

**CITY OF LONG BEACH  
CITY COUNCIL AGENDA**

**TUESDAY, JANUARY 24, 2023  
411 W. OCEAN BOULEVARD  
CIVIC CHAMBERS, 4:00 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

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**REVISED**

**SPECIAL MEETING**

**TIME OF CITY COUNCIL MEETING SET FOR 4:00 PM**

**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](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 - 13)**

1. [23-0056](#) Recommendation to approve the minutes for the City Council meeting of Tuesday, January 10, 2023.  
  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
  
2. [23-0057](#) Recommendation to refer to City Attorney damage claims received between January 9, 2023 and January 13, 2023.  
  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
  
3. [23-0058](#) Recommendation to approve the destruction of records for the Department of Library Services; and adopt resolution.  
  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.
  
4. [23-0059](#) Recommendation to authorize City Manager, or designee, to execute a Crane Swing Easement Agreement with NASH - Holland 3PAC Investors, LLC (Developer), granting a temporary, non-exclusive, above-ground easement, for the sole purpose of allowing a crane to operate in the air space over City-owned property located at 309 Pine Avenue. (District 1)  
  
**Office or Department:** ECONOMIC DEVELOPMENT  
  
**Suggested Action:** Approve recommendation.

5. [23-0060](#) Recommendation to adopt Specifications No. RFP ED-22-102 and award a contract to Long Beach Center for Economic Inclusion, of Long Beach, CA, to implement the ActivateLB Customer Activation Program, in a total amount not to exceed \$223,198 for a period of one year, with the option to renew for one additional year, 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:** ECONOMIC DEVELOPMENT

**Suggested Action:** Approve recommendation.

6. [23-0061](#) Recommendation to adopt resolution approving a Letter of Agreement between the City of Long Beach and the Long Beach Management Association (LBMA) to amend the 2019-2023 LBMA Memorandum of Understanding. The amended provision is under the Pay for Performance section of the LBMA MOU Appendix E, Section V, Subsection C. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

7. [23-0062](#) Recommendation to adopt resolution amending the City of Long Beach Fiscal Year 2023 Salary Resolution, Section 18 - Vacation Pay Off, by replacing the current Vacation Pay Off language with the new Vacation Cash Out Program for employees represented by an existing Memorandum of Understanding with the Long Beach Management Association, Long Beach City Attorney's Association, Long Beach City Prosecutors Association, and unrepresented management assigned to the Executive Salary Range (E00) or the Professional Salary Range (A00 through D00). (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

8. [23-0063](#) Recommendation to adopt Specifications No. RFP HR22-038 and award a contract to Nancy K Bohl, Inc., dba The Counseling Team International (TCTI), of San Bernardino, CA, for Critical Incident and Counseling Services for certain personnel within the Long Beach Police, Long Beach Fire, and Long Beach Disaster Preparedness and Emergency Communications Departments, in a total annual amount not to exceed \$250,000, for a period of three 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)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

**REVISED**

9. [23-0064](#) Recommendation to receive and file the application of El Patio Fine Tacos & Beer Incorporated, dba Merced Restaurant, for a premise to premise and fiduciary transfer of an Alcoholic Beverage Control (ABC) License, at 3317 East 7th Street. (District 2)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

10. [23-0065](#) Recommendation to receive the application of Ruta 15 Restaurant Solutions, Incorporated, dba Ruta 15 Ceviche Bar Mexican Kitchen, for an original application of an Alcoholic Beverage Control (ABC) License, at 1436 East 7th Street, submit a Public Notice of Protest to ABC, and direct City Manager to withdraw the protest if a Conditional Use Permit Exemption (CUPEX) is granted. (District 2)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

11. [23-0066](#) Recommendation to receive and file the application of Dough Boys, LLC, dba Nonna Mercalo, for an original application of an Alcoholic Beverage Control (ABC) License, at 3722 Atlantic Avenue. (District 5)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

12. [23-0067](#) Recommendation to authorize City Manager, or designee, to accept an easement deed from Nash-Holland 3Pac Investors, a Delaware limited liability company, and the owner of the property at 131 West 3rd Street, for vehicular access; and execute a quitclaim deed for the existing recorded vehicle access easement; and

Accept CEQA Notice of Determination, State Clearinghouse number 2009071006. (District 1)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

13. [23-0068](#) Recommendation to adopt resolution authorizing City Manager, or designee, to execute all documents necessary to enter into an agreement with Downtown Long Beach Alliance, of Long Beach, CA, for enhanced services on 1st Street between Pacific Avenue and Long Beach Boulevard, and trash receptacles throughout the Downtown area, in an annual amount not to exceed \$291,000, for a period of two years, with option to renew for three additional one-year periods, at the discretion of the City Manager. (Districts 1,2)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**HEARINGS:**

14. [23-0069](#) Recommendation to adopt resolution certifying the Fire Station No. 9 at 4101 Long Beach Boulevard Project Environmental Impact Report (EIR-04-21, SCH# 2022020416), making findings of facts and approving a Mitigation Monitoring and Reporting Program (MMRP);

[23-0070](#)

Adopt resolution approving a General Plan Amendment (GPA21-003) from Founding and Contemporary Neighborhood (FCN) to Neighborhood Serving Center or Corridor Low Density (NSC-L);

[23-0071](#)

Declare ordinance approving a Zone Change (ZCHG21-003) from Community Commercial Automobile-Oriented (CCA) and Single-family Residential, large lot (R-1-L) to Mixed-Use Zone-1 (MU-1) read for the first time and laid over to the next regular meeting of the City Council for final reading;

[23-0072](#)

Declare ordinance amending Ordinance No. C-1015 to repeal and remove the five-foot-special setback along the west side of Long Beach Boulevard where it fronts the Fire Station No. 9 project at 4101 Long Beach Boulevard read for the first time and laid over to the next regular meeting of the City Council for final reading;

Approve Site Plan Review (SPR21-050) for clearance of an existing 0.4-acre site and construction of a new two-story (12,780 square foot) Fire Station No. 9 with three (3) drive-through apparatus bays located at 4101 Long Beach Boulevard;

Approve Standards Variances requests to allow: 1) a driveway on Randolph Place located less than thirty feet (30') from an intersection (SV22-006) and 2) a curb cut greater than the 24-foot maximum on Randolph Place (SV22-007); and

Approve a Lot Merger (LMG22-014) to merge three lots into one 16,829-square-foot lot. (District 5)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

15. [23-0073](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, and consider the applicant's appeal by SM Car Wash (APL22-005);

Adopt resolution adopting and certifying a Mitigated Negative Declaration (IS/MND 06-22) and making findings of fact;

- [23-0074](#) Declare ordinance amending the Land Use District Map (Zoning Map) by amending portions of Part 10 of said map to approve and implement a Zone Change (ZCHG20-009) from Regional Highway Commercial (CHW) and Low-density Multi-Family Residential, small lot (R-3-S) to Community R-4-N Commercial (CCN) read the first time and laid over to the next regular meeting of the City Council for final reading; and
- Deny the appeal of the Planning Commission's decision and deny a Conditional Use Permit (CUP20-003) for a new 3,278-square-foot detached automated car wash along with two ancillary buildings, located at 1911 East Pacific Coast Highway in the CCN Zoning Districts. (District 6)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.



16. [23-0075](#) Recommendation to adopt resolution certifying the Final EIR-05-19 (SCH No. 2020010387), making findings of fact, adopting a Statement of Overriding considerations, and approving a Mitigation Monitoring and Reporting Program (MMRP);
- [23-0076](#) Adopt resolution establishing the Century Villages at Cabrillo Specific Plan (SP-4) pursuant to Sections 65450-65458 of the California Government Code;
- [23-0077](#) Declare ordinance amending the California State University Research and Technology Center/Villages at Cabrillo Long Beach Vets Planned Development District (PD-31), to be renamed to the California State University Research and Technology Center Planned Development District (PD-31) and repealing and removing the inclusion and reference to “Villages at Cabrillo” (subarea D) from said Planned Development District, read the first time and laid over to the next regular meeting of the City Council for final reading;
- [23-0078](#) Declare ordinance amending the Land Use District Map (Zoning Map) by amending portions of Part 8 of said map (ZCHG22-002) to reflect the establishment of the Century Villages at Cabrillo Specific Plan (SP-4), read the first time and laid over to the next regular meeting of the City Council for final reading; and

[23-0079](#)

Declare ordinance amending Long Beach Municipal Code Section 21.37.120 to amend the title of PD-31, and Section 21.37.210 to add SP-4 (Century Villages at Cabrillo Specific Plan) to the list of Specific Plans, read the first time and laid over to the next regular meeting of the City Council for final reading. (District 7)

**Office or Department:** DEVELOPMENT SERVICES

**Suggested Action:** Approve recommendation.

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REVISED

**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.

**REGULAR AGENDA:**

17. [23-0080](#) Recommendation to amend the Purchase and Sale Agreement, dated March 10, 2022, with Armory Arts Collective, LP (Buyer/Developer), for the disposition of City of Long Beach-owned exempt surplus property located at 854 East 7th Street, commonly known as the former Long Beach Armory (Subject Property) to add an Option to Lease the Subject Property in lieu of a fee purchase. (District 1)

**Office or Department:** ECONOMIC DEVELOPMENT

**Suggested Action:** Approve recommendation.

18. [23-0081](#) WITHDRAWN  
~~Recommendation to receive and file a presentation on the Analysis of Local Preference in Contracting;~~

~~Direct City Attorney to prepare an ordinance amending the Long Beach Municipal Code Section 2.84.30, Local Preference, to raise the preference cap to \$50,000 from \$10,000; and~~

~~Direct City Manager to develop guidance for City staff to promote and prioritize the use of local vendors as practical for purchases under \$25,000 and for Requests for Proposals. (Citywide)~~

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

**REVISED**

19. [23-0082](#) Recommendation to authorize City Manager, or designee, to execute an agreement with VOYA, for healthcare specific stop-loss reinsurance coverage with a \$500,000 deductible level, at an estimated cost of \$2,161,743 for a 12-month period retroactively effective January 1, 2023; and, execute any subsequent amendments necessary to maintain current benefit levels and remain in compliance with State and federal laws. (Citywide)

**Office or Department:** HUMAN RESOURCES

**Suggested Action:** Approve recommendation.

**ORDINANCES:**

20. [23-0048](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Sections 14.15.020, 14.15.030, 14.15.100, 14.15.110, all relating to parklets, read and adopted as read. (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

21. [23-0084](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 2.84.170 to temporarily suspend certain provisions of Title 2.84.100 during the proclaimed local emergency caused by homelessness; read the first time and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof; and, declaring that this ordinance shall take effect immediately. (Citywide)

**Office or Department:** PUBLIC WORKS

**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.

21. Agenda Item No. 21 is listed under Ordinances.

22. [23-0085](#) Recommendation to increase appropriations in the General Fund Group in the City Manager Department by \$1,000, offset by the Sixth Council District One-Time District Priority Funds transferred from the Citywide Activities Department to provide a donation to Partners of Parks to support the Long Beach Hoops After Dark; and

Decrease appropriations of the Sixth Council District One-time District Priority Funds in the General Fund Group in the Citywide Activities Department by \$1,000 to offset a transfer to the City Manager Department.

**Office or Department:** COUNCILWOMAN SUELY SARO, SIXTH DISTRICT

**Suggested Action:** Approve recommendation.

**REVISED**

23. [23-0086](#)

Recommendation to increase appropriations in the General Fund Group in the City Manager Department by \$3,000, offset by the Eighth Council District One-time District Priority Funds, transferred from the Citywide Activities Department, to provide donations of:

1. \$2,500 to Long Beach Community Action Partnership in support of their annual Long Beach Night CAP event;
2. \$500 to Long Beach Unity Festival to support their 2023 Appreciation Gala & Fundraiser Vision Launch; and

Decrease appropriation in the General Fund Group in the Citywide Activities Department by \$3,000, to offset a transfer to the City Manager Department.

**Office or Department:** COUNCILMAN AL AUSTIN, EIGHTH DISTRICT

**Suggested Action:** Approve recommendation.

24. [23-0087](#)

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.

**REVISED**

25. [23-0088](#) Recommendation to receive and file a presentation from the Long Beach Utilities Department on the increase of natural gas commodity prices statewide, impacts to customers' gas bills, communication outreach efforts to customers, the status of the natural gas commodity market statewide, and bill assistance and payment plan options made available to customers. (Citywide)

**Office or Department:** UTILITIES

**Suggested Action:** Approve recommendation.

- [23-0091](#) Supplemental Memorandum - Corrections and/or additions to the City Council Agenda as of 12:00 noon, Friday, January 20, 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.

**HEARING REMINDERS:**

Tuesday, February 7, 2023 - Hearing for Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual business assessment. (District 3)

Tuesday, February 7, 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](http://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](http://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 pagsasalín 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 សូមមេត្តាធ្វើការស្នើសុំទៅកាន់ស្នើសុំនៃសាលាក្រុងតាមទូរសព្ទដែលមានលេខ (562) 570-6101 រយៈពេល 72 ម៉ោងធ្វើការនៅមុនកិច្ចប្រជុំនៃក្រុមប្រឹក្សាក្រុង ។