

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. R-03607
ADOPTED ON MARCH 25, 2003

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO AUTHORIZING THE FIFTH
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, on April 3, 2001, by Resolution No. R-03317, the Agency approved the Third Amendment to the Services Agreement; and

WHEREAS, on September 18, 2001, by Resolution No. R-03369, the Agency approved the Fourth Amendment to the Services Agreement; and

WHEREAS, the Agency wishes to amend this Services Agreement by increasing the

compensation amount by \$546,113 for contaminated media on the Retail, Park at the Park, P-1 and Tailgate Park 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 Fifth Amendment to the Services Agreement with Environmental Business Solutions, for transportation and disposal of contaminated media, in an amount not to exceed \$546,113.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$546,113 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 \$4,344,113.

APPROVED: CASEY GWINN, General Counsel

By _____
Douglas K. Humphreys
Deputy General Counsel

DKH:smf
02/26/03
Or.Dept:CCDC
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