



CITY OF LONG BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

C-9

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

October 24, 2006

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute all documents necessary for a Right of Entry Permit with the South Coast Air Quality Management District for the placement and monitoring of stationary air-monitoring equipment at the former Towing Yard located at 901 W. Anaheim Street. (District 1)

DISCUSSION:

In early 2006, the South Coast Air Quality Management District (AQMD) Governing Board approved the Clean Port Initiative, which calls for actions to be taken by the AQMD to accelerate efforts to clean up emissions associated with marine ports. One of the elements of the Clean Port Initiative is to conduct an enhanced air-monitoring program (Program) in and around the ports of Long Beach and Los Angeles including the surrounding residential areas. The objective of the Program is to characterize the ambient air toxic and criteria pollutant concentrations and potential exposures in the port-community area. The Program will be conducted over an 18-month period at a minimum of six additional monitoring sites in the affected Wilmington and Long Beach areas. The Program will provide a characterization of the spatial distribution of ambient air concentrations of these important hazardous air pollutants in the surrounding communities and help to determine their sources.

A workplan outlining the tasks to be completed under the Program was prepared and the AQMD is in the process of securing the equipment and resources necessary to conduct the Program. The workplan also identifies the preferred locations where the Program will be conducted, the various air toxic compounds and air pollutants to be measured, the sampling frequency, the instruments to be deployed, the processes by which air samples are collected and analyzed and the reporting of the data.

One of the locations identified in the workplan is the former Towing Yard located at 901 W. Anaheim Street (see Exhibit "A"). The placement of the equipment is not anticipated to affect any current operations at the former Towing Yard, nor delay strategic planning efforts for the site. AQMD will provide and pay for any needed utilities to the site.

To facilitate the air-monitoring program at the former Towing Yard location, a proposed Right of Entry Permit has been negotiated containing the following major provisions:

- Permittor: City of Long Beach.
- Permittee: South Coast Air Quality Management District or designee.
- Premises: Approximately 7,500 square feet of area located at 901 W. Anaheim Street together with rights of ingress and egress.
- Use: The area shall be utilized for the placement, maintenance and use of air-monitoring equipment as a part of the Permittee's air-monitoring program.
- Term: The term of this agreement shall be for 24-months and shall commence upon execution of the agreement.
- Termination: This Permit may be terminated by either party with 90-day notice.
- Utilities: Permittee shall be responsible for all utilities needed for the intended use of the Premises.
- Insurance: Permittee shall be required to maintain insurance coverage to the satisfaction of the Permittor.

This letter was reviewed by Deputy City Attorney Richard F. Anthony on October 11, 2006 and Budget Management Officer David Wodynski on October 12, 2006.

TIMING CONSIDERATIONS

City Council action is requested on October 24, 2006, in order to comply with AQMD's project timeline.

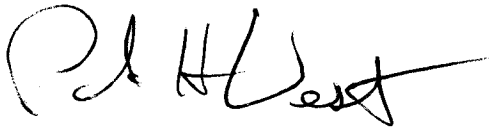
FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST
DIRECTOR OF
COMMUNITY DEVELOPMENT
PHW:CFA:MPC:lel



CHRISTINE F. ANDERSEN
DIRECTOR OF
PUBLIC WORKS

Attachments: Exhibit A – Site Map
Picture

APPROVED:



GERALD R. MILLER
CITY MANAGER

EXHIBIT "A"



Approximate location of 50 X 150 foot site at the former Tow Yard in the Public Works Yard at 901 W. Anaheim Street

