



OFFICE OF THE CITY ATTORNEY

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ORD-14

DAWN MCINTOSH
City Attorney

February 21, 2023

GARY J. ANDERSON
Assistant City Attorney

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Declare an Ordinance of the City Council of the City of Long Beach amending Section 2.84.030(C) of the Long Beach Municipal Code to raise the preference cap to \$50,000, read for the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION

Pursuant to the City Council's request on February 7, 2023, this office has prepared and submits the above-described Ordinance for the Council's consideration and approval.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

DAWN MCINTOSH, City Attorney

By *Erin Weesner-McKinley*
Erin Weesner-McKinley
Deputy City Attorney

EMW:ag
A22-03632

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2023, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

2.84.030 Local preference.

- A. This Section implements Section 1803 of the City Charter and is based on findings that the amount of local preference described in this Section for local businesses is in the public interest and is necessary to ease disadvantages suffered by local businesses due to the higher costs of doing business in the City of Long Beach.
- B. A bid for furnishing materials, equipment, supplies and nonprofessional services pursuant to Section 2.84.010 relating to the authority of the City's purchasing agent to make purchases for City departments reporting to the City Manager shall be reduced by the amount described below in making a determination whether or not the bidder is the lowest responsible bidder, if the bidder meets the following criteria:
 - 1. Has a current, valid business license from the City of Long Beach showing a place of business within the City limits; and
 - 2. Has a current, valid seller's permit (also known as a sales tax permit) showing a place of business within the City limits.
- C. A bid from a bidder meeting the criteria described in Subsection B of this Section shall be reduced by ten percent (10%). The maximum preference a bidder may be awarded pursuant to this Section and any other provision of law shall be ten percent (10%). However, in no case shall the maximum preference cost under this Section exceed ~~ten-fifty~~ thousand dollars (\$~~510,000.00~~) for any bid.
- D. This Section shall not apply to bids for purchases made by the Director of Library Services pursuant to Section 1801 of the City Charter or to purchases made pursuant to Section 1807 of the City Charter. This Section shall also not apply to bids for purchases funded by any Tidelands fund, by any grant funds, and by any funds received from the State of California. This Section shall not apply to bids for public works, as that term is defined in Section 1720(a) of the California Labor Code.

(ORD-09-0015 § 1 2009; Ord. 05-0020 § 1, 2005; Ord. C-7938 § 1, 2004)