

# 29666

## FUND TRANSFER AGREEMENT

THIS FUND TRANSFER AGREEMENT (FTA), ENTERED INTO ON June 15, 2006 is between the State of California, acting by and through its Department of Transportation, referred to herein as **DEPARTMENT**, and the City of Long Beach, hereinafter referred to as **AGENCY**.

### RECITALS

1. **DEPARTMENT** and **AGENCY**, pursuant to Streets and Highways Code section 114 (b), are authorized to enter in this FTA pertaining to State funding committed for Transportation studies and planning under the jurisdiction of **AGENCY**.
1. **AGENCY** has agreed to implement I-710 Long Beach Community Livability Plan, hereinafter the Project, subject to the terms and conditions of this FTA. The Project Description (Scope of Work and Cost Estimate) is attached hereto as Attachment III.
2. The resolution adopting the Project described above, is attached hereto as Attachment II. This resolution authorizes **AGENCY** to execute contracts and agreements.
3. All services performed by **AGENCY** pursuant to this FTA are intended to be performed in accordance with all applicable Federal, State, and **AGENCY** laws, ordinances, regulations, and **DEPARTMENT** encroachment permits, published manuals, policies, and procedures.
4. Project funding is as follows:

<u>FUND TITLE</u>	<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
SHA	LOCAL	\$182,400.00
5. This FTA is exempt from legal review and approval by the Department of General Services, pursuant to PCC section 10295.

### SECTION I

#### **AGENCY AGREES:**

To satisfactorily complete all Project Work described in Attachment III.

### SECTION II

#### **DEPARTMENT AGREES:**

**DEPARTMENT** agrees that when conducting an audit of the costs claimed by **AGENCY** under the provisions of this FTA, **DEPARTMENT** will rely to the maximum extent possible on any prior audit of **AGENCY** pursuant to the provisions of State and applicable Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that such work is acceptable to **DEPARTMENT** when planning and conducting additional audits.

**SECTION III**

**IT IS MUTUALLY AGREED:**

In consideration of the foregoing and the mutual promises of the parties hereto, **AGENCY** and **DEPARTMENT** agree as follows:

**1. Notification of Parties**

- a. **AGENCY's** Project Manager is Sumire Gant (562) 570-6618
- b. **DEPARTMENT's** Contract Manager is Melanie Bradford (213) 897-1344
- c. All notices herein provided to be given, or which may be given, by either party to the other, shall be deemed to have been fully given when made in writing and received by the parties at their respective addresses:

City of Long Beach  
Attention: Sumire Gant  
Project Manager  
333 West Ocean Blvd. 10<sup>th</sup> Floor  
Long Beach, California, 90815

California Department of Transportation  
District 7 Transportation Planning  
Attention: Melanie Bradford  
100 South Main Street  
Los Angeles, CA, 90012

**2. Period of Performance**

Work under this FTA shall begin on June 15, 2006 contingent upon approval of this FTA by **DEPARTMENT**, and will terminate on February 28, 2008 unless extended by amendment.

**3. Changes in Terms/Amendment**

This FTA may only be amended or modified by mutual written agreement of the parties.

**4. Termination**

This FTA may be terminated by either party for any reason by giving written notice to the other party at least thirty (30) days in advance of the effective date of such termination. In the event of termination by said notice, funds reimbursed to **AGENCY** will include all authorized non-cancelable obligations and prior costs incurred

**5. Cost Limitation**

- a. The total amount payable to **AGENCY** pursuant to this FTA by **DEPARTMENT** shall not exceed \$182,400.00
- b. It is agreed and understood that this FTA fund limit is an estimate and that **DEPARTMENT** will only reimburse the cost of services actually rendered as authorized by the **DEPARTMENT** Contract Manager at or below that fund limitation established hereinabove.

## 6. Allowable Costs

- a. The method of payment for this FTA will be based on actual allowable costs. **DEPARTMENT** will reimburse **AGENCY** for expended actual allowable direct and indirect costs, including, but not limited to labor costs, employee benefits, and travel (overhead is reimbursable only if the **AGENCY** has an approved indirect cost allocation plan) and contracted consultant services costs incurred by **AGENCY** in performance of the Project work, not to exceed the cost reimbursement limitation set forth in 5.a, above. Actual costs shall not exceed the estimated wage rates, labor costs, travel and other estimated costs and fees set forth in Attachment III without prior written agreement between **DEPARTMENT** and **AGENCY**.
- b. Reimbursement of **AGENCY** expenditures will be authorized only for those allowable costs actually incurred by **AGENCY** in the performance of the Project work. **AGENCY** must not only have incurred the expenditures on or after the Effective Date of this FTA and before the Termination Date, but must have also paid for those costs to claim any reimbursement.
- c. Travel expenses and per diem rates are not to exceed the rate specified by the State of California Department of Personnel Administration for similar employees (i.e. non-represented employees) unless written verification is supplied that government hotel rates are not commercially available to **AGENCY**, or its contractors, its subcontractors, and/or its subrecipients, at the time and location required as specified in the California Department of Transportation's Travel Guide Exception Process.
- d. **DEPARTMENT** will reimburse **AGENCY** for all allowable Project costs no more frequently than monthly in arrears as promptly as **DEPARTMENT** fiscal procedures permit upon receipt of itemized signed invoices in triplicate. Invoices shall reference this FTA Number and shall be signed and submitted to the Contract Manager at the following address:  
  
California Department of Transportation  
District 7 Transportation Planning  
Attention: Melanie Bradford  
100 South Main Street  
Los Angeles, CA, 90012
- e. Invoices shall include the following information:
  1. Names of the **AGENCY** Personnel performing work
  2. Dates of Service
  3. Locations of Service (**AGENCY** - address)

## 7. Reports

- a. **AGENCY** shall submit written progress reports with each set of invoices to allow the **DEPARTMENT's** Contract Manager to determine if **AGENCY** is performing to expectations, is on schedule, is within funding cost limitations, to communicate interim findings, and to afford occasions for airing difficulties respecting special problems encountered so that remedies can be developed.

- b. Any document or written report prepared as a requirement of this FTA shall contain, in a separate section preceding the main body of the document, the number and dollar amounts of all contracts and subcontracts relating to the preparation of those documents or reports.
- c. **AGENCY** will provide five (5) copies and one (1) electronic version of the final written report to the **DEPARTMENT's** Contract Manager.

8. **Local Match Funds**

- a. Except where expressly allowed in writing herein, reimbursement of credits for local matching funds will be made or allowed only for work performed on and after the start date and prior to the termination date of this FTA, unless expressly permitted as local match expenditures made prior to the effective date of this FTA pursuant to Government Code section 14529.17 or by prior executed SB 2800 FTA for Local Match Fund Credit.
- b. **AGENCY** agrees to contribute at least the statutorily or other required local contribution of matching funds (other than state or federal funds), if any is specified within this FTA or in any Attachment hereto, toward the actual cost of the services described in Attachment III or the amount, if any described in an executed SB 2800 (Streets and Highways Code section 164.53) agreement for local match fund credit, whichever is greater. **AGENCY** shall contribute not less than its required match amount toward the services described herein on a proportional monthly or quarterly basis coinciding with its usual invoicing frequency.

9. **Cost Principles**

- a. **AGENCY** agrees to comply with Office of Management and Budget Circular A-87, Cost Principles for State and Local Government, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- b. **AGENCY** agrees, and will assure that its contractors and subcontractors will be

including, but not limited to, the State Treasurer, the State Controller or any other fund source.

- d. **AGENCY** agrees to include Project in the schedule of projects to be examined in **AGENCY's** annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with Office of Management and Budget Circular A-133.
- e. Prior to **AGENCY** seeking reimbursement of indirect costs, **AGENCY** must prepare and submit annually to the **DEPARTMENT** an indirect cost rate proposal and a central service costs allocation plan (if any) in accordance with Office of Management and Budget Circular A-87 and Local Program Procedures Manual (LLP 04-10).

**10. Americans with Disabilities Act**

By signing this FTA **AGENCY** assures **DEPARTMENT** that it complies with the applicable provisions of the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

**11. Indemnification**

- a. Nothing in the provisions of the Agreement is intended to create duties or obligations to or rights in third parties to this Agreement or affect the legal liability of either party to the agreement by imposing any standard of care with respect to the operation, maintenance and repair of State highways different from the standard of care imposed by law.
- b. Neither **DEPARTMENT** nor any officer or employee thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by **AGENCY** under or in connection with any work, authority or jurisdiction delegated to **AGENCY** under this FTA. It is understood and agreed that, pursuant to Government Code section 895.4, **AGENCY** shall fully defend, indemnify and save harmless **DEPARTMENT**, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code section 810.8) occurring by reason of anything done or omitted to be done by **AGENCY** under or in connection with any work, authority or jurisdiction delegated to **AGENCY** under this FTA.

**12. Non-Discrimination**

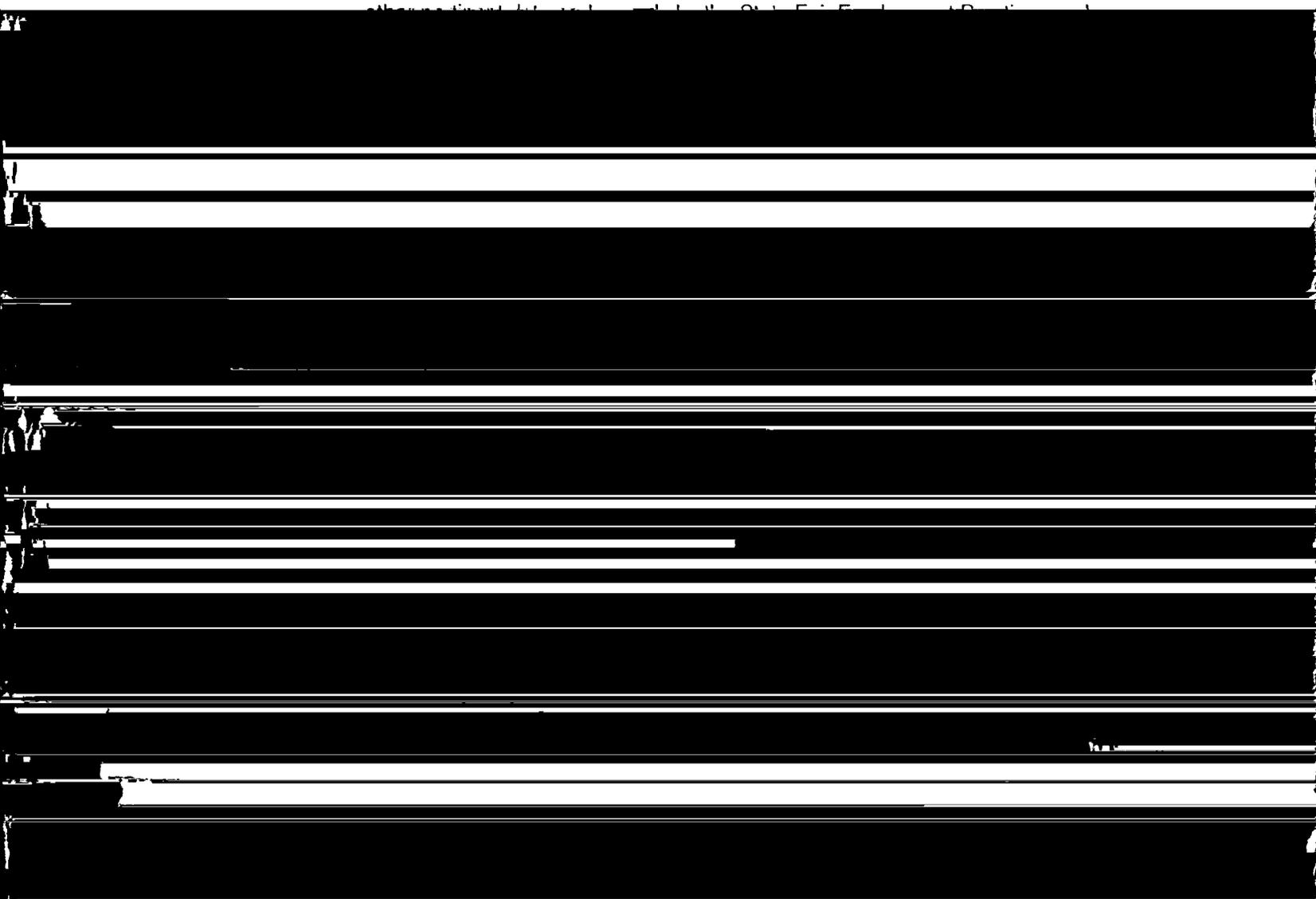
- a. During the performance of this FTA, **AGENCY** and all of its subcontractors, if any, shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, denial of family and medical care leave, and denial of pregnancy disability leave. **AGENCY** and its subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. **AGENCY** and its sub-contractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code section 12900 et seq.) and the applicable regulations promulgated thereunder

(California Code of Regulations, Title 9, Section 7285.0 et seq.) The applicable

FTA, **DEPARTMENT** will rely to the maximum extent possible on any prior audit of **AGENCY** pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by **AGENCY's** external and internal auditors may be relied upon and used by **DEPARTMENT** when planning and conducting additional audits.

- b. For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of **AGENCY's** contracts with third parties pursuant to Government Code section 8546.7, **AGENCY, AGENCY's** contractors and subcontractors and **DEPARTMENT** shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire Project period and for three years from the date of final payment to **AGENCY** under this FTA. **DEPARTMENT**, the California State Auditor, or any duly authorized representative of **DEPARTMENT** or the United States Department of Transportation, shall each have access to any books, records, and documents that are pertinent to a Project for audits, examinations, excerpts, and transactions, and **AGENCY** shall furnish copies thereof if requested.

- c. **AGENCY**, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and



work to be performed under this FTA without the prior written approval of **DEPARTMENT**. Contracts awarded by **AGENCY**, if intended as local match credit, must meet the requirements set forth in this FTA regarding local match funds.

- b. Any subcontract entered into by **AGENCY** as a result of this FTA shall mandate that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as Project costs only after those costs are incurred and paid for by the subcontractors.
- c. If local match is a requirement of these funds, **AGENCY** must ensure that local match funds used for the Project meet the requirements outlined in this FTA in the same manner as is required of all other Project expenditures.
- d. In addition to the above, the preaward requirements of third party contractor/consultants with local agencies must be consistent with Local Program Policy (LPP 00-05).

**18. Labor Code Compliance**

**AGENCY** shall include in all subcontracts funded by this FTA which contemplates the actual construction of a public works project paid for by funds allocated under this FTA, a clause that requires each subcontractor to comply with California Labor Code requirements that all workers employed on public works projects (as defined in California Labor Code 1720-1815) will be paid not less than the general prevailing wage rates predetermined by the Director of the State Department of Industrial Relations.

**19. Disabled Veterans Business Enterprise**

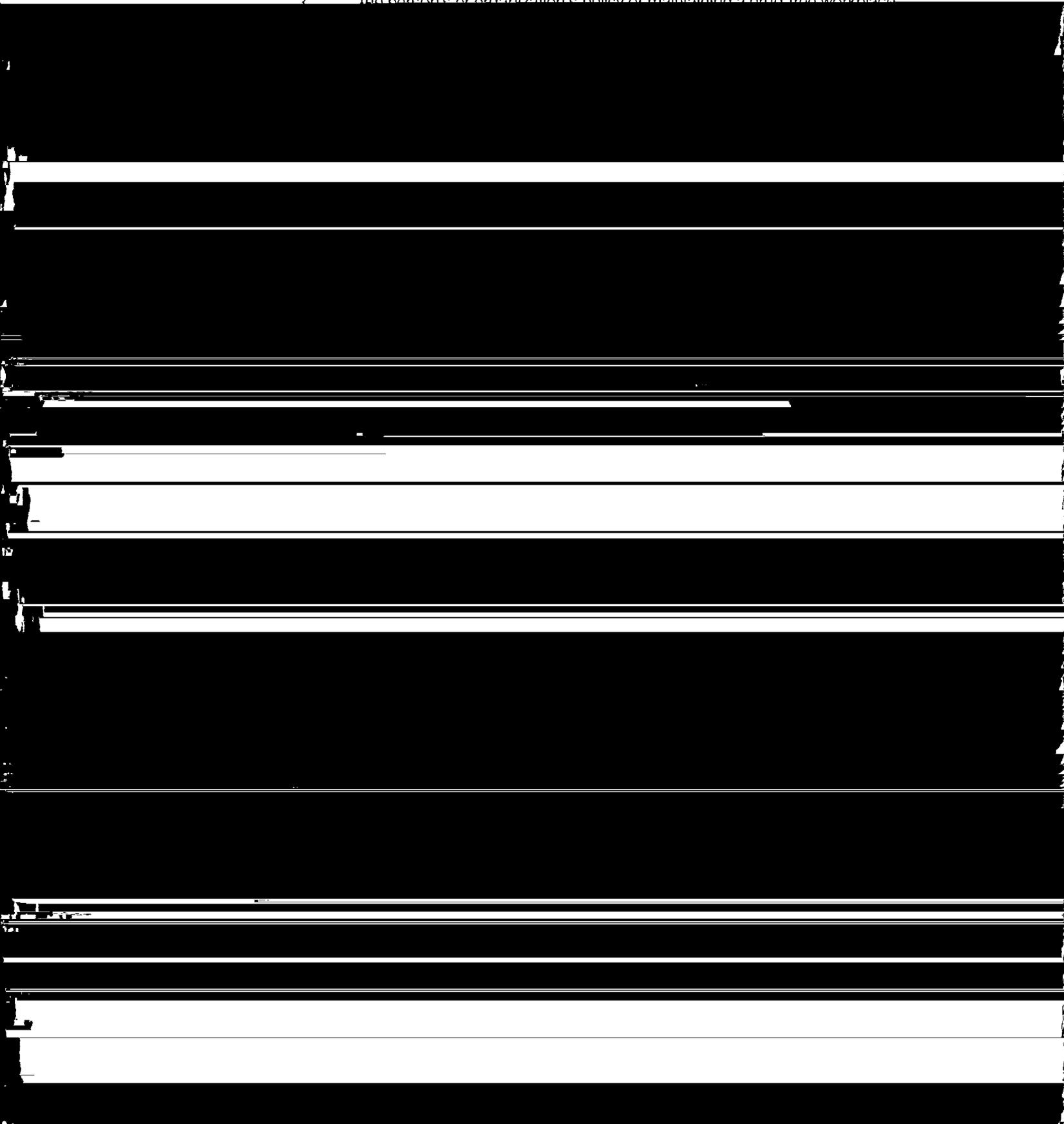
- a. Should Military and Veterans Code sections 999 et seq. be applicable to **AGENCY**, **AGENCY** will meet, or make good faith efforts to meet, the 3% Disabled Veterans Business Enterprises goals (or **AGENCY's** applicable higher goals) in the award of every contract for Project work to be performed under this FTA.
- b. **AGENCY** shall have the sole duty and authority under this FTA and each amendment to determine whether these referenced code sections are applicable to **AGENCY** and, if so, whether good faith efforts asserted by those contractors of **AGENCY** were sufficient as outlined in Military and Veterans Code sections 999 et seq.

**20. Drug-Free Workplace Certification**

By signing this FTA, **AGENCY** hereby certifies under penalty of perjury under the laws of the State of California that **AGENCY** will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code section 8350 et seq.) and will provide a drug-free workplace by doing all of the following:

- a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code section 8355(a).

- b. Establish a Drug-Free Awareness Program as required by Government Code section 8355(b) to inform employees about all of the following:
  - 1. the dangers of drug abuse in the workplace,
  - 2. the person's or organization's policy of maintaining a drug-free workplace



with established **DEPARTMENT** procedures, purchased equipment), and any other information or description necessary to identify said equipment. Non-expendable equipment so inventoried are those items of equipment that have a normal life expectancy of one year or more and an approximate unit price of \$5,000 or more. In addition, theft-sensitive items of equipment costing less than \$5,000 shall be inventoried. A copy of the inventory record must be submitted to **DEPARTMENT** upon request by **DEPARTMENT**.

- d. At the conclusion of the FTA, or if the FTA is terminated, **AGENCY** may either keep the equipment and credit **DEPARTMENT** in an amount equal to its fair market value or sell such equipment at the best price obtainable at a public or private sale in accordance with established **DEPARTMENT** procedures and credit **DEPARTMENT** in an amount equal to the sales price. If **AGENCY** elects to keep the equipment, fair market value shall be determined, at **AGENCY** expense, on the basis of a competent, independent appraisal of such equipment. Appraisals shall be obtained from an appraiser mutually agreeable to **DEPARTMENT** and **AGENCY**. If it **AGENCY** is determined to sell the equipment, the terms and conditions of such sale must be approved in advance by **DEPARTMENT**.
- e. CFR 49, Part 18 requires a credit to Federal funds when participating equipment with a fair market value greater than \$5,000 is credited to the Project.
- f. Any subagreement entered into as a result of this FTA shall contain all of the provisions of this Article.

**23. Disabled Access Review**

Disabled access review by the Department of General Services (Office of State Architect) is required for the construction of all publicly funded buildings, structures, sidewalks, curbs and related facilities. No construction contract will be awarded by **AGENCY** unless **AGENCY** plans and specifications for such facilities conform to the provisions of sections 4450 and 4454 of the California Government Code, if applicable. Further requirements and guidance are provided in Title 24 of the California Administrative Code and the Americans with Disabilities Act (42 USC 12101, et. seq.).

**24. Fire Marshal Review**

The State Fire Marshal adopts building standards for fire safety and panic prevention. Such regulations pertain to fire protection design and construction, means of egress and

environmental impact report per California Public Resources Code section 21102. The California Environmental Quality Act (CEQA), in California Public Resources Code section 21080(b)(10), does provide an exemption for rail projects which institute or increase passenger or commuter services on rail or highway rights-of-way already in use.

26. **Public Work**

If this Project will result in the construction, alteration, modification or maintenance of a "Public Work," as that term is defined in the Labor Code, then **AGENCY** must conform to the provisions of the Labor Code applicable to Public Works as set forth in said sections 1720 through 1815, all applicable regulations of the Department of Industrial Relations, and determinations of coverage as issued by the Director of Industrial Relations.

27. **Project Close Out**

The FTA Expiration Date refers to the last date for **AGENCY** to incur valid Project costs or credits and is the date the FTA expires. **AGENCY** has sixty (60) days after that Expiration Date to make final allowable payments to Project contractors or vendors, prepare the Project Closeout Report, and submit the final invoice to **DEPARTMENT** for reimbursement for allowable Project costs. Any unexpended Project funds not invoiced by that sixtieth (60th) day will be reverted and will no longer be accessible to reimburse late Project invoices.

ATTACHMENTS:

The following attachments are incorporated into and are made a part of this FTA by this reference and attachment.

- i. Accounting & Audit Guidelines
- ii. **AGENCY** Resolution
- iii. Scope of Work, Schedule, and Costs

IN WITNESS WHEREOF, the parties hereto have executed this FTA on the day and year first herein above written:

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_

Title: Contract Officer

Date: \_\_\_\_\_

CITY OF LONG BEACH

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

6/13, 20 06  
ROBERT E. SHANNON, City Attorney

BY \_\_\_\_\_

SENIOR DEPUTY CITY ATTORNEY

## ATTACHMENT I

# ACCOUNTING & AUDIT GUIDELINES FOR AGREEMENTS WITH DEPARTMENT

### INTRODUCTION

The purpose of this information is to outline for you, a potential contractor with the California State Department of Transportation (DEPARTMENT), the basic elements of an adequate accounting system, and the types and objectives of audits that will be performed in relation to your contract. In order to successfully compete for a contract and meet the audit requirements, a contractor (whether a prime or subcontractor) must have a system of record keeping and internal control. Although a specific cost accounting system is not required, a contractor needs a system which will assure compliance with the terms of the agreement. A preaward audit will be performed to assure you meet these requirements prior to contract execution. If your system is deficient, the contract will not be executed.

DEPARTMENT reimburses, through your overhead rate, the costs attributable to establishing and maintaining a cost accounting system. Staff time and other costs related to an audit performed of your contract are also normally reimbursed through your overhead rate.

### ACCOUNTING SYSTEM

- The ability to accumulate and segregate reasonable, allocable (incurred solely for a project) and allowable (per terms of the contract) costs through the use of a cost accounting system. The following are some of the attributes which would ideally be found in such a system:
  - a. A chart of accounts which includes indirect and direct general ledger accounts. Indirect costs are not specifically identified to a project, for example, rent and/or utilities. Direct costs are specifically identified with a project, for example, drafting hours and/or design hours.
  - b. Segregation of costs by contract, category of cost and milestones (if applicable).
  - c. Proper recording of direct and indirect costs. For example, recording of labor costs should provide that non-project indirect hours be recorded on a timesheet and in the accounting records to an administration, vacation, sick leave or other indirect cost account/code. Direct project hours should be recorded on a timesheet and in the accounting records to a direct project cost account/code.
  - d. Consistent accounting treatment of costs in recording and reporting. For example, if travel expense is charged directly to a project, all travel expense incurred on any project should be considered a direct cost. As a result, project related travel, whether reimbursable per the contract terms or not, should not be included as an indirect cost.
  - e. Ability to trace from invoices submitted to DEPARTMENT to job cost records and original, approved source documents, for example, timesheets, vendor invoices, canceled checks.
  - f. Ability to reconcile job cost records to the accounting records.
- Compliance with cost principles described in the Code of Federal Regulations 48, Federal Acquisition Regulations System (FAR), Chapter 1, Part 31. Information on how to obtain this regulation is described under "Audit Criteria" in this brochure.
- Procedures to monitor and adjust projected overhead rates to actual rates.
- Controls to ensure that written approval is obtained prior to any changes to the contract.
- Procedures to retain accounting records and source documentation as required by the terms of the contract.
- A system of internal control which provides reasonable assurance that assets are protected; financial data, records and statements are reliable; and errors and irregularities are promptly discovered, reported, and corrected. The elements of a system of internal control should include, but not be limited to, the following:
  - a. Separation of duties for proper protection of assets. Incompatible duties are those that place any person in a position to both perpetrate and conceal errors or irregularities in the normal course of business. For example, the person who writes checks should be different from the person who reconciles bank statements and the person who purchases goods should be different from the person who receives goods.

- b. Limiting access to assets to only authorized personnel who require these assets in the performance of their assigned duties. For example, blank check stock should be locked in a safe when not in use.
- c. Authorization and record keeping procedures which provide effective accounting control over assets, liabilities, revenues, and expenditures.
- d. A system of practices to be followed in the performance of duties and functions. Such a system normally includes policies and procedures which establish the purpose and requirements of the accounting system. For example, timekeeping practices should ideally provide for the following:
  - Timesheets be prepared, signed, and dated by all employees.
  - Timesheets be completed in non-erasable ink.
  - Timesheet corrections be crossed-out and initialed by the employee.

Post audits of contracts are performed routinely after project completion. Post audits are performed to determine whether the costs claimed are allowable, allocable, reasonable, and in compliance with the Federal and State laws and regulations as well as the fiscal provisions stipulated in the contract. The examination includes reviews of applicable laws and regulations, the contract requirements and the contractor's internal controls systems. Audit tests of the contractor's accounting records and other auditing procedures considered necessary will also be performed. Applications of all audit procedures would also be governed by the individual contract under audit. Unsupported or unallowable costs are normally the result of weaknesses in the accounting system and will be reimbursed to DEPARTMENT.

To provide contractors with a procedure for obtaining prompt and equitable resolution to a dispute arising from a post-audit of a non-highway construction cost reimbursement contract, DEPARTMENT has established an Audit Review Committee (ARC). Information explaining the ARC should be found in your contract and/or as an attachment to the post-audit report.

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### **AUDIT CRITERIA**

For specific information regarding basic cost accounting systems and applicable State and Federal regulations, please see the following:

Code of Federal Regulations 48, Federal Acquisition Regulations System, Chapter 1, Part 31

This regulation contains cost principles and procedures for the pricing of contracts/subcontracts and the determination, negotiation, or allowance of costs. Contact:

Superintendent of Documents  
Government Printing Office  
Washington, DC 20402

Washington D.C.      (202) 783-3238  
San Francisco        (415) 512-2770  
Los Angeles          (213) 239-9844

California State Administrative Manual

A reference source for statewide policies, procedures, regulations, and information. Contact:

Office of State Publishing  
Department of General Services  
(916) 445-2295

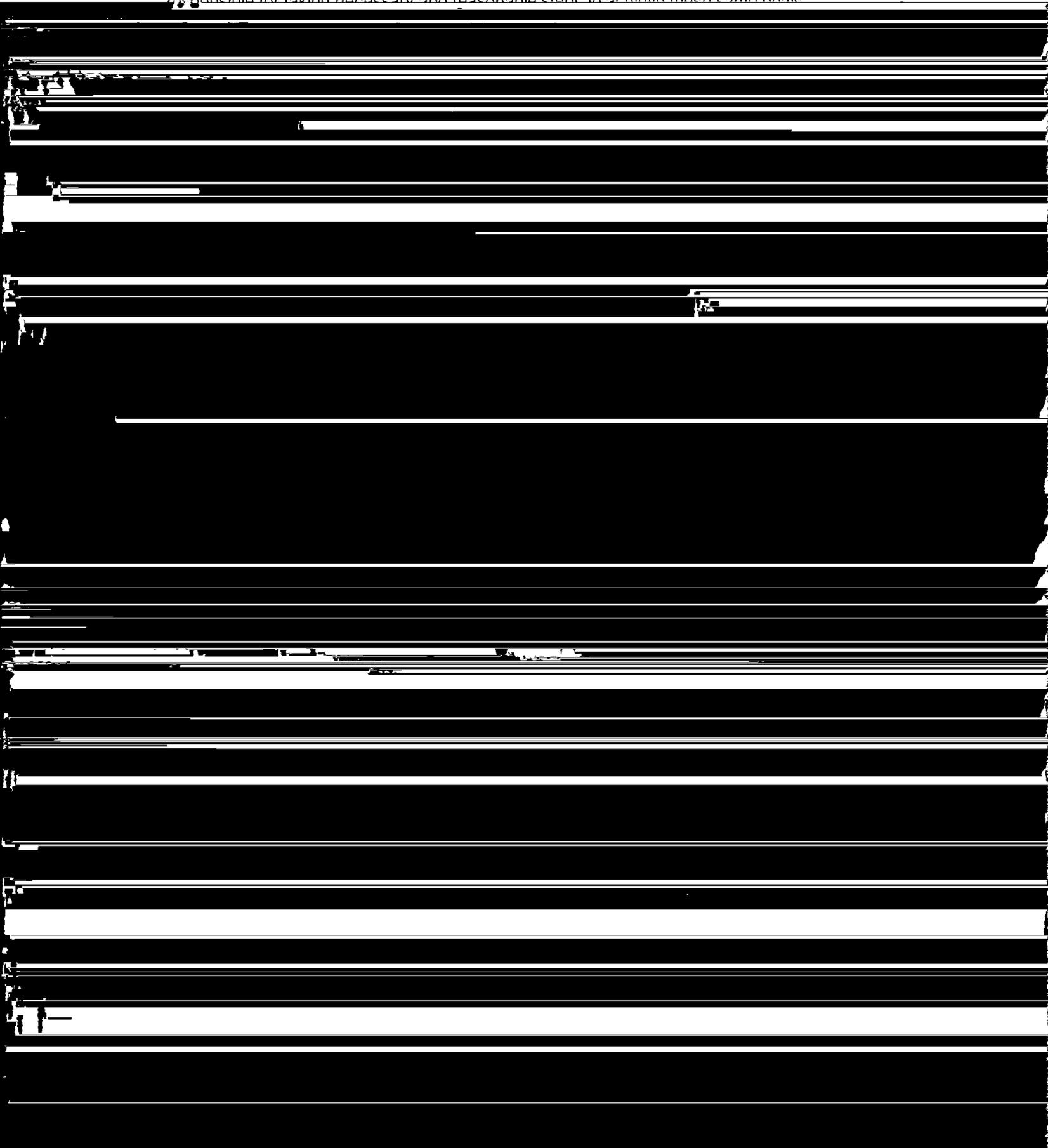
For review of the above references, contact your local library or the California State Library.

California State Library/Library and Courts Building  
914 Capitol Mall  
P. O. Box 942837  
Sacramento, CA 94237-0001  
Information: (916) 654-0261

For assistance in establishing an accounting system which will meet the objectives outlined in this brochure, you should contact an accountant and/or bookkeeper who is familiar with cost accounting systems.

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DEPARTMENT is an affirmative action employer. Equal opportunity is offered to all regardless of race, color, creed, national origin, ancestry, sex, marital status, disability, religious or political affiliation, age or sexual orientation. Contractors that contract with DEPARTMENT are responsible for taking necessary and reasonable steps to achieve these same goals.



ATTACHMENT II



# CITY OF LONG BEACH

## DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802

August 9, 2005

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Authorize the City Manager to execute all documents necessary to accept and expend all Environmental Justice Planning Grant funds for the I-710 Long Beach Community Livability Plan, and increase appropriations in the Transportation Fund (SR182) in the Department of Public Works (PW) by \$182,400. (District 1, 2, 6, 7, 8, 9)

### DISCUSSION

The Environmental Justice Planning Grant Program is a complement to the Governor's "Go California" initiative to improve the transportation system throughout California. The purpose of Environmental Justice Grants is to promote more public involvement by diverse and under-served communities in the planning for transportation projects to prevent or mitigate disproportionate, negative impacts while improving their mobility, access to services, equity, affordable housing and economic opportunities.

The City of Long Beach has been awarded an Environmental Justice Planning Grant in the amount of \$182,400 to develop an "I-710 Long Beach Community Livability Plan" to address the health, environment, safety, transportation and quality of life issues that challenge the downtown Cesar Chavez Park area and the communities along the I-710 Freeway corridor. The objective of this project is to promote and facilitate the participation of the low-income, largely minority residents in a reality-based planning process that will involve partnering with local schools, community groups, health organizations and businesses in the Port- and freeway-adjacent area of Long Beach in the development of a transportation-based community livability plan. This process will develop a framework to coordinate transportation investments and other planned public and private investments to best meet the health, environment and quality of life issues that face this community. This process could serve as a model for additional planning efforts along the I-710 Corridor beyond Long Beach where similar challenges are faced by impacted communities.

This letter was reviewed by Senior Deputy City Attorney Donna Gwin on July 29, 2005, and Budget Management Officer David Wodynski on July 20, 2005.

**ADMINISTRATION,  
PLANNING & FACILITIES**  
333 W. Ocean Blvd., 9<sup>th</sup> Floor  
Long Beach, CA 90802  
Ph. (562) 570-6363  
Fax (562) 570-6012

**AIRPORT**  
4100 Donald Douglas Dr.  
Long Beach, CA 90808  
Ph. (562) 570-2600  
Fax (562) 570-2601

**ENGINEERING & STREET  
MAINTENANCE**  
333 W. Ocean Blvd., 9<sup>th</sup> Floor  
Long Beach, CA 90802  
Ph. (562) 570-6634  
Fax (562) 570-6012

**ENVIRONMENTAL  
SERVICES**  
2929 E. Willow Street  
Long Beach, CA 90806  
Ph. (562) 570-2650  
Fax (562) 570-2661

**FLEET SERVICES**  
2600 Temple Avenue  
Long Beach, CA 90806  
Ph. (562) 570-5400  
Fax (562) 570-5414

**TRAFFIC &  
TRANSPORTATION**  
333 W. Ocean Blvd., 10<sup>th</sup> Fl  
Long Beach, CA 90802  
Ph. (562) 570-6331  
Fax (562) 570-7161

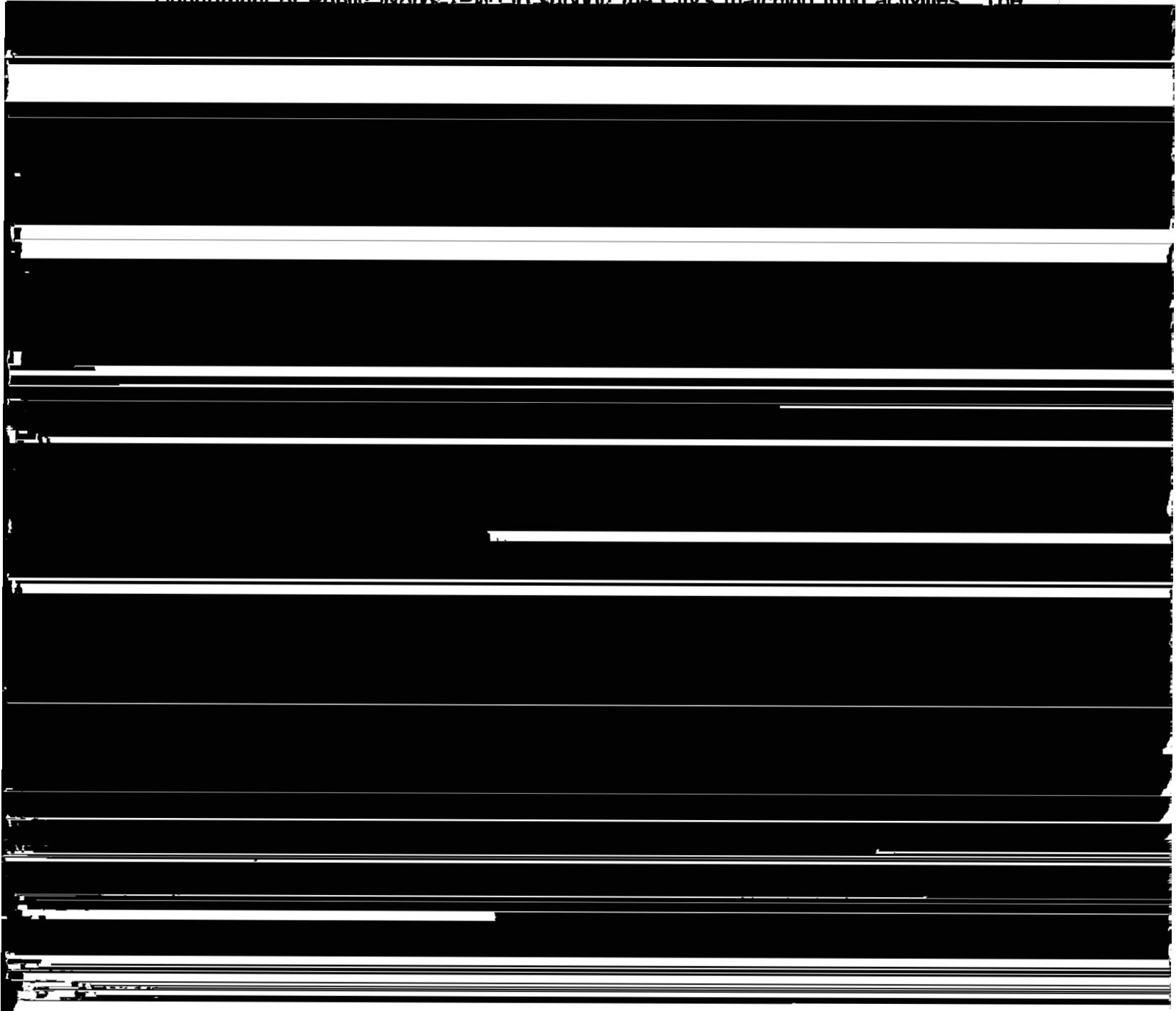
HONORABLE MAYOR AND CITY COUNCIL  
August 9, 2005  
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TIMING CONSIDERATIONS

City Council action is requested on August 9, 2005 in order to submit the required documents in time to Caltrans to comply with the requirements of the grant award.

FISCAL IMPACT

Total project costs are estimated at \$200,640. The Caltrans Environmental Justice Planning Grant will cover \$182,400 of the total cost. Matching funds of \$18,240 are required. Sufficient funds are budgeted in the Transportation Fund (SR 182) in the Department of Public Works (PW) to support the City's matching fund activities. The





TUESDAY, AUGUST 09, 2006  
COUNCIL CHAMBER, 5:00PM

**FINISHED AGENDA & MINUTES**

Roll Call (05:05 PM).

Present: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Reyes Uranga; Gabelich; Lerch

Absent/Excused: Mayor O'Neill

Also Present: Gerald Miller, City Manager; Christine Shippey, Assistant City Manager; Robert Shannon, City Attorney; Larry Herrera, City Clerk; Jerryl Soriano, City Clerk Assistant.

Vice Mayor Kell presiding.

Invocation: Moment of Silence.

Flage Salute: Laura Richardson, Councilwoman, Sixth District.

Pet Adoption: Jo Trent, spcaLA, presented a feline .

**Recognition of International Public Management Association Assessment Council Award given to the Civil Service Department in recognition for their Fire Recruitment Process. (05:07 PM)**

Councilmember Reyes Uranga spoke.

Councilmember Colonna spoke.

Councilmember Lowenthal moved, seconded by Councilmember Baker, that the minutes of the City Council meeting of Tuesday, August 2, 2005 be approved.

Item No. 15 was considered at this time.

**PUBLIC COMMENT: (05:57 PM)**

Dennis Head spoke regarding budget cuts.

Thomas McFarland spoke regarding City employee contract negotiations.

Tony Esparza spoke regarding City employee contract negotiations.

Roger Holman spoke regarding the Pier Pass Program.

Cynthia Y. Moore spoke regarding City employee contract negotiations.

Roz Boger spoke regarding budget cuts.

Thomas Murphy spoke regarding diabetes on the rise.

Janet Wright spoke regarding budget cuts.

Dan Rosenberg spoke regarding public safety and distributed a petition.

**CONSENT CALENDAR: (06:26 PM)**

*Action: Approve Recommendation.*

**Motion: Approve Consent Calendar Items 1-10, except for Item No. 9A.  
Moved by Baker, seconded by Lowenthal.**

**Vote: Motion carried 8-0.**

**Yes: Lowenthal; Baker; O'Donnell; Kell; Richardson; Reyes Uranga; Gabelich; Lerch  
Absent: Colonna**

**1. (05-3021) Recommendation to authorize City Attorney to submit Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$10,600 in compliance with the Appeals Board Order for John Derouen.**

*Action: Approve recommendation.*

**2. (05-3022) Recommendation to authorize City Attorney to pay sum of \$9,000 in full settlement of lawsuit entitled Hall et al. v. City of Long Beach.**

*Action: Approve recommendation.*

**3. (05-3025) Recommendation to receive and approve changes to the Conflict of Interest Code of the Long Beach Fire Department.**

*Action: Approve recommendation.*

**4. (05-2948) Recommendation to refer to City Attorney damage claims received between July 28, 2005 and August 4, 2005.**

*Action: Approve recommendation.*

**5. INTENTIONALLY LEFT BLANK**

**6. (05-3009) Recommendation to adopt resolution approving the Annual Assessment Report for October 1, 2005 to September 30, 2006, for the Belmont Shore Parking and Business Improvement Area, declaring its intention to levy the annual assessment; and set**

*Action: Approve recommendation and adopt Resolution No. RES-05-0070.*

7. (05-3010) Recommendation to adopt resolution of intention to approve a substitution of facilities in Community Facilities District No. 1, Belmont Shore; set the date of public hearing for Tuesday, September 13, 2005; authorize City Manager to initiate majority protest proceedings; and authorize City Clerk to receive written protests. (District 3)

*Action: Approve recommendation and adopt Resolution No. RES-05-0071.*

8. (05-3011) Recommendation to set the schedule for the workshops and hearings on the Fiscal Year 2006 (FY 06) Proposed Budget to hear presentations by the Mayor, City Manager and City Department representatives and to provide an opportunity for all interested persons to be heard regarding the Proposed Budget. (Citywide)

*Action: Approve recommendation.*

**9. A (05-3012) Recommendation to receive and file the application of New Paradise Restaurant LLC, dba New Paradise Restaurant, for a person-to-person transfer of an On-Sale General Alcoholic Beverage Control License for a bonafide eating place at 1350 East Anaheim Street, with existing conditions. (District 2) (06:27 PM)**

*Action: Approve recommendation.*

Distributed at meeting: Councilwoman Richardson's August 9, 2005 memorandum.

Motion: Laid over to the August 23, 2005 meeting, in order to discuss conditions with the applicant.

Moved by Richardson, seconded by Baker.

Vote: Motion carried 8-0.

Yes: Lowenthal; Baker; O'Donnell; Kell; Richardson; Reyes Uranga; Gabelich; Lerch

Absent: Colonna

**9. B (05-3013) Recommendation to receive and file the application of Chau Thanh Mac and Soo Jin Mac, dba K C Liquor, for a person-to-person transfer of an Off-Sale General Alcoholic Beverage Control License at 4128 Orange Avenue, with existing conditions. (District 7)**

*Action: Approve recommendation.*

10. (05-3024) Recommendation to receive and file minutes of:

Harbor Commission - July 25, 2005.

Water Commission - July 7, 2005.

*Action: Approve recommendation.*

**UNFINISHED BUSINESS: (06:28 PM)**

**11. (05-2992) Recommendation to declare ordinance amending Long Beach Municipal Code Chapter 1.21 regarding elections in which no one or only one**

**candidate files nomination papers read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide) (06:28 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation.  
Moved by Baker, seconded by Richardson.

Vote: Motion carried 8-0.  
Yes: Lowenthal; Baker; O'Donnell; Kell; Richardson; Reyes Uranga; Gabelich; Lerch  
Absent: Colonna

**DEPARTMENTAL COMMUNICATIONS: (06:29 PM)**

**12. (05-3029) Recommendation to request the Personnel and Civil Service Committee meet on or before August 16, 2005 to review the recommended appointments to the following Charter Commissions: Redevelopment Agency Board and Water Commission. (06:29 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation.  
Moved by O'Donnell, seconded by Baker.

Vote: Motion carried 8-0.  
Yes: Lowenthal; Baker; O'Donnell; Kell; Richardson; Reyes Uranga; Gabelich; Lerch  
Absent: Colonna

**13. (05-3023) Recommendation to request City Manager to evaluate the addition of two more Municipal Band concerts in each park next season and present the finding at a scheduled budget study session. (06:30 PM)**

*Action: Approve recommendation.*

Councilmember Colonna spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember O'Donnell spoke.

Motion: Approve recommendation.  
Moved by Colonna, seconded by Lowenthal.

Thomas Murphy spoke.

John Deets spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Vote: Motion carried 8-1.

Yes: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Gabelich; Lerch

No: Reyes Uranga

**14. (05-3026) Recommendation to request City Manager to seek input from each of the airlines currently serving the Long Beach Airport regarding any issue related to the proposed airport terminal improvements. Input should include the position of each airline as to the following:**

- a) Current deficiencies in airport facilities,
- b) Future projected needs of the airline,
- c) Space allocations,
- d) Sources of financing for airport improvements, including the assumption of costs by the airlines themselves, and
- e) Any other information the airline feels is appropriate; and

**Request City Attorney to provide a report to the Transportation and Infrastructure Committee within 30 days regarding potential mitigation plans. (07:03 PM)**

*Action: Approve recommendation.*

Distributed at meeting: A Long Beach Alliance slide presentation.

Councilwoman Gabelich spoke.

Mark Bixby, Long Beach Alliance, spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Councilwoman Richardson spoke.

Mark Berg spoke.

Joe Sopo spoke.

Laura Sellmer spoke.

John Deets spoke.

Councilwoman Richardson spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Motion: Approve recommendation.  
Moved by Gabelich, seconded by O'Donnell.

Vote: Motion carried 9-0.

Yes: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Reyes  
Uranga; Gabelich; Lerch

Item No. 15 was considered prior to Public Comment.

**15. (05-3027) Recommendation to receive and file the report from Smith, Esposito and Lyerly on the Passage of the Federal Energy Bill. (05:13 PM)**

*Action: Approve recommendation.*

Distributed at meeting: Letter received from Thomas Giles, President, Sound Energy Solutions.

Del Smith spoke.

Bry Myown spoke.

Thomas Giles, President, Sound Energy Solutions, spoke.

Donald Sims spoke.

Ken Erlich spoke.

Ben Rockwell spoke.

Dan Rosenberg spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Reyes Uranga spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Councilmember Colonna spoke.

Motion: Approve recommendation.

Moved by Reyes Uranga, seconded by Colonna.

Vote: Motion carried 9-0.

Yes: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Reyes  
Uranga; Gabelich; Lerch

**16. (05-3028) Recommendation to request that the name Grace Park, for the new part at Plymouth Street and Elm Avenue, be referred to the Parks and Recreation Commission for consideration and recommendation. (District 8) (07:36 PM)**

*Action: Approve recommendation.*

Councilwoman Gabelich spoke.

~~Motion: Approve recommendation.~~



Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Colonna spoke.

Vice Mayor Kell spoke.

Councilwoman Gabelich spoke.

Councilmember Lerch spoke.

Councilmember O'Donnell spoke.

Councilwoman Richardson spoke.

Motion: Approve recommendation and include the Eighth District in the assessment.  
Moved by Richardson, seconded by Lowenthal.

John Deets spoke.

Dave Kean, President, Long Beach Firefighters Association, spoke.

Unidentified person spoke.

John Malvo spoke.

Unidentified person spoke.

Martha Thuente spoke.

Vice Mayor Kell spoke.

Councilwoman Gabelich spoke.

Vote: Motion carried 8-1.

Yes: Lowenthal; Baker; Colonna; Kell; Richardson; Reyes Uranga; Gabelich; Lerch

No: O'Donnell

**18. (05-3015) Recommendation to authorize City Manager to develop and recommend a financing structure to provide funds to acquire and develop new open space in underserved areas of the City as identified by the Open Space Element of the General Plan and Strategic Plan of the Department of Parks, Recreation and Marine. (Districts 1,4,6,7) (09:02 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation.

Moved by Colonna, seconded by Richardson.

Councilmember O'Donnell spoke.

Councilwoman Richardson spoke.

Councilmember Reyes Uranga spoke.

Councilmember Lowenthal spoke.

Councilwoman Richardson spoke.

Councilwoman Gabelich spoke.

Vote: Motion carried 5-4.

Yes: Lowenthal; Baker; Colonna; Kell; Richardson

No: O'Donnell; Reyes Uranga; Gabelich; Lerch

Public comment, normally taken at the end of the meeting, was considered at this time.

**19. (05-3016) Recommendation to approve the budget for the Long Beach Tourism Business Improvement Area; and authorize City Manager to execute a contract with the Long Beach Convention and Visitors Bureau for the period of August 1, 2005 through September 30, 2006, to manage the Long Beach Tourism Business Improvement Area. (Districts 1,2,4,5) (09:31 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation.

Moved by Baker, seconded by Lowenthal.

Thomas Murphy spoke.

Vote: Motion carried 9-0.

Yes: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Reyes Uranga; Gabelich; Lerch

**20. (05-3017) Recommendation to authorize City Manager to execute all documents necessary to accept and expend all Environmental Justice Planning Grant funds for the I-710 Long Beach Community Livability Plan, and increase appropriations in the Transportation Fund (SR182) in the Department of Public Works (PW) by \$182,400. (Districts 1,2,6,7,8,9) (09:35 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation.

Moved by Baker, seconded by Colonna.

Vote: Motion carried 9-0.

Yes: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Reyes  
Uranga; Gabelich; Lerch

**21. (05-3018) Recommendation to adopt Plans and Specifications No. R-6662 for the improvement of Anaheim Street between Alamitos Avenue and Ximeno Avenue, and authorize City Manager to execute a contract with All American Asphalt, in the amount of \$2,286,286. (Districts 2,4,6) (09:36 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation.  
Moved by O'Donnell, seconded by Baker.

Thomas Murphy spoke.

Vote: Motion carried 7-0.  
Yes: Lowenthal; Baker; O'Donnell; Kell; Richardson; Reyes Uranga; Lerch  
Absent: Colonna; Gabelich

**22. (05-3019) Recommendation to authorize City Manager to submit grant application 3-06-0127-26 and accept, execute and amend grants from the Federal Aviation Administration for entitlement and discretionary funds for the rehabilitation of Taxiway L, the installation of in-pavement runway guard lights, the construction of Taxilane H, and the purchase of one 3,000-gallon Aircraft Rescue and Fire Fighting vehicle; and Increase appropriations in the Airport Enterprise Fund (EF320) in the Department of Public Works (PW) by \$7,154,252. (District 5) (09:40 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation.  
Moved by Baker, seconded by O'Donnell.

Vote: Motion carried 7-0.  
Yes: Lowenthal; Baker; O'Donnell; Kell; Richardson; Gabelich; Lerch  
Absent: Colonna; Reyes Uranga

**23. (05-3020) Recommendation to authorize City Manager to execute a First Amendment to Agreement No. 28496 with Edward D. Stone, Jr., & Associates (EDSA) adding an amount not to exceed \$500,000 for additional engineering services at Ed "Pops" Davenport Park, formerly referred to as the 55th Way Neighborhood Park Project. (District 9) (09:41 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation.  
Moved by Lerch, seconded by Reyes Uranga.

Thomas Murphy spoke.

Councilwoman Gabelich spoke.

Vote: Motion carried 9-0.

Yes: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Reyes  
Uranga; Gabelich; Lerch

**ORDINANCES: (09:45 PM)**

**24. (05-2964) Recommendation to declare ordinance finding and determining that a credit is due against the Transportation Improvement Impact Fee applicable to LBWTC Real Estate Development Partners for the development located at 701 W. Ocean Boulevard in Long Beach; and authorizing City Manager to execute an agreement related to the construction of transportation improvements, read and adopted as read. (District 2) (09:45 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation and adopt Ordinance No. ORD-05-0021.  
Moved by Baker, seconded by Lowenthal.

Vote: Motion carried 9-0.

Yes: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Reyes  
Uranga; Gabelich; Lerch

**25. (05-3007) Declare the ordinance increasing the General Plan Surcharge read and adopted as read. (Citywide) (09:46 PM)**

*Action: Approve recommendation.*

Motion: Approve recommendation and adopt Ordinance No. ORD-05-0022.  
Moved by Lowenthal, seconded by Baker.

Vote: Motion carried 9-0.

Yes: Lowenthal; Baker; Colonna; O'Donnell; Kell; Richardson; Reyes  
Uranga; Gabelich; Lerch

**NEW BUSINESS: (09:46 PM)**

**26. (05-3030) Recommendation to request City Manager and City Prosecutor for a report to City Council on the potential usefulness, feasibility of operations, evidentiary uses and funding for surveillance devices to deter illegal activity and assist with apprehending criminals. (09:46 PM)**

*Action: Approve recommendation.*

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Councilmember Baker spoke.

Vice Mayor Kell spoke.

Councilmember Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Councilmember Colonna spoke.

Robert Shannon, City Attorney, spoke.

Anthony Batts, Chief of Police, spoke.

Motion: Approve recommendation.

Moved by Reyes Uranga, seconded by Gabelich.

Vote: Motion carried 7-2.

Yes: Lowenthal; Colonna; Kell; Richardson; Reyes Uranga; Gabelich; Lerch

No: Baker; O'Donnell

Councilmember O'Donnell made community announcements.

Councilwoman Gabelich made community announcements.

Councilwoman Richardson made community announcements.

Vice Mayor Kell made community announcements.

Councilmember Reyes Uranga made community announcements and requested that the meeting adjourn in memory of Seventh District resident, Richard Dixon.

Public comment was considered prior to Item No. 19.

**PUBLIC: (09:24 PM)**

Barbara Gails spoke regarding Long Beach Transit layoffs.

Councilwoman Richardson spoke.

In response to Councilwoman Richardson, Robert Shannon, City Attorney, advised that in order to request more information, an item would have to be placed on a future City Council

agenda.

Councilmember Colonna spoke.

Stephen James, President, Police Officers Association, spoke.

At 10:13 P.M., Vice Mayor Kell adjourned the meeting in memory of Seventh District resident, Richard Dixon.

## ATTACHMENT III

### I-710 Long Beach Community Livability Plan SCOPE OF WORK

The City of Long Beach has been awarded an Environmental Justice Planning Grant to develop an "I-710 Long Beach Community Livability Plan" to address the health, environment, safety, transportation and quality of life issues that challenge the downtown Cesar Chavez Park area and the communities along the I-710 Freeway corridor in Long Beach. The objective of this project is to promote and facilitate the participation of the largely lower-income, minority residents, local schools, community groups, health organizations and businesses in the Port- and freeway-adjacent areas of Long Beach in the development of a transportation-based community livability plan. This process will develop a framework to coordinate transportation and other planned public and private investments to best address the health, environment and quality of life issues that face this community. This process could serve as a model for additional planning efforts along the I-710 Corridor beyond Long Beach where similar challenges are faced by impacted communities.

The I-710 Corridor is a vital transportation artery, linking the Ports of Long Beach and Los Angeles to the Los Angeles region and beyond. It is an essential component in the regional, statewide and national transportation system as it serves both goods movement and passenger needs. In 2004, Caltrans, Gateway Cities Council of Governments, the Los Angeles County Metropolitan Transportation Authority (Metro), and the Southern California Association of Governments (SCAG) completed a Major Corridor Study (MCS) of the I-710 Long Beach Freeway. The Study Corridor extends approximately 18 miles, encompassing fourteen cities and unincorporated areas of LA County, with eight of the 18 miles within the city of Long Beach. The study began in February, 2001, however it was halted temporarily in 2003 due to the opposition of the community.

The City of Long Beach then conducted its own extensive community outreach effort to develop a locally preferred strategy through the City Council's I-710 Oversight Committee. Materials and flyers were translated into Spanish and Tagalog, and translators were available at all meetings. Meetings were held in neighborhoods in partnership with existing homeowners groups. Workshops were held to answer questions and more fully explore specific areas of concern, such as Health and the Environment, Neighborhood Preservation, Port Operations, and Truck Congestion and Safety. Preliminary designs were reworked and a systems approach was incorporated to address the community's concerns. The community overwhelmingly emphasized their two primary issues were health and air quality, as well as concerns with noise, safety, congestion and the expansion of the Port. They adopted the following "Guiding Principles" which were subsequently approved by the City Council:

1. Improve public participation in the development and consideration of alternatives and provide technical assistance to facilitate effective public participation.
2. Identify and minimize the cumulative exposure to toxic pollutants for neighborhoods in the affected areas.

3. Minimize right-of-way acquisitions to preserve existing housing, businesses and open space.
4. Reduce air pollution through aggressive diesel emissions reduction programs and the use of alternative fuels.
5. Improve safety by reducing truck/automobile conflicts through improved roadway design.
6. Relieve congestion by employing a comprehensive, regional systems approach that includes freeway, roadway, rail and transit systems.

These same concerns were echoed throughout all of the impacted communities along the I-710 corridor. Detailed reports and community recommendations, known as Tier One and Tier Two reports, were developed to capture all of the concerns of impacted communities inside and outside of Long Beach. The Tier 1 and Tier 2 reports were incorporated into the approved I-710 MCS. These reports and community recommendations have been carried forward to provide guidance for the environmental study for the full 18-mile I-710 Corridor which will be led by Metro and Caltrans. But many of the issues raised by communities may not be addressed within the traditional EIR/EIS process.

This planning grant will focus solely on impacted communities in Long Beach, to deal with issues and concerns raised in the MCS that go beyond the scope of a typical environmental impact report/study. The City of Long Beach locally preferred strategy incorporated a systems approach that includes:

- Port diesel emission improvements
- Truck diesel emission improvements
- Enhanced Alameda Corridor
- On-dock rail
- Local street improvements
- Traffic signal enhancements
- Improved transit
- Fees to offset local impacts

However, the steps and funding required to achieve these improvements were not identified and the overriding concerns for the health of adults and children in the community were not specifically addressed. This project will take build on these findings and develop a plan that addresses the quality of life issues that will make this a Livable Community.

The project area reflects the challenges and opportunities facing demographically diverse and language challenged communities that are most impacted by air quality and health concerns from the operation of the I-710 Freeway and the Ports of Los Angeles and Long Beach. Positive actions are already underway. The City and Long Beach Unified School District have worked together to find solutions to address the shortage of open space and recreational facilities in the area by sharing facilities. Long Beach Parks, Recreation and Marine Department has developed a RiverLink Concept for

Chavez Park and nearby Drake Park, incorporating the greening of the adjacent Los Angeles River that flows between the I-710 and the Chavez Park area. The City's approved Locally Preferred Strategy for the I-710 Freeway includes a redesign of the offramps into the downtown community to double the size of Chavez Park and reduce the impacts of traffic on the elementary schools adjacent to those ramps. The Long Beach Health Department conducted a Health Risk Assessment to determine the impacts of air pollution from the I-710, the Ports, the Long Beach Airport and other operations on the community. All of these efforts are underway, but they are not specifically coordinated with each other and with the wants and needs of this community. This project will provide an opportunity to all of these agencies as well as healthcare agencies, the Long Beach Alliance for Children with Asthma and others to come together and work with this impacted community to develop a plan to direct these planned investments in this community in such a way that their social and health concerns are also met through the realization of these plans.

The consultant's role will be to facilitate the education, interaction and exchange necessary to bring the impacted communities and stakeholders together to define what is a *Livable Community* and what steps and measurements are required to reach that goal, e.g. a percentage decrease in asthma rates, a decrease in diesel exhaust, an specific increase in access to healthcare. These issues will be defined by the community, whose interests and concerns are very broad (see attached "Community Issues and Concerns" which were developed through the I-710 Major Corridor Study).

**Project Initiation.**                      **Consultant selection**  
Deliverable:                                  Contract executed

Issue RFQ, complete the selection process, and execute the contract with the selected consultant.

**Task 1.**    **Consultant start-up; planning meetings and review**  
Deliverable:                                  Refined Community Education and Outreach Strategy

Consultant will be provided copies of relevant materials that have been developed to date as part of the I-710 Major Corridor Study, including the Long Beach Locally Preferred Strategy and Community Issues and Concerns, the Cesar Chavez Park Plan, the West Gateway Plan, the Human Health Risk Assessment, Tier One and Tier Two reports. Initial interviews with five affected Council members and staff for initial feedback and to formulate key contact list. Hold two initial planning meetings with the consultant to refine specific education and outreach strategy for Tasks 3 through 6 based on materials reviewed and interviews.

**Task 2.**    **Ongoing Community Education and Outreach**  
Deliverable:                                  Education and Outreach Materials for Tasks 3 through 6

Tasks 3 through 6 require sustained and ongoing community education and outreach in order to satisfactorily complete each task. The outreach will include one-on-one contact, focus groups, visioning groups, telephone calls, mailing, reproduction services, distribution of flyers, press releases and written and verbal translation as required. Interface with affected City Council offices and staff may be required, including the Long Beach I-710 Oversight Committee and City Council meetings. Includes all handouts, PowerPoint presentations, PowerPoint equipment and screens, translation equipment, reserving space for meetings as needed, renderings and drawings, refreshments, etc. for meetings and presentations in Tasks 3 through 7.

**Task 3. Conduct Cultural Needs Assessment**

**Deliverable: Guiding Principles and Cultural Needs Assessment Report. Microsoft Access Database**

Consultant will conduct a Cultural Needs Assessment of the project area. Kick-off planning meeting with affected City departments, Council staff and key organizations. Based on information gained and stakeholders identified in the initial planning meetings, conduct 15 interviews with key community leaders and stakeholders, conduct six focus groups, and speak with 15 neighborhood groups, community organizations and health agencies to develop a Cultural Needs Assessment report that includes the following:

- ⇒ Identifies the various neighborhoods and communities that are impacted within the I-710 Corridor
- ⇒ Identifies the primary needs and concerns of each neighborhood/community as it relates to its proximity to and the development of the I-710 Freeway
- ⇒ Identifies the educational, health, transportation, recreational, commercial and community resources within each neighborhood/community
- ⇒ Identifies community leaders and influential members of the community
- ⇒ Identifies resources that are lacking in each neighborhood/community based upon research and community perception
- ⇒ Identifies how each neighborhood/community is impacted by the operation of the I-710 Freeway and the Port
- ⇒ Identifies community livability priorities and objectives for use in transportation and land use planning related to planned I-710 improvements
- ⇒ Identifies how best to involve each community in the planning process, including translation needs, childcare needs and transportation needs.

This process will incorporate the development of Guiding Principles to direct how the planning process will proceed to maximize public involvement and build trust in the outcome. A Microsoft Access database of all key contacts, community leaders and stakeholder groups, including health agencies, community organizations and neighborhood groups will be prepared for submission in hard copy and CD under task 3,

and should be updated by the consultant throughout this process and re-submitted in its final form in Task 6.

**Task 4. Analyze issues, challenges, improvements, investments**

**Deliverable: Report on Opportunities to Synchronize Investments for Improved Quality of Life**

The Consultant and City will work with SCAQMD, Metro, Caltrans, Long Beach Unified School District, Long Beach Transit, the Long Beach Health Department, the Long Beach Community Redevelopment Agency, other government agencies, Long Beach Alliance for Children with Asthma, Long Beach Memorial Hospital, USC, CSULB, healthcare agencies, community organizations, key leaders and private investors to develop a partnership to identify and discuss the synchronization of planned improvements and investments in this community, analyzing how those investments can be tailored to address the quality of life issues and challenges identified in the Cultural Needs Assessment. This task will require three group meetings and up to ten small or individual follow-up meetings. Identify funding secured and funding still required, including potential funding partnerships and opportunities. Identify which agencies and individuals are responsible to incorporate the community's concerns and/or implement those changes. Identify specific targeted results, responsible parties, funding committed, funding required, targeted completion dates, ongoing monitoring/reporting back to the community on results. The public will be involved in the working sessions to develop the report, and assure that all community concerns are addressed.

**Task 5. Develop Context Sensitive Livable Community Plan**

**Deliverable: Draft I-710 Community Livability Plan with Conceptual Renderings**

A draft plan will be developed for community comment and collaboration, and will serve as the focus of "visioning" exercises. The I-710 Community Livability Plan will be a plan that identifies a specific methodology and costs to address the communities' concerns regarding air quality, health and other quality of life issues related to the operation of the I-710 Freeway. The plan will identify responsible entities, commitments and opportunities for engagement, identify committed and potential funding opportunities, and provide a basis for submitting programs for grant funding from identified sources where appropriate. Opportunities for partnership with oversight agencies and interested organizations will be identified and analyzed. Additionally, up to ten conceptual renderings will be developed to illustrate how each community could be transformed by guided investments, transportation and otherwise, that meet the quality of life needs of that neighborhood while developing a sense of place for that community, e.g. incorporating the existing plans for physical improvements to the I-710 downtown ramps, Chavez Park and the Los Angeles River, identifying areas where local artists

can participate in the design of streetscapes, traffic calming, transit enhancements, etc. Once completed, the draft plan will be circulated for comment.

**Task 6. Produce Final Report**  
Deliverable: Final versions of all previous documents into the I-710 Downtown Long Beach Livable Community Plan, including drawings and renderings and presentations to affected groups

Develop the final plan incorporating all of the information and the steps taken to develop this plan, including pros and cons of utilizing this approach in other communities along the I-710. Develop a PowerPoint presentation for presentation of final plan to Council, I-710 Committee, partner agencies and the community.

<u>Tasks</u>	<u>% of Work</u>	<u>TOTAL Cost \$</u>	<u>Grant (90%)</u>	<u>City (10%)</u>
___ .00 Project Initiation	0%	\$ 0		
___ .01 Consultant Start-up	5%	\$ 10,032	\$ 9,120	\$ 912
___ .02 Ongoing Community Education and Outreach	40%	\$ 80,256	\$72,960	\$7,296
___ .03 Cultural Needs Assessment	20%	\$ 40,128	\$36,480	\$3,648
___ .04 Analysis of issues, challenges, etc.	15%	\$ 30,096	\$27,360	\$2,736
___ .05 Develop Draft Livable Community Plan	10%	\$ 20,064	\$18,240	\$1,824
___ .06 Produce Final Reports	10%	\$ 20,064	\$18,240	\$1,824
<b>TOTAL</b>	<b>100%</b>	<b>\$200,640</b>	<b>\$182,400</b>	<b>\$18,240</b>

**ATTACHMENT**

**I-710 Oversight Policy Committee  
 Community Concerns and Recommendations**

<b>COMMUNITY RECOMMENDATIONS</b>
Involve federal elected officials in the 710 Freeway major corridor study.
Do not move forward with the 710 Freeway project.
Find an alternative to 710 Freeway expansion
Sound walls need to be included into the final budget for the 710 Freeway improvements, and they must be built at the time of construction of any improvements.
Noise pollution should be mitigated for any I-710 Freeway improvements.
MTA and Caltrans should conduct a walk thru the Long Beach segment of the 710 Freeway where proposed improvements might take place.
Minutes of all workshops should be translated in Spanish and Khmer
No double decking of the 710 Freeway (workshop #4)
School Bus traffic flow should not be impacted by future construction on the 710 Freeway (workshop #4)
Center dividers must be built taller in the future (workshop #4)
<b>HEALTH AND ENVIRONMENT</b>
The Long Beach Health Department should conduct air quality studies near the intersection of the 710 Freeway and the 47 Freeway.
School buses should use alternative fuels to reduce diesel emissions.
The performance of alternative fuels on air pollution should be verified prior to commercial use.
City of Long Beach should review impacts of ICTF terminal to community and local schools. Truck idling levels at the ICTF terminal should be reduced to the level of the Ports.
Increase tree plantings in Long Beach by threefold.
Future health studies must include data about deaths related to pollution.
The City of Long Beach should conduct research into the health impacts on the community stemming from local refinery emissions.
The City of Long Beach should conduct research into the health impacts of diesel and other vehicle emission to children. The research should include asthma and other health ailments, including respiratory problems, cancer, allergies, etc.
Trains should use cleaner fuels.
Signage should be visible to traffic at all times in the design of the 710 Freeway (workshop #4)
The City of Long Beach should conduct research regarding the impacts of pollution to local residents from Port operations, the 710 Freeway, local petroleum refineries, and the proposed Liquid Natural Gas station (workshop #4)
Give incentive funding to truck operators to use bio-diesel (workshop #4)
Trucks and ships delivering and hauling cargo from the Port of Long Beach should use particulate matter traps (workshop #4)
A pilot project for the use of bio-diesel should be implemented (workshop #4)
<b>PORT OPERATIONS AND THE I-710</b>
Diesel emissions from sea vessels and trains need to be addressed by regulatory agencies
A limit on Port expansion should be discussed.
Tariffs should be imposed on businesses that use the port. The funds gathered through the tariffs should be utilized for programs to clean air pollution.
Trucks operating at the Port should use bio-diesel or alternative fuels.

The City of Long Beach should support Congress-member Rohrabacher's legislation to impose a fee on each container that enters the Port.
On-dock rail capabilities should be expanded.
The Port should pay for any impacts to the community, including any improvements to the 710 Freeway and impacts to the health of residents in the community.
All empty containers should be shipped to the place of origin and they should be allowed to remain empty in the Port.
The City of Long Beach should research the impacts of Port expansion to the local tourism industry.
Extra fees should be charged to Port tenants and companies hauling cargo from the Port to cover expenses related to local healthcare costs.
The Port should support the use of green diesel and compressed natural gas for trucks hauling cargo from the Port.
The Port should develop aggressive idling legislation to limit diesel truck idling to a maximum of five minutes.
Cargo should be distributed to other regional Ports.
The Port of Long Beach should be downsized
The City of Long Beach should define the maximum capacity of the Port of Long Beach.
The Alameda Corridor Transportation Authority's initiatives should be implemented immediately.
The Port should not extend to a 24-hour operation until further air quality research is conducted on the potential impacts to Long Beach residents.
Governing agencies should make it mandatory for ships to slow down as they prepare to dock at the Port of Long Beach.
By 2006, offshore shipping companies should be equipped to use shore power while docked at the Port.
Cargo containers should be standardized which would allow multiple companies to use the containers and reduce the number of empty containers at the Port.
The Port of Los Angeles should participate at the next workshop related to Port Operations
Local Ports should coordinate the use of alternative fuels strategies.
The Port should conduct research on the cost of pollution to local healthcare.
Identify alternative methods to haul cargo from the Port – other than diesel trucks.
Ships should be made to slow down when entering the Port (workshop #4)
Ships should use alternative fuels when docking at the Port of Long Beach (workshop #4)
Shipping companies should hire independent truck drivers as employees and they should treat them fairly (workshop #4)
<b>PRESERVING NEIGHBORHOODS</b>
Residents should have free and competent legal advice provided to them to assist them with the property acquisition process.
Residents whose property is not taken but impacted by 710 Freeway improvements should be compensated by Caltrans
The City of Long Beach and Caltrans should inform residents about any property acquisition plans in advance and a timely manner.
The public should be provided an opportunity to view and comment on the new 710 Freeway designs at various public meetings.
Do not take any businesses or homes until all other alternatives and options for improving the 710 Freeway are exhausted.
Caltrans should better maintain the properties they currently own in Long Beach
Caltrans should establish a performance bond for any improvements to the 710 Freeway that would allow for residents to recoup any damages during construction.
Residents should be encouraged to attend meetings about the 710 Freeway and they should continue applying pressure and giving input on this process.

Properties should be referred to "homes" and not "houses" during discussions about 710 Freeway improvements.
Caltrans should provide contact information to residents about whom to contact regarding damages done to properties because of construction to the 710 Freeway.
An appraisal should be conducted at the time of the final design for the 710 Freeway improvements and a second appraisal should be conducted at the time that Caltrans begins the property acquisition process.
Conduct community meetings in the first district to make it easier for residents in that district to attend meetings (workshop #4)
<b>TRUCK CONGESTIONS AND SAFETY</b>
A toll on diesel trucks should be imposed to offset the cost of utilizing the Alameda Corridor
Study the spillover traffic and the 710 Freeway. The spillover traffic may create safety issues for pedestrians.
A shuttle train system should be developed to haul cargo to local distribution centers in Southern California.
Use the Terminal Island Freeway and the Alameda Corridor to haul cargo and divert diesel trucks away from the 710 Freeway.
The 103 Freeway should be expanded and should proceed left on Sepulveda and Willow and connect to the Alameda Corridor.
Encourage the use of the 110 Freeway to divide truck traffic equally with the 710 Freeway (workshop #4)
The City of Long Beach should establish a transportation policy to divert truck traffic to routes other than the 710 Freeway (workshop #4)
A toll should be implemented on trucks hauling cargo from the Port and shipping companies should pay the toll (workshop #4)
A new truck inspection site should be built on Port of Long Beach property (workshop #4)
Truck drivers should be considered when developing new cargo hauling methods (workshop #4)

