



Legislation Text

File #: 05-2805, **Version:** 1

Recommendation to adopt resolution making certain findings regarding the design and construction of certain public improvements in the DeForest detention basin, along the east side of the Los Angeles River between DeForest Park and Del Amo Boulevard, using North Long Beach Redevelopment Project Area Funds. (Districts 8,9)

In 2000, the California Coastal Conservancy (Conservancy) identified the DeForest Street and Dominguez Gap detention basins (which form a contiguous, two-mile corridor along the east side of the Los Angeles River) as potential sites for wetlands restoration (Exhibit A). City of Long Beach Department of Parks, Recreation and Marine (PRM) staff have since pursued this opportunity to create wetlands in the DeForest detention basin; and in February 2000, the Conservancy authorized a \$300,000 grant to the City of Long Beach to conduct a feasibility study. Completed in Summer 2002, the study demonstrated that wetlands, trails, and new public-use facilities to support passive recreational and educational activities could be developed.

Independently, in February 2001, the Los Angeles Department of Public Works (DPW) completed a feasibility study for the Dominguez Gap Spreading Grounds. Since the City of Long Beach and DPW were both ready to conduct design and environmental review for preferred alternatives from their respective feasibility studies, they agreed to proceed jointly with the next phase. The Conservancy authorized a \$400,000 grant to DPW for preliminary design and environmental review for both projects. Joint design has ensured that the habitat, recreational elements, and infrastructure are complementary across the neighboring basins. DPW and PRM staff have worked cooperatively to oversee development of preliminary designs for both project sites.

It is hoped that this important multi-agency wetlands restoration project will continue to move forward with development. The next step will be to complete the California Environmental Quality Act (CEQA) review process for both the Dominguez Gap and DeForest projects. Staff anticipates undertaking construction design concurrently with the CEQA process. A draft Environmental Impact Report (EIR) is scheduled for public circulation in late July or early August 2005. The EIR has been funded by prior grants from the State Coastal Conservancy and the Rivers and Mountains Conservancy. It is expected that the Los Angeles County Board of Supervisors will certify the EIR in November 2005.

On May 23, 2005, the City of Long Beach Redevelopment Agency (Agency) approved funding in an amount not to exceed \$100,000 for final design and construction drawings for the DeForest portion of the proposed wetlands restoration project.

To date, \$590,000 has been committed to move the DeForest project forward along with the Dominguez Gap project, including \$550,000 from the State Coastal Conservancy. An additional matching grant in the amount of \$200,000 has been secured by PRM staff from the State Coastal Conservancy. Another matching grant in the amount of \$100,000 has been requested by PRM staff from the Rivers and Mountains Conservancy. Funding from the Agency, the State Coastal Conservancy and the Rivers

and Mountains Conservancy will provide for the total 5400,000 estimated construction design budget for the DeForest project.

PRM staff has begun the process of applying for nearly \$8 million in State Prop 50, Chapter 8 funds to cover anticipated construction costs. PRM staff believes that having design and construction drawings already completed is a prerequisite to successfully applying for state and federal grants to be used for actual construction costs.

Section 33445 of the California Health and Safety Code provides that a redevelopment agency may, with the consent of the legislative body, pay for all or a part of the value of the land and the cost of the installation and construction of any building, facility, structure, or other improvement which is publicly-owned either within or without the project area, if the legislative body determines all of the following:

That the buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located, regardless of whether the improvement is within another project area;

That no other 'reasonable means of financing the buildings, facilities, structures, or other improvements, are available to the community; and

That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other public improvements will assist in the elimination of one or more blighting conditions and is consistent with the implementation plan adopted pursuant to Section 33490.

Section 33445 also provides the following:

The determinations by the redevelopment agency and the local legislative body are final and conclusive;

A redevelopment agency may not pay for the normal maintenance or operations of publicly owned improvements; and

A redevelopment agency shall not pay for the construction or rehabilitation of a building that is, or that will be used as, a city hall.

This letter was reviewed by Assistant City Attorney Heather Mahood on May 27, 2005, and reviewed by Budget Management Officer David Wodynski on June 2, 2005.

City Council action is requested on June 14, 2005, to allow the project to move forward in an expeditious manner.

Funding for the project listed above is currently budgeted in the Redevelopment Fund (RD) and in the Community Development Department (CD). The General Fund will not be impacted by the design and construction of this project. However, funding has not been identified to provide staffing and equipment necessary to maintain this project if it is completed. The General Fund may be impacted in the future by these and other costs.

Approve recommendation.

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