

RESOLUTION NO. SA 17-07

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COMMERCE
COMMUNITY DEVELOPMENT COMMISSION, APPROVING REQUESTING
FUNDS FROM THE CALIFORNIA DEPARTMENT OF FINANCE, COMPLETION
OF OUTSTANDING WORK, RESUMING GROUNDWATER MONITORING AND
AWARDING AN AGREEMENT TO EFI GLOBAL FOR 5710 SMITHWAY**

WHEREAS, on August 2, 2017 and August 23, 2017, the Successor Agency and Oversight Board respectively approved a Voluntary Cleanup Agreement (VCA) with the DTSC for additional site characterization; and

WHEREAS, DTSC approved a Work Plan dated September 6, 2006 prepared by Block Environmental with modifications, which were incorporated in Addendum to Work Plan for Additional Site Characterization dated January 31, 2007, also prepared by Block Environmental; and

WHEREAS, the pre-established monitoring system consists of 10 groundwater monitoring wells and 12 soil vapor borings to conduct quarterly sampling on the southeastern half of the property to evaluate possible presence of VOC contamination; and

WHEREAS, as previously reported to the Successor Agency and Oversight Board, the additional site assessment and completion of the Work Plan and Addendum was placed on hold due to the State dissolving the Redevelopment Agency and until such time that the Successor Agency and Oversight Board could obtain funding from the California Department of Finance (DOF) as an enforceable obligation; and

WHEREAS, the DTSC sent the Successor Agency a letter dated February 24, 2017 requesting the completion of the Work Plan and Addendum for additional site characterization and continued groundwater monitoring and specifically requested the following:

1. Execution of updated VCA.
2. Submit a report of completed Work Plan and Addendum tasks to the DTSC.
3. Submit a new Work Plan to complete remaining tasks from the original Work Plan and Addendum; and

WHEREAS, the Successor Agency and the Oversight Board approved the release of an RFP for completion of the Work Plan and Addendum and continuing the groundwater monitoring program per DTSC, staff is now returning to the Successor Agency and Oversight Board to execute a professional services agreement for the aforementioned scope of work; and

WHEREAS, the purpose of the RFP process was to determine the budget needed and to submit a funding request to the DOF for approval.

WHEREAS, after analysis of the proposals, staff recommends awarding an agreement to EFI Global in the amount of \$168,236.70 with work to begin following DOF debt obligation recognition and approval of funds.

NOW, THEREFORE, THE SUCCESSOR AGENCY DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. The Agreement with EFI Global is hereby approved. The Successor Agency Chairperson is authorized to execute the Agreement for and on behalf of the Successor Agency.

Section 2. Staff is directed to present the Agreement to the Oversight Board for the Successor Agency and to the Department of Finance for their review and approval pursuant to AB 26 and AB 1484.

Section 3. After approval by the Oversight Board to the Successor Agency and the Department of Finance, Successor Agency Staff is authorized to commence outstanding work as described in the aforementioned Work Plan and Addendum.

PASSED, APPROVED AND ADOPTED this 7th day of November, 2017.

Oralia Rebollo
Chairperson

ATTEST:

Lena Shumway
Secretary