



CITY OF LONG BEACH R-19

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

July 5, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to accept grant funding in the amount of \$3,300,000 from the State Water Resources Control Board (Board), and \$690,997 from the State Coastal Conservancy (Conservancy), for the Colorado Lagoon Restoration Project; adopt a resolution approving the receipt of grant funds; and execute all documents necessary to allow for the dredging, treatment and disposal of sediments from Colorado Lagoon;

Increase appropriations in the Tidelands Operations Fund (TF 401) in the Department of Public Works (PW) by \$3,990,997; and

Execute an Amendment to Agreement No. 30773 with Moffatt & Nichol Engineers to increase the contract amount by \$91,100 for a total amount not to exceed \$1,442,700 for additional construction support services and post-construction sediment sampling; and any amendments necessary to extend the term, amend the scope of work, or adjust the fee schedule of hourly rates for inflation in the extended term. (District 3)

DISCUSSION

The Colorado Lagoon (Lagoon) is a 28.3-acre tidal lagoon located in the middle of a suburban neighborhood (location map attached). It serves three main functions: 1) hosting sensitive estuarine habitat; 2) providing public recreation (including swimming); and, 3) detaining and conveying storm flows. A Master Restoration Plan for Colorado Lagoon (Master Plan) has been developed and is being implemented as funding becomes available.

Projects to improve water quality and reduce future recontamination by redirecting low flow urban runoff into the sanitary sewer system and capturing trash at the storm drain outlets were completed in December 2010. The next phase of the Colorado Lagoon Restoration project involves the dredging, treatment and disposal of contaminated

sediment that has accumulated over time. The dredging component of the Colorado Lagoon Restoration project is being mandated by the Board through Total Maximum Daily Loads (TMDLs), which establish targets for water and sediment quality that must be achieved within seven years of their adoption. Failure to meet the water and sediment quality targets outlined in the TMDLs may result in significant financial penalties.

The Conservancy approved the grant on January 20, 2011, and the Board approved the grant on May 17, 2011. The total estimated cost to implement the overall Master Plan is \$25+ million. To date, a total of \$16 million has been received or committed. The bid advertisement for the removal of contaminated sediment was recently released, and the project is scheduled to break ground in October 2011 in order to utilize the Port of Long Beach disposal facility at Middle Harbor.

In addition, an enhancement is needed for Agreement No. 30773 with Moffatt & Nichol Engineers to cover added construction support and sediment sampling services. The current value of Agreement No. 30773 with Moffatt & Nichol is \$1,351,600, which is used for required engineering design services, construction support, project management, data collection and modeling, technical studies and sediment sampling, and of which \$858,910 is exclusively dedicated to the removal, treatment and disposal of contaminated sediments. Among other activities, staff is working with the Coastal Commission and the Board to amend the Colorado Lagoon Coastal Development Permit and Clean Water Act (CWA) Section 401 Water Quality Certification Permit. Staff is also in the process of obtaining a CWA Section 404 permit from the U.S. Army Corps of Engineers for the dredging activity. Moffatt & Nichol's support is necessary to complete these regulatory requirements and to adhere to the special conditions of approval.

This letter was reviewed by Deputy City Attorney Richard F. Anthony on June 23, 2011 and Budget Management Officer, Victoria Bell, on June 24, 2011.

TIMING CONSIDERATIONS

City Council action on this matter is required on July 5, 2011, in order to accept the grant funds and stay on schedule to begin dredging this fall.

FISCAL IMPACT

The contract increase of \$91,100 will be covered by grant funds currently budgeted in the Tidelands Operations Fund (TF 401) in the Department of Public Works (PW). The \$3,990,997 in grant funding will help generate an estimated 96 direct and indirect construction-related jobs. There is no impact to the General Fund associated with this request.

HONORABLE MAYOR AND CITY COUNCIL

July 5, 2011

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

07.05.11 Colorado Lagoon Dredging Funding v6.doc
PHW:MPC:VSG:EOL

Attachment: -
Resolution
Project Location Map

APPROVED:



PATRICK H. WEST
CITY MANAGER

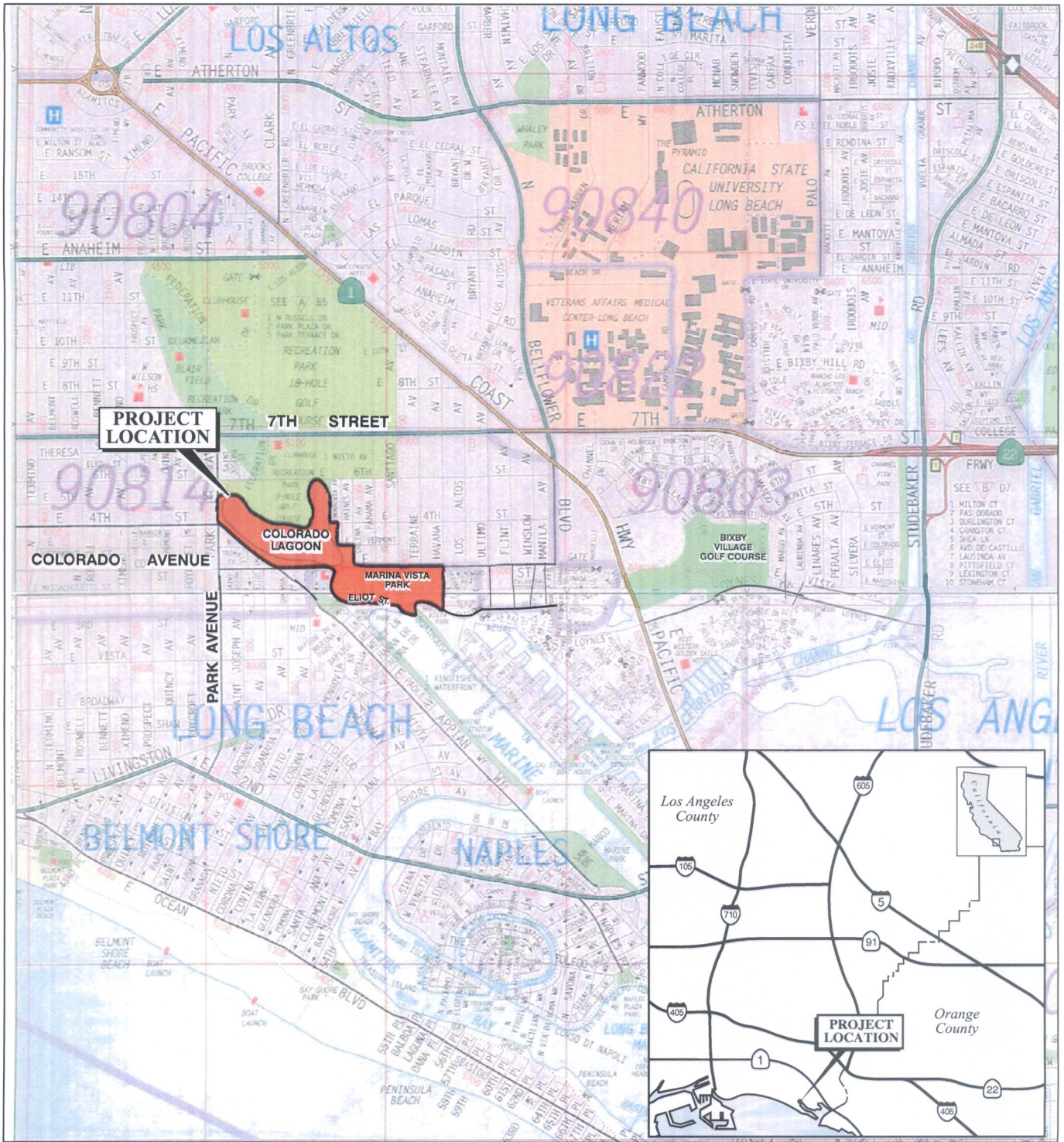


FIGURE 3.1

LSA



0 1000 2000
FEET

PROJECT AREA

SOURCE: Thomas Guide, 2007

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Colorado Lagoon Restoration Project
Project Location

OFFICE OF THE CITY ATTORNEY
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Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH ACCEPTING GRANT FUNDS
FROM THE STATE COASTAL CONSERVANCY FOR THE
COLORADO LAGOON RESTORATION PROJECT

WHEREAS, the Legislature of the State of California has established the
State Coastal Conservancy ("Conservancy") under Division 21 of the California Public
Resources Code and has authorized the Conservancy to award grants to public agencies
and nonprofit organizations to implement the provisions of Division 21; and

WHEREAS, the Conservancy awards grants for projects that it determines
are consistent with Division 21 of the Public Resources Code and with the Conservancy's
Strategic Plan and that best achieve the Conservancy's statutory objectives, in light of
limited funding; and

WHEREAS, the Conservancy authorized a grant to the City of Long Beach
("Grantee") for the Colorado Lagoon Restoration Project ("Project"); and

WHEREAS, the Conservancy requires that governing body of the Grantee
certify through a resolution that it approves the award of Conservancy grant funding and
authorizes the execution by a representative of the Grantee of a grant agreement on
terms and conditions required by the Conservancy;

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

Section 1. Approves the award of grant funding from the Conservancy
for the Project.

Section 2. Acknowledges that it has or will have sufficient funds to
complete the Project and, if any facilities are constructed as a part of the Project, to
operate and maintain the Project for a reasonable period, not less than the useful life of

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the facilities.

Section 3. Agrees to provide any funds beyond the Conservancy grant funds necessary to complete the Project.

Section 4. Agrees to be bound by all terms and conditions of the grant agreement and any other agreement or instrument as may be required by the Conservancy and as may be necessary to fulfill the terms of the grant agreement and to complete the Project.

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 _____, 2011 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk