



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 09/19/06

AGENDA ITEM 5

WORK SESSION ITEM _____

TO: Redevelopment Agency Board Members

FROM: Director of Community and Economic Development

SUBJECT: Authorization to Amend Contract for Environmental Services and Appropriation of Funds

RECOMMENDATION:

It is recommended that the Agency Board adopt the attached resolution authorizing the Executive Director to amend an existing contract with Geomatrix Consultants to provide environmental services for the B and Foothill site.

BACKGROUND:

In April 2006 staff indicated to the Agency Board that it was in the process of seeking environmental clearance to begin construction of Cinema Place Hayward at the B and Foothill site. At that time authorization was granted to amend the contract with Geomatrix Consultants and to provide funding for additional mitigation measures as required by the Regional Water Quality Control Board (RWQCB). The activities included the design of a "soil vapor barrier" to be installed under the theatre/retail portion of the complex in order to prevent the possibility of contaminated vapors (associated with historic on-site dry cleaning operations) from penetrating the building foundation and entering the building. Funding was also provided for the removal of the existing monitoring wells which had been installed to sample groundwater.

Subsequently, Geomatrix developed a Risk Management Plan (RMP), which outlines general procedures related to the installation of the soil vapor barrier, soil handling during construction activities, and long-term management of the site. The RMP was submitted to the RWQCB. Following its review of the RMP, the RWQCB established additional requirements. Specifically due to the additional requirements imposed by the RWQCB, the development of the RMP has entailed more analysis than initially budgeted. Though construction activities have been allowed to commence, the RWQCB is requiring further sampling to determine the off-site extent of groundwater contamination. In addition, a sampling program to determine the off-site extent of soil vapor contamination could be required. Once construction is completed, new on-site groundwater monitoring wells are to be installed with a requirement for conducting semi-annual groundwater sampling. Additionally, the RWQCB has required that the Redevelopment

Agency enter into a covenant and environmental restriction on the property, which prohibits groundwater usage and limits onsite development for only commercial uses.

The estimated cost to the Agency for these additional tasks is \$142,000, which consists of approximately \$44,000 for additional groundwater investigation, \$42,000 for soil vapor sampling (if required), \$28,000 for air monitoring during grading, and \$28,000 for project management, including extra meetings with the RWQCB and response to their requests for information. This will necessitate an increase in the existing contract amount up to \$187,000. Staff recommends that the Agency Board authorize the Executive Director to execute an amended contract and to appropriate \$142,000 in additional funding for this purpose from the Redevelopment tax increment fund 451.

Prepared by:



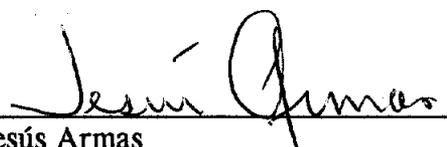
Maret Bartlett
Redevelopment Director

Recommended by:



Susan Daludding
Director of Community and Economic Development

Approved by:



Jesús Armas
Executive Director

Resolutions

DRAFT

REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RA 06-

Introduced by Agency Member _____

**RESOLUTION AUTHORIZING THE EXECUTIVE
DIRECTOR TO EXECUTE AN AMENDED CONTRACT
WITH GEOMATRIX CONSULTANTS TO PROVIDE
ENVIRONMENTAL SERVICES FOR THE B AND
FOOTHILL SITE PROJECT**

BE IT RESOLVED by the Redevelopment Agency of the City of Hayward that the Executive Director is hereby authorized and directed to negotiate and execute an amended contract with Geomatrix Consultants to provide environmental services for the B and Foothill site project, in an amount not to exceed \$187,000, in a form to be approved by the City Attorney.

HAYWARD, CALIFORNIA _____, 2006

ADOPTED BY THE FOLLOWING VOTE:

**AYES: AGENCY MEMBERS:
CHAIR:**

NOES: AGENCY MEMBERS:

ABSTAIN: AGENCY MEMBERS:

ABSENT: AGENCY MEMBERS:

**ATTEST: _____
Secretary of the Redevelopment Agency
of the City of Hayward**

APPROVED AS TO FORM:

General Counsel

DRAFT

REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RA-06-

Introduced by Agency Member _____

RESOLUTION AMENDING RESOLUTION NO. RA 06-15,
THE BUDGET RESOLUTION FOR THE REDEVELOPMENT
AGENCY OF THE CITY OF HAYWARD FOR FISCAL
YEAR 2006-2007, RELATING TO AN APPROPRIATION OF
FUNDS FOR THE B AND FOOTHILL SITE PROJECT

BE IT RESOLVED by the Redevelopment Agency of the City of Hayward that Resolution No. RA 06-15, the Budget Resolution for the Redevelopment Agency of the City of Hayward for fiscal year 2006-2007, is hereby amended by appropriating \$142,000 from the Redevelopment Agency Fund, Fund 451, for the B and Foothill site project.

HAYWARD, CALIFORNIA _____, 2006

ADOPTED BY THE FOLLOWING VOTE:

AYES: AGENCY MEMBERS:
CHAIR:

NOES: AGENCY MEMBERS:

ABSTAIN: AGENCY MEMBERS:

ABSENT: AGENCY MEMBERS:

ATTEST: _____
Secretary of the Redevelopment Agency
of the City of Hayward

APPROVED AS TO FORM:



General Counsel