

REQUEST FOR COUNCIL ACTION

CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE ONLY)
2700813

107
6/26

000293

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
Environmental Services Department

3. DATE:
May 4, 2007

4. SUBJECT:
TRANSFER FUNDS FOR INTERIM REMEDIAL ACTION AT THE MISSION TRAILS GOLF COURSE

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)
Craig Fergusson, (858) 627-3311, MS 1103-A

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)
Curtis Huffpower, (858) 573-1289,
MS 1103-A

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	DEPT.	ORGANIZATION	OBJECT ACCOUNT	JOB ORDER	C.I.P. NUMBER	AMOUNT	9. ADDITIONAL INFORMATION / ESTIMATED COST:
	41500	760	504	4222			
				050445			
						\$165,000	
						\$165,000	

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	<i>[Signature]</i>	5/15/07	8	DEPUTY CHIEF	<i>[Signature]</i>	6-8-07
2	EAS	<i>[Signature]</i>	5/17/07	9	COO	- Not required -	
3	EOCP	<i>[Signature]</i>	5/21/07	10	CITY ATTORNEY	<i>[Signature]</i>	6-12-07
4	WATER	<i>[Signature]</i>	5/24/07	11	ORIG. DEPT	<i>[Signature]</i>	6-12-07
5	LIAISON OFFICE	<i>[Signature]</i>	5/31/07	DOCKET COORD: <i>[Signature]</i> COUNCIL LIAISON: <i>[Signature]</i>			
6	FM	<i>[Signature]</i>	6/5/07	<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: 6/26/07			
7	AUDITORS	<i>[Signature]</i>	6/7/07				

11. PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

SEE ATTACHMENT "A".

11A. STAFF RECOMMENDATIONS:
Adopt the Resolutions

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)
COUNCIL DISTRICT(S): 7 (MADAFFER)
COMMUNITY AREA(S): SAN CARLOS
ENVIRONMENTAL IMPACT: THIS ACTIVITY IS CATEGORICALLY EXEMPT UNDER CEQA SECTION 15330 - MINOR ACTIONS TO PREVENT, MINIMIZE, STABILIZE, MITIGATE, OR ELIMINATE THE RELEASE OR THREAT OF RELEASE OF HAZARDOUS WASTE OR HAZARDOUS SUBSTANCES.

HOUSING IMPACT: NONE
OTHER ISSUES: NONE

REQUEST FOR COUNCIL ACTION
City of San Diego

SUBJECT: Transfer Funds for Interim Remedial Action-Mission Trails Golf Course

11. Preparation of: RESOLUTION(S) ORDINANCES AGREEMENTS DEEDS

1. Authorizing the Auditor and Comptroller to transfer an amount not to exceed \$165,000 from Fund 41500, Water Utility Operating to Fund 10524, Water Contributions to CIP for the purpose of funding CIP 33-084.0 and;
2. Authorizing a \$165,000 increase in the Fiscal Year 2007 Capital Improvement Program Budget in CIP 33-084.0, Underground Hazardous Materials Storage Tanks, Fund 10524, Water Contributions to CIP, provided the Auditor and Comptroller first certifies with one or more certificates that the funds are or will be on deposit with the City Treasurer, and;
3. Authorizing the Auditor and Comptroller to appropriate \$165,000 from Fund 10524, Water Contributions to CIP to CIP 33-084.0, Underground Hazardous Materials Storage Tanks for the interim remediation of contaminated soil at the Mission Trails Golf Course and;
4. Authorize the Auditor and Comptroller to expend an amount not to exceed \$165,000 from CIP 33-084.0, Underground Hazardous Materials Storage Tanks, Fund 10524, Water Contributions to CIP for the interim remediation of contaminated soil at the Mission Trails Golf Course and;
5. Authorize the Auditor and Comptroller, upon advice from the administering department to transfer excess funds, if any, to the appropriate reserves.

000297

EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE ISSUED: May 4, 2007 REPORT NO:
ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Environmental Services Department
SUBJECT: Transfer Funds for Interim Remedial Action at the Mission
Trails Golf Course
COUNCIL DISTRICT(S): District 7 (Madaffer)
CONTACT/PHONE NUMBER: Craig Fergusson (858) 627-3311

REQUESTED ACTION: Approve the transfer of \$165,000 from the Water Department FY07 Operating Budget to the Environmental Services CIP Budget to permit the implementation of an interim remedial action at the Mission Trails Golf Course

STAFF RECOMMENDATION: Approve the Resolutions.

EXECUTIVE SUMMARY: On May 3, 1991, two 1,000-gallon underground storage tanks (USTs) were removed from the maintenance yard at the Mission Trails Golf Course. Upon excavation of the USTs, one soil sample was collected beneath each end of the USTs. The samples confirmed the presence of gasoline hydrocarbons in the soil beneath the USTs.

In response to the discovery of the gasoline contaminated soil, the County of San Diego Department of Environmental Health (DEH) opened an Unauthorized Release Case and directed the site owner (Water Department) and the site operator (American Golf Corporation) to perform a site investigation to determine the full degree and extent of contamination related to the release.

After resolving issues regarding responsibility for the USTs, and under the guidance of the DEH, the City began working with its consultant to assess the site. In April of 1994, the City's Environmental Consultant, Emcon Associates, submitted a workplan to the DEH for the first phase of assessment work, consisting of the advancement of 3 soil borings and installation of 4 groundwater monitoring wells. In September of 1994, based on findings during the initial assessment, Emcon submitted a workplan for additional assessment work, consisting of the advancement of 5 soil borings and installation of 1 groundwater monitoring well. Following review of Emcon's Site Assessment Report related to the above-described activities, the DEH directed the City to perform additional assessment work to further delineate groundwater impacts at the site. In response to this directive, the City installed 2 additional groundwater monitoring wells in October of 1996. Between 1996 and 2004, a series of groundwater sampling and reporting events were conducted for the purposes of monitoring the site and evaluating the need for corrective action.

In April of 2004, the DEH notified the City that the case would be designated as a low priority / inactive status due to limited state funding for regulatory oversight and the conclusion by DEH that the case did not pose an imminent risk to beneficial use groundwater resources or human health receptors. In May of 2006, the City was notified that the UST Cleanup Fund would be sunseting in 2011 and responsible parties were encouraged to enroll their low priority cases into

a special "Private Oversight Program" (POP) to allow resumption of progress on the assessment process and secure reimbursement of expenses prior to the cleanup Fund's expiration. The City immediately submitted the required application and the case was enrolled in the POP.

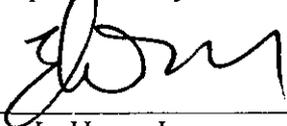
Upon review of the project files, the DEH project manager assigned to the POP case concurred with recommendations previously made by the City's environmental consultant related to corrective action and, on October 11, 2006, the DEH issued a letter directing the City to implement an interim remedial action at the site to excavate contaminated soil from the source of the release area. The City obtained a proposal for the Interim Remedial Action from its contracted as-needed environmental consultant, Geocon, Inc., on December 12, 2006. The scope of work will consist of excavating approximately 1,000 cubic yards of gasoline-impacted soil, transporting impacted soil off site for treatment, backfilling and paving excavated areas, and preparing documentation reporting to the DEH at an estimated cost of \$165,000.

FISCAL CONSIDERATIONS: Requested funds are available in the Water Department's FY07 Operating Budget Allocation (Fund 41500, Water Utility Operating, Fund 10524, Water Contributions to CIP) and will be transferred to CIP # 33-084.0 - Underground Hazardous Materials Storage Tanks.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: Resolution 288765 adopted 06/09/97

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: The proposed work scope will include the preparation of a Community Health and Safety Plan to mitigate potential exposure of the public to activities on site and assure community awareness. Public notices will be posted on all sides of the perimeter fence surrounding the site prior to implementation of the interim remedial action.

KEY STAKEHOLDERS AND PROJECTED IMPACTS: 1) Geocon Consultants, Inc. - projected impact will be an increase in operating revenues from project. 2) Current concession operator - American Golf Corporation - projected impact will be temporary disruption to operations at the maintenance yard, which will be mitigated to the greatest extent possible. 3) Water Department - projected impact will be decrease in operating budget reserves. 4) Parties interested in quality of environment - projected impact will be protection of beneficial groundwater resources through removal of highly contaminated soil. 5) Neighboring residents - projected impact is anticipated to be minimal through implementation of community participation and public outreach efforts described above.



Elmer L. Heap, Jr.
Director, Environmental Services Dept.



R.F. Haas
Deputy Chief Operating Officer

000299

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700813

ORIGINATING DEPT. NO.: 760

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$165,000.00 Fund: 41500

Purpose: Transfer funds from the FY07 Water operating budget to UST program CIP 33-084.0.

Date: June 7, 2007 By: *[Signature]*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	41500	760	504	4222	50445				\$165,000.00
TOTAL AMOUNT										\$165,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: _____ By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2700813

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE CITY OF SAN DIEGO
TRANSFERRING AND EXPENDING FUNDS FOR
INTERIM REMEDIATION OF CONTAMINATED
SOIL AT THE MISSION TRAILS GOLF COURSE.

WHEREAS, the San Diego County Department of Environmental Health has directed the City to remediate contaminated soil at the Mission Trails Golf Course caused by leakage from underground storage tanks which were previously removed; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That in accordance with the annual appropriation ordinance, the City Auditor and Comptroller is authorized to amend the Fiscal Year 2007 Capital Improvement Program budget to increase CIP 33-084.0, Underground Hazardous Materials Storage Tanks, by the amount of \$165,000.

2. That the City Auditor and Comptroller is further authorized to transfer the amount of \$165,000 from Fund No. 41500, Water Utility Operating Fund, to Fund No. 10524, Water Contributions to CIP for the purpose of funding CIP 33-084.0, Underground Hazardous Materials Storage Tanks.

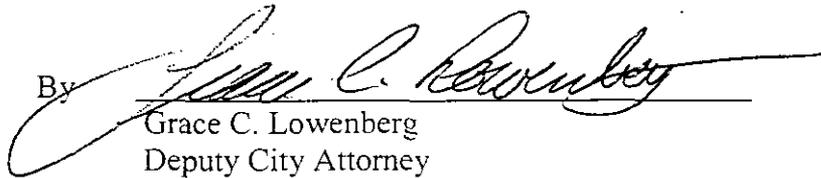
3. That the City Auditor and Comptroller is further authorized to appropriate \$165,000 from Fund 10524, Water Contributions to CIP to CIP 33-084.0, Underground Hazardous Materials Storage Tanks, for interim remediation of contaminated soil at the Mission Trails Golf Course.

4. That the expenditure of an amount not to exceed \$165,000 from Fund No. 10524, Water Contributions to CIP, CIP 33-084.0, Underground Hazardous Materials Storage Tanks, is authorized, solely and exclusively to provide funds for interim remediation of contaminated soil at Mission Trails Golf Course.

5. That the City Auditor and Comptroller is authorized to transfer excess budgeted funds, if any, to appropriate reserves on advice of the administering department.

6. That this activity is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15330 because the activity is a minor action to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of hazardous waste or hazardous substances.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Grace C. Lowenberg
Deputy City Attorney

GCL:mb
06/12/07
Aud.Cert:2700813
Or.Dept:ESD
R-2007- 1219

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego, at its meeting of _____.

ELIZABETH S. MALAND, City Clerk

By _____
Deputy City Clerk

000303

(R-2007- 1219)

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor