

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03317

ADOPTED ON APRIL 3, 2001

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE THIRD AMENDMENT TO AGREEMENT WITH ENVIRONMENTAL BUSINESS SOLUTIONS FOR TRANSPORTATION AND DISPOSAL OF CONTAMINATED MEDIA IN THE EAST VILLAGE REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project [Project] in downtown San Diego; and

WHEREAS, on November 3, 1998, the electorate of the City of San Diego [the City] approved Ordinance No. O-18613 which authorized the City and the Agency to enter into a Memorandum of Understanding concerning a Ballpark District, Construction of a Baseball Park, and a Redevelopment Project [MOU], within the Centre City East [East Village] Redevelopment District of the Expansion Sub Area of the Project; and

WHEREAS, pursuant to the MOU, the Agency, through the Centre City Development Corporation [CCDC], has undertaken property acquisition, including overseeing necessary environmental remediation of those properties required for the Ballpark Project; and

WHEREAS, in order to expedite environmental remediation, the Agency by Resolution No. R-02992, adopted on June 1, 1999, delegated authority to the President of the Centre City Development Corporation, or designee, to identify and take appropriate actions as authorized by Article 12.5, Division 24, of the California Health and Safety Code section 33459 *et seq.* [Polanco Redevelopment Act], in the Project area; and

WHEREAS, CCDC, pursuant to that delegation and the authority granted under the Polanco Redevelopment Act, has selected Environmental Business Solutions, as its contractor for transportation and disposal of contaminated media, with the cost of such remediation previously allocated as part of the purchase price of the individual properties and funds from the recently established Area-Wide Remediation Fund; and

WHEREAS, on April 17, 2000 by Resolution No. R-03146, the Agency approved a Services Agreement with Environmental Business Solutions for the transportation and disposal of contaminated media; and

WHEREAS, on May 2, 2000, by Resolution No. R-03152, the Agency approved the First Amendment to the Services Agreement; and

WHEREAS, on September 12, 2000, by Resolution No. R-3226, the Agency approved the Second Amendment to the Services Agreement; and

WHEREAS, the Agency wishes to amend this Services Agreement by increasing the compensation amount by \$593,000 for contaminated media on the Retail, Park at the Park, and AmeriSuites Hotel Site parcels, which needs to be hauled offsite; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of the City of San Diego, that the Executive Director of the Agency is authorized, for and on behalf of the Agency, to execute the Third Amendment to the Services Agreement for transportation and disposal of contaminated media with Environmental Business Solutions, in an amount not to exceed \$593,000. A copy of

the Third Amendment to Services Agreement is on file in the office of the Secretary to the Agency as Document No. D-03317.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$593,000 is authorized, solely and exclusively, for the purpose of providing funds for the above project, thereby increasing the compensation of the original Services Agreement to a total amount not to exceed \$2,698,000.

APPROVED: CASEY GWINN, General Counsel

By

Douglas K. Humphreys
Deputy General Counsel

DKH:lc

03/20/01

Or.Dept:CCDC

Aud.Cert:See AC200101

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