



## Legislation Details (With Text)

**File #:** RES PH 22- 293 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 10/5/2022

**Title:** Authorizing the Department of Public Works Asphalt Plant to amend the spending and financing budget for the professional evaluation, consultation, and redesign of the sediment pond for future operation.

**Sponsors:** Amy Brendmoen

**Indexes:**

**Code sections:**

**Attachments:** 1. RES PH 22-293 financial analysis

Date	Ver.	Action By	Action	Result
10/6/2022	1	Mayor's Office	Signed	
10/5/2022	1	City Council	Adopted	Pass

Authorizing the Department of Public Works Asphalt Plant to amend the spending and financing budget for the professional evaluation, consultation, and redesign of the sediment pond for future operation.

WHEREAS, the Asphalt Plant division was unable to procure a professional evaluation in 2019 and the amended budget per RES 19-923 lapsed at year-end; and the Asphalt Plant division was unable to procure a professional evaluation in 2020 and the amended budget per RES PH 20-49 lapsed at year-end; and Asphalt Plant division was unable to procure a professional evaluation in 2021 and the amended budget per RES PH 21-150 lapsed at year-end; and

WHEREAS, the Asphalt Plant pollution control equipment operates under two MPCA permits: air emissions option D permit issued 7/9/96 and the current NPDES, governing discharge of stormwater, issued on September 1, 2017 and expired on May 31, 2022; and

WHEREAS, this issuance of the NPDES permit in 2017 added certain requirements: Permit requirement 2.2.102 b. states that "concrete lined impoundments shall complete water tightness testing at least once every five years (one per permit cycle)"; and

WHEREAS, water tightness testing for concrete impoundments shall be completed in accordance with the most recent version of ACI 350.1 "Specification for Tightness Testing of Environmental Engineering Concrete Containment Structures"; and

WHEREAS, if the impoundment does not pass the water tightness test in this five-year period, the plant will not be allowed to operate; and

WHEREAS, the plant operators have been making repairs to the pond over many years; and

WHEREAS, with the current condition of the sediment pond, the pond will not be able to pass the water tightness test; and

WHEREAS, the Mayor, pursuant to section 10.07.1 of the Charter of the City of Saint Paul, does certify that there are available for appropriation funds of \$350,000 in excess of those estimated in the 2022 Asphalt Plant budget; now

THEREFORE BE IT RESOLVED, by the City Council of the City of Saint Paul, up on recommendation of the Mayor, that \$350,000 is available for appropriation in the 2022 Asphalt Plant budget, and said budget as heretofore adopted by Council, is hereby further amended by the particulars as specified in the attached financial analysis;

BE IT FURTHER RESOLVED, that the proper City officials are hereby authorized to pay expenses incurred not to exceed \$350,000 for the consultation and redesign of the containment structure.