

RESOLUTION NO. OB-20-14

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF THE FORMER CITY OF EL CAJON REDEVELOPMENT AGENCY APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH HARGRAVE ENVIRONMENTAL CONSULTING, INC. TO PERFORM ONGOING HAZARDOUS REMEDIATION ACTIVITIES ON THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF WEST MAIN STREET AND SOUTH MAGNOLIA AVENUE ("SW CORNER") PROJECT.

WHEREAS, Health and Safety Code Section 34173 (f) requires the City of El Cajon, as the Successor Agency to the El Cajon Redevelopment Agency, to carry out existing cleanup plans related to environmental contamination issues on properties located at the former redevelopment project area; and

WHEREAS, Health and Safety Code Section 34177.3(a) provides that successor agencies may create enforceable obligations to comply with an enforceable obligation that existed prior to June 28, 2011; and

WHEREAS, an enforceable obligation in the form of a Reimbursement and Indemnity Agreement for the environmental remediation of the property located at the Southwest corner of West Main Street and South Magnolia Avenue (the "SW Corner") was entered into on April 11, 2002; and

WHEREAS, on August 6, 2012, the Successor Agency entered into an Agreement for Professional Services ("Agreement") with Hargrave Environmental Consulting, Inc. ("Hargrave") to perform ongoing hazardous remediation activities at the SW Corner and to prepare a Corrective Action Plan ("CAP"); and

WHEREAS, the CAP was submitted to the County of San Diego's Department of Environmental Health ("DEH") on March 18, 2013, and was approved for implementation by DEH on July 11, 2013; and

WHEREAS, the Successor Agency staff requested a proposal for the work related to the groundwater monitoring wells and Hargrave responded with a proposal in the amount of \$36,553.95 to perform the additional work; and

WHEREAS, on December 2, 2013, the Executive Director executed the Agreement between Successor Agency and Hargrave to perform the additional work as authorized by the City Council, acting as the Successor Agency, on October 22, 2013; and

WHEREAS, the Agreement will allow Hargrave to continue with the environmental testing and hazardous remediation activities at the SW Corner required by the County DEH, pursuant to the Reimbursement and Indemnity Agreement dated April 11, 2002, which is an enforceable obligation.

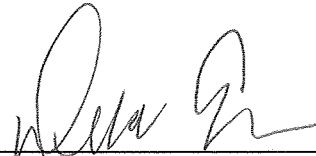
NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF THE FORMER CITY OF EL CAJON REDEVELOPMENT AGENCY, AS FOLLOWS:

A. The Oversight Board finds that:

1. The recitals above are true and correct and have been incorporated herein by reference.
2. Approval to execute an Agreement is exempt from the California Environmental Quality Act (CEQA) under Section 15061 (b) (3) (General Rule) of the CEQA Guidelines because the proposed agreements will not cause a significant adverse physical change to the environment either directly or indirectly.
3. Health and Safety Code Section 34173 (f) requires the City of El Cajon, as the Successor Agency to the El Cajon Redevelopment Agency, to carry out existing cleanup plans related to environmental contamination issues on properties located at the former redevelopment project area.
4. Health and Safety Code Section 34177.3(a) provides that successor agencies may create enforceable obligations to comply with an enforceable obligation that existed prior to June 28, 2011. An enforceable obligation in the form of a Reimbursement and Indemnity Agreement for the environmental remediation of the Southwest corner of West Main Street and South Magnolia Avenue was entered into on April 11, 2002.
5. Hargrave Environmental Consulting, Inc. ("Hargrave") has performed ongoing hazardous remediation activities at the SW Corner for the Successor Agency and was responsible for the preparation and submission of the Corrective Action Plan to the County of San Diego's Department of Health on March 18, 2013.
6. Hargrave Environmental Consulting, Inc. is the firm most qualified to implement the Corrective Action Plan and to perform ongoing hazardous remediation activities at the SW Corner pursuant to Health and Safety Code Section 34173(f).

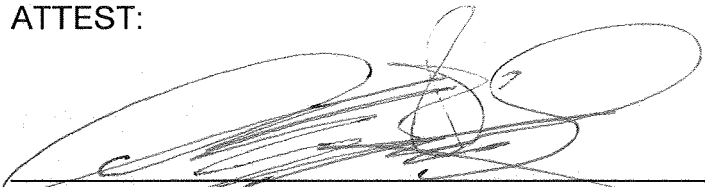
B. The Oversight Board hereby APPROVES the Professional Service Agreement with Hargrave Environmental Consulting, Inc. to perform ongoing hazardous remediation activities pursuant to Health and Safety Code Section 34173(f), and approves execution of said Agreement by the City Manager, or such person designated by the City Manager, acting in the capacity of Chief Executive Officer of the Successor Agency.

PASSED AND ADOPTED by the Oversight Board of the Successor Agency of the former El Cajon Redevelopment Agency at a regularly-scheduled meeting held this 16th day of April 2014, by the following vote to wit:



Debra Turner-Emerson, Chairperson

ATTEST:



Majed Al-Ghafry, Oversight Board Secretary