



## Legislation Text

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**File #:** RES 22-401, **Version:** 1

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Authorizing an Access Agreement between the City of Saint Paul and Bayer CropScience, Inc. in connection with the demolition and soil remediation project affecting City-owned property along Pierce Butler Route.

WHEREAS, in 2005 the City of Saint Paul ("City") purchased the property located at 677 Pierce Butler Route ("City Property"), and later purchased two adjacent properties for the Pierce Butler Realignment Project, which proposed to realign the roadway up to and easterly of Dale Street to I-35E; and

WHEREAS, in preparation for the Project the City performed environmental assessments of the City Property and adjacent land as required by law prior to demolishing the existing structure and remediating the contaminated soil; and

WHEREAS, the environmental assessments revealed that the soil in and around the City Property was heavily contaminated with arsenic, which triggered cleanup oversight by the State of Minnesota's Department of Agriculture, along with the involvement of Bayer CropScience, Inc. ("Bayer") as the successor to the company that originally contaminated the soil; and

WHEREAS, Bayer, as the party responsible for cleanup of the City Property, has agreed to pay the cost of said cleanup; and the City has agreed to pay the cost of demolishing the vacant structure on the City Property, and has identified funding for said demolition as evidenced in RES PH 21-342, adopted January 26, 2022; and

WHEREAS, Bayer will manage the demolition and cleanup process and is requesting the right to access the City Property to undertake demolition activities, soil removal, back filling, and other remedial activities; and

WHEREAS, the City is willing to grant Bayer and/or Bayer's employees, officers, directors, contractors, agents and consultants access to the City Property, and has negotiated a remedial access agreement with Bayer to permit Bayer to perform said activities on the City Property, as evidenced in Exhibit A attached hereto ("Access Agreement"); and

WHEREAS, the Access Agreement includes a provision whereby the City will be responsible for its own acts and omissions that may result from its performance of actions under the Access Agreement; now, therefore, be it

RESOLVED, that the City Council does hereby approve said Access Agreement, and authorizes the proper city officials to execute and record the same with Ramsey County property records as desired.