



# City of Killeen

## Legislation Text

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**File #:** RS-23-207, **Version:** 1

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Consider a memorandum/resolution ratifying an emergency remediation service and testing for paint cleanup, disposal, and testing in Little Nolan Creek by C G Environmental in the amount of \$155,306.29.

**DATE:** December 12, 2023

**TO:** Kent Cagle, City Manager

**FROM:** Jeffery Reynolds, Executive Director of Public Works

**SUBJECT:** Ratify Emergency Remediation Services for Paint Spill in Little Nolan Creek.

### **BACKGROUND AND FINDINGS:**

On Thursday, March 23, 2023, a vehicle traveling on Cunningham Road was carrying 5-gallon buckets of paint when three (3) buckets fell from the vehicle. The buckets broke and the individual(s) tossed the buckets with the paint into Little Nolan Creek. This event caused the water to become contaminated.

The Public Works Emergency Response & Regulatory Coordinator arrived on the scene and reached out to the City's Engineering Division for environmental assistance. C G Environmental, a third-party company, was called out to handle the waste removal and take samples. A Texas Commission on Environmental Quality (TCEQ) representative was on scene and approved the remediation method.

As this had affected our waterway, it was imperative to act immediately to test and resolve the issue. Attached is the Emergency Declaration memorandum signed by the City Manager, along with the invoice from C G Environmental, and the sample results.

### **THE ALTERNATIVES CONSIDERED:**

- 1: Deny the ratification of the purchase for necessary repairs.
- 2: Ratify the purchase for remediation services and testing performed by C G Environmental.

### **Which alternative is recommended? Why?**

Staff recommends alternative 2, ratify the purchase for emergency remediation and testing performed by C G Environmental to ensure our waterway stayed safe and met TCEQ requirements.

### **CONFORMITY TO CITY POLICY:**

These repairs are in compliance with Texas Local Government Code section 252.022 and satisfies the City's

legal requirement for emergency purchases.

**FINANCIAL IMPACT:**

**What is the amount of the expenditure in the current fiscal year? For future years?**

This expenditure was \$155,306.29.

**Is this a one-time or recurring expenditure?**

One-time

**Is this expenditure budgeted?**

Yes, funds were available in the following budgets: Drainage CIP Fund Account 375-8940-493.50-40, Refuse Disposal (\$105,306.29) and Drainage Utility Fund Account 575-4035-452.50-40, Refuse Disposal (\$50,000).

**If not, where will the money come from?**

N/A

**Is there a sufficient amount in the budgeted line-item for this expenditure?**

Yes

**RECOMMENDATION:**

Staff recommends that the City Council ratify the purchase for emergency remediation and testing performed by C G Environmental to ensure our waterway stayed safe and met TCEQ requirements.

**DEPARTMENTAL CLEARANCES:**

Public Works  
Engineering  
Purchasing  
Finance

**ATTACHED SUPPORTING DOCUMENTS:**

Memorandum  
Invoice  
Contract Verification  
Certificate of Interested Parties  
Presentation