

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 313-14

Department Source: Public Works

To: City Council

From: City Manager & Staff

Council Meeting Date: October 6, 2014

Re: Appropriating Funds to the Clark Lane from Route PP to St Charles Road Improvement Project for Stormwater Violations

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: None

Executive Summary

Appropriating funds from the Clark Lane, from Route PP to St. Charles Road, project revenue account to the expenditure account relating to stormwater violations identified by the Missouri Department of Natural Resources (MDNR).

Discussion

On January 25, 2012, MDNR inspected the Clark Lane, from Route PP to St Charles Road, improvement project and found failure in the sediment control Best Management Practices (BMPs). The inspection found 3 BMPs that were not installed properly and sediment had reached a body of water in an unnamed tributary of Hominy Branch. The Environmental Protection Agency (EPA) issued fines under the Clean Water Act that the National Pollutant Discharge Elimination System (NPDES) permit was violated. Because the project was a City funded project, the City was issued the fine. The City negotiated with EPA to reduce the amount of the fine and passed a portion of the fine onto the contractor, Emery Sapp & Sons (ES&S). The City received a payment from ES&S in the amount of \$2,500, which is now being appropriated from the project's revenue account to the expenditure account so the project can be closed.

Fiscal Impact

Short-Term Impact: None

Long-Term Impact: None

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

Suggested Council Action

City of Columbia

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Authorizing the appropriation of funds from the Clark Lane, from Route PP to St. Charles Road, project revenue account to the expenditure account.

Legislative History

8/9/13 - Received and deposited check from Emery Sapp & Sons for stormwater violations.

A handwritten signature in cursive script, appearing to read "John D. Hand", written over a horizontal line.

Department Approved

A handwritten signature in cursive script, appearing to read "Mitch Whit", written over a horizontal line.

City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 313-14

AN ORDINANCE

appropriating funds received from a contractor in connection with fines issued by EPA for stormwater violations during the construction of improvements to Clark Lane between Route PP and St. Charles Road; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The sum of \$2,500.00 received from Emery Sapp & Sons is hereby appropriated from Account No. 440-0000-480.10-00, C00236 to Account No. 440-8800-5280.40-01, C00236 for fines issued by EPA for stormwater violations during the construction of improvements to Clark Lane between Route PP and St. Charles Road.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

CERTIFICATION: I certify there are sufficient funds available in Account No. 440-0000-480.10-00, C00236 to cover the above appropriation.

Director of Finance