

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 6, 2014 AGENDA

| Subject: | Type: | Submitted By: |
|---|---|---|
| THOMPSON CREEK, PHASE VI, PART 2 WATERSHED RESTORATION NET GRANT CONTRACT | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR |

SYNOPSIS

A resolution has been prepared authorizing the execution of an Amendment to the 2013 Grant Contract with the Nebraska Environmental Trust (NET) for funding from their Environmental Trust Fund for activities associated with Thompson Creek Watershed Management. This is identified in the CIP as Phase VI, Part 2 of the Thompson Creek project.

FISCAL IMPACT

Funding has been budgeted in the CIP for FY 13/14. This amendment to the grant provides a second year of funding in the amount of \$375,000. The funding from the NET will cover approximately 37% of the overall costs for the Thompson Creek Watershed Restoration project. The project covers multiple budget years and also involves funding from the EPA through the NDEQ and the Papio-Missouri River NRD as well as City funds.

RECOMMENDATION

Approval subject to review by the City Attorney.

BACKGROUND

The City submitted grant applications to the Nebraska Department of Environmental Quality (NDEQ) and the Nebraska Environmental Trust (NET) in the fall of 2013 for funding of the Thompson Creek Watershed Management Project. Those applications were required in order to seek funding from the PMRNRD at the 60% level in their Urban Drainageway Program. A grant application was made to the PMRNRD in early March 2013 and a revised request was recently submitted to seek an increase in funds and an adjustment in timing to match the current project schedule. This request is currently pending review and approval by the NRD. The request to the NDEQ was not approved for this year, but will be resubmitted in fall of 2014.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE 2013 GRANT CONTRACT WITH THE NEBRASKA ENVIRONMENTAL TRUST (NET) FOR FUNDING ACTIVITIES ASSOCIATED WITH THOMPSON CREEK WATERSHED MANAGEMENT FOR PHASE VI, PART 2, YEAR 2 OF THE THOMPSON CREEK PROJECT IN LA VISTA NEBRASKA.

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

WHEREAS, the requested FY 13/14 Capital Improvement Program budget contains funding for preparation of grant applications; and

WHEREAS, this amendment to the grant provides a second year of funding in the amount of \$375,000; and

WHEREAS, the funding from NET will cover approximately 37% of the overall costs for the Thompson Creek Watershed Restoration project; and

WHEREAS, a grant application made by the Papio-Missouri River NRD in March 2013 was revised, and is pending review of the NRD, to request an increase in funds and an adjustment in timing to match the current project schedule; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of an Amendment to the 2013 Grant Contract with the Nebraska Environmental Trust (NET) for funding activities associated with Thompson Creek Watershed Management for Phase VI, Part 2, Year 2 of the Thompson Creek Project in La Vista, Nebraska.

PASSED AND APPROVED THIS 6TH DAY OF MAY, 2014.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

AGREEMENT TO AMEND CONTRACT - 2013

WHEREAS:

A. La Vista, City of (the Sponsor) submitted an application to the Nebraska Environmental Trust (the Trust) identified as #13-110, Thompson Creek Watershed Restoration for the 2013 grant cycle. The Trust awarded a grant in the amount of \$525,000.00 on April 4, 2013 and entered into a contract as of April 4, 2013 to govern the disbursement and conditions of the grant.

B. The Sponsor submitted another application to the Trust identified as # 13-110-2, Thompson Creek Watershed Restoration for the 2014 grant cycle. The Trust awarded an additional grant in the amount of \$375,000.00 to the Sponsor in the 2014 grant cycle on April 3, 2014.

C. The funds awarded for grants #13-110 and #13-110-2 will be combined and administered under the grant #13-110-2. The amount of the combined grants to be administered under this agreement is \$900,000.00. As of March 27, 2014 the unexpended balance of these grants is \$710,794.41. Reports filed after April 3, 2014 shall be filed under Project #13-110-2.

D. The project funding period shall terminate on June 30, 2015. The Sponsor agrees to file additional reports and statements as described in Section D of the contract and according to the following schedule:

| <u>Project Period</u> | <u>Report Due Date</u> |
|---|------------------------|
| From inception through June 30, 2014 | July 31, 2014 |
| From July 1 through September 30, 2014 | October 31, 2014 |
| From October 1 through December 31, 2014 | January 31, 2015 |
| From January 1, 2015 through March 31, 2015 | April 30, 2015 |
| From April 1 through June 30, 2015 | July 31, 2015 |

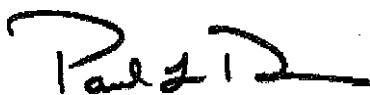
E. The Trust agrees to disburse funds following receipt of accurate reports as specified in the grant contract and according to the schedule specified in the above Section D of this amendment and upon compliance of the Sponsor with all other terms contained therein.

F. All other terms and conditions of the previous contract shall remain in force and apply to funds disbursed under this amendment to the contract.

IN WITNESS WHEREOF, the parties have executed this amendment and agree to abide in good faith by the terms herein and to the terms of the agreement hereby amended.

NEBRASKA ENVIRONMENTAL TRUST

FOR THE SPONSOR:



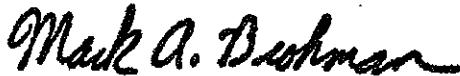
Paul L. Dunn, Chair

Authorized Signature for Sponsor

April 3, 2014
Date

Printed Name: _____

Title: _____



Mark A. Brohman, Executive Director

Date

April 3, 2014
Date