

RESOLUTION NO. _____

A RESOLUTION APPROVING AN ENGINEERING AGREEMENT WITH BARGE DESIGN SOLUTIONS FOR WATER QUALITY ASSESSMENT OF THE SOUTH FORK OF THE HOLSTON RIVER AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, Tennessee Department of Environment and Conservation (TDEC) has placed the South Fork Holston River (SFHR) on the list of impaired waterways pursuant to Section 303(d) of the Clean Water Act; and

WHEREAS, the city desires to develop a thorough understanding of the data TDEC used to make this decision; and

WHEREAS, in preparation for the next National Pollutant Discharge Elimination System (NPDES) permit cycle, the city desires to enter into an engineering agreement with Barge Design Solutions, Inc. (Barge) to provide the city with an assessment of the SFHR from the Fort Patrick Henry Dam downstream to approximately 0.75 river miles below the confluence of the SFHR and Reedy Creek. The assessment will occur at 13 sampling locations along the SFHR and various tributaries;

WHEREAS, the assessment to be provided by Barge will be conducted over the course of three years; and

WHEREAS, recommendation is made to enter into an agreement with Barge for Phase 1a of the scope of work in the amount of \$299,970.00 with funding available in the operating budget.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That an agreement with Barge Design Solutions for Phase 1 A of the scope of work for water quality assessment of the South Fork of the Holston River, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an agreement with Barge Design Solutions for Phase 1 A of the scope of work for water quality assessment of the South Fork of the Holston River, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement.

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of June, 2024.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY