

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**DECEMBER 5, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
STORM WATER CONSULTANT SERVICES 2017 PUBLIC EDUCATION & OUTREACH AMENDMENT NO. 1 TO AGREEMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared approving Amendment No. 1 to the Agreement with Upstream Weeds (Chris Madden-Principal) for Storm Water Consultant Services, 2017 Public Education & Outreach for an additional amount not to exceed \$1,650.

**FISCAL IMPACT**

The funding for these services will come from the NDEQ Annual Storm Water Management Plan Grant. There is sufficient funding from prior storm water grants remaining to cover the additional \$1,650.

**RECOMMENDATION**

Approval subject to the City of Papillion also approving of this Agreement.

**BACKGROUND**

At the November 15, 2016 City Council meeting an agreement with Upstream Weeds was approved for providing public education and outreach services for 2017. During this year, it has become apparent that storm water grant funding from the NDEQ will not be available in the upcoming year. As a result Papillion and La Vista cannot fund an agreement with Upstream Weeds to the extent they have in the past. They have agreed to terminate the agreement and obtain services from Upstream Weeds that will allow for continuation and transfer of the public outreach program in the future as other options within the available funding become available. The City is partnering with the City of Papillion in this agreement. Each City remains responsible for 50 percent of the consultant services under Amendment No. 1.

Public education and outreach efforts are an ongoing element of the Thompson Creek Watershed Management Plan in addition to the City's NPDES MS4 permit requirements.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER 1 TO THE AGREEMENT WITH CHRIS MADDEN OF UPSTREAM WEEDS FOR STORM WATER CONSULTANT SERVICES, 2017 PUBLIC EDUCATION & OUTREACH FOR THE THOMPSON CREEK WATERSHED MANAGEMENT PROJECT IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$1,650.00.

WHEREAS, the City Council of the City of La Vista has determined that said services are necessary; and

WHEREAS, the funding for these services will come from the NDEQ Annual Storm Water Management Plan Grant; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of an amendment to the agreement with Chris Madden of Upstream Weeds for storm water consultant services, 2017 public education and outreach for the Thompson Creek Watershed Management Project in an additional amount not to exceed \$1,650.00.

PASSED AND APPROVED THIS 5TH DAY OF DECEMBER, 2017.

**CITY OF LA VISTA**

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**Douglas Kindig, Mayor**

ATTEST:

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**Pamela A. Buethe, CMC**  
City Clerk

**AMENDMENT #1 TO AGREEMENT  
FOR STORMWATER CONSULTANT SERVICES  
2017 PUBLIC EDUCATION & OUTREACH**

This Amendment #1 to Agreement for Stormwater Consultant Services is entered into this \_\_\_\_ day of 2017, by and between Upstream Weeds (Chris Madden- Principal) (hereinafter called CONSULTANT), and the City of La Vista, Nebraska (hereinafter called LA VISTA) and the City of Papillion, Nebraska (hereinafter called PAPILLION).

This Amendment #1 provides for following changes:

Additions:

1. Complete a detailed Final Report of activities performed by Consultant during calendar 2017.
2. Prepare a detailed written guidance document to provide instructions and recommendations for Papillion and La Vista to follow in conducting public education and outreach efforts. Such guidance document to be satisfactory to Papillion and La Vista.
3. Provide assistance as needed to identify and transfer consultant duties to a new consultant as applicable.

Changes:

- A. Terminate the 2017 Contract for Consultant Services as of January 1, 2018 in lieu of March 1, 2018. Termination is agreed as a result of storm water grant funding no longer being available for public education and outreach.
- B. Provide additional funding for November and December of 2017 in an amount of \$3,300 (\$1,650 by Papillion and \$1,650 by La Vista) based on 100 hours of consultant time for the services in Items 1 through 3 above.

Other than the amendments stated herein, all of the provisions of the Stormwater Consultant Agreement, as amended to date, shall remain in full force and effect.

It is the intent of the parties that the provisions hereof become effective at signing.

**UPSTREAM WEEDS:**

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Printed Name

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Signature

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Title

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Date

**CITY OF PAPILLION**

By: \_\_\_\_\_  
MAYOR

Attest:

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CITY CLERK

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Date

**CITY OF LA VISTA**

By: \_\_\_\_\_  
MAYOR

Attest:

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CITY CLERK

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Date