

May 19, 2020

C-1

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meeting of Tuesday, May 5, 2020.

DISCUSSION

The Legistar minutes for the City Council meeting of Tuesday, May 5, 2020 are attached for review and approval.

Should any district offices have questions regarding the minutes we submit each week, we respectfully request that you contact the Office of the City Clerk prior to 12:00 p.m. on the day of the City Council meeting. With notice prior to the meeting, City Clerk staff can attempt to resolve any questions that you may have before the start of the regular meeting.

In cases where questions cannot be resolved before the 5:00 p.m. meeting start time, we will request a motion and a second that the minutes be held over for approval to the following week.

TIMING CONSIDERATIONS

None.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MONIQUE DE LA GARZA
CITY CLERK

MD:pr
Attachment

Mary Zendejas, 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

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

Dr. Robert Garcia, Mayor

Charles Parkin, City Attorney

FINISHED AGENDA & DRAFT MINUTES

CITY COUNCIL MEETING VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting. Please consult the time stamps to determine the order in which business was addressed.

The Agenda Items were considered in the following order: Consent Calendar, Agenda Item Nos. 18, 23, 25, 27, 26, 28 - 30, 24.

ROLL CALL (5:04 PM)

Councilmembers Zendejas, Pearce, Price, Supernaw, Mungo, Andrews, Uranga,
Present: Austin and Richardson

Also present: Thomas Modica, City Manager; Rebecca Garner, Acting Assistant City Manager; Charles Parkin, City Attorney; Monique De La Garza, City Clerk; Pablo Rubio, City Clerk Analyst.

Mayor Garcia presiding.

Invocation: Moment of Silence.

Pledge of Allegiance: Mayor Robert Garcia.

CONSENT CALENDAR (5:07 PM)

Passed the Consent Calendar.

A motion was made by Councilmember Uranga, seconded by Councilmember Richardson, to approve Consent Calendar Items 1 - 22, except for Items 18 and 21. The motion carried by the following vote:

Yes: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Richardson

Absent: 2 - Zendejas and Austin

1. 20-0362 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 \$87,942.50 in compliance with the Appeals Board Order for Mark Coble.

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

2. 20-0363 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 \$90,262.50 in compliance with the Appeals Board Order for Stephen Dougan.

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

3. 20-0364 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 \$66,410 in compliance with the Appeals Board Order for Ana Gill.

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

4. 20-0365 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 1) \$209,162.50 for Stipulations with Request for Award, and also 2) to pay \$216.46 per week for a Life Pension thereafter in compliance with the Appeals Board Order for Scott Nishitani.

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

5. 20-0366 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 \$113,462.50 in compliance with the Appeals Board Order for Joseph Pueliu.

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

6. 20-0367 Recommendation to authorize City Attorney to submit claim for death benefits for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$250,000 in compliance with the Appeals Board Order for dependent of decedent, Christopher Parker.

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

7. 20-0371 Recommendation to adopt resolution amending Sections 2 and 16 of Resolution No. RES-19-0129, known as the Salary Resolution of the City of Long Beach, to implement the terms of the employment agreement with Thomas B. Modica to serve as City Manager. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-20-0056 on the Consent Calendar.

Enactment No: RES-20-0056

8. 20-0368 Recommendation to approve the minutes for the City Council meeting of Tuesday, April 14, 2020.

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

9. 20-0369 Recommendation to refer to City Attorney damage claims received between April 13, 2020 and April 27, 2020.

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

10. 20-0370 Recommendation to approve the destruction of records for the Police Department, Vice Investigations Detail; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-20-0057 on the Consent Calendar.

Enactment No: RES-20-0057

11. 20-0373 Recommendation to approve the Uptown Property and Business Improvement District Annual Report, continuing the property assessment for the period of January 1, 2020 through December 31, 2020, automatically extending the current agreement with the Uptown Property and Community Association for a one-year period; and, authorize the payment of \$31,833 in City property assessments from the General Fund Group. (Districts 8,9)

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

12. 20-0372 Recommendation to authorize City Manager, or designee, to execute all documents necessary for the Second Amendment to Lease No. 29143 with Cal Art Design Group, Inc., dba Malibu Ceramic Works, for City-owned property at 903 Fairbanks Avenue. (District 1)

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

13. 20-0374 Recommendation to authorize City Manager, or designee, to execute all documents necessary for a Management Agreement with Conservation

Corps of Long Beach, a California nonprofit corporation, for the continued occupancy and management of City-owned property at 340 Nieto Avenue, for a period of 20 years. (District 3)

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

14. 20-0375 Recommendation to authorize City Manager, or designee, to execute a Right-of-Entry Permit, including any necessary documents, with Conservation Corps of Long Beach, a California nonprofit corporation, for the use of a portion of Willow Springs Park for its administration of an Urban Wood Recovery and Utilization Program, for a period of ten years. (District 7)

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

15. 20-0376 Recommendation to authorize City Manager, or designee, to execute all documents necessary to amend Investment Advisory Agreement No. 33749 with Chandler Asset Management, Inc., of San Diego, CA, for investment advisory and management services, to include authorization for as-needed trading and managing of short and intermediate investment portfolios, increasing the annual amount by \$168,000, for a revised annual amount not to exceed \$468,000. (Citywide)

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

16. 20-0377 Recommendation to authorize City Manager, or designee, to execute a permit with the Long Beach Public Library Foundation, a California nonprofit public benefit corporation, for use of space in the Billie Jean King (BJK) Main Library, for a period of five years, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (District 2)

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

17. 20-0378 Recommendation to authorize City Manager, or designee, to execute all documents necessary to enter into a new Lease with Jan M. Todd, dba Todd's Christmas Trees, for the sale of Christmas trees and related ancillary items, using a portion of the former Pacific Electric Right-of-Way property located between 7th Street and Ximeno Avenue, for a period of three months from October 1, 2020 through December 31, 2020; with two, one-year renewal options for the same three-month period in the years 2021 and 2022, at the discretion of the City Manager or designee. (District 3)

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

18. 20-0379 Recommendation to authorize City Manager, or designee, to execute an agreement with the Long Beach Unified School District, for food preparation for the 2020 Summer Food Service Program, in an amount not to exceed \$304,300; execute sponsor/site agreements with the City of Signal Hill and nonprofit organizations; and, execute any documents, including amendments, necessary to accept funds, implement, and administer the 2020 Summer Food Service Program, from June 15, 2020 through August 21, 2020. (Citywide)

Vice Mayor Andrews recused himself from Agenda Item No. 18.

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

Yes: 6 - Pearce, Price, Supernaw, Mungo, Uranga and Richardson

Absent: 2 - Zendejas and Austin

Recused: 1 - Andrews

19. 20-0380 Recommendation to authorize City Manager, or designee, to execute an amendment to Right-of-Entry Permit No. P-00036, and any related documents, with AECOM Technical Services, Inc., a Delaware corporation, and/or its agents, for a term of two years, from May 1, 2020 to April 30, 2022, with three additional one-year options to renew the Permit through April 30, 2025. (District 7)

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

20. 20-0381 Recommendation to authorize City Manager, or designee, to execute all documents necessary to amend Contract No. 35258 with SiteOne Landscape Supply, of Cleveland, OH, and Contract No. 35216 with American Landscape, Inc., of Canoga Park, CA, for the supply and installation of Calsense irrigation controller upgrades, to increase the aggregate contract amount by \$484,004, for a revised total aggregate contract amount not to exceed \$2,074,101. (Citywide)

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

21. 20-0382 WITHDRAWN
~~Recommendation to receive and file the application of Bad Axe Throwing, Incorporated, dba Bad Axe Throwing, for an original application of an Alcoholic Beverage Control (ABC) License, at 245 Pine Avenue, Suite 290; determine that the application does not serve the Public Convenience and Necessity; and, submit a Public Notice of Protest to ABC on the bases of an over concentration of licenses within the census tract, residences within 100 feet, a park within 600 feet of the establishment, and high crime in the reporting district. (District 2)~~

This ABC License was withdrawn.

22. 20-0383 Recommendation to authorize City Manager, or designee, to accept an easement deed from Amcal Las Ventanas Fund, LP, a California limited partnership, the owner of the property at 1795 Long Beach Boulevard, for the installation of public utilities; and

Accept State Clearinghouse Number 2015031034. (District 1)

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

HEARING (5:10 PM)

23. 20-0384 Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution amending the Master Fee and Charges Schedule. (Citywide)

Thomas Modica, City Manager, spoke.

Councilmember Uranga spoke.

A motion was made by Councilmember Uranga, seconded by Councilwoman Price, to approve recommendation and adopt Resolution No. RES-20-0058. The motion carried by the following vote:

Yes: 7 - Pearce, Price, Supernaw, Mungo, Andrews, Uranga and Richardson

Absent: 2 - Zendejas and Austin

Enactment No: RES-20-0058

REGULAR AGENDA (9:06 PM)

24. 20-0385 Recommendation to request City Attorney to work with the Development Services Department to amend location requirements in the Long Beach Municipal Code 5.92.420 - Location requirements.

Councilmember Pearce recused herself from Agenda Item No. 24.

Councilwoman Zendejas spoke.

Councilwoman Price spoke.

Councilmember Richardson spoke.

Charles Parkin, City Attorney, spoke.

Councilwoman Price spoke.

Councilwoman Mungo spoke.

Mayor Garcia spoke.

Thomas Modica, City Manager, spoke.

Mayor Garcia spoke.

Councilwoman Zendejas spoke.

Charles Parkin, City Attorney, spoke.

Councilwoman Zendejas spoke.

Mayor Garcia spoke.

Thomas Modica, City Manager, spoke.

Councilwoman Zendejas spoke.

Councilwoman Mungo spoke.

A motion was made by Councilmember Zendejas, seconded by Councilwoman Mungo, to request staff to report back in 90 days with options to allow Adult-Use Cannabis dispensaries to conduct business in mixed use areas with and without Conditional Use Permits. The motion carried by the following vote:

Yes: 8 - Zendejas, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Recused: 1 - Pearce

25. 20-0386

Recommendation to receive and file a report on the novel coronavirus disease 2019 (COVID-19) pandemic, and provide input and policy direction to staff on next-step strategies for the City's emergency response to COVID-19. (Citywide)

Mayor Garcia spoke.

Thomas Modica, City Manager, spoke; and provided a PowerPoint presentation.

Kelly Colopy, Director of Health and Human Services, spoke; and continued the PowerPoint presentation.

Mayor Garcia spoke.

John Keisler, Director of Economic Development, spoke; and continued the PowerPoint presentation.

Thomas Modica, City Manager, spoke; and continued the PowerPoint presentation.

Councilwoman Price spoke.

Thomas Modica, City Manager, spoke.

Councilwoman Price spoke.

Mayor Garcia spoke.

Thomas Modica, City Manager, spoke.

Mayor Garcia spoke.

Councilmember Richardson spoke.

Thomas Modica, City Manager, spoke.

Councilmember Richardson spoke.

Councilwoman Mungo spoke.

Thomas Modica, City Manager, spoke.

Councilwoman Mungo spoke.

Councilmember Pearce spoke.

Councilman Supernaw spoke.

Councilmember Uranga spoke

Councilwoman Zendejas spoke.

Vice Mayor Andrews spoke.

Councilwoman Mungo spoke.

Councilmember Richardson spoke.

Councilman Austin spoke.

Councilwoman Zendejas spoke.

Mayor Garcia spoke.

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

Yes: 9 - Zendejas, Pearce, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

26. 20-0387

Recommendation to adopt Specifications No. RFP ED19-120 and award contracts to Overland, Pacific and Cutler, LLC., of Long Beach, CA, and Interwest Consulting Group, Inc., of Long Beach, CA, for as-needed real property acquisition, relocation, and related services, in an aggregate amount not to exceed \$2,000,000, for a period of two years, with the option to renew for three additional one-year periods, at the discretion of the City Manager; and, authorize City Manager, or designee, to execute all documents necessary to enter into the contracts, including any necessary amendments. (Citywide)

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

Yes: 9 - Zendejas, Pearce, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

27. 20-0388

Recommendation to authorize City Manager, or designee, to execute all documents necessary to evidence (i) a loan by the City of Long Beach to the Aquarium of the Pacific Corporation of up to \$2,154,000, from the Tidelands Operating Fund Group, (ii) the acceptance of the prepayment of an existing 2017 loan by the City to the Aquarium, and

(iii) the prefunding of the Challenge Grant by the City to the Aquarium; and, approving related documents. (District 2)

Councilmember Pearce spoke.

Thomas Modica, City Manager, spoke.

Councilwoman Zendejas spoke.

Councilwoman Price spoke.

Councilmember Uranga spoke.

A motion was made by Councilmember Pearce, seconded by Councilmember Zendejas, to approve recommendation. The motion carried by the following vote:

Yes: 9 - Zendejas, Pearce, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

28. 20-0389

Recommendation to adopt Specifications No. RFP PW19-099 and award a contract to Infrastructure Management Services, LLC, of Tempe, AZ, for engineering consulting services for updating the City of Long Beach Pavement Management Program, in an amount not to exceed \$574,879, for a period of two years, with the option to renew for three additional one-year periods, 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 amendments. (Citywide)

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

Yes: 9 - Zendejas, Pearce, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

ORDINANCES (8:36 PM)

29. 20-0390

Recommendation to declare ordinance amending the Long Beach

Municipal Code by amending Sections 2.69.070 and 2.69.110 relating to Civil Defense, and declaring the urgency thereof, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Councilwoman Price spoke.

Charles Parkin, City Attorney, spoke.

Councilwoman Price spoke.

Thomas Modica, City Manager, spoke.

Councilwoman Price spoke.

Councilwoman Mungo spoke.

Charles Parkin, City Attorney, spoke.

Councilwoman Mungo spoke.

Councilmember Pearce spoke.

Councilmember Richardson spoke.

Councilmember Uranga spoke.

Charles Parkin, City Attorney, spoke.

Councilmember Uranga spoke.

Councilman Austin spoke.

A motion was made by Councilwoman Price, seconded by Councilmember Zendejas, for the item to come back at the City Council meeting of Tuesday, May 12, 2020 with clarification.

The motion carried by the following vote:

Yes: 9 - Zendejas, Pearce, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

30. 20-0391

Recommendation to declare ordinance amending Long Beach

Municipal Code Chapter 2.78, governing the sale of unclaimed property, 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 Zendejas, seconded by Councilmember Pearce, 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 - Zendejas, Pearce, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Absent: 1 - Price

NEW BUSINESS (9:50 PM)

31. Affidavit of Service for special meeting held Tuesday May 5, 2020.

32. 20-0393 Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, May 1, 2020.

This Agenda Item was received and filed.

33. 20-0423 eComments received for the City Council meeting of Tuesday, May 5, 2020.

This Agenda Item was received and filed.

ANNOUNCEMENTS (9:50 PM)

Councilwoman Zendejas requested that the meeting be adjourned in memory of Henrietta Kumiyama.

ADJOURNMENT (9:52 PM)

At 9:52 PM, Mayor Garcia adjourned the meeting in memory of Henrietta Kumiyama.

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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 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.

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