



Date: May 28, 2020

To: Thomas B. Modica, City Manager 

From: John Keisler, Director of Economic Development 

For: Mayor and Members of the City Council

Subject: **Economic Relief Package—Restart Long Beach Update**

On April 21, 2020, the City of Long Beach (City) [announced](#) the formation of “Restart Long Beach,” an economic recovery advisory group, led by former Mayor Bob Foster and supported by City staff from numerous departments, charged with providing innovative ideas and a smart approach to restarting the local economy in the safest way possible and guided by medical science and data.

On May 2nd, City management received the [initial report](#) from former Mayor Bob Foster on behalf of Restart Long Beach with initial recommendations for transitioning the local economy into Stage II as defined by the Governor’s [Resiliency Roadmap](#). On May 15th, City management received the [First Amendment](#) to the report, which recommended steps to move further into Stage II activities. On May 22nd, City management received the Second Amendment to the Restart Long Beach Report. The purpose of this memorandum is to provide the City Council with a copy of this Second Amendment (Attachment A), which stresses the importance of the City to be recognized as an independent Local Health Jurisdiction separate from Los Angeles County. This has been a key priority for the City, with requests made by the City’s Health Officer, as well as through a letter from the Mayor to the Governor on the City’s formal position (Attachment B).

Thank you for your consideration of this important matter. Please contact me at (562) 570-5282 or by email john.keisler@longbeach.gov with additional questions regarding Restart Long Beach or the attached report, which can also be forwarded to former Mayor Bob Foster for clarification.

ATTACHMENT A: SECOND AMENDMENT TO RESTART LONG BEACH ADVISORY GROUP REPORT

ATTACHMENT B: MAYOR’S LETTER TO GOVERNOR REQUESTING THAT CDPH MODIFY PROCESS FOR REGIONAL VARIATION

CC: CHARLES PARKIN, CITY ATTORNEY
LAURA L. DOUD, CITY AUDITOR
REBECCA G. GARNER, ACTING ASSISTANT CITY MANAGER
KEVIN J. JACKSON, DEPUTY CITY MANAGER
TERESA CHANDLER, INTERIM DEPUTY CITY MANAGER
AJAY KOLLURI, ACTING ADMINISTRATIVE DEPUTY TO THE CITY MANAGER
MONIQUE DE LA GARZA, CITY CLERK (REF. FILE #20-0320)
DEPARTMENT DIRECTORS

May 22, 2020

City of Long Beach
c/o: Tom Modica, City Manager
411 W. Ocean Boulevard, 10th Floor
Long Beach, CA 90802

SUBJECT: Second Amendment to the Restart Long Beach Advisory Group Report

To the City of Long Beach:

On behalf of the Restart Long Beach Economic Recovery Advisory Group, I want to thank you for your continued efforts to move the City forward into Stage II of the Governor's [Resilience Roadmap](#). As presented in our [initial report](#) submitted to the City Manager on May 2nd, the Restart Long Beach has recommended a set of key issues to guide City decisions about reopening. These core principles are built upon [Governor Newsom's Six Critical Indicators](#) that local health jurisdictions must meet before non-essential activities may resume.

This is the second amendment to the Restart Long Beach Report dated May 2nd. This primary subject of this amendment is the **City of Long Beach Department of Health and Human Services authority as an independent Local Health Jurisdiction**; and, to emphasize the importance of establishing Long Beach as separate from Los Angeles County when it comes to testing, tracking, and measuring the impacts of COVID-19 on the health and wellbeing of the community.

The Importance of Recognizing Long Beach as an Independent Health Authority

Due to its sheer size, there are [61 independent Local Health Jurisdictions](#) in the State of California that are responsible for providing public health services to their diverse communities. This includes 58 county and three city health departments. For over a century, it has been a legal and functional reality that Long Beach—one of only three cities in California with its own health department—should serve as an independent health jurisdiction for the tracking, management, and measurement of public health data related to COVID-19.

Although each county must continue to make progress against the [public health goals](#) outlined by the Governor to be eligible to move further into Stage II for “higher risk commercial activities”, the [Long Beach Department of Health and Human Services](#) should have equal jurisdiction to a county health jurisdiction; and, when the State issues directives to county health departments, Long Beach and the other two cities—Berkeley and Pasadena—should have the independent powers to act with the same authority. Each of these health departments has the demonstrated capability, experience, and capacity to manage the public health decisions for their communities.

The Restart Long Beach Advisory Group has been advised that in the instance of COVID-19 and the State requirements for sheltering and phasing of reopening, Long Beach will NOT be treated as a separate health jurisdiction but will be required to follow Los Angeles County Health Department orders. This is a clear departure with past practice and places Long Beach in a disadvantaged position relative to the reopening

its economy, receiving financial assistance for health-related services, and charting an adaptive approach to COVID-19 issues that is right for its unique and diverse population.

Under Governor Newsom's recent rules relaxing some of the conditions for opening the economy, counties are given the power to petition (Attestation) if a set of specific health-related conditions are met. Local Health Jurisdictions that meet the criteria set forth by the California Department of Public Health (CDPH) and follow the process in the [county guidance](#) may move further ahead in Stage II of the resiliency roadmap. If a county decides to pursue a variance to move further into Stage 2, the local public Health Officer must: (a) notify CDPH; and, (b) certify through submission of a written attestation to CDPH that the county has met the readiness criteria including guidance to be issued with detailed plans to mitigate the spread of COVID-19. Conditions that must be met involve number of confirmed cases per 100,000 population, health facility utilization, and other related issues.

As its own Local Health Jurisdiction with its own Health Officer, Long Beach should be able to file an Attestation Petition. This is also be appropriate from a health standpoint, given that Long Beach has a much different profile of COVID-19 cases—including infection rates, fatalities, and health facility usage—than Los Angeles County. To be required to “draft” behind Los Angeles County unnecessarily places Long Beach and its population at a significant and unnecessary disadvantage.

The Restart Long Beach Advisory Group is unanimous in recommending the following actions:

1. The City of Long Beach should urge the Governor to return to the traditional and legal practice and **recognize Long Beach as an independent Local Health Jurisdiction** with the ability to track, report, and issue health orders for its community.
2. The City of Long Beach should urge all its **elected representatives in Sacramento** to press the Governor, State Health Officer, and CDPH to return Long Beach to its appropriate place as an independent Local Health Jurisdiction, with the same powers as a county health department.
3. The City of Long Beach, as soon as all the metrics are achieved, **should file a Petition of Attestation**, urging it be treated as an independent Local Health Jurisdiction. This will enable Long Beach to open its economy at a pace consistent with the local health outcomes approved by CDPH.

Other Recommendations

In addition to the above and following on our recommendations for outdoor dining contained in the [First Amendment](#) to the report, the Restart Long Beach Advisory Group urges the City to initiate several strategies to enable the timely, safe, and effective implementation of the Open Streets initiative. After consulting several small business owners and experts in the local hospitality sector, the following strategies are recommended:

- **Bundled Permitting Process.** Approve a standard package of Open Street Permits required for the approval of street closures, parklets, security, and use of public spaces for outdoor dining.
- **Fee Waivers.** Provide the Open Street Permits at no cost to business owners or business improvement districts so long as proper safety plans, insurance, and other conditions can be met.
- **Pre-Submittal Process.** Prior to legislative approval, allow businesses to begin to submit permitting applications and required plans for Open Streets, pending State rules allowing the practice.

- Streamlined Timeline. We urge this process to begin immediately—even prior to legislative approvals—so that once such activity is allowed, there will be as little “lag time” as possible to begin outdoor dining.
- Coordination with State and County Agencies. It is important to assist small businesses with the complicated permitting process involving outside agencies such as the County or the State. We also reiterate our previous recommendation that the City coordinate with the Alcohol Beverage Control Board (ABC) on behalf of small businesses to facilitate alcohol service in outdoor dining.
- Expand Areas for Collective Use. Many small businesses are unable to support the costs involved to activate outdoor spaces on their own—particularly if the area is constrained to the sidewalk or parking spaces contiguous to their storefront. Allow larger spaces including parking lots, streets, piers, and other park spaces to be shared by multiple restaurants in a safe and responsible way.
- Group Insurance Purchasing Policy. Allow smaller businesses to work together or to purchase insurance as a group and/or, share in the cost of a blanket insurance policy during Open Streets.
- Grants and Loans. Provide revolving loan funds or mini-grants for small business owners and business improvement districts to purchase materials, supplies, insurance, permits, or additional staffing needed to initiate the Open Streets projects.

Next Steps

On behalf of the Restart Long Beach Advisory Group, thank you for your continued efforts to expedite the reopening of the Long Beach economy in a safe and responsible way. As its own Local Health Jurisdiction, Long Beach has the expertise and capacity to manage a responsible opening at a different pace than the surrounding cities or counties—so long as the local health outcomes meet the criteria established by the State health agency. Additionally, the dynamic small business community stands ready to work side-by-side with the City to implement creative strategies like Open Streets that will create momentum, hope, and innovation that will be needed for a robust recovery in the post-COVID-19 economy.

The Restart Long Beach Advisory Group will continue to work together across sectors to make connections, identify best practices, and form public-private partnerships that will help to move Long Beach forward toward a timely and safe transition further into Stage II. Please do not hesitate to contact me directly if you have any questions for the Advisory Group. We are here to serve in any way that is beneficial to the health and well-being of the City of Long Beach.

On behalf of the Restart Long Beach Advisory Group,



Bob Foster
Former Mayor
City of Long Beach



MAYOR ROBERT GARCIA
CITY OF LONG BEACH

May 23, 2020

The Honorable Gavin Newsom
State of California
State Capitol, Suite 1173
Sacramento, CA 95814

RE: Local Health Jurisdictions—Regional Variance Process

Dear Governor Newsom,

On behalf of the City of Long Beach, I thank you for the strong and steady leadership as you guide California through this health crisis. Our city health team has developed a strong relationship with the California Department of Public Health, and your policy and finance teams have been partners as we meet our challenges related to unemployment, homelessness, and our budget.

As you know, Long Beach is one of three public health jurisdictions that operate outside of county health orders. Nevertheless, the Cities of Long Beach, Pasadena, and Berkeley, which have their own health departments, were omitted from CDPH guidance for applying for a local variance.

We strongly ask that CDPH modify the State process for regional variation, so that local public health jurisdictions have the authority to submit requests separate from counties.

The State Public Health Officer, on May 4, established procedures for “local public health officers” to “submit... certifications to establish and implement” re-openings of their “respective jurisdictions.” We appreciate this decisionmaking authority was not limited to counties and authorizes local public health officers to request a variance within the State’s guidelines.

Given the diversity of Los Angeles County, it is critical the City of Long Beach be considered independently of the County through the attestation process, as we are for other public health decisions.

Long Beach’s population is nearly a half-million, which is larger than two-thirds of the county jurisdictions in California, and we have distinct public health needs. These differences are borne out in our cases, deaths, and hospitalization trends. Compared to the County, Long Beach currently has approximately 100 fewer cases and 10 fewer deaths per 100,000 in population.

While we coordinate closely with the County on the development of our respective health orders, the City—not the County—is responsible for managing the COVID-19 health response in our community. The Long Beach Health and Human Services Department provides surveillance, data monitoring, contact tracing, drive-through testing, public health emergency management operations, supply distribution sites, public health nurses, homeless services, and isolation and quarantine space independently of County resources.

For these reasons, I respectfully request that all local public health jurisdictions have the authority to apply for regional variance, as CDPH originally outlined. Thank you for your attention to this, and please know that we have communicated this position directly to CDPH as well.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Garcia", written over a light gray rectangular background.

Mayor Robert Garcia
City of Long Beach

cc: Dr. Mark Ghaly, Secretary of the California Health and Human Services
Sonia Angell, MD, MPH, Director, CDPH/State Health Officer