

R-29

July 5, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the City Manager, or designee, to execute all documents necessary to enter into an agreement with the State Water Resources Control Board's (State Water Board) Proposition 1 (Prop 1) Storm Water Grant Program (SWGP), to accept and expend grant funding in the amount of \$3,973,140, and execute all documents necessary to implement the grant for the Long Beach Municipal Urban Stormwater Treatment (LB-MUST) Phase 2 Project (Project);

Increase appropriations in the Capital Projects Fund Group in the Public Works Department by \$3,973,140, offset by grant reimbursement funds from the State Water Board's Prop 1 SWGP, for the Project; and,

Increase appropriations in the Capital Projects Fund in the Public Works Department by \$3,973,140, offset by a transfer of State Water Board's Prop 1 SWGP grant reimbursement revenues from the Capital Grant Fund. (District 1)

DISCUSSION

City Council approval is requested to adopt a Resolution to enter into an agreement to accept and expend grant funding from the State Water Board's Prop 1 SWGP for the Long Beach Municipal Urban Stormwater Treatment (LB-MUST) Phase 2 Project (Project).

The State Water Board's Prop 1 SWGP supports stormwater and dry weather runoff treatment projects that improve water quality and incorporate multiple benefits for the community. This is changing the perception of stormwater and dry weather runoff from a contaminant source to a valuable resource that can recharge groundwater aquifers, provide a recycled water source, support watershed processes, and beautify communities by creating habitat and open space. The State Water Board's Prop 1 SWGP has accepted the City of Long Beach's (City) grant application to assist with the construction of the LB-MUST Project, which epitomizes the vision of the grant.

LB-MUST will consist of a stormwater treatment facility and a new wetland habitat area near the Shoemaker Bridge at 901 De Forest Avenue. The goal of LB-MUST is to improve Long Beach's water quality to benefit aquatic life and recreational beach activities. By capturing and cleaning urban stormwater runoff, the Project will reduce pollution that would otherwise discharge into the Los Angeles River (LAR) and enter city beaches. The recycled water from the facility will help sustain a wetland habitat. These activities ensure compliance with the

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City's National Pollutant Discharge Elimination System (NPDES) permit.

The second phase of LB-MUST will expand stormwater and dry weather treatment by connecting additional stormwater pump stations to the treatment facility via underground conveyance pipes. Treated water will sustain the wetlands and additional onsite reuse will be piloted. Treating additional flows and piloting reuse will require optimizing and monitoring performance of the LB-MUST Treatment Facility.

The State Water Board awarded grant funding in the amount of \$3,973,140, in project costs with a local match requirement of \$3,973,140 that will be supported by Measure W funds approved for this project.

This matter was reviewed by Deputy City Attorney Vanessa S. Ibarra on June 8, 2022 and by Budget Management Officer Nader Kaamoush on June 16, 2022.

TIMING CONSIDERATIONS

City Council action is requested on July 5, 2022, to enter into an agreement with the State Water Board's Prop 1 SWGP to accept and expend grant funds, and ensure timely completion of the Project in accordance with the State Water Board's Prop 1 SWGP expenditure timelines.

FISCAL IMPACT

The City will receive \$3,973,140 in grant funding from the State Water Board's Prop 1 SWGP. This grant has a match requirement of \$3,973,140 that will be supported by Measure W funds approved for this project currently appropriated in the Capital Projects Fund Group in the Public Works Department.

The total cost of the LB-MUST Project is currently estimated at \$43,682,650, which includes design, construction, construction management, inspection, labor compliance, and project oversight. The total cost is supported by \$24,000,000 from the California Department of Transportation grant funding, \$2,000,000 in grant funding from the Rivers and Mountains Conservancy, \$1,000,000 from the Harbor Department (Port) Community Infrastructure Grant Program, \$209,510 from General Capital Projects funds, \$1,000,000 Measure A funds, \$500,000 from State Coastal Conservancy Grant, \$200,000 from the Measure W SCWP Municipal Program Funds, \$10,800,000 Measure W Regional Program Funds, and \$3,973,140 from State Water Board's Prop 1 SWGP Grant, in which the appropriation is being requested in the recommendation.

An appropriations increase in the amount of \$7,946,280 is requested in the Capital Projects Fund Group in the Public Works Department. Of this amount, \$3,973,140 will be offset with grant reimbursement revenues received from the State Water Board's Prop 1 SWGP. The remaining \$3,973,140 is a technical appropriation to allow for the transfer of State Water Boards SWGP Prop 1 grant funds from the Capital Grant Fund, a fund within the Capital Projects Fund Group.

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This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. Approval of this recommendation would potentially have a positive impact on the local job market.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

Handwritten signature of Eric Lopez in black ink, appearing to read "Eric Lopez" with a stylized flourish at the end.

ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

ATTACHMENT – Resolution

APPROVED:

Handwritten signature of Thomas B. Modica in black ink, appearing to read "T. B. Modica" with a stylized flourish at the end.

THOMAS B. MODICA
CITY MANAGER

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO ENTER INTO A FUNDING AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE LONG BEACH MUNICIPAL URBAN STORMWATER TREATMENT (LB-MUST) PHASE 2 PROJECT

WHEREAS, the City of Long Beach ("Recipient") has submitted an application to the State Water Resources Control Board for funding for the Long Beach Municipal Urban Stormwater Treatment (LB-Must) Phase 2 Project ("Project"); and

WHEREAS, prior to the State Water Resources Control Board's executing a funding agreement, Recipient is required to adopt a resolution authorizing an agent, or representative, to sign the funding agreement, amendments, and requests for disbursement on behalf of Recipient, and to carry out other necessary Project related activities;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The City of Long Beach is hereby authorized to carry out the Project, enter into a funding agreement with the State Water Resources Control Board, and accept and expend State funds for the Project.

Section 2. The City Manager or designee, is hereby authorized and designated to sign, for and on behalf of the City of Long Beach, the funding agreement for the Project and any amendments thereto.

Section 3. The City Manager, or designee, is hereby authorized and

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lana Beach, CA 90802

1 designated to represent the City of Long Beach in carrying out the City of Long Beach's
2 responsibilities under the funding agreement, including certifying invoices and
3 disbursement requests for Project costs on behalf of the City of Long Beach and
4 compliance with applicable state and federal laws.

5 Section 4. Any and all actions, whether previously or subsequently
6 taken by the City of Long Beach, which are consistent with the intent and purposes of
7 the foregoing resolution, shall be, and hereby are, in all respects, ratified, approved
8 and confirmed.

9 Section 5. This resolution shall take effect immediately upon its adoption
10 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

11 I hereby certify that the foregoing resolution was adopted by the City Council
12 of the City of Long Beach at its meeting of _____, 2022 by the
13 following vote:

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15 Ayes: Councilmembers: _____
16 _____
17 _____

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19 Noes: Councilmembers: _____
20 _____

21 Absent: Councilmembers: _____
22 _____

23 Recusal(s): Councilmembers: _____
24 _____

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26 _____
27 City Clerk

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