



CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE

R-15



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May 1, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a Memorandum of Understanding between the Department of Parks, Recreation and Marine and the Harbor Department with regard to the placement of dredge material from the Alamitos Bay Marina rebuild project into Slip 1 in the Middle Harbor of the Port of Long Beach. (Districts 2 and 3)

DISCUSSION

City Council approval is being requested for the Department of Parks, Recreation and Marine (PRM) to enter into a Memorandum of Understanding (MOU) with the Harbor Department to place dredge sediments from the Alamitos Bay Marina rebuild project into Slip 1 in the Middle Harbor of the Port of Long Beach (Attachment). The rebuild of the Alamitos Bay Marina includes dredging marina basins to the original design depths. In evaluating the dredging process, mercury was identified in Basin 1. Requisite regulatory agencies, the Harbor Department, and PRM have all agreed that this mercury-laden silt can be placed into Slip 1 as part of the Harbor Department's Middle Harbor fill site.

This process must be completed by the end of June 2012, in order to meet Middle Harbor project deadlines. It is estimated that alternative methods of transporting, unloading, and placing the material would add approximately \$9 million to the cost of the project.

The Board of Harbor Commissioners is scheduled to approve the MOU on May 7, 2012. The MOU sets the parameters under which PRM will be allowed to place the dredged material into Slip 1 in the Middle Harbor. Additionally, the MOU requires that PRM have all the necessary permits, and that PRM not delay or interrupt Harbor Department operations.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on April 16, 2012, and Finance Director John Gross on April 21, 2012.

SUSTAINABILITY

The project will remove unsuitable material from the Alamos Bay Marina, which will enhance recreation, as well as provide a cleaner waterfront.

TIMING CONSIDERATIONS

City Council action is requested on May 1, 2012, due to the extreme time sensitivity of the placement of the dredged material into Slip 1 in the Middle Harbor. In order to meet the Harbor Department's fill schedule, dredged material from the Alamos Bay Marina must be placed into Slip 1 between April 1, 2012 and June 30, 2012.

FISCAL IMPACT

This action requests approval to execute an MOU between the Department of Parks, Recreation and Marine and the Harbor Department. Funding for the placement of dredged material into Slip 1 is included in Phase 2A of Contract No. 31687 with Bellingham Marine Industries, Inc., as approved by the City Council on May 1, 2012. The recommended action will result in a positive impact on jobs. Approximately 30 jobs will be created to complete this project.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

GC:MS:eh

Attachment

APPROVED:



PATRICK H. WEST
CITY MANAGER

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**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
THE PARKS, RECREATION AND MARINE DEPARTMENT AND
THE HARBOR DEPARTMENT**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made by and between the City of Long Beach Parks, Recreation and Marine Department ("Parks") and the City of Long Beach Harbor Department ("Harbor") with regard to the placement of dredge material from Alamitos Bay into Slip One in between Piers E and F in the Harbor District ("Slip One").

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

1. This MOU is made with reference to the following facts and objectives:

- 1.1 Parks desires to facilitate deepening Alamitos Bay.
- 1.2 Harbor has obtained permits from regulatory agencies to construct a confined in-water slip fill at Slip One and anticipates using sediments from various Harbor projects to be placed in this in-water slip fill.
- 1.3 Certain portions of the dredge material from the Alamitos Bay are contaminated. Placement of this material at an upland site would be more costly than if the material is placed in a permitted in-water placement site.
- 1.4 Parks has requested and Harbor has agreed to allow Parks to place certain quantities of contaminated dredge material from the Alamitos Bay subject to the terms of this MOU into Slip One.
- 1.5 The location and approximate quantities of the material to be dredged from the Alamitos Bay are shown on Exhibit A attached hereto and incorporated by this reference.

2. Commencing on ~~January~~ *April* 1, 2012 and ending on June 30, 2012, Harbor agrees to allow Parks to place up to 60,000 cubic yards of contaminated dredge material from Alamitos Bay into Slip One prior to the Harbor Department beginning

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1 construction of the water slip fill at Slip One. The anticipated placement of the Dredge
2 Material into Slip One is shown in Exhibit B attached hereto and incorporated herein by
3 this reference, which exhibit depicts the horizontal and vertical limits of the placement
4 area.

5 3. Parks agrees for the benefit of Harbor that Parks shall comply with
6 all laws and obtain all permits regarding the placement of the Dredge Material. Further,
7 and without waiving the foregoing, Parks shall obtain the consent of the Contaminated
8 Sediments Task Force and the Harbor Department prior to the placement of the Dredge
9 Material. The Harbor Department's consent shall not be unreasonably withheld or
10 delayed and shall be based on test results delineating the physical and chemical
11 characteristics of the Dredge Material.

12 4. Parks agrees to pay all costs and/or losses incurred by Harbor in
13 connection with surveys, inspections, monitoring and reviews related to or arising out of
14 the Dredge Material.

15 5. Costs and/or losses incurred by Harbor include, without limitation,
16 out-of-pocket expenses, in-house staff costs, reduced rent, and/or reimbursements.

17 6. Harbor will track costs and/or losses incurred by Harbor and will
18 invoice Parks on a quarterly basis for such costs and/or losses.

19 7. Any notification to be given hereunder by Parks to the Harbor shall
20 be given to the Executive Director of Harbor. Any notification to be given hereunder by
21 Harbor to Parks shall be given to the Director of Parks, or if such position does not exist,
22 the position that assumed the duties of the Director of Parks.

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8. This MOU shall not be amended except in an amendment prepared by the City Attorney and executed by Harbor and Parks. Any notification from one party to the other shall be in writing.

CITY OF LONG BEACH, a municipal corporation

_____, 2011 By: _____
Patrick West
City Manager

PARKS, RECREATION AND MARINE DEPARTMENT

_____, 2011 By: _____
Director of Parks, Recreation & Marine Department

PARKS

The foregoing document is hereby approved as to form.

ROBERT E. SHANNON, City Attorney

_____, 2011 By: _____
Gary J. Anderson, Deputy

CITY OF LONG BEACH, a municipal corporation, acting by and through its Board of Harbor Commissioners

_____, 2011 By: _____
Richard D. Steinke
Executive Director
Long Beach Harbor Department

HARBOR

The foregoing document is hereby approved as to form.

ROBERT E. SHANNON, City Attorney

_____, 2011 By: _____
Charles M. Gale, Deputy

CMG:rjr 10/26/11 #A11-02458
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Exhibit A



Figure 1
Vicinity Map
Alamitos Bay Marina Basin 1

Exhibit A

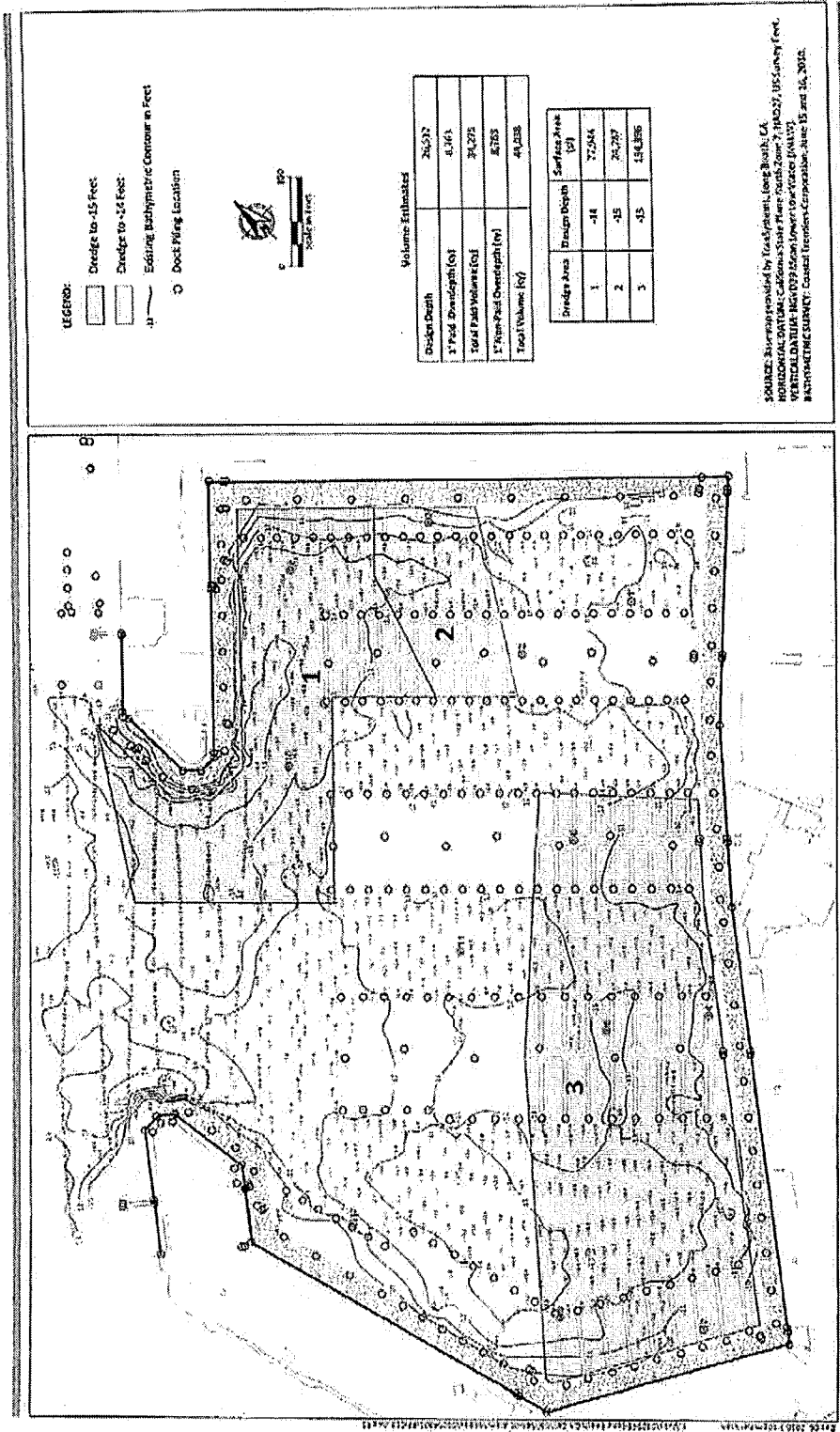
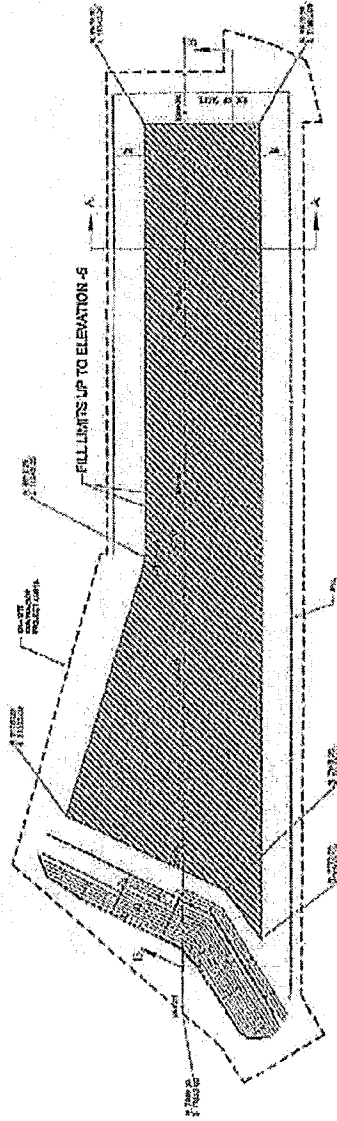


Figure 2
 Basin 1 Contaminated Sediment Dredging Plan
 Alarmitos Bay Marina Rehabilitation



Exhibit B



LONG BEACH - ALAMITOS BAY
DREDGE MATERIAL DEPOSIT LOCATION
PLAN