

RESOLUTION NO. _____ (N.C.S.)

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE DTSC WORKPLAN BASED VOLUNTARY CLEAN UP AGREEMENT ON THE CITY PROPERTY LOCATED AT 1341 MERCER WAY IDENTIFIED AS APN: 003-862-001 AT THE SALINAS MUNICIPAL AIRPORT

WHEREAS, the City of Salinas (“City”) is the owner of those real estate properties located at 1341 Mercer Way identified as Assessor Parcel Number (APN) 003-862-001 (“Premise”) at the Salinas Municipal Airport; and

WHEREAS, the Premise is underutilized due to the costs associated with significant site work required in order to make the property useable for tenants; and

WHEREAS, RN Borelli Inc, DBA Borelli Investment Company, a California corporation, and Green Valley Corporation, a California Corporation (collectively the “Developer”) have entered into a Ground Lease of the Airport Property for Salinas Business Park, LLC (the “Tenant”); and

WHEREAS, at the March 12, 2024, the Salinas City Council approved the Ground Lease, and adopted Resolution affirming the CEQA Initial Study/ Mitigated Negative Declaration (IS/MND) and subsequent Mitigation Monitoring and Reporting Program.

WHEREAS, the proposed Ground Lease would facilitate the redevelopment of the Premise to current standards, and are expected over the life of the Ground Lease to provide a positive fiscal benefit to the City; and

WHEREAS, the Ground Lease requires the City to obtain a No Further Action “NFA” from Department of Toxic Substance Control (DTSC) as part of the VCA, which was entered into on March 5, 2021.

WHEREAS, the VCA requires a Supplemental Site Investigation (SSI) Work Plan be executed as part of DTSC’s process to identify if any additional remedial action is necessary prior to issuance of a NFA, and

WHEREAS, The City of Salinas is responsible for sub-contracting with consultants to execute the SSI Work Plan and reporting program to obtain a NFA from the DTSC, and

WHEREAS, at the July 25, 2024, Airport Commission meeting, the Airport Commission recommended that the City Council adopt a resolution approving and authorizing the execution of the SSI Work Plan and associated fees for property located at 1341 Mercer Way identified as APN 003-862-001 at the Salinas Municipal Airport; and

NOW, THEREFORE, BE IT RESOLVED that the Salinas City Council hereby finds and determines that the above recitals and accompanying Staff Report are true and correct and have served as the basis, in part, for the actions of the City Council set forth below; and

BE IT FURTHER RESOLVED THAT the City Council hereby finds that the use of the Premise is in accordance with the terms of the Lease, is proper, and in the public interest; and

BE IT FURTHER RESOLVED THAT the City Council finds the responsibility of the City to complete the VCA in accordance with the terms of the Lease; and

BE IT FURTHER RESOLVED THAT pursuant to City Code Section 37-10 the City Council finds the proposed Ground Lease will be used in a manner to be proper and in the public interest.

BE IT FURTHER RESOLVED THAT a copy of the VCA, Workplan, SSI Report when executed shall be placed on file in the office of the City Clerk.

BE IT FURTHER RESOLVED THAT the Mayor of Salinas is hereby authorized and directed, for and on behalf of the City of Salinas, to execute the attached SSI Workplan and work effort for property located at 1341 Mercer Way identified as APN 003-862-001 at the Salinas Municipal Airport.

PASSED AND APPROVED this 06th day of August 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Kimbly Craig, Mayor

ATTEST:

Patricia M. Barajas, City Clerk