



## Legislation Text

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**File #:** 19-1381, **Version:** 1

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### Resolution to Appropriate Funds for Fieldwork, Soil Samples, Laboratory Testing, and Development of a Remediation Plan at Leslie Science and Nature Center (\$96,800.00) **(8 Votes Required)**

The attached resolution is to appropriate \$88,000.00 for an approved emergency purchase order with Tetra Tech of Michigan, P.C. ("Tetra Tech"), for fieldwork, soil samples, laboratory testing and development of a remediation plan at Leslie Science and Nature Center ("LSNC"). A ten percent contingency is also requested.

While planning for a natural area playscape on LSNC property, a LSNC staff member came across papers indicating that chemicals from Dr. Leslie's laboratory were disposed of in a section of woods near the proposed playscape. Dr. Leslie was a chemist and the owner of the land prior to gifting it to the City and it becoming a park.

Once staff were made aware of the potential soil contamination, they reached out to Tetra Tech, a consultant currently used by the City on numerous projects. Tetra Tech was able to meet with the City and LSNC on Thursday, May 23rd and put a plan in place to quickly gain soil samples and perform testing for a variety of contaminants in order to determine appropriate next steps in the playground project. Time was of the essence as grants secured for the playground needed to be expended this year and because of the desire to protect public health. Draft results from testing were received on Thursday, June 20. On Sunday, June 23, the City received formal guidance from Tetra Tech indicating that the level of heavy metals, specifically arsenic and lead, at certain areas of LSNC were elevated and could pose a risk if soil were to be ingested.

As a result, further testing is necessary to develop appropriate remediation steps. Tetra Tech will be installing vapor pins in the LSNC buildings, and performing additional soil sampling to identify where fencing should be located. Other activities will include coordinating with a fence contractor for installation, additional testing at other LSNC locations where bare soil is present, and testing for the delineation of a chlorinated plume, horizontal and vertical.

An initial emergency PO, with Tetra Tech in the amount of \$16,000, was authorized by the City Administrator on May 29<sup>th</sup> pursuant to City Code, Chapter 14, Section 1:317(2). The additional testing and work on a remediation plan increases the contract value to \$104,000.00. Due to the public health concerns and the desire to begin remediation as soon as possible, such contract was entered into (and reported to Council on June 26, 2019) pursuant to City Code, Chapter 14, Section 1:317(2). This appropriation is requested to fund such additional work.

To help offset the cost of such remediation work, City staff applied for and was awarded a \$50,000.00 Site Assessment Grant from Washtenaw County. Staff is working with the County to pursue Local Brownfield Remediation Revolving Fund dollars to assist with the anticipated additional cost of remediating the site. That may also include recovering the balance of site assessment monies expended. City staff plans to propose a future resolution to approve all grant awards and related appropriations at the same time to help replenish costs appropriated from the General Fund through

this resolution.

Budget/Fiscal Impact: The original \$16,000 was funded from the Park Maintenance and Capital Improvements Millage operating budget. The difference between the original purchase order and the amended purchase order is \$88,000.00. This amount requires appropriation from the General Fund fund balance. A ten percent contingency is also requested.

Prepared by: Colin Smith, Parks & Recreation Manager

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Howard S. Lazarus, City Administrator

Whereas, The City received formal guidance from an industrial toxicologist indicating that the level of heavy metals, specifically arsenic and lead, at Leslie Science and Nature Center ("LSNC"), were elevated and could pose a public health risk if soil were to be ingested;

Whereas, Further testing is required to inform next steps and a remediation plan;

Whereas, Tetra Tech of Michigan, PC ("Tetra Tech") has conducted the initial tests on site and is best equipped to continue work on the site pursuant to an emergency purchase;

Whereas, Tetra Tech complies with the requirements of the City's Living Wage and Non-Discrimination Ordinances;

Whereas, Funding is required from the General Fund fund balance to cover the costs of additional testing and development of a remediation plan; and

Whereas, The City Administrator has authorized an Emergency Purchase Order for Tetra Tech for this work under Chapter 14, Section 1:317 and reported the same to City Council on June 26, 2019;

RESOLVED, That the City Council approves an appropriation of funds from the FY20 General Fund fund balance in the amount \$88,000.00, to the FY20 Parks & Recreation Services expenditure budget;

RESOLVED, That the City Council approve the ten percent (10%) contingency to be appropriated from the FY20 General Fund fund balance in the amount of \$8,800, to the Parks & Recreation Services expenditure budget, subject to City Administrator approval;

RESOLVED, That the funds are available without regard to fiscal year; and

RESOLVED, That the City Administrator be authorized to take necessary administrative action to implement this resolution, including approval of change orders that do not exceed the appropriated and contingency amounts.