



# CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

# R-27

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November 18, 2008

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt a Resolution approving the Termino Avenue Drain Project (TADP) as designed by Los Angeles County, authorizing the City Manager to sign all documents necessary to execute the City-County Cooperative Agreement with Los Angeles County for construction of the TADP, and adopting a responsible agency environmental finding pursuant to the California Environmental Quality Act (CEQA). (Districts 3 and 4)

## DISCUSSION

The City of Long Beach (City) and the Los Angeles County Department of Public Works (LACDPW) have been working together since 1993 to alleviate flooding problems by construction of a storm drain in an area that extends from the intersection of Redondo Avenue and Anaheim Street southerly to the Colorado Lagoon (Exhibit A). This proposed storm drain is referred to as the Termino Avenue Drain Project. On November 13, 2001, a City-County Agreement was executed for purposes of the design and construction of the project. At that time, the LACDPW was designated the lead agency for environmental clearance, design, and construction with the City contributing project funding. Shortly after the execution of this agreement, the LACDPW prepared an environmental document for the project that was certified and subsequently appealed. As a result, a revised Environmental Impact Report (Exhibit B) was prepared and eventually certified by the Los Angeles County Board of Supervisors on July 29, 2008. This document required additional mitigation measures as well as the realignment of the outlet structure from Colorado Lagoon to Marine Stadium. The resulting change in alignment, as well as related utility coordination and provision for low-flow sanitary sewer diversion, requires that a new City-County Cooperative Agreement with LACDPW be executed.

The new agreement specifies that the LACDPW will obtain all required permits, design and construct the project, and maintain the project exclusive of catch basins and related inserts, low-flow diversion facilities, and restoration of the landscaping of Pacific Electric

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right-of-way, all of which the City has agreed to be responsible for. The total estimated cost of the project is \$26,400,000. The City will be contributing \$2,000,000 which is primarily being used to offset the costs of water quality enhancements such as catch basin inserts and low-flow sewer diversions. The LACDPW will be funding the remainder of the project. In addition, the project does include some water main work, which the Long Beach Water Department will be funding.

LACDPW is administering all contracts for the Los Angeles County Flood Control District (District) under the provisions of the Flood Control Act (Act). Both this Act and CEQA require certain City Council action before the LACDPW can proceed with construction of the TADP. As a responsible agency under CEQA, the City Council is required to adopt findings and approve a Statement of Overriding Considerations as a part of the project approval process. The recommended actions will satisfy these requirements.

The current project schedule proposes the LACDPW bid the project early next year, with construction to commence during the summer of 2009.

This matter was reviewed by Deputy City Attorney Amy Burton on October 28, 2008 and Budget Management Officer Victoria Bell on October 22, 2008.

#### SUSTAINABILITY

The water quality mitigation improvements in the project will significantly reduce trash, debris green waste, sediment, bacteria and pollutants, by including AbTech Ultra Urban Filter with Smart Sponge catch basin screens, and low-flow sanitary sewer diversion in the County-owned pump station.

#### TIMING CONSIDERATIONS

City Council action on this item is requested on November 18, 2008 to allow the LACDPW to proceed with soliciting bids and proceeding with the award and construction of the project in a timely manner.

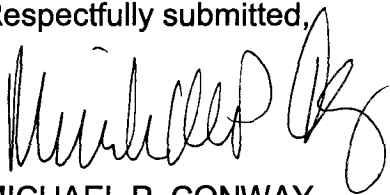
FISCAL IMPACT

The total estimated cost of the project is \$26,400,000. The City's portion is \$2,000,000 and sufficient funds are budgeted in the General Capital Projects Fund (CP), Gas Tax Street Improvement Fund (SR 181), and the Tidelands Operating Fund (TF) in the Department of Public Works (PW). Funding for the ongoing maintenance of the catch basin inserts and low-flow sewer diversion is located in the Stormwater Operating Budget PWENOPR (GP 100).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

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Exhibit A-Location Map  
Exhibit B-Environmental Impact Report

APPROVED:



PATRICK H. WEST  
CITY MANAGER



1 RESOLUTION NO.

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH APPROVING THE TERMINO  
5 AVENUE DRAIN PROJECT AND IMPLEMENTING  
6 AGREEMENT, AND ADOPTING RESPONSIBLE AGENCY  
7 ENVIRONMENTAL FINDINGS PURSUANT TO THE  
8 CALIFORNIA ENVIRONMENTAL QUALITY ACT  
9

10 WHEREAS, the Termino Avenue Drain Project (the "Project") would involve  
11 the construction of a storm drain mainline, six (6) lateral drains, low-flow treatment  
12 diversion berm, catch basin screens, and an outlet to Marine Stadium, in order to  
13 alleviate flooding problems in the area by collecting stormwater flows; and

14 WHEREAS, the County of Los Angeles ("County") is the lead agency  
15 pursuant to the California Environmental Quality Act ("CEQA") (Public Res. Code, §  
16 21000, et seq.) and the State CEQA Guidelines (14 CCR § 15000, et seq.); and

17 WHEREAS, the County determined that an Environmental Impact  
18 Report/Environmental Impact ("EIR") should be prepared pursuant to the CEQA in order  
19 to analyze all potential adverse environmental impacts of the Project; and

20 WHEREAS, the Board of Supervisors of the County of Los Angeles, at its  
21 regularly scheduled public meeting on July 29, 2008, reviewed and considered the Initial  
22 Study, Draft EIR, Final EIR and other related documents in the record before it and by  
23 their action, certified the Final EIR and adopted environmental findings; and

24 WHEREAS, pursuant to State CEQA Guidelines sections 15091 and  
25 15096(h) and CEQA, the City of Long Beach ("City") is a responsible agency for the  
26 Project and must therefore make certain finding prior to the approval of the Project; and

27 WHEREAS, the City Council of the City, at its regularly scheduled public  
28 meeting on \_\_\_\_\_, reviewed and considered the Final EIR and other related

1 documents in the record before it; and

2 WHEREAS, all procedures of CEQA and the State CEQA Guidelines have  
3 been met, and the Final EIR, prepared in connection with the Project, is sufficiently  
4 detailed so that all the potentially significant effects of the Project on the environment and  
5 measures necessary to avoid or substantially lessen such effects have been evaluated in  
6 accordance with the above-referenced Act and Guidelines; and

7 WHEREAS, as contained herein, the City has endeavored in good faith to  
8 set forth the basis for its decision on the Project; and

9 WHEREAS, all of the findings and conclusions made by the City Council  
10 pursuant to this Resolution are based upon the oral and written evidence presented to it  
11 as a whole and not based solely on the information provided in this Resolution; and

12 WHEREAS, prior to taking action, the City Council has heard, been  
13 presented with, reviewed and considered all of the information and data presented to it,  
14 including the Draft EIR, Final EIR and other documentation relating to the Project, all on  
15 file with the City Clerk's office, and all oral and written evidence presented to it; and

16 WHEREAS, all other prerequisites to the adoption of this Resolution have  
17 occurred;

18 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
19 follows:

20 Section 1. The Final EIR prepared for the Project is hereby  
21 received by the City Council in the form on file in the City Clerk's office and  
22 incorporated herein by this reference.

23 Section 2. The City Council hereby finds and determines that the  
24 Final EIR has been completed in compliance with CEQA and the State CEQA  
25 Guidelines, and as the decision-making body for the City of Long Beach, the City  
26 Council has reviewed and considered the information contained in the Final EIR  
27 and related documents before it and all of the environmental effects of the Project.

28 Section 3. The City Council concurs with the environmental



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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

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
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