

12-1531

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Ref. CF 09-2595

MOTION

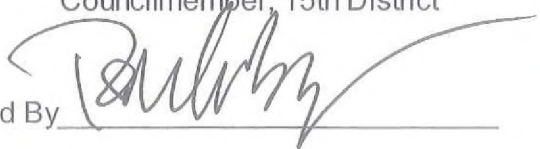
Since 2006, the City has been working to acquire a property at 845 North Sanford Avenue in Wilmington from Union Pacific Railroad (UP) for the purpose of having the Department of Recreation and Parks (RAP) develop a sports field adjacent to the East Wilmington Greenbelt Community Center. This project has gone through a lot of obstacles, including obtaining information about environmental remediation, negotiation of the donation of the land, obtaining funding to pay for clean-up and construction, and fulfilling all the obligations set forth by UP in order to complete the donation agreement. Unfortunately, the City has been unable to address the one remaining legal issue that involves indemnity of the City by UP in order to take on the acquisition of this property. Given that the source of money obtained for this project primarily involves Prop. 40 and Prop. K funding, it is imperative that the City act quickly to provide direction to RAP to move forward on this project in order to avoid the risk of losing this funding and jeopardizing the project.

This area of Wilmington is in desperate need of additional park space, and would greatly benefit from the proposed sports field. In order to address legal concerns pertaining to the City being subject to unforeseen costs involving additional clean up or contamination that may occur after the acquisition of the property, the City will procure a \$10 million Environmental Pollution Insurance policy covering all pollution related claims filed against the property for the next ten years. Coverage excludes known pollutants during the remediation phase.

In light of this new information, it would be appropriate for the Board of Recreation and Parks Commissioners to reconsider this project and request staff to re-enter negotiations with UP to acquire this parcel, which UP has offered to donate for no cost.

I THEREFORE MOVE that the Council request the Board of Recreation and Parks Commissioners to reconsider the East Wilmington Greenbelt project at an upcoming Board meeting and authorize staff to re-enter into negotiations to acquire this property from Union Pacific Railroad.

Presented By   
 JOE BUSCAINO  
 Councilmember, 15th District

Seconded By 

  
 SEP 25 2012

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