

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03005

ADOPTED ON JUNE 22, 1999

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE ACTIONS AS MAY BE REQUIRED FOR THE REMOVAL AND REMEDIATION OF HAZARDOUS MATERIALS FROM PROPERTY LOCATED AT 6901 LINDA VISTA ROAD, SAN DIEGO, IN THE LINDA VISTA SHOPPING CENTER REDEVELOPMENT PROJECT, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 33459-33459.8.

WHEREAS, the Redevelopment Agency of The City of San Diego [the Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Linda Vista Community Planning Area of the Linda Vista Shopping Center Redevelopment Project [the Project]; and

WHEREAS, an environmental assessment has determined that the portion of property in the Project located at 6901 Linda Vista Road, San Diego, contains hazardous materials; and

WHEREAS, the owners of said portion of property conducted a Site Assessment Report and had limited remedial actions performed, resulting in a "Closure Letter" from the San Diego County Department of Environmental Health issued on November 3, 1998, which restricts the use of the property; and

WHEREAS, the Agency requested that the owners perform further assessment and remediate the property to a level where it would be safe for all uses permitted by the Community

Plan and Zoning Ordinance; the owners were unwilling to expend any further funds for such further assessment and/or remediation of the property; and

WHEREAS, further remediation of hazardous materials is needed in order to ensure the full development potential of the property; and

WHEREAS, the Polanco Redevelopment Act (California Health and Safety Code sections 33459-33459.8) authorizes remedial or removal actions and related entitlements, including the identification of responsible parties for the release within the meaning of the Act, issuance of requests for environmental information and/or studies, and issuance of sixty-day corrective notices where appropriate; and

WHEREAS, this activity is categorically exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines, section 15061(b)(3);

NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of San Diego, that the Executive Director of the Agency, or his designee, is authorized to issue Polanco Notice Letters to the property owners and all other responsible parties, and to pursue all other subsequent legal

proceedings, as necessary, as set forth in California Health and Safety Code sections 33459-33459.8, for the removal and remediation of hazardous materials or substances as therein defined, on, under, or from the property located at 6901 Linda Vista Road, San Diego, within the Linda Vista Shopping Center Redevelopment Project.

APPROVED: CASEY GWINN, General Counsel

By

Debra J. Bevier
Deputy Counsel

DJB:slw

06/09/99

Or.Dept:CCDC

Aud.Cert:N/A

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