

May 5, 2020

C-8

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Approve the minutes for the City Council meeting of Tuesday, April 14, 2020.

DISCUSSION

The Legistar minutes for the City Council meeting of Tuesday, April 14, 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, Acting City Manager
Monique De La Garza, City Clerk

Dr. Robert Garcia, Mayor

Charles Parkin, City Attorney

FINISHED AGENDA & DRAFT MINUTES

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: Agenda Item No. 9, Consent Calendar, Agenda Item Nos. 45, 32 - 41, 47, 42 - 44, 46, 48.

ROLL CALL (5:06 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; Erin Weesner-McKinley, Deputy 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 (5:10 PM)

Passed the Consent Calendar.

A motion was made by Councilmember Uranga, seconded by Councilmember Richardson, to approve Consent Calendar Items 1 - 31, except for Item 9. The motion carried by the following vote:

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

1. 20-0269 Recommendation to authorize City Attorney to pay sum of \$155,000 in full settlement of lawsuit entitled *Marquez, et al. v City of Long Beach*, Los Angeles County Superior Court Case No. BC623334.

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

2. 20-0270 Recommendation to authorize City Attorney to pay sum of \$115,000, in full settlement of lawsuit entitled *Elizabeth Pulido v. City of Long Beach, et al.*, Los Angeles Superior Court Case No. BC649427.

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

3. 20-0271 Recommendation to authorize City Manager to execute an agreement with the firm of Jarvis, Fay & Gibson, LLP in the matter entitled *Diana Lejins; Angela Kimball v City of Long Beach*, Case 18STCP02628.

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

4. 20-0272 Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$102,000 in compliance with the Appeals Board Order for Rory Arrollado.

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

5. 20-0273 Recommendation to authorize the City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$52,200 in compliance with the Appeals Board Order for Jerry Mosley.

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

6. 20-0274 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 James Owen.

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

7. 20-0275 Recommendation to approve the minutes for the City Council meetings of Tuesday, March 10, March 17, and March 24, 2020; and the Joint meeting of the City Council and Housing Authority meeting of Tuesday, March 24, 2020.

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

8. 20-0276 Recommendation to refer to City Attorney damage claims received between March 9, 2020 and April 6, 2020.

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

9. 20-0277 Recommendation to adopt resolution declaring the results of the Primary Nominating Election held in the City of Long Beach, California, on Tuesday, March 3, 2020, for the purpose of nominating and/or electing candidates for three (3) offices on the City Council from district numbers 2, 6, and 8; and nominating and/or electing candidates for the Long Beach Unified School District Governing Board Members for the Second and Fourth Districts; and directing the City Clerk to

place on ballots to be used at the General Municipal Election to be held on the 3rd day of November 2020, the names of the candidates declared to have been nominated in the Primary Nominating Election; and directing the City Clerk to issue a certificate of Election to the candidate declared to have been elected at the Primary Nominating Election;

Monique De La Garza, City Clerk, spoke.

A motion was made by Councilmember Richardson, seconded by Councilmember Zendejas, to approve recommendation and adopt Resolution No. RES-20-0040. The motion carried by the following vote:

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

Enactment No: RES-20-0040

20-0278

Recommendation to adopt resolution declaring the results of the Special Municipal Election held in the City of Long Beach, California, on Tuesday, March 3, 2020, for the two (2) ballot measures which had been submitted to a vote of the qualified electors of the City;

A motion was made by Councilmember Richardson, seconded by Councilmember Zendejas, to approve recommendation and adopt Resolution No. RES-20-0041. The motion carried by the following vote:

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

Enactment No: RES-20-0041

20-0279

Recommendation to adopt resolution ordering, proclaiming, calling, giving notice of and providing for the holding of a General Municipal Election to be held in the City of Long Beach, California, on Tuesday, the 3rd day of November, 2020, for the election of three (3) City Councilmembers from the Second, Sixth, and Eighth Districts and one (1) Long Beach Unified School District Governing Board Member from District 2, for a full term of four (4) years commencing with the third Tuesday of December, 2020; Designating the ballot listing of the

candidates to be voted on; and adopting provisions relating to translations of and the charges for costs of candidate statements.

A motion was made by Councilmember Richardson, seconded by Councilmember Zendejas, to approve recommendation and adopt Resolution No. RES-20-0042. The motion carried by the following vote:

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

Enactment No: RES-20-0042

- 10. 20-0280** Recommendation to approve the destruction of records for the Office of the City Clerk; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-20-0043 on the Consent Calendar.

Enactment No: RES-20-0043

- 11. 20-0281** Recommendation to approve the destruction of records for the Department of Development Services, Building and Safety Bureau; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-20-0044 on the Consent Calendar.

Enactment No: RES-20-0044

- 12. 20-0282** Recommendation to approve the destruction of records for the Financial Management Department, Commercial Services Bureau; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-20-0045 on the Consent Calendar.

Enactment No: RES-20-0045

- 13. 20-0283** Recommendation to approve the destruction of records for the Police

Department, Administration Bureau, Personnel Division; and adopt resolution.

A motion was made to approve recommendation and adopt Resolution No. RES-20-0046 on the Consent Calendar.

Enactment No: RES-20-0046

14. 20-0315 Recommendation to adopt the revisions to the Department of Health and Human Services Records Retention Schedule, and rescind previously applicable Record Titles for the Department of Health and Human Services.

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

15. 20-0284 Recommendation to authorize Department of Development Services to process a refund in the amount of \$34,032 to Lennar Multifamily Communities (LMC), for the Oceanaire project at 150 West Ocean Boulevard. (District 2)

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

16. 20-0285 Recommendation to authorize City Manager, or designee, to renew the Memoranda of Understanding (MOUs) with the California Department of Justice and U.S. Customs and Border Protection, to continue law enforcement incineration of controlled substances at the Southeast Resource Recovery Facility (SERRF), for a period of one year, with the option to renew for two additional one-year periods. (District 1)

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

17. 20-0286 Recommendation to adopt Specifications No. RFP FS20-019 and award contracts to A & A Towing, Inc., and Supreme Towing Service, Inc., of Long Beach, CA, and Seventh Street Garage, of Wilmington, CA, for as-needed vehicle towing services, in an annual amount of \$352,225, with a 10 percent contingency of \$35,223, for a total annual

aggregate amount not to exceed \$387,448, for a period of two years, with the option to renew for three additional one-year periods, at the discretion of the City Manager; authorize City Manager, or designee, to execute all documents necessary to enter into the contracts, including any necessary amendments; and

Increase appropriations in the Towing Fund Group in the Financial Management Department by \$117,448, offset by revenue from towed vehicle fees. (Citywide)

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

18. 20-0287 Recommendation to authorize City Manager, or designee, to execute all documents necessary to enter into an agreement, including any necessary amendments, with the State of California Department of Health Care Services, to receive allowable reimbursement revenue in an annual amount of \$500,000, not to exceed \$1,500,000, through the Medi-Cal Administrative Activities Program, for the period of July 1, 2020 through June 30, 2023. (Citywide)

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

19. 20-0288 Recommendation to authorize City Manager, or designee, to execute all documents necessary to enter into an agreement, including any necessary amendments, with the County of Santa Cruz, host entity for the County-based Medi-Cal Administrative Activities and Targeted Case Management Programs, for a three-year period, July 1, 2019 through June 30, 2022, with the option to extend the agreement for two additional one-year periods, at the discretion of the City Manager. (Citywide)

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

20. 20-0289 Recommendation to authorize City Manager, or designee, to execute an agreement, and any subsequent amendments, with the California Department of Public Health, to accept and expend grant funding in an

amount not to exceed \$516,517, for local public health infrastructure and infectious disease prevention and control services, for the period of February 1, 2020 through June 30, 2023; and

Increase appropriations in the Health Fund Group in Health and Human Services Department by \$516,517, offset by reimbursement grant revenue. (Citywide)

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

21. 20-0290 Recommendation to authorize City Manager, or designee, to execute an agreement, including any necessary amendments, with the South Bay Counseling Center, of Wilmington, CA, for the Future First Project, a prevention project to develop leadership skills for transitional aged youth, in an amount not to exceed \$10,000, for the period of October 1, 2019 through December 31, 2019. (Citywide)

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

22. 20-0291 Recommendation to authorize City Manager, or designee, to execute a grant agreement, and any necessary documents, with the State of California Department of Parks and Recreation, Division of Boating and Waterways, for the Surrender and Abandoned Vessel Exchange Program effective through September 30, 2021, to accept and expend grant funding in an amount not to exceed \$100,000; authorize a 10 percent cash or in-kind match requirement of \$10,000; execute any future documents, including amendments, necessary to accept, implement, and administer the agreement; and

Increase appropriations in the Tidelands Area Fund Group in the Parks, Recreation and Marine Department by \$100,000, offset by grant revenue. (Districts 2,3)

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

23. 20-0292 Recommendation to authorize City Manager, or designee, to execute a

new License Agreement and all necessary documents, with Southern California Edison Company, for the City's continued use of Southern California Edison-owned land, which comprises a portion of the El Dorado Nature Center, for a term of five years from July 1, 2020 to June 30, 2025. (District 4)

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

24. 20-0293 Recommendation to authorize City Manager, or designee, to execute all documents necessary to enter into a Memorandum of Understanding with Learning for Life, a District of Columbia nonprofit corporation, to allow the Parks, Recreation and Marine Department to educate youth in the animal care profession through the Explorer Academy Program, in an annual amount not to exceed \$1,260, for the period of January 1, 2020 to December 31, 2022, with the option to renew for two additional one-year periods through December 31, 2024, at the discretion of the City Manager. (Citywide)

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

25. 20-0294 Recommendation to receive the application of Exact Agency, Incorporated, dba The Cove, for an original application of an Alcoholic Beverage Control (ABC) License, at 6276 East Pacific Coast Highway; 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 3)

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

26. 20-0295 Recommendation to receive and file the application of The Bungalow Long Beach, LLC, dba The Bungalow Long Beach, for a person to person and premise to premise transfer of an Alcoholic Beverage Control License, at 6420 East Pacific Coast Highway. (District 3)

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

27. 20-0296 Recommendation to adopt Specifications No. RFP PD19-079 and award a contract to NCIC Inmate Communications, of Longview, TX, for providing inmate telephone and video visitation services at the Long Beach City Jail, for a period of two years at no cost to the City, 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 a contract, including any necessary amendments. (Citywide)

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

28. 20-0297 Recommendation to adopt resolution authorizing City Manager, or designee, to execute a contract, and any necessary amendments, with Cardinal Point Captains, Inc., of San Diego, CA, for furnishing a Triton Mobile Communication and Command Platform, in the amount of \$441,877, with a 10 percent contingency in the amount of \$44,188, for a total contract amount not to exceed \$486,064. (Citywide)

A motion was made to approve recommendation and adopt Resolution No. RES-20-0047 on the Consent Calendar.

Enactment No: RES-20-0047

29. 20-0298 Recommendation to authorize City Manager, or designee, to amend Contract No. 35039 with Sully-Miller Contracting Company, of Brea, CA, for additional street improvements to 3rd Street and Broadway, between Magnolia Avenue and Alamitos Avenue, to increase the amount by \$550,121, for a revised total amount not to exceed \$5,421,321; and authorize City Manager, or designee, to execute all documents necessary, including any necessary amendments. (Districts 1,2)

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

30. 20-0299 Recommendation to authorize City Manager, or designee, to accept easement deeds from Pacific Castle Newport I, LLC, a Delaware limited liability company, as to an undivided 53.75 percent interest, Pacific Castle Investments I, LLC, a Delaware limited liability company, as to an undivided 2.5 percent interest, and Pacific Castle Long Beach, L.P., a California limited partnership, as to an undivided 43.75 percent interest, as tenants in common, the owners of the property at 6400 East Pacific Coast Highway, for the installation of public utilities; and

Accept State Clearinghouse Number 2014031059. (District 3)

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

31. 20-0300 Recommendation to authorize City Manager, or designee, to execute a Memorandum of Understanding (MOU) with the Downtown Long Beach Alliance (DLBA), for enhanced services on 1st Street between Pacific Avenue and Long Beach Boulevard, and trash receptacles throughout the Downtown area, for the period of January 1, 2020 through December 31, 2020, in the amount of \$224,400; and

Increase appropriations in the General Capital Projects Fund Group in the Public Works Department by \$224,400, offset by Proposition A transportation funds and the Refuse/Recycling Fund Group. (Citywide)

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

HEARINGS (5:25 PM)

32. 20-0301 Recommendation to receive supporting documentation into the record, conclude the public hearing, and find the project exempt from the California Environmental Quality Act in accordance with Article 5, Section 15061;

Declare ordinance approving Zoning Code Amendment ZCA amending Title 21, Zoning Regulations, of the Long Beach Municipal Code (LBMC) to: (1) reclassify adult-use cannabis cultivation as a subset of

Agriculture and Related Uses and add use 1.2 Cannabis Cultivation to the Industrial Districts Table 32-2 as a permitted use in the Light Industrial (IL) and Medium Industrial (IM) zoning districts, require an administrative use permit in the General Industrial (IG) zoning district, and prohibit cannabis cultivation in the Port-Related Industrial (IP) zoning district; and (2) update the definitions for cannabis distribution and cannabis cultivation and provide a new definition for cannabis distributor-self distribution, read for the first time and laid over to the next regular meeting of the City Council for final reading;

Councilmember Pearce recused herself from Agenda Item No. 32.

Councilwoman Zendejas spoke.

A motion was made by Councilmember Zendejas, seconded by Councilman Austin, 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, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Recused: 1 - Pearce

20-0302 Declare ordinance approving Amendments to Title 5 and Title 8 of the LBMC to: (1) modify Section 5.92.765 relating to building design for adult use cannabis businesses; and (2) add a new chapter, Chapter 8.13 relating to the personal cultivation of cannabis, read for the first time and laid over to the next regular meeting of the City Council for final reading; and

A motion was made by Councilmember Zendejas, seconded by Councilman Austin, 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, Price, Supernaw, Mungo, Andrews, Uranga, Austin and Richardson

Recused: 1 - Pearce

20-0303 Adopt resolution directing Director of Development Services to submit

the Ordinance amending Title 21 of the LBMC to the California Coastal Commission for a finding of conformance with the Certified Local Coastal Program. (Citywide)

A motion was made by Councilmember Zendejas, seconded by Councilman Austin, to approve recommendation and adopt Resolution No. RES-20-0048. The motion carried by the following vote:

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

Recused: 1 - Pearce

Enactment No: RES-20-0048

- 33. 20-0304** Recommendation to receive supporting documentation into the record, conclude the hearing and grant an Entertainment Permit, with conditions, on the application of Ciderlab, LLC, dba Ficklewood Ciderworks, at 720 East Broadway, for Entertainment without Dancing. (District 2)

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

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

Absent: 1 - Pearce

- 34. 20-0305** Recommendation to receive supporting documentation into the record, conclude the public hearing, and grant an Entertainment Permit with conditions on the application of Shore Restaurant Group, LLC, dba Legends Sports Bar, at 5236 2nd Street, for Entertainment without Dancing. (District 3)

Councilwoman Price spoke.

Councilman Austin spoke.

Eric Johnson, applicant, spoke.

A motion was made by Councilwoman Price, seconded by Councilman Austin, to approve recommendation. The motion carried by the following vote:

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

REGULAR AGENDA (5:43 PM)

- 35. 20-0306** Recommendation to request City Manager to establish information lines in multiple languages and also website landing pages in the three most commonly spoken languages (Spanish, Khmer, Tagalog), as described in the City's Language Access Policy (LAP); Direct City Manager to provide adequate staffing, resources and translation services to ensure that our monolingual residents are apprised of the most up-to-date information regarding the COVID-19 global pandemic, public health updates and City services; and, direct City Manager to report back on the feasibility and costs associated with permanently moving our translation services in-house to provide a faster response and update to our residents.

Councilmember Uranga spoke.

Vice Mayor Andrews spoke.

Councilmember Pearce spoke.

Councilwoman Zendejas spoke.

Councilmember Richardson spoke.

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

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

- 36. 20-0307** Recommendation to increase appropriations in the General Fund Group in the Economic Development Department in the amount of

\$250,000, offset by the Fourth Council District One-time District Priority Funds transferred from the General Fund Group in the Citywide Activities Department to support elevator repairs at Community Hospital of Long Beach; and

Decrease appropriations in the General Fund Group in the Citywide Activities Department by \$250,000 to offset a transfer to the Economic Development Department.

Councilman Supernaw spoke.

Councilwoman Price spoke.

Councilwoman Zendejas spoke.

Vice Mayor Andrews spoke.

Councilmember Uranga spoke.

Councilmember Richardson spoke.

Councilwoman Mungo spoke.

Councilman Austin spoke.

A motion was made by Councilman Supernaw, seconded by Councilwoman Price, to approve recommendation. The motion carried by the following vote:

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

37. 20-0308

Recommendation to increase appropriations in the General Fund Group in the City Manager Department by \$2,000, offset by \$1,000 of the First Council District One-time District Priority Funds and \$1,000 of the Sixth District One-time District Priority Funds, transferred from the Citywide Activities Department to provide a contribution to the Midtown Property & Business Owner's Association (Midtown PBID) and Downtown Long Beach Alliance (Downtown PBID) to support a food and small business support fund; and

Decrease appropriations in the General Fund Group in the Citywide

Activities Department by \$2,000 to offset a transfer to the City Manager Department.

Councilwoman Zendejas spoke.

Vice Mayor Andrews spoke.

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

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

- 38. 20-0309** Recommendation to request City Manager to work with all other appropriate departments, to evaluate the feasibility of implementing a temporary suspension of the Proactive Rental Housing Inspection Program (PRHIP) and business licensing renewal fees for residential rental property owners and commercial property owners impacted by the COVID-19;

Furthermore, request City Manager to work with appropriate departments to find additional financial relief or incentives at the local level for residential and commercial owners that are being directly impacted by revenue loss due to the COVID-19 and create an official website or source of information in various languages for those affected.

Vice Mayor Andrews spoke.

Councilman Supernaw spoke.

Councilwoman Mungo spoke.

Councilman Austin spoke.

Councilmember Uranga spoke.

Thomas Modica, City Manager, spoke.

Councilwoman Zendejas spoke.

Councilmember Richardson spoke.

Councilmember Pearce spoke.

A motion was made by Vice Mayor Andrews, seconded by Councilman Supernaw, to approve recommendation. The motion carried by the following vote:

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

- 39. 20-0310** Recommendation to authorize City Manager, or designee, to execute all necessary documents to amend the U.S. Economic Development Administration (EDA) Revolving Loan Fund, to create the Long Beach Emergency Microenterprise Loan Program to assist local micro businesses impacted by the COVID-19 pandemic during the emergency declaration period. (Citywide)

Councilmember Richardson spoke.

Councilwoman Zendejas spoke.

Councilman Austin spoke.

Councilmember Pearce spoke.

A motion was made by Councilmember Richardson, 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

- 40. 20-0311** Recommendation to authorize City Manager, or designee, to execute any and all documents necessary or desirable to enter into leases with public or private parties for terms not to exceed six months, with an option for one six-month extension at the sole discretion of the City Manager, to lease or occupy real property in response to the proclaimed emergency due to the COVID-19 pandemic; and

Adopt resolution authorizing City Manager, or designee, to execute all necessary documents, including subcontracts and any subsequent amendments, to apply for, accept, and expend grant funding for

financial assistance to respond to the proclaimed emergency due to the COVID-19 pandemic. (Citywide)

Thomas Modica, City Manager, spoke.

Vice Mayor Andrews spoke.

Councilwoman Zendejas spoke.

Councilman Austin spoke.

Thomas Modica, City Manager, spoke.

Councilman Austin spoke.

Councilmember Uranga spoke.

A motion was made by Vice Mayor Andrews, seconded by Councilmember Zendejas, to approve recommendation and adopt Resolution No. RES-20-0049. The motion carried by the following vote:

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

Enactment No: RES-20-0049

41. 20-0312

Recommendation to adopt Specifications No. RFP FM19-060 and award a contract to MJK Construction, Inc., of Chino, CA, for the removal and replacement of two underground storage fuel tanks, in an amount not to exceed \$1,200,215, and authorize City Manager, or designee, to execute all documents necessary to enter into the contract, including any necessary amendments; and

Increase appropriations in the Fleet Services Fund Group in the Financial Management Department by \$1,200,215, offset by a transfer of revenue from the Water Fund Group in the Water Department. (District 7)

Councilmember Uranga spoke.

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

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

42. 20-0313

Recommendation to authorize City Manager, or designee, to execute all necessary documents, subcontracts, and any subsequent amendments, including amending the terms, or changing the amount of the award, with the Business, Consumer Services and Housing Agency (BCSH), Homeless Coordinating and Financing Council (HCFC), for the COVID-19 Emergency Homelessness Funding, Large Cities allocation, to accept and expend grant funding in the amount of \$764,902, for the estimated period of April 15, 2020 through June 30, 2020, with the option to extend the agreement for an additional six months, at the discretion of the City Manager;

Authorize City Manager, or designee, to execute all necessary documents, subcontracts, and any subsequent amendments, including amending the terms, or changing the amount of the award, with the Business, Consumer Services and Housing Agency (BCSH), Homeless Coordinating and Financing Council (HCFC), for the COVID-19 Emergency Homelessness Funding, Continuum of Care allocation, to accept and expend grant funding in the amount of \$369,106, for the estimated period of April 15, 2020 through June 30, 2020, with the option to extend the agreement for an additional six (6) months, at the discretion of the City Manager; and

Increase appropriations in the Health Fund Group in the Health and Human Services Department by \$1,134,008, offset by grant revenues. (Citywide)

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

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

43. 20-0314

Recommendation to adopt resolution approving repaving/resurfacing projects proposed to receive Road Maintenance and Rehabilitation

Account funding totaling approximately \$9,000,000 in the Fiscal Year 2021 Paving Program. (Citywide)

A motion was made by Vice Mayor Andrews, seconded by Councilmember Pearce, to approve recommendation and adopt Resolution No. RES-20-0050. The motion carried by the following vote:

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

Enactment No: RES-20-0050

ORDINANCE (8:15 PM)

44. 20-0255 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 8.100, to temporarily prohibit evictions due to COVID-19 through May 31, 2020; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-20-0010). (Citywide)

A motion was made by Vice Mayor Andrews, seconded by Councilmember Uranga, to approve recommendation and adopt Emergency Ordinance No. ORD-20-0010. The motion carried by the following vote:

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

Enactment No: ORD-20-0010

NEW BUSINESS (8:15 PM)

45. 20-0318 Recommendation to approve an employment agreement with Thomas B. Modica to serve as City Manager.

Charles Parkin, City Attorney, spoke.

Mayor Garcia spoke.

Councilmember Richardson spoke.

Vice Mayor Andrews spoke.

Councilmember Pearce spoke.

Councilwoman Price spoke.

Councilwoman Zendejas spoke.

Councilwoman Mungo spoke.

Councilmember Uranga spoke.

Thomas Modica, City Manager, spoke.

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

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

46. 20-0319

Recommendation to authorize City Manager, or designee, to execute amendments to Commercial Leases and Agreements memorializing the deferment of any rent obligations due on City-owned properties between March 4, 2020 through May 31, 2020, until November 30, 2020, in the General Fund Group, Tidelands Operating Fund Group, Tidelands Area Fund Group, and Airport Fund Group, that are impacted by the COVID-19 emergency, in accordance with Ordinance No. ORD-20-0010. (Citywide)

A motion was made by Vice Mayor Andrews, 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

47. 20-0320 Recommendation to review a report on the Coronavirus Economic Relief Package for Long Beach families and small businesses and provide input and policy direction to staff on economic relief strategies for working families and small businesses impacted by the COVID-19 emergency, as more specifically detailed in such report. (Citywide)

Thomas Modica, City Manager, spoke.

Mayor Garcia spoke.

Councilwoman Zendejas spoke.

Councilmember Richardson spoke.

Councilwoman Price spoke.

Motion: To move all staff recommendations in the economic relief package in the following issue areas:

- section 2 related to TOT incentives,
- section 3 related to foreclosures and mortgage payments,
- section 4 related to partnerships with EDD,
- section 5 related to emergency loan assistance programs,
- section 6 related to partnerships to assist people under self quarantine,
- section 7 related to training,
- section 11 related to digital inclusion,
- and section 12 related to development relief.

Further, in sections 1,8,9 and 10 of the staff report, related to sick days, grocery workers, right to return to work, and worker retention policies, staff made no recommendations and requests further direction from the City Council. Therefore, in section 1, review of supplemental sick leave policies, I move we adopt option A, that all employers with more than 500 workers nationally provide a benefit of 80 hours of supplemental COVID-19 related paid sick leave to full time workers, and a prorated amount to those working part time. Additionally, include an opt-out where the employer and employees have a collective bargaining agreement in place. In section 8, worker return and recall, I move that we adopt option A, draft an ordinance requiring employees of hotel, and janitorial companies of 25 employees or more receive a first right of refusal for workers laid off as a result of the COVID-19, once their employer begins the rehire process. This benefit

should be retroactive to March 1. In section 9, worker retention and just cause termination, I move that we adopt option A, to draft an ordinance requiring hospitality, and janitorial companies of 25 employees or more to continue to employ the acquired companies' employees for a set number of days, upon the transfer of ownership of a business. This benefit should be retroactive to March 1. In section 10, food and grocery service protections, I move to request the City Manager work with affected parties to explore ways to ease the burden on essential grocery workers by allowing schedule adjustments without retribution, to accommodate for issues related to COVID-19, including, but not limited to, childcare needs and assisting family members. In addition, the crisis at hand should be handled by an experienced workforce, therefore, further explore ways to require that existing part-time grocery and drug store workers are offered full-time hours, before new employees are hired.

Moved by Councilwoman Zendejas, seconded by Councilmember Richardson.

Charles Parkin, City Attorney, spoke.

Councilwoman Price spoke.

Councilman Austin spoke.

Councilmember Uranga spoke.

Vice Mayor Andrews spoke.

Councilmember Pearce spoke.

Motion: Substitute motion to approve recommendation with the following amendments.

Section 1: Employers with 500 or more employees are excluded from the paid sick leave requirements.

Section 2: Supplemental Leave is requested in the same manner that is established by that business.

Section 3: The reason of the leave must be related to COVID-19 related issues.

Section 4: Ordinance should not apply to employers that are closed or

laid-off employees as a result of the COVID-19 pandemic or as a result of COVID-19 related health orders.

Section 5: 90 days from the date governor withdraws the state of emergency.

Section 7: Businesses with 25 or less employees should be exempt.

Section 8: Draft an ordinance requiring employees of hotel, and janitorial companies of 25 employees or more receive a first right of refusal for workers laid off as a result of the COVID-19, once their employer begins the rehire process. This benefit should be retroactive to March 1.

Section 9: To draft an ordinance requiring hospitality, and janitorial companies of 25 employees or more to continue to employ the acquired companies' employees for a set number of days, upon the transfer of ownership of a business. This benefit should be retroactive to March 1. Moved by Councilwoman Price, seconded by Councilwoman Mungo.

Charles Parkin, City Attorney, spoke.

Erin Weesner-McKinley, Deputy City Attorney, spoke.

Councilwoman Mungo spoke.

Councilmember Pearce spoke.

Charles Parkin, City Attorney, spoke.

Erin Weesner-McKinley, Deputy City Attorney, spoke.

Councilwoman Mungo spoke.

Councilmember Richardson spoke.

Councilwoman Zendejas spoke.

Councilmember Uranga spoke.

Councilman Austin spoke.

Mayor Garcia spoke.

Councilwoman Price spoke.

Charles Parkin, City Attorney, spoke.

Erin Weesner-McKinley, Deputy City Attorney, spoke.

Councilwoman Price spoke.

Councilmember Pearce spoke.

Charles Parkin, City Attorney, spoke.

Erin Weesner-McKinley, Deputy City Attorney, spoke.

Councilwoman Price spoke.

Councilmember Pearce spoke.

Erin Weesner-McKinley, Deputy City Attorney, spoke.

Councilwoman Mungo spoke.

A second substitute motion was made by Councilmember Pearce, seconded by Councilmember Richardson, to approve recommendation, as amended, to approve staff recommendations in the economic relief package in the following issue areas:

Section 2 related to TOT incentives;
Section 3 related to foreclosures and mortgage payments;
Section 4 related to partnerships with EDD;
Section 5 related to emergency loan assistance programs;
Section 6 related to partnerships to assist people under self quarantine;
Section 7 related to training;
Section 11 related to digital inclusion; and
Section 12 related to development relief;

Further, in Sections 1, 8, 9 and 10 of the staff report, related to sick days, grocery workers, right to return to work, and worker retention policies, staff made no recommendations and requests further direction from the City Council;

Section 1, review of supplemental sick leave policies, adopt option A, that all employers with more than 500 workers nationally provide a benefit of 80 hours of supplemental COVID-19 related paid sick leave to full time workers, and a prorated amount to those working part time. Additionally, include an opt-out where the employer and employees have a collective bargaining agreement in place;

In Section 8, worker return and recall, adopt option A, draft an ordinance requiring employees of hotel, and janitorial companies of 25 employees or more receive a first right of refusal for workers laid off as a result of the COVID-19, once their employer begins the rehire process. This benefit should be retroactive to March 1, 2020;

In Section 9, worker retention and just cause termination, adopt option A, to draft an ordinance requiring hospitality, and

janitorial companies of 25 employees or more to continue to employ the acquired companies' employees for a set number of days, upon the transfer of ownership of a business. This benefit should be retroactive to March 1, 2020;

In Section 10, food and grocery service protections, request City Manager to work with affected parties to explore ways to ease the burden on essential grocery workers by allowing schedule adjustments without retribution, to accommodate for issues related to COVID-19, including, but not limited to, childcare needs and assisting family members. In addition, the crisis at hand should be handled by an experienced workforce, therefore, further explore ways to require that existing part-time grocery and drug store workers are offered full-time hours, before new employees are hired;

Request staff to look into options for incentivizing Long Beach-based employee hires; and request a report back every 90 days on the status of the economic packages until the City Council deems the updates not necessary. The motion carried by the following vote:

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

48. 20-0321 Recommendation to adopt resolution amending the Fiscal Year 2020 Salary Resolution to revise the salary range for Public Safety Dispatcher I-IV, Communications Center Supervisor, Communications Center Coordinator, Public Health Nurse I-III, Public Health Nurse-NC, Public Health Nurse Supervisor, Registered Nurse I-II, Registered Nurse I-NC, Nurse Practitioner, Nurse Practitioner-NC, Licensed Vocational Nurse, Licensed Vocational Nurse-NC, and Ambulance Operator classifications. (Citywide)

A motion was made by Vice Mayor Andrews, seconded by Councilman Austin, to approve recommendation and adopt Resolution No. RES-20-0051. The motion carried by the following vote:

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

Enactment No: RES-20-0051

49. Affidavit of Service for special meeting held Tuesday April 14, 2020.

50. 20-0322 Supplemental Memorandum - Corrections and/or additions to the City
Council Agenda as of 12:00 noon, Friday, April 10, 2020.

This Agenda Item was received and filed.

51. 20-0354 eComments received for the City Council meeting of Tuesday, April 14,
2020

This Agenda Item was received and filed.

ADJOURNMENT (8:17 PM)

At 8:17 PM, Mayor Garcia adjourned the meeting.

pr

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.

បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបរាវ និងកំណត់ហេតុឲ្យ
អ្នកដែលមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅ
ការិយាល័យស្មៀនក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹង
ចាប់ផ្តើមបើកកិច្ចប្រជុំគណកម្មការធម្មនុញ្ញ)។