
From: Russell, Rosanna S
Sent: Monday, March 26, 2018 11:20 AM
To: Petrick, Molly; Young, Sam W; Miller, Katie L; Ryan, Joan; Fong, Lynn S
Cc: Carlin, Michael (PUC); Wong, Christopher J
Subject: RE: Balboa Reservoir Phase II Environmental Testing

Dear CDD colleagues,

For what it is worth, I endorse Molly's approach.

As a gentle reminder, the City also has an obligation to proceed diligently with regard to the project. This is because Section 15.10 of the Exclusive Negotiating Agreement provides that "[t]ime is of the essence for each provision of this Agreement..."

We don't want anyone to raise a claim that the City is impeding the developer's ability to meet its due diligence obligations.

Please let us know if an extended no-boring buffer zone will work for CDD.

Thanks.

Rosanna

From: Petrick, Molly
Sent: Monday, March 26, 2018 10:59 AM
To: Young, Sam W; Miller, Katie L; Ryan, Joan; Fong, Lynn S
Cc: Carlin, Michael (PUC); Wong, Christopher J; Russell, Rosanna S
Subject: Balboa Reservoir Phase II Environmental Testing
Importance: High

Hi,

I thought it would be wise to get everyone on the same page. We seem to be at a standstill with the potential developer of the Balboa Reservoir. We have entered into an ENA with Avalon Bay/Bridge Housing. Part of the ENA involves a due diligence period to perform all the environmental testing. In order to complete their testing, they need to drill borings (10' down) on the site. Since we aren't exactly sure where our pipeline is, CDD requested that the developer pothole. The developer is pushing back and would rather pothole after a decision is made to develop the site. Instead they are asking if there is a certain distance away from the 80' ROW where they could do their work without having to pothole. For example, if they staid 50' away from the 80' ROW, would that be ok? We've been going back and forth on this for weeks and need to find a way to move forward. This seems like a decent compromise if CDD is ok with it. They agree they will need to pothole in the future (after the due diligence period is over).

Thanks,
Molly