



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-R-45 A Resolution of the City Council of the City of Republic, Missouri, Authorizing the City Administrator to Continue Engaging Outside Legal Counsel Regarding Environmental Compliance Matters.

Submitted By: Andrew Nelson, BUILDS Administrator

Date: October 5, 2021

Issue Statement

To retain Stinson LLP and increase the not to exceed amount to \$50,000.00 for environmental counsel to represent the City of Republic regarding the Abatement Order on Consent for wastewater.

Discussion and/or Analysis

In October of 2011, the City entered into a Voluntary Compliance Agreement (VCA) with the Missouri Department of Natural Resources (DNR) to address discharges from the City's wastewater treatment plant (WWTP) of wastewater through a wet weather outfall, a constructed bypass of full treatment during wet weather events, which required elimination of discharges from the wet weather outfall within five years, subject to one extension of five years, which extension was entered on October 17, 2016. An additional extension is not an option for the City.

Stinson LLP has represented the City of Republic since March of 2020 regarding wastewater treatment, the Clean Water Act, and compliance with Missouri's Clean Water Law. The Abatement Order on Consent (AOC) has been presented to Council on September 21, 2021, with second read and vote to be held on October 5, 2021. The AOC provides the City the opportunity to complete all necessary upgrades by April 30, 2025. Staff is requesting to retain Stinson LLP throughout the AOC to represent the City as the need arises throughout this process. Stinson LLP has provided quality representation throughout this process and has the expertise to represent the City in this matter. The current not to exceed amount for services through Stinson LLP is \$25,000.00. Staff is recommending increasing the not to exceed amount to \$50,000.00.

Recommended Action

Staff recommends approval.