

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF GLADSTONE AND THE MID-AMERICA REGIONAL COUNCIL (MARC) TO UPDATE STORMWATER ENGINEERING STANDARDS AND PLANNING GUIDELINES.

LEGISLATIVE FINDINGS

1. The American Public Works Association (APWA) – Kansas City Chapter has developed regional engineering standards (“APWA 5600”) and planning guidelines (“MARC/APWA BMP Manual”) that have been adopted by a majority of local governments including Gladstone; and
2. The APWA – Kansas City Chapter Executive Committee voted in October 2021 to update these standards upon the recommendation of the Sustainable Stormwater Task Force and Water Resources Committee; and
3. The project leverages resources from a variety of stakeholders; and
4. MARC will serve as project manager and will coordinate and facilitate community and stakeholder participation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager of the City of Gladstone, Missouri, is hereby authorized to execute the Memorandum of Agreement with MARC.


SECTION 2. Funds for the program are budgeted in the City of Gladstone’s General Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 27TH DAY OF FEBRUARY, 2023.



Bill Garnos, Mayor

ATTEST:



Kris Keller, City Clerk

1st Reading: February 27, 2023

2nd Reading: February 27, 2023



Request for Council Action

RES # City Clerk Only

BILL # 23-08

ORD # 4.627

Date: 2/22/2023

Department: Public Works

Meeting Date Requested: 2/27/2023

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: Memorandum of Agreement, Mid-America Regional Council (MARC) Update to Stormwater Engineering Standards and Planning Guidelines

Background:

The American Public Works Association (APWA) – Kansas City Chapter Executive Committee voted in October 2021 to update regional engineering standards and criteria (“APWA 5600”) and planning guidelines (“MARC/APWA Manual”). The majority of local governments, including the City of Gladstone, have adopted these standards. MARC will serve as project manager for the update and will coordinate and facilitate community and stakeholder participation. The project leverages local resources from a variety of stakeholders including Gladstone. The City has verbally committed \$7,500 to help fund this endeavor.

Budget Discussion: Funds are available in the amount of \$7,500 from the General Fund.

Public/Board/Staff Input: Execution of this agreement and \$7,500 contribution will ensure that the City of Gladstone has a “seat at the table” during this process. Staff recommends approval of this agreement.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor.

Timothy A. Nebergall
Department Director/Administrator

JM
City Attorney

SW
City Manager

MID-AMERICA REGIONAL COUNCIL
UPDATE TO STORMWATER ENGINEERING STANDARDS
AND PLANNING GUIDELINES

MEMORANDUM OF AGREEMENT

PARTIES: **City of Gladstone, Missouri and Mid-America Regional Council,
("MARC")**

RECITALS:

1. The American Public Works Association (APWA) – Kansas City Chapter adopted significant updates to regional engineering standards and criteria ("APWA 5600") and planning guidelines ("MARC/APWA BMP Manual") in 2005. These documents were subsequently updated in December 2010 and October 2012, respectively.
2. The majority of local governments in the Kansas City metro area adopt APWA engineering standards, tailoring regional approaches to meet local needs and opportunities.
3. The APWA-Kansas City Chapter Executive Committee voted in October 2021 to update regional standards upon the recommendation of the Sustainable Stormwater Task Force and Water Resources Committee.
4. Committee recommendations to update stormwater management approaches were based on changes in technology, modeling, data, and community priorities. Support for new stormwater management approaches is undergirded by concepts of integrated watershed management, climate resilience, environmental justice, and environmental stewardship.
5. The Project leverages substantial resources from a variety of Stakeholders. The following cities, counties and agencies have agreed to participate in the Project:
 - American Public Works Association – Kansas City Chapter
 - Cities of Bonner Springs, Gardner, Leawood, Lenexa, Merriam, Mission, Westwood and Westwood Hills in Kansas
 - Cities of Blue Springs, Excelsior Springs, Gladstone, Grandview, Independence, Kansas City, Liberty, North Kansas City, Parkville and Riverside in Missouri
 - Johnson and Miami Counties in Kansas
 - The Unified Government of Wyandotte County and Kansas City, Kansas
 - Mid-America Regional Council.
6. APWA and community stakeholders have requested that MARC serve as the project manager for the study. MARC will coordinate and facilitate community and stakeholder participation in and contributions to the study. Further, MARC will manage procurement and contracting processes for consulting services for the study. Project technical and advisory groups will guide MARC activities including the development of a request for proposals/qualifications, and consultant selection, and the development of a detailed scope of work, schedule, and budget, and subsequent project activities.

PURPOSE: The City of Gladstone, Missouri is interested in participating in a regional partnership to update regional stormwater management standards and planning approaches (“Project”).

PROJECT COST Total project cost is contingent upon contributions from participating communities and organizations, and upon the final scope of work agreed to by project stakeholders and consultants. The project is anticipated to be conducted from December 2022 – March 2025.

- Participating communities – Development of project scope, schedule, and budget and project consultants. Project contributions are estimated to be between \$740,000 - \$1 million.
- MARC – Management, facilitation, and administration cost - \$59,270.

EFFECTIVE The parties mutually agree to Articles I, II, and III in accordance with this Agreement from the date of execution until the 31st day of March 2024. This agreement may be renewed thereafter to provide continued funding for the Project as mutually determined by project partners.

ARTICLE I

City of Gladstone, Missouri AGREES:

1. To fund its portion of the Project not to exceed \$7,500, with payment to be made within thirty (30) days of execution by both Parties; and
2. To provide MARC at least sixty (60) day notice of its intent to no longer participate in the Project.

ARTICLE II

MARC AGREES:

1. To provide project management, administration, and facilitation under the guidance of the project technical and advisory committees.
2. To manage the procurement of consulting services and subsequent contracts to develop and implement a scope of work, schedule and budget.
3. MARC will collect funds from the city and other stakeholders, and disburse funds to selected consultants; and
4. MARC will retain \$59,270 to administer and facilitate the project during the life of the study.

ARTICLE III

BOTH PARTIES MUTUALLY AGREE:

1. That this Agreement and all contracts entered into under provisions of this Agreement shall be binding upon the City and MARC; and
2. That no third-party beneficiaries are intended to be created by this Agreement, nor do the parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

IN WITNESS WHEREOF: the parties hereto have caused this Agreement to be signed by their authorized officers on the day and year first above written.

Mid-America Regional Council

City of Gladstone, Missouri

David Warm
Executive Director

Scott Wingerson
City Manager

Date

Date