



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Stufflebean

SUBJECT: SEE BELOW

DATE: 10-15-07

Approved

Deanna Saha

Date

10/17/07

COUNCIL DISTRICT: 3

SNI AREA: Five Wounds-
Brookwood Terrace

**SUBJECT: GRANT FUNDING FOR MARTIN PARK LANDFILL INTERCEPTOR
TRENCH AND VAPOR BARRIER PROJECT**

RECOMMENDATION

1. Adoption of a resolution authorizing the City Manager to submit an application for local assistance funds of up to \$750,000 from the State of California Integrated Waste Management Board under the Solid Waste Disposal and Co-disposal Site Cleanup Program - Matching Grants to Public Entities to Abate Solid Waste Disposal Sites to be used for the Martin Park Landfill Interceptor Trench and Vapor Barrier project.
2. Authorize the City Manager to accept any grant funds and to negotiate and execute all documents related to the grant funding agreement.

OUTCOME

Council approval of the recommended actions and adoption of a resolution (Attachment A) would authorize the City Manager to apply for grant funding from the State of California Integrated Waste Management Board (CIWMB) that would provide partial funding of up to \$750,000 for the environmental mitigation efforts at the Martin Park Landfill site.

BACKGROUND

The Martin Park Landfill is a City-owned closed landfill located on Forestdale Avenue at Melbourne Boulevard in Council District 3. The approximately 5 acre undeveloped site was

historically used as a clay borrow pit beginning around 1948 and then operated from 1970 to 1974 as a private landfill where primarily construction debris (e.g. concrete, wood) was buried. The City purchased the site in 1974 and has managed the ongoing maintenance and monitoring of the site. The site is currently proposed for park development.

In early 2006, sustained elevated concentrations of landfill gas (LFG) were detected at several monitoring probes located at the perimeter of the site. The regulatory compliance level of 5% methane by volume was exceeded in three of the six probes with detected concentrations up to 14%. LFG at concentrations above 5% by volume is a potential explosive hazard and a sometimes toxic hazard. As required in Title 27 of the California Code of Regulations, the City notified the Local Enforcement Agency (LEA) and subsequently submitted a work plan to further investigate the observed condition. As an interim precaution, the City began weekly monitoring of crawlspaces of several adjacent residences to assure those adjacent homes were not at risk. To date, no detectable concentrations of landfill gas have been observed.

The subsequent investigative work included a gas speciation test, landfill characterization, and a soil vapor study. The results of those studies determined that the gas characteristics were consistent with typical LFG (not PG&E natural gas), that buried waste extended further than previously assumed (i.e. extending beneath Forestdale Avenue), and that elevated concentrations of LFG exists in a permeable subsurface layer approximately 9-16 feet below ground surface and appears to extend beyond the City's property. Consequently, the physical data determined that a long-term/permanent solution to mitigate the migrating LFG was necessary and required by Title 27 regulations to better assure public health and safety.

Three alternatives were evaluated for their site-specific effectiveness and appropriateness: active landfill gas extraction and flaring, a passive interceptor trench and vapor barrier, air injection, and complete excavation of waste material. The passive interceptor trench and vapor barrier was determined to be the most appropriate alternative considering the following site-specific conditions:

- Small physical size of site and volume of buried debris
- Very little ongoing operations and maintenance required
- Less obtrusive to the surrounding community
- Fewer permitting and ongoing compliance requirements
- More easily coordinated/designed into the future park development
- Similar existing system approved and installed on the west side of the site (by adjacent developer as a mitigation measure)

The LEA has approved the City's proposal to construct an interceptor trench and vapor barrier around the perimeter of the site and construction documents are currently being developed. The estimated cost to construct the system is approximately \$1,500,000. The current preliminary schedule projects a construction completion of Spring/Summer 2008.

ANALYSIS

City staff has been researching various State and Federal funding sources to supplement recently reallocated City resources for the Martin Park Landfill project. The CIWMB grant is one such source of funds. The types of mitigation activities which will be eligible for reimbursement by the CIWMB under this program include:

- Construction of interceptor trench and vapor barrier
- Excavation and disposal of any encountered waste debris
- Installation of perimeter landfill gas monitoring probes
- Security measures such as fences, barriers and warning signs
- Site grading and drainage controls to minimize erosion and runoff
- Health and safety measures required for eligible project work

The recommended action will enable City staff to develop and submit an application for grant funds under this program. The City is currently finalizing construction documents and estimates to include with the submittal. It is anticipated that the application will be submitted to the CIWMB on November 15, 2007. Upon award of the grant, the City Manager will be authorized to negotiate and execute the necessary grant agreement.

The City had previously applied for and been awarded this very same grant for the Watson Park project.

EVALUATION AND FOLLOW-UP

No evaluation and follow-up is expected at this time.

POLICY ALTERNATIVES

The CIWMB grant is the first available opportunity to secure State or Federal funds for this project. Staff will continue working with the State and/or Federal agencies to identify additional funding sources.

Alternative: Do not adopt a resolution authorizing the application of a matching grant and subsequent acceptance of grant funds.

Pros: No staff time allocated to prepare application or manage grant agreement through the project term

Cons: City will need to fully fund project with no opportunity to off-set costs.

Reason for not recommending: Acceptance of the recommendation provides an opportunity for the City to obtain alternative project financing and provide savings to the General Fund of potentially up to \$750,000.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this project does fall into any of the criteria listed above, the City will inform the community through SNI Neighborhood Advisory Committee meetings. The City has also requested letters of support from the SNI NAC as well as local and state representatives.

Meetings with the Five Wounds/Brookwood Terrace SNI NAC have been conducted over the past year to inform the community of the issue and address any questions and concerns. Furthermore, the City had mailed information and conducted knock-and-talks with the adjacent residents and coordinated a separate meeting specifically with those adjacent property owners to inform, answer question, and obtain signed Right-of-Entry Agreements to conduct weekly monitoring of their crawlspaces. City staff will continue to meet with the SNI NAC and the adjacent property owners to keep them abreast of the overall project.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office; the City Manager's Budget Office; Public Works; Parks, Recreation and Neighborhood Services; and Planning, Building and Code Enforcement.

COST SUMMARY/IMPLICATIONS

If the City is awarded the grant, the City will be required to supply matching funds, dollar for dollar, toward the project. A budget of \$1,500,000 for the project was approved on October 16, 2007 by the Council as part of the Annual Report.

FISCAL/POLICY ALIGNMENT

This project is consistent with the several established Budget/Fiscal Principles including to meet legal commitments and requirements, leverage resources as much as possible, and provide alternative funding sources to reduce costs.

BUDGET REFERENCE

Fund #	Appn #	Appn. Name	RC #	Total Appn*	Amt. for Contract	Proposed Capital Budget (Page)	Last Budget Action (Date, Ord. No.)
001	4089	Closed Landfill Compliance	149580	1,838,000	\$750,000	V-975	06/19/07 Ord No 28071

*Funding is included in the 2006-2007 Annual Report agendized for the October 16, 2007 Council Meeting.

CEQA

CEQA: Not a Project.



JOHN STUFFLEBEAN
Director, Environmental Services

For questions please contact Napp Fukuda, Environmental Compliance Officer, Environmental Services Department at (408) 975-2594.

