and

(Agenda Item No. 28. continued on Page 12)

REVISED

- b) Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of a Citywide Special Municipal Election for the placement of voter petition initiative measure with the Statewide General Election to be held on November 6, 2018; Requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of said Special Municipal Election and determining and declaring that the City will pay to the County reasonable and actual expenses incurred by the County on account of the consolidation of this election; or
- 3) Order a report pursuant to California Elections Code Section 9212 at the regular meeting at which the certification of the petition is presented; and when the report is presented to the legislative body, the legislative body shall either adopt the Initiative Ordinance within 10 days or order an election pursuant to action number two.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

NOTE: Agenda Item No. 29 will be coming back to Council on Tuesday, August 21, 2018.

29. [18-0669](#)

WITHDRAWN

~~Recommendation to receive and file a report by City staff on a strategy to create additional affordable housing and improve prevention and response to homelessness in Long Beach, including current efforts, potential new funding sources, and enhanced approaches to reduce homelessness and improve housing opportunities. (Citywide)~~

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

REVISED

30. [18-0670](#)

WITHDRAWN

~~Recommendation to authorize City Manager, or designee, to execute an amendment to the Southeast Resource Recovery Facility Operations and Maintenance Agreement No. 23336 with Covanta Long Beach Renewable Energy Corporation (Covanta), in an amount not to exceed \$8,700,000, to provide for capital investment by both the City of Long Beach and Covanta for facility equipment replacement. (Citywide)~~

Office or Department: ENERGY RESOURCES

Suggested Action: Approve recommendation.

31. [18-0671](#)

WITHDRAWN

~~Recommendation to authorize City Manager, or designee, to execute a Participating Generator Agreement with California Independent System Operator (CAISO);~~

~~Authorize City Manager, or designee, to execute a Large Generator Interconnection Agreement with Southern California Edison (SCE) and CAISO;~~

~~Authorize City Manager, or designee, to execute a Separate Interconnection Agreement with SCE;~~

~~Authorize City Manager, or designee, to execute a Meter Servicing Agreement with CAISO; and~~

~~Authorize City Manager, or designee, to execute a Scheduling Coordinator Agreement with a certified scheduling coordinator. (Citywide)~~

Office or Department: ENERGY RESOURCES

Suggested Action: Approve recommendation.

32. [18-0672](#) Recommendation to authorize City Manager, or designee, to execute a Third Amendment to Contract No. 34587 with All American Asphalt, of Corona, CA, for as-needed street improvements, increasing the contract amount by an additional \$15,000,000, for a revised total amount not to exceed \$55,000,000. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

ORDINANCES:

33. [18-0648](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 15.75.060 relating to reauthorization of video franchise fees within the City of Long Beach, 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.

34. [18-0625](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 14.04.015 relating to work within or on a public street or right-of-way, obstruction of a public street or right-of-way, read and adopted as read. (Citywide)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

NEW BUSINESS:

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

35.

36.

37.

[18-0673](#)

Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, August 3, 2018.

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, August 7, 2018 – Joint Meeting of the Charter Amendment Committee and City Council at 3:00 P.M., Council Chamber.

Tuesday, August 14, 2018 – Housing Authority of the City of Long Beach, California at 4:30 P.M., Council Chamber.

Tuesday, August 21, 2018 – Economic Development and Finance Committee (Attorney/Client) at 4:45 P.M., 14th Floor Conference Room.

HEARING REMINDERS:

Tuesday, August 14, 2018 – Hearing to vacate a portion of Nardo Way between Long Beach Boulevard and Palmer Court. (District 1)

Tuesday, August 21, 2018 – Hearing for the establishment of Preferential Parking District "AE" to include Eucalyptus Avenue between 20th Street and Hill Street. (District 6)

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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.

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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 ។