

**CITY OF LONG BEACH**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

2525 GRAND AVENUE • LONG BEACH, CALIFORNIA 90815 • (562) 570-4000

#21

May 11, 2004

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

SUBJECT: A Resolution to Dissolve the Long Beach/Signal Hill Joint Powers Agency and Authorizing the City Manager to Apply to the State of California for Certification as the City of Long Beach Unified Program Agency

**DISCUSSION**

On December 21, 1995, the Long Beach City Council passed Resolution C-25933 which established a Long Beach/Signal Hill Joint Powers Agency (JPA) for the administration of hazardous materials inspection programs. The JPA delegated the authority to perform these functions to the Long Beach Department of Health and Human Services (Health) and the Long Beach Fire Department (Fire).

An application for certification of the Long Beach/Signal Hill JPA as the local agency responsible for administration of hazardous materials inspection programs was subsequently submitted to the California Environmental Protection Agency (CalEPA) and was approved for implementation on July 1, 1997 as a Certified Unified Program Agency (CUPA).

Since that time, the Long Beach Health and Fire Departments have administered hazardous materials inspection programs as a Unified Program Agency in both cities. The cost of providing the services in Signal Hill has been covered by service fees charged to businesses in Signal Hill.

Recently the City of Signal Hill agreed to contract with the County of Los Angeles for fire protection services rather than renew its contract with the City of Long Beach. Furthermore, on October 14, 2003, the City of Signal Hill at their regularly scheduled City Council meeting adopted Resolution #2003-10-5342 to withdraw from the JPA with the intent to have Los Angeles County provide hazardous materials inspections services for Signal Hill.

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The Departments of Health and Human Services and Fire concur with this action and recommend that the City Council adopt a resolution dissolving the JPA and authorizing the City Manager to apply to CalEPA as the Long Beach Unified Program Agency. Under this new designation, the Health and Fire Departments will continue to provide hazardous materials inspection services in Long Beach. CalEPA has reviewed the plan to dissolve the JPA and reapply as the Long Beach Unified Program Agency and is in support of these intentions.

The City of Long Beach is in receipt of the City of Signal Hill's formal notice to withdraw from the JPA. To dissolve the JPA, it is now recommended that the City of Long Beach pass a Resolution to rescind the JPA and reapply to the State for certification as the Long Beach Unified Program Agency.

This matter was reviewed by Deputy City Attorney Lisa Peskay Malmsten on April 21, 2004 and by Budget Manager Michael Killebrew on April 29, 2004.

#### TIMING CONSIDERATIONS

Adoption of a resolution is necessary to inform the JPA of the intent of the City of Long Beach, along with the intent of the City of Signal Hill, to dissolve the JPA. City Council action on this matter is requested at this time to expedite this process.

#### FISCAL IMPACT

The discontinuation of hazardous materials inspection services by the Long Beach Health and Fire Departments in the City of Signal Hill will decrease budgeted revenue in fund SR 131 by \$116,640. This loss in program revenue will be accommodated by position reductions and budget adjustments.

IT IS RECOMMENDED TO THE CITY COUNCIL:

Refer item to the Economic Development and Finance Committee.

Respectfully submitted,



RONALD R. ARIAS  
DIRECTOR  
HEALTH AND HUMAN SERVICES

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER

Attachment

1 RESOLUTION NO. C-

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH DISSOLVING THE LONG BEACH/  
5 SIGNAL HILL JOINT POWERS AGENCY, A CERTIFIED  
6 UNIFIED PROGRAM AGENCY, AND AUTHORIZING THE  
7 CITY MANAGER TO APPLY FOR CERTIFICATION AS THE  
8 CITY OF LONG BEACH UNIFIED PROGRAM AGENCY  
9

10 The City Council of the City of Long Beach resolves as follows:  
11

12 WHEREAS, on December 21, 1995, the Cities of Long Beach and Signal Hill  
13 formed the Long Beach/Signal Hill Joint Powers Agency to become the Certified Unified  
14 Program Agency pursuant to Chapter 6.11 of Division 20 of the Health and Safety Code  
15 (Sections 25404 et seq.) known as the Unified Hazardous Waste and Hazardous Materials  
16 Management Regulatory Program, as memorialized in Joint Powers Agreement No. 24472,  
17 and was so certified by the Secretary of the California Environmental Protection Agency  
18 in 1996, and

19 WHEREAS, pursuant to that Agreement and State law, the City of Long  
20 Beach Health and Human Services Department and Fire Department provided certain  
21 services to the residents and businesses in the both the Cities of Long Beach and Signal  
22 Hill, and

23 WHEREAS, Section 13.01 of the Joint Powers Agreement states, "Any  
24 member may withdraw from the Agreement without cause at any time by providing at least  
25 180 days written notice to the authority of its adoption of a resolution resolving to withdraw  
26 from the Authority," and

27 WHEREAS, the City Council of the City of Signal Hill did, on October 14,  
28 2003, adopt a resolution notifying the City of Long Beach of its intent to withdraw from the

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1 Long Beach/Signal Hill Joint Powers Agency, and

2 WHEREAS, the City Council of the City of Long Beach has determined that  
3 it is in its best interest to seek certification itself from the Secretary of the California  
4 Environmental Protection Agency as the unified program agency for the City of Long  
5 Beach,

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

8 Section 1. The City of Long Beach resolves to dissolve the Long  
9 Beach/Signal Hill Joint Powers Agency.

10 Sec. 2. The City Manager or his designee is directed to apply for certification  
11 from the Secretary of the California Environmental Protection Agency on behalf of the City  
12 of Long Beach as the unified program agency for the City of Long Beach.

13 Sec. 3. The City Manager or his designee is authorized to execute all  
14 documents and complete all formalities which will dissolve the Long Beach/Signal Hill Joint  
15 Powers Agency and cause the City of Long Beach to be certified and to operate as the  
16 unified program agency for the City of Long Beach.

17 Sec. 4. This resolution shall take effect immediately upon its adoption by the  
18 City Council, and the City Clerk shall certify the vote adopting this resolution.

19 I certify that this resolution was adopted by the City Council of the City of

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Long Beach at its meeting of \_\_\_\_\_, 2004, by the following vote:

Ayes: Councilmembers:

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Noes: Councilmembers:

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Absent: Councilmembers:

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\_\_\_\_\_  
City Clerk

LPM:et

04/21/04

03-04742

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