

RESOLUTION NO. 2006-034

Adopted by the Redevelopment Agency
of the City of Sacramento

May 30, 2006

DOCKS AREA ENVIRONMENTAL OVERSIGHT AGREEMENT: TRANSFERING FUNDS FROM THE MERGED DOWNTOWN DEVELOPMENT ASSISTANCE PROJECT BUDGET TO THE PIONEER BRIDGE PROJECT BUDGET, AMENDING THE EXISTING INDIVIDUAL PROJECT AGREEMENT AND AUTHORIZING AN ENVIRONMENTAL OVERSIGHT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL

BACKGROUND

- A. The Redevelopment Agency of the City of Sacramento (the "Agency") may enter into agreements with State agencies under the Polanco Act, State of California Health and safety Code sections 33459-33459.8, and/or pursuant to California Health and Safety Code section 25201.9.
- B. The Agency may take any actions that the Agency determines are necessary and that are consistent with state and federal laws to remedy or remove a release of hazardous substances under, or from a property located in a Redevelopment Project Area if certain conditions are met.
- C. The Docks Area, located on the Sacramento Riverfront and shown in Exhibit A, is a Brownfields site and is located within the Merged Downtown Redevelopment Project Area.
- D. The Agency is interested in redeveloping the Docks Area. In order to facilitate the redevelopment of this site, the Agency would like to enter into an Environmental Oversight Agreement (EOA) with the Department of Toxic Substances Control (DTSC).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:

Section 1. After due consideration of the evidence presented; the environmental findings, and the findings of the staff report that accompanies this resolution are approved.

Section 2. Pursuant to Section 33445 of the Health and Safety Code of the State of California, the Agency makes the following findings:

- a) The Environmental Oversight Agreement with DTSC is a pre-development activity for the Docks Area and is a benefit to the Merged Downtown Redevelopment Project Area;
- b) There are no other reasonable means of financing the EOA available to the community except for redevelopment area tax increment proceeds;
- c) The use of redevelopment area tax increment proceeds for the EOA will result in the elimination of blighting influences of inadequate, under-capacity and dilapidated infrastructure inside the Project Area and the EOA is consistent with the implementation plan adopted pursuant to Health and Safety Code of the State of California, Section 33490.

Section 3: The Director is authorized to transfer funds from the Merged Downtown Development Assistance project budget to the Pioneer Bridge project budget in the amount of \$125,000.

Section 4: The Director is authorized to amend the existing Individual Project Agreement (IPA) with the City of Sacramento in the amount of \$125,000 for the projects described above.

Section 5: The Executive Director or her designee is authorized to enter into an Environmental Oversight Agreement that provides for reimbursement of the Department of Toxic Substances Control's costs as identified in the Environmental Oversight Agreement through the effective date of termination of the Agreement.

Table of Contents:

Exhibit A – Map Of The Docks Area

Exhibit B – Environmental Oversight Agreement

Adopted by the City of Sacramento Redevelopment Agency on May 30, 2006 by the following vote:

Ayes: Members Cohn, Fong, Hammond, McCarty, Pannell Sheedy, Tretheway, Waters, and Chair Fargo.

Noes: None.

Abstain: None.

Absent: None.

Heather Fargo
Chair, Heather Fargo

Attest:

Shirley Concolino
Shirley Concolino, Secretary

EXHIBIT A

MAP OF THE DOCKS AREA

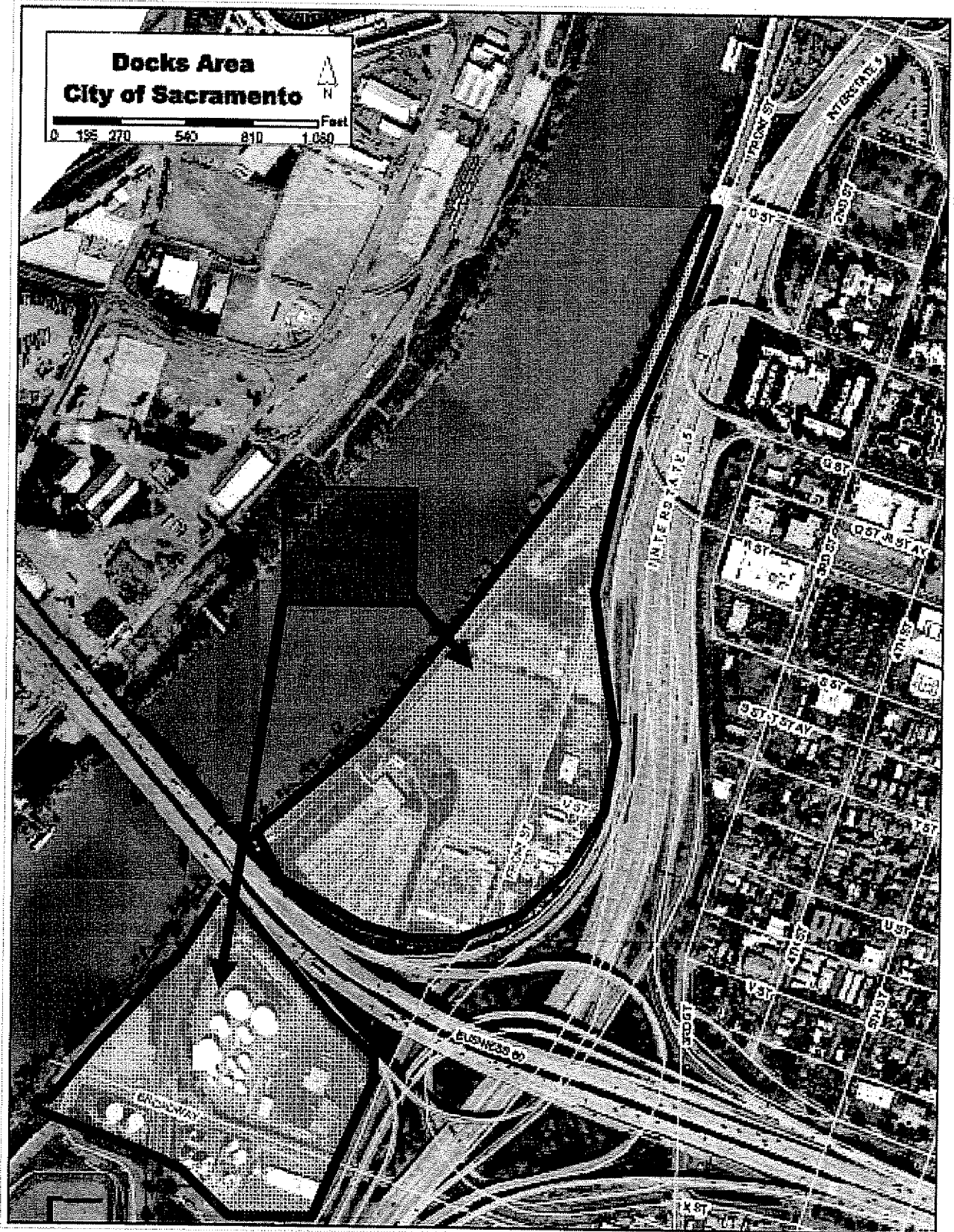


EXHIBIT B

Environmental Oversight Agreement

(On-file in the City Clerk's Office)