

RESOLUTION NUMBER R- 306878

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DATE OF FINAL PASSAGE JUN 27 2011

A RESOLUTION OF THE SAN DIEGO CITY COUNCIL
AUTHORIZING THE RECORDATION OF AN
ENVIRONMENTAL COVENANT TO RESTRICT
FUTURE USES OF OUTFIELD PARK LOCATED
NORTH OF PETCO PARK.

WHEREAS, since March 2004, the City of San Diego and the Redevelopment Agency of the City of San Diego have made a park venue known as Outfield Park available to PETCO Park visitors; and

WHEREAS, the soil located below Outfield Park contains certain hazardous materials; and

WHEREAS, remedial action has contained the hazardous materials by placing a barrier of 12 inches of clean soil on top of lightly-contaminated soil; and

WHEREAS, the San Diego County Department of Environmental Health (DEH) has determined that the use of Outfield Park with the hazardous materials in place does not present an unacceptable threat to humans or the environment so long as the materials are covered with 12 inches of clean soil; and

WHEREAS, DEH is the administering agency for the mitigation of environmental conditions at Outfield Park pursuant to California Health and Safety Code §25260, et seq.; and

WHEREAS, DEH has determined that future uses of Outfield Park must preclude any soil disturbance without DEH's prior approval, pursuant to the variance process set forth in the proposed Covenant to Restrict Use of Property, Environmental Restriction (Covenant); and

WHEREAS, the Covenant will prohibit the future use of Outfield Park for residential, hospital, school, or day care purposes to protect human health, safety, and the environment; and

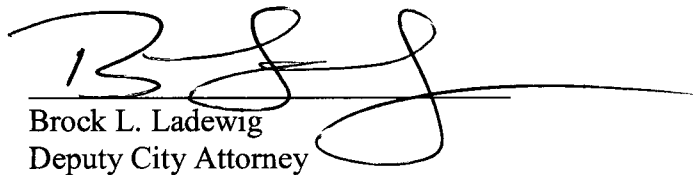
WHEREAS, DEH requires the Covenant to be placed on the Outfield Park property in perpetuity, as a condition precedent to determining that the Outfield Park Property Mitigation Plan has been completed and that the indicated safeguards will be maintained in the future;

NOW, THEREFORE,

BE IT RESOLVED, by the San Diego City Council, that the Mayor or his designee is authorized to execute, deliver, and record the Covenant to Restrict Use of Property, Environmental Restriction, for the Outfield Park property bounded by J Street, between Eighth and Ninth avenues, a copy of which is filed in the Office of the City Clerk as Document

No. RR-306878.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Brock L. Ladewig
Deputy City Attorney

BL:mm
06/07/2011
06/16/2011
Or.Dept: City Attorney
R-2011-925
PL#2011-06888

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~JUN 21 2011~~

ELIZABETH S. MALAND
City Clerk

By Carmina J. Trujano
Deputy City Clerk

Approved: 6-27-11
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor