



CITY OF LONG BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

R-16

May 12, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

1. Adopt resolution authorizing the City Manager to enter into a Financial Assistance Agreement with the State Water Resources Control Board (SWRCB), and;
2. Authorize the City Manager to execute any and all documents necessary for a new funding agreement and any amendments thereto with the SWRCB to restart the Colorado Lagoon Clean Beaches Initiative Grant Project with funding support from the American Recovery and Reinvestment Act of 2009. (District 3)

DISCUSSION

On February 7, 2006, the City Council accepted grant funding in the amount of \$3,823,868 from the State Water Resources Control Board (SWRCB) through the Clean Beaches Initiative (CBI) Grant Program for the installation of a low-flow sewer diversion system and construction of a bio-swale along the western lagoon arm. The CBI grant also included funding support for cleaning the existing 1,000-foot underground culvert, which connects the Colorado Lagoon to Marine Stadium. Please refer to enclosed location map (Exhibit A).

The CBI grant (State Agreement No. 06-266-550-0) was originally funded in 2006 with Proposition 40 monies. On December 17, 2008, the SWRCB notified the City that all general obligation bond-funded projects were being suspended due to the State's budget problems. City staff issued a Stop Work Notice for the CBI grant project on December 23, 2008.

On April 6, 2009, the City was notified by the SWRCB that the suspended grant project had been initially screened as eligible and selected to receive American Reinvestment and Recovery Act (ARRA) funds, as a principal forgiveness loan, through the State Revolving Fund Loan program. If approved, the loan agreement will be for \$3,534,013. If all terms and conditions are met, the total loan amount will be forgiven.

In order to remain eligible for the ARRA funding, the SWRCB requires the City Council to adopt a resolution certifying project initiation.

This matter was reviewed by Deputy City Attorney Richard Anthony on April 14, 2009, and by Budget and Performance Management Bureau Manager David Wodynski on April 27, 2009.

TIMING CONSIDERATIONS

City Council action on this matter is requested on May 12, 2009, for the project to remain eligible and selected for ARRA Funds through the SWRCB.

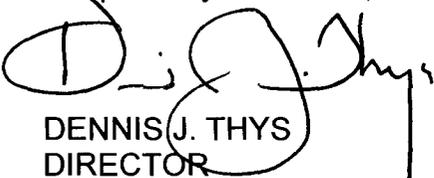
FISCAL IMPACT

There will be no fiscal impact to the City, as the SWRCB will provide these funds as a principal forgiveness loan. No project work will resume until the revised financing agreement is signed by the SWRCB.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



DENNIS J. THYS
DIRECTOR
DEPARTMENT OF COMMUNITY DEVELOPMENT



PHIL T. HESTER
DIRECTOR
PARKS, RECREATION & MARINE

DJT:VSG:EOL
5-12-09 Colorado Lagoon Clean Beaches v4.doc

Exhibit A - Project Location Map
Exhibit B - Resolution

APPROVED:


PATRICK H. WEST
CITY MANAGER

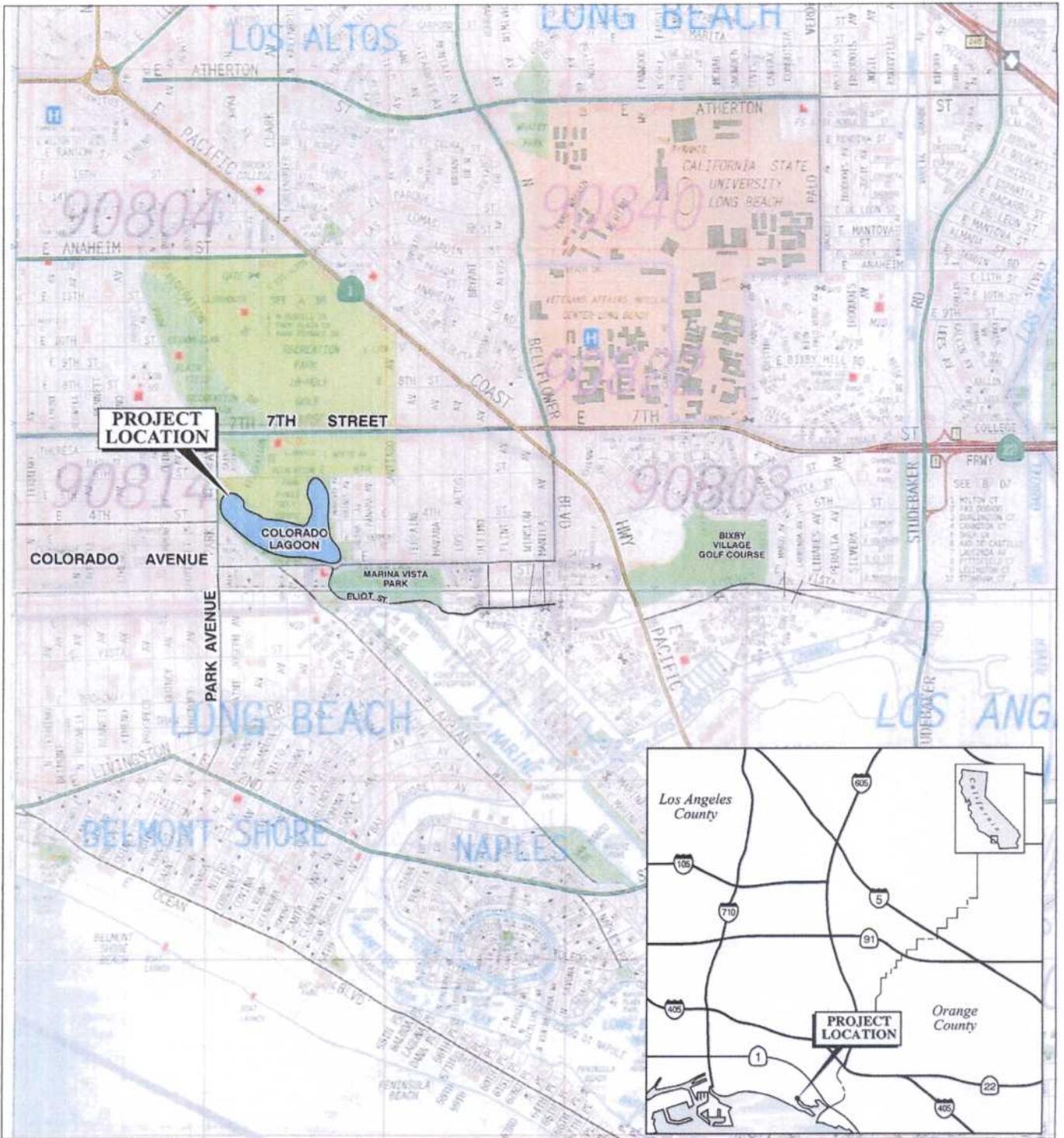
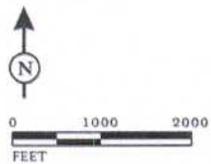


FIGURE 1

LSA



SOURCE: Thomas Guide, 2007

I:\CLB0702\G\Location.cdr (10/18/07)

Colorado Lagoon EIR
Project Location

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING ENTERING INTO
5 A FINANCIAL ASSISTANCE AGREEMENT WITH THE
6 STATE WATER RESOURCES CONTROL BOARD AND
7 DESIGNATING A REPRESENTATIVE TO SIGN THE
8 FINANCIAL ASSISTANCE AGREEMENT, AND ANY
9 AMENDMENTS THERETO

10
11 WHEREAS, the City Council of the City of Long Beach previously
12 authorized accepting grant funding from the State Water Resources Control Board
13 (SWRCB) for the purpose of restoration and improvement work in and around the
14 Colorado Lagoon; and

15 WHEREAS, the previously accepted grant funding, and all work being
16 performed in connection therewith, was suspended due to the State of California's budget
17 crisis; and

18 WHEREAS, the City has received notice that the Colorado Lagoon project
19 is eligible for a new financing agreement under the American Recovery and
20 Reinvestment Act (ARRA), to be administered by the SWRCB;

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

23 Section 1. The City of Long Beach (City) is authorized to enter into a
24 financial assistance agreement with the State of California and the State Water
25 Resources Control Board.

26 Section 2. The City Manager, or designee, is authorized to sign the
27 financial assistance agreement, and any amendments thereto.

28 Section 3. The City Manager is authorized to immediately resume work

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 on the Colorado Lagoon project as previously approved by the State Water Resources
2 Control Board pursuant to Agreement No. 06-266-550-0.

3 Section 4. The City agrees and further does authorize the
4 aforementioned representative or his/her designee to certify that the City has and will
5 comply with all applicable federal and state statutory and regulatory requirements related
6 to any financial assistance funds received.

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

9 I hereby certify that the foregoing resolution was adopted by the City
10 Council of the City of Long Beach at its meeting of _____, 2009 by the
11 following vote:

12
13 Ayes: Councilmembers: _____
14 _____
15 _____
16 _____

17 Noes: Councilmembers: _____
18 _____

19 Absent: Councilmembers: _____
20 _____

21
22
23 _____
24 City Clerk

25
26
27
28