



## **AGENDA ITEM ANALYSIS**

Project/Issue Name: 23-R-01 A Resolution of the City Council Authorizing the City Administrator to Increase the Not-To-Exceed Amount for the City's Engagement of Outside Legal Counsel for Environmental Compliance Matters.

Submitted By: Andrew Nelson, BUILDS Administrator

Date: January 17, 2023

### **Issue Statement**

To increase the not to exceed amount to \$150,000.00 for legal services through Stinson LLP 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.

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) was approved by Council on October 5, 2021. The AOC provides the City the opportunity to complete all necessary upgrades by April 30, 2025. Staff is requesting an increase in the not-to-exceed amount in the retention of 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 \$50,000.00. Staff is recommending increasing the not to exceed amount to \$150,000.00.

### **Recommended Action**

Staff recommends approval.