
OFFICE OF THE INDEPENDENT BUDGET ANALYST REPORT

Date Issued: June 19, 2009

IBA Report Number: 09-55

City Council Docket Date: June 23, 2009

Item Number: 101

Third Amendment to Storm Water Agreement with Weston Solutions, Inc.

Item 101 on the docket for Tuesday, June 23 requests Council authorization to approve the third amendment to the Agreement with Weston Solutions, Inc. (Weston) for as-needed storm water monitoring and Professional Services. This action would execute the third of four option years of the contract in an amount not-to-exceed \$2.5 million, for a total not-to-exceed contract amount of \$10.3 million.

Under this Agreement, Weston will continue to provide tasks in support of the City's storm water pollution prevention program, as required by various regulatory requirements. In addition to maintaining compliance with the municipal storm water permit, including adopted Total Maximum Daily Loads (TMDLs), the Department must also address requirements related to Areas of Special Biological Significance (ASBS) as well as prepare for future TMDL requirements. In support of these activities, Weston will assist the City with the following in FY 2010:

- Storm water permit compliance
- Total Maximum Daily Loads (TMDL) development
- Watershed Management, monitoring, and planning
- ASBS development
- Grant support
- TMDL and ASBS implementation strategies and effectiveness assessments
- Basin Plan Amendment and 303D Listing technical support

This item was previously heard at the Natural Resources and Culture Committee on May 27, 2009. At that meeting, several questions were raised regarding the source of funding for this contract. This contract will be entirely funded out of the Department's FY 2010

budget, which totals \$38.1 million after accounting for \$7.4 million in reductions taken during final budget adoption. In the past, such extension options were executed toward the end of the fiscal year, which resulted in funding being encumbered to the following fiscal year. As such we believe that executing this third option year at the beginning of the fiscal year represents a positive development and indicates that progress is being made on expending funds within the fiscal year they are allocated.

Funding for this Agreement will be expended from Object Account 4151 (Unclassified Professional Services) within the Storm Water Department’s Budget. In FY 2010, significant funding is budgeted in this account and in Object Account 4222 (Miscellaneous Contractual Services) for anticipated contractual service needs. The table below provides a breakdown of the funding budgeted in these accounts.

Storm Water Department - FY 2010 Contractual Funding			
Object Account	FY 2010 Budget	Weston Contract Option	Remaining Funding
4151 - Unclassified			
Professional Services	\$ 11,843,360	\$ 2,532,500	\$ 9,310,860
4222 - Miscellaneous			
Contractual Services	\$ 4,697,299	-	\$ 4,697,299
TOTALS	\$ 16,540,659	\$ 2,532,500	\$ 14,008,159

To gain a better understanding of how the remaining funding in these accounts will be expended, we recommend that the Storm Water Department provide an informational report to the Natural Resources and Culture Committee detailing the various contracts that are anticipated to be funded through these accounts in FY 2010. Such a report should include a general description of the services that will be provided, the estimated cost of each contract, and the specific Municipal Permit requirements that will be addressed. This information would link funding levels to specific outcomes, as well as inform the Council and the public on the myriad requirements under the Municipal Permit and other State and federal regulations, providing greater transparency to the Storm Water budget.

[SIGNED]

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