



# CITY OF LONG BEACH

# R-18

## DEPARTMENT OF PUBLIC WORKS

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May 12, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

1. Adopt the attached 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 Vortex Separation System (VSS) project at pump station 11 with funding support from the American Recovery and Reinvestment Act of 2009.  
(District 9)

### DISCUSSION

On November 14, 2006, the City Council accepted grant funding in the amount of \$605,000 from the State Water Resources Control Board (SWRCB) for the installation of a Vortex Separation System (VSS) at the City's pump station 12 (later relocated to pump station 11 at 114 Gordon Street).

SWRCB agreement number 06-225-554-1 was funded through the Proposition 40 Urban Stormwater Program. On December 19, 2008, the City was notified by the SWRCB that all general obligation bond-funded projects were being suspended. The City issued a stop-work notice 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 was selected to receive American Reinvestment and Recovery Act (ARRA) funds, as a principal forgiveness loan, through the State Revolving Fund program.

In order to remain eligible for this ARRA funding, the SWRCB requires that a resolution be adopted by the City Council authorizing its designated representative to sign an agreement and any amendments with the State of California. The proposed resolution is attached.

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HONORABLE MAYOR AND CITY COUNCIL

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This matter was reviewed by Deputy City Attorney Amy R. Burton on April 21, 2009, and Budget and Performance Management Bureau Manager David Wodynski on April 23, 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.

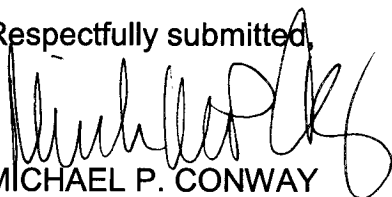
FISCAL IMPACT

There will be no fiscal impact to the City, as the SWRCB will provide these ARRA funds as a principal forgiveness loan. The previously awarded funds were suspended by the SWRCB on December 19, 2008, and the project is currently on hold. No project work will resume until the revised financing agreement is signed by the SWRCB.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

APPROVED:



PATRICK H. WEST  
CITY MANAGER

MPC:MAC:TFL:nv  
P\CLISD11 Resolution for ARRA.doc

Attachment

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 Los Angeles River VSS Unit – SD11; and

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

17 WHEREAS, the City has received notice that the Los Angeles River VSS  
18 Unit – SD11 Project is eligible for a new financing agreement under the American  
19 Recovery and Reinvestment Act ("ARRA"), to be administered by the SWRCB;

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

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

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

27 Section 3. The City Manager is authorized to immediately resume work  
28 on the Los Angeles River VSS Unit – SD11 Project as previously approved by the State

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

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Water Resources Control Board pursuant to Agreement No. 06-225-554-1.

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

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

I hereby certify that the foregoing resolution was adopted by the City  
Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_ by the  
following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Clerk