



# City of Huntington Beach

File #: 21-773

MEETING DATE: 11/2/2021

## REQUEST FOR CITY COUNCIL ACTION

**SUBMITTED TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Oliver Chi, City Manager

**PREPARED BY:** Sean Crumby, Director of Public Works

**Subject:**

**Approve and authorize execution of a Reinstatement and Second Amendment to Site Access Agreement between the City and Chevron Environmental Management Company (EMC) to conduct environmental work for City-owned property located at 18477 Beach Boulevard**

**Statement of Issue:**

The City Council is asked to approve a Reinstatement and Second Amendment to Site Access Agreement (Amendment) between the City of Huntington Beach and Chevron Environmental Management Company (EMC) for temporary access rights onto City owned property to conduct environmental work under the oversight and direction of the Orange County Health Care Agency (OCHCA).

**Financial Impact:**

None.

**Recommended Action:**

Approve and authorize the Mayor and City Clerk to execute the "Reinstatement and Second Amendment to Site Access Agreement" between the City of Huntington Beach and Chevron Environmental Management Company (EMC).

**Alternative Action(s):**

Do not approve the Reinstatement and Second Amendment to Site Access Agreement and direct staff accordingly.

**Analysis:**

In February 2013, the City approved a three year Site Access Agreement (Agreement) to allow Chevron Environmental Management Company (EMC) access onto City-owned property located at 18477 Beach Boulevard, adjacent to Denny's Restaurant. The purpose of the Agreement was to allow EMC to perform environmental work under the oversight of OCHCA. EMC has been conducting

environmental remediation work at the Chevron gas station facility located at 18501 Beach Boulevard, directly south of the City owned property. Under the direction of the OCHCA, EMC had requested permission to conduct environmental work, including the installation, maintenance, inspection, replacement, periodic sampling, abandonment of boring wells, and the use of those boring wells for the introduction of compounds to facilitate bioremediation, on the City owned property. The Agreement ensured the City was properly indemnified and held harmless against any claims or liabilities resulting from any environmental work performed by EMC and its subcontractors on the City owned property. In addition to indemnification, EMC agreed to repair portions of the property if they were to be damaged as a result of remediation work.

The original Agreement expired on February 19, 2016. The First Amendment to the original Agreement expired on February 19, 2019. OCHCA is requiring EMC to do further environmental work. Therefore, EMC has requested a reinstatement of the Agreement via the Second Amendment, to complete further monitoring and environmental work.

**Environmental Status:**

Not applicable.

**Strategic Plan Goal:**

Infrastructure & Parks

**Attachment(s):**

1. Reinstatement and Second Amendment to Site Access Agreement