



Legislation Text

File #: 23-0084, **Version:** 2

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Section 2.84.170, to temporarily suspend certain provisions of Chapter 2.84 during the proclaimed local emergency caused by homelessness; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read.

(Citywide)

(Emergency Ordinance No. ORD-23-0003)

The amended Ordinance adding Chapter 2.84.170 (Chapter) to the Long Beach Municipal Code (LBMC) will remove the single job order threshold in an effort to renovate facilities and build free and affordable housing to combat the crisis of homelessness.

According to City of Long Beach's (City) 2022 Point in Time Count, Long Beach continues to have approximately 3,300 people experiencing homelessness throughout the city, which is a 77 percent increase since 2017 and a 62 percent increase from 2020 to 2022.

Homelessness has disproportionately impacted Black, Indigenous, and Pacific Islander Long Beach residents who are approximately three times more likely to be experience homelessness than other populations. Black people comprise only 13 percent of the population of the city but, in the most recent homelessness count completed in February 2022, accounted for approximately 36 percent of people experiencing homelessness. More than 40 percent of people experiencing homelessness have experienced violence or trauma in their lives, and 6 percent were fleeing violence when they became homeless. The number of veterans experiencing homelessness has grown by 48 percent since 2019.

The State of California's COVID-19 State of Emergency that provided resources to keep many Long Beach residents from falling into homelessness will eventually end. Immediate action is required to create additional housing to shelter and support homeless residents and build the needed infrastructure to address public safety concerns due to homelessness, violence, and severe mental and physical health issues.

To protect the public safety, health, and welfare within Long Beach, this Chapter provides a temporary suspension of rules related to Title 2.84.000 of the LBMC for the duration of a proclaimed local emergency and/or until project completion, whichever occurs last.

On May 24, 2016, the City Council approved an amendment to LBMC Section 2.84 and adopted Ordinance ORD-16-0008 relating to Job Order Contracts (JOC). On November 16, 2021, the City Council approved an amendment to LBMC Section 2.84.100 and 2.84.110 to increase the per work order threshold to \$750,000 and reduce the contractor performance to 15 percent.

The JOC project delivery system provides a significant benefit to the City, including faster completion of projects, cost savings, and reduced complexity of processes. The City uses the JOC program regularly for smaller construction projects like roof repairs, doorway replacements, tenant improvements, painting, park improvements, demolition, electrical maintenance, and other repairs including emergency requests. Adopted contractors are prequalified and enter into a competitively bid, fixed price, multi-year construction contract based on an established Construction Task Catalog for construction projects. The JOC program is used as a timely and cost-effective option for the delivery of renovation, repair, and minor construction projects. Prevailing wage and Project Labor Agreement will apply where applicable according to the scope and cost of a project.

In response to the State of California's COVID-19 State of Emergency, the City applied for and received Project HomeKey funding and other homeless servicing grants to begin assisting residents falling into homelessness. Pursuant to LBMC 2.84.100, the JOC program can only be utilized for single job order projects that are less than \$750,000. Due to the recent emergency proclamation and the very stringent timelines required by grant funding from the State, the City is requesting to temporarily remove the single job order threshold to utilize the JOC program to expedite projects in response to the proclaimed local emergency caused by homelessness. This added authority will allow for a more efficient and timelier project delivery.

As part of the regular reporting associated with the Emergency proclamation, City staff will provide updates on projects performed under this authority throughout the duration of the emergency. Projects required to respond to the proclaimed emergency over homelessness will include various tenant improvements required at recently purchased hotels, improvements required to quickly create additional emergency shelters, and other projects critical to increasing services for people experiencing homelessness. All current and future projects not related to supporting the vision, goals and desired outcomes of the proclaimed emergency will proceed within the established JOC thresholds.

This matter was reviewed by Principal Deputy City Attorney Richard F. Anthony on January 11, 2023, Business Services Bureau Manager Tara Mortensen on January 12, 2023, and by Budget Management Officer Nader Kaamouh on January 19, 2023.

City Council action is requested on January 24, 2023, to amend the LBMC by adding Chapter 2.84.170 to proceed with utilizing the JOC program in response to the proclaimed local emergency caused by homelessness.

The full fiscal impact is unknown at this time and will be based on the work required and projects implemented to respond to the homelessness crisis. The City Council retains the ability to set and approve the budget and resources available for homelessness emergency response related efforts. Any project that will be moved forward through the JOC program will utilize funding options including existing appropriated budget and City Council allocated budget and resources for the homelessness emergency. Where budget outside of existing and projected allocations do not exist, City staff will only proceed at such time as appropriations have been approved by the City Council. This recommendation has a moderate staffing impact beyond the budgeted scope of duties and is consistent with existing City Council priorities. Work on these projects will also likely impact other existing projects and may require staff reprioritization. There is no fiscal or local job impact associated with this recommendation.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY ADDING SECTION 2.84.170, TO TEMPORARILY SUSPEND CERTAIN PROVISIONS OF CHAPTER 2.84 DURING THE PROCLAIMED LOCAL EMERGENCY CAUSED BY HOMELESSNESS; DECLARING THE URGENCY THEREOF; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:

THOMAS B. MODICA
CITY MANAGER