

CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9th Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

January 20, 2015

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt the attached resolution approving the submittal of a grant application to the Department of Resources Recycling and Recovery (CalRecycle) for the Legacy Disposal Site Abatement Partial Grant Program for the East 55th Way Landfill Closure Project, as part of the Davenport Park Phase II Expansion Project; and

Authorize the City Manager, or designee, to apply for the grant to install a final landfill cover system that includes a landfill gas (LFG) collection and control system, and to execute all documents necessary to accept and expend the grant funds and any other actions necessary to administer the grant. (District 8)

DISCUSSION

The 55th Way Landfill (Landfill) is a 32.55-acre former solid waste landfill that was operated between 1945 and 1948. The Landfill was conveyed to private ownership in 1953. Since that time, the surface of the Landfill has been utilized consistent with its underlying zoning, including light industrial, Mobile Home Park and, more recently, mini-storage. Over time, due to differential settlement, some buildings erected on the Landfill were declared substandard and a public nuisance and were demolished. As a phased implementation of the North Long Beach Redevelopment Plan, to remove blight and assist in meeting the recreation needs of the area, the North Long Beach Project Area Committee identified the northerly 11.51 acres of the Landfill as a potential location for park use. The former Redevelopment Agency acquired the northerly 11.51 acres as replacement parkland required for the conversion of a portion of Scherer Park for use as the North Police Substation. The 11.51-acre site is now identified as Davenport Park.

In 2006, the City completed the first phase of Davenport Park on the easterly 5.9 acres. The City is now proceeding with the second phase of the park, which involves the 4.5-acre parcel fronting on Paramount Boulevard. This portion of the Landfill must now be permitted for a change of surface use from Industrial to Park in order to construct the second phase of the park project.

Enacted October 1993, Assembly Bill 2136 required the California Integrated Waste Management Board (now CalRecycle) to initiate the Solid Waste Disposal and Co-disposal Site Cleanup Program (CalRecycle Cleanup Program) for cleanup of solid waste sites and co-disposal sites where the responsible party either cannot be identified, or is unwilling or unable to pay for timely remediation, and where cleanup is needed to protect public health and safety, and/or the environment. Under the Program, local governments can finance a wide range of cleanup projects.

CalRecycle Cleanup Grant Programs provide funding to offset local funding sources, as well as benefit the local community by enhancing protection of public health, safety and the environment. CalRecycle has elected to waive cost recovery for cleanup of sites owned by public entities for the benefit and use by the public. Under the grant program, up to \$750,000 in matching funds is available to assist local governments to abate old dumps and landfills, and other solid waste problems. Abatement grants typically fund up to 50 percent toward reimbursement of eligible costs that include, but are not limited to:

- Waste removal and disposal;
- Security measures such as fences, barriers, and warning signs;
- Site grading and drainage controls to minimize erosion;
- Slope and foundation stabilization;
- Excavation, consolidation, and capping of waste areas;
- Installation of landfill gas and leachate control systems;
- Field and laboratory testing; and
- Health and safety measures required for eligible project work.

The second phase of Davenport Park will include grant eligible abatement costs associated with installing and grading a final cover system (geomembrane based), and a landfill gas (LFG) collection and control system. Staff seeks to apply for a grant through CalRecycle to reimburse up to 50 percent of these eligible abatement costs. The application submittal deadline is February 4, 2015. All grants are awarded on a competitive basis and are subject to the availability of funds. CalRecycle normally meets the demand for grant funding for all qualified applications. The City must show evidence of ability to pay for the matching share of costs, as well as costs that are ineligible and/or that exceed the maximum grant amount. The grant term will begin on the date indicated on the Notice to Proceed. Ten percent of each approved reimbursement will be retained by CalRecycle until completion of the abatement project.

The Post Closure Land Use Plan, which is the basis of the abatement project and incorporates the changed surface uses in the second phase of the Davenport Park project, has been approved by the County of Los Angeles, Local Enforcement Agency and Regional Water Quality Control Board. It is currently anticipated that the abatement project for the second phase of Davenport Park would begin in the Summer of 2015 and be completed by Spring of 2016. Subsequently, with sufficient identified funding, construction of the park improvements could begin.

This matter was reviewed by Deputy City Attorney Linda Vu on January 8, 2015 and by Budget Management Officer Victoria Bell on January 5, 2015.

TIMING CONSIDERATIONS

City Council action on this matter is requested on January 20, 2015 to allow the City to submit the grant application by the February 4, 2015 deadline.

FISCAL IMPACT

The Public Works Department previously anticipated that the abatement project for the second phase of Davenport Park would be completed in 2015, but grant funding from CalRecycle is needed for completion. The cost to complete the abatement project is currently estimated at \$1,000,000 and is subject to change based on final plans, specifications and revised cost estimates. If the grant is awarded, CalRecycle will reimburse up to 50 percent of eligible project costs or \$500,000, whichever is less. CalRecycle will withhold ten percent of each reimbursement amount pending final reporting requirements. Following notification of the grant award, Staff will return to City Council with a request to appropriate the grant funds.

The FY 14 Adopted Budget included \$1,000,000 in non-recurring funds, approved by City Council for the second phase of Davenport Park. FY 14 non-recurring funds are currently budgeted in the Capital Projects Fund (CP) in the Public Works Department (PW). Funds will be used for the abatement project for the second phase of Davenport Park including the City grant match requirement of \$500,000, preliminary project costs incurred prior to the grant term and costs ineligible for grant funding. Any remaining funds will be used towards park construction, not covered by the CalRecycle grant, to complete the Davenport Park Phase II Expansion Project. The total project cost for park construction is unknown at this time and additional funding sources may be required for completion.

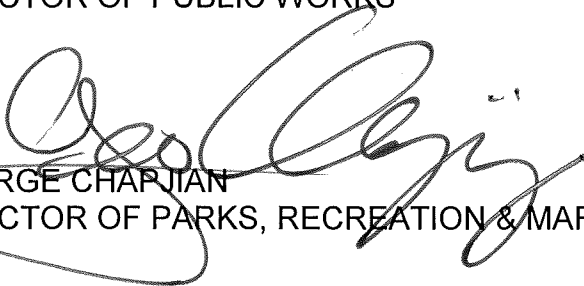
SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ARA MALOYAN, PE
DIRECTOR OF PUBLIC WORKS



GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION & MARINE

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Attachment: Resolution

APPROVED:



PATRICK H. WEST
CITY MANAGER

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT APPLICATIONS FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF LONG BEACH IS ELIGIBLE

WHEREAS, the Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery ("CalRecycle"), to administer various Grant Programs ("grants") in furtherance of the State of California's ("State") efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants;

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

Section 1. The City Council of the City of Long Beach authorizes the submittal of application(s) to CalRecycle for Legacy Disposal Site Abatement Partial Grant for which the City of Long Beach is eligible.

Section 2. Matching funds required to complete the project in excess of the Legacy Disposal Site Abatement Partial Grant which the City of Long Beach is eligible, will be sufficient to ensure the project is appropriately operated and maintained.

Section 3. The City Manager, or designee, is hereby authorized and

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empowered to execute in the name of the City of Long Beach all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project.

Section 4. These authorizations are effective for five (5) years from the date of adoption of this resolution.

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

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

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk