



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

STAFF REPORT
November 6, 2008

Honorable Mayor and
 Members of the City Council

**Title: REMEDIATION AND FUTURE DEVELOPMENT OF PROPOSED PARK SITE
 AT 19th & Q STREETS**

Location/Council District: Southwest corner of the intersection of 19th & Q Streets in
 Midtown, Council District 3

Recommendation: Adopt a **Resolution:** 1) authorizing the City Manager or his designee to submit an application to the U.S. Environmental Protection Agency for a Brownfields Cleanup Grant for an amount not to exceed \$200,000 for the development of a remediation action plan and subsequent cleanup of a proposed park site at 19th and Q Streets, 2) authorizing the City Manager or designated appointee to execute all necessary agreements, establish related revenue and expenditure budgets for the grant funds, and appropriate the grant funds contingent on receipt of award.

Contact: Camille Wise, Resource Development Specialist, 808-8830, Mary de Beauvieres, Principal Planner, 808-8722

Presenters: Camille Wise, Resource Development Specialist

Department: Parks and Recreation

Division: Administration

Organization No: 4511

Description/Analysis

Issue: The Brownfields Cleanup Grant, funded by the United States Environmental Protection Agency, provides funds to carry out cleanup activities at a specific brownfield site owned by an applicant. The City Council's support of the Department of Parks and Recreation's request for up to \$200,000 from the U.S. Environmental Protection Agency for the preparation of a remediation action plan (RAP) and some portion of the cleanup of a City park site at 19th & Q Streets is needed. The grant proposal must be submitted by November 14, 2008.

Policy Considerations: The development of a RAP and subsequent cleanup of a proposed park site at 19th & Q Streets is consistent with the City's approved strategic plan to achieve sustainability and livability.

Commission/Committee Action: The Parks and Recreation Commission (PRC) supported staff's recommendation to prepare a Brownfields Cleanup grant proposal for this proposed park site at its October 2, 2008 meeting.

Environmental Considerations:

California Environmental Quality Act (CEQA): This report recommends the submittal of a grant application; therefore, it concerns administrative activities that will not have any significant effect on the environment and that do not constitute a "project," as defined by the California Environmental Quality Act (CEQA) [CEQA Guidelines Sections 15061(b)(3); 15378(b)(2)].

Sustainability Considerations: The proposed application for a Brownfields Cleanup Grant has been reviewed for consistency with the goals, policies and targets of the Sustainability Master Plan. Staff's recommendation will advance the goals, policies and targets of the Sustainability Master Plan by creating "Healthy Urban Environments" through Restorative Redevelopment.

Rationale for Recommendation: The development of a RAP and some portion of the subsequent cleanup for a proposed park at 19th & Q Streets scored high as a priority project in the 2006 Parks and Recreation Programming Guide. This is a park deficient area of the city and more public space is needed for anticipated new development in R Street Corridor. Council approval and support is required to apply for a Brownfields Cleanup Grant.

Financial Considerations: With the City Council's support, the City will submit a grant request of up to \$200,000 from the U.S. Environmental Protection Agency. The Brownfields program requires a 20% match of the total project budget as proposed in the grant application. A \$200,000 request will require a \$40,000 match in the form of staff time and labor will be paid through the department's operating budget, making the total project budget for the grant proposal \$240,000. If awarded, the grant funds will not be available until Fall 2009 at which time the matching funds would be necessary. If the City is awarded the grant, staff will return to the City Council seeking authority for the City Manager to execute the grant agreement.

Emerging Small Business Development (ESBD): Not applicable at this time as no goods or services are being procured as a result of support for a Brownfields Cleanup grant application.

Approved by: J. P. Tindle
James L. Combs
Director, Department of Parks and Recreation

Recommendation Approved:

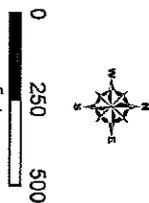
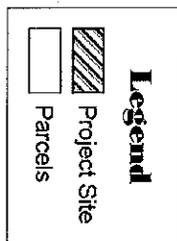
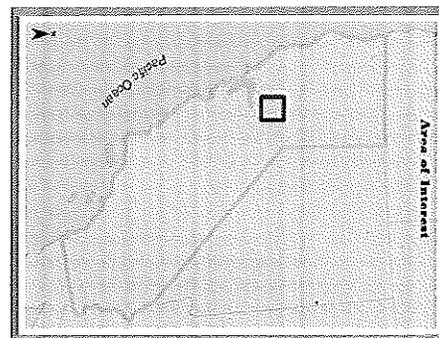
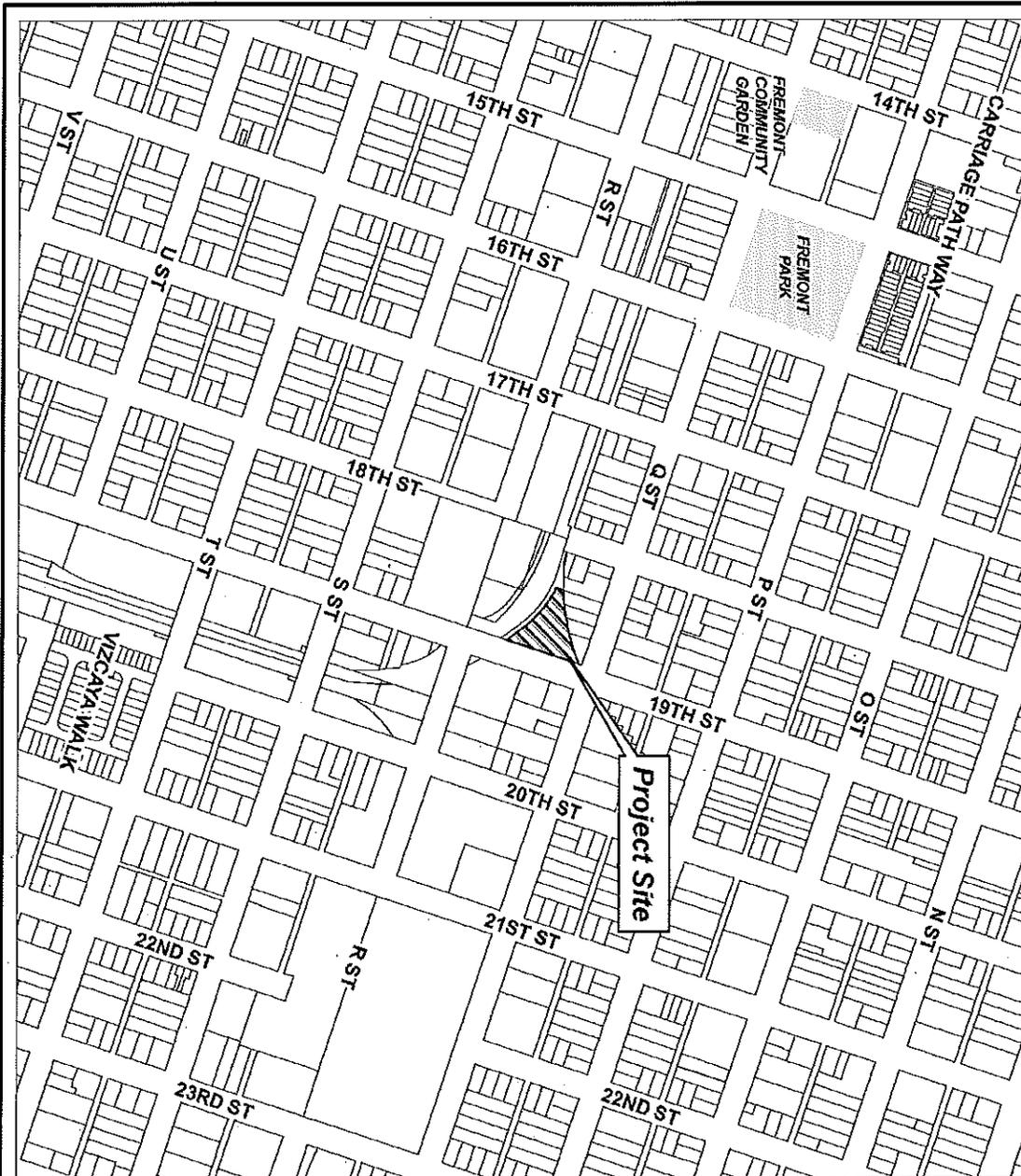
Cassandra H. B. Jones
Ray Kerridge
City Manager

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ATTACHMENT 1

City of Sacramento
Department of Parks and Recreation
R Street Corridor Park Location



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ATTACHMENT 2**BACKGROUND INFORMATION:**

The Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et seq.) ("CERCLA" or the "Superfund" law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment and cleanup. A brownfield site is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land. Cleanup grants provide funding to carry out cleanup activities at brownfield sites owned by the applicant.

The project site is a vacant, triangular parcel encompassing 23,978 square feet or 0.53± net acres. It is bounded by a Sacramento Regional Transit light-rail line to the south, a former Sacramento Municipal Utilities District (SMUD) transformer station and three vacant parcels to the north, and 19th Street to the east. A railroad track was historically located along the northern margin of this parcel; the track has since been abandoned and removed and the parcel is currently undeveloped. The proposed project for this grant is the recently acquired park site located at the southwest corner of the intersection of 19th & Q Streets in Midtown. Acquisition of this park site was completed in January 2008 using 2004 and 2005 Workforce Housing Rewards Grant funds. Prior to purchasing the site, a Phase I and II environmental assessment was completed which indicated that the site was contaminated with heavy metals such as lead, chromium and arsenic. The elevated levels of heavy metals are most likely due to the former presence of a railroad line along the northern margin of the parcel. This type of soil contamination is common along railroad lines.

The grant funds will cover the cost of preparing a remediation action plan (which will outline the preferred process to deal with the soil contaminants) along with some portion of the cleanup process. The cleanup process may entail removal of the material to an appropriate facility and backfilling the site with clean soil, encapsulating the contaminated soil, or some other acceptable method. The Sacramento County Water Protection Division is the lead regulatory agency for oversight of all remediation actions on this project site.

In 1996, the City of Sacramento adopted the R Street Corridor Plan. The Plan encompassed a 54 block area of the City, extending from the Interstate 5 freeway on the west to 29th Street on the east and from Q Street to S Street. The Plan envisioned a transformation from a commercial, warehouse and state office district, into a mixed-use district of residential, office and neighborhood-serving commercial uses. The City's 2006 Parks and Recreation Programming Guide, adopted by City Council in October 2006 (Resolution 2006-769), identifies a park in the R Street Corridor as a priority project for the Central City Community Planning Area in a park deficient area. After researching the entire 54 block R Street Corridor, parcels at the southwest corner intersection of 19th & Q Streets were identified as the best park site and were acquired.

RESOLUTION NO. 2008-XXX

Adopted by the Sacramento City Council

October 28, 2008

**APPLICATION FOR A BROWNFIELDS CLEANUP GRANT FOR THE
REMEDICATION AND FUTURE DEVELOPMENT OF PROPOSED
PARK SITE AT 19th & Q STREETS.**

BACKGROUND:

- A. The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment and cleanup.
- B. The proposed project for this grant is the recently acquired park site located at the southwest corner of the intersection of 19th & Q Streets in Midtown. The grant funds will cover the cost of preparing a remediation action plan (which will outline the preferred process to deal with the soil contaminants) along with the cleanup process. The cleanup process may entail removal of the material to an appropriate facility and backfilling the site with clean soil, encapsulating the contaminated soil, or some other acceptable method.
- C. Staff is recommending that the City of Sacramento submit a grant application for up to \$200,000 for the preparation of a remediation action plan and cleanup of a park site at 19th & Q Streets.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The City Manager or his designee is authorized to submit an application to the United States Environmental Protection Agency for a Brownfields Cleanup Grant for an amount not to exceed \$200,000 for the development of a remediation action plan and subsequent cleanup of a proposed park site and 19th and Q Streets.
- Section 2. Authorize the City Manager or designated appointee to execute all necessary agreements, establish related revenue and expenditure budgets for the grant funds, and appropriate the grant funds contingent on receipt of award.

