

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JUNE 7, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SUPPORT OMAHA'S FEDERAL LEGISLATIVE REQUEST	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

**SYNOPSIS**

A resolution has been prepared to support the City of Omaha's request of federal officials to propose legislation to split the cost for meeting the requirements of the Federal Clean Water Act 50/50 between cities and the federal government in order to relieve La Vista homeowners and businesses from some of this costly financial burden.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The Mayor received the attached letter from Omaha Mayor Jim Suttle requesting that the City of La Vista support Omaha's efforts to request that federal legislators pursue legislation to split the cost for meeting requirements of the unfunded Federal Clean Water Act mandate. Because the City of La Vista contracts with the City of Omaha for the transportation and treatment of its sanitary sewage, our residents and business owners are and will continue to be impacted through rate increases necessary to fund the \$1.7 Billion sewer system upgrade.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO SUPPORT THE CITY OF OMAHA'S REQUEST OF FEDERAL OFFICIALS TO PROPOSE LEGISLATION THAT WOULD SPLIT THE COST FOR MEETING THE REQUIREMENTS OF THE FEDERAL CLEAN WATER ACT 50/50 BETWEEN CITIES AND THE FEDERAL GOVERNMENT IN ORDER TO RELIEVE LA VISTA HOMEOWNERS AND BUSINESSES FROM SOME OF THIS COSTLY FINANCIAL BURDEN.

WHEREAS, the City of Omaha, in order to comply with the requirements of the federal Clean Water Act, must upgrade a big part of the City's sewer system increasing sewer usage fees significantly over the next 10 years, and

WHEREAS, the City's plan will reduce the amount of untreated sewage being dumped into local waterways by establishing separate and combined sewers in some parts of the City, building two new storm water treatment plants and two new underground storage facilities, and boring a 5.4 mile-long tunnel along the Missouri River to carry overflow storm water to one of the new treatment plants, and

WHEREAS, federal regulators have mandated that Omaha reduce the amount of untreated sewage that currently overflows at 29 locations, presently about 50 times a year, dumping raw sewage into the Missouri River and Papillion Creek, thus impairing the quality of those water bodies, and

WHEREAS, the \$1.7 billion cost to overhaul major portions of Omaha's sewer system will cause the annual sewer usage fees to the average homeowner to increase significantly by 2017, and even more for business users who will share the burden of this federal mandate, and

WHEREAS, the City of La Vista contracts with the City of Omaha for the transportation and treatment of its sanitary sewage and as a result are impacted through rate increases necessary to fund the sewer system upgrade.

NOW, THEREFORE, BE IT RESOLVED, that City Council of La Vista, Nebraska does hereby support the City of Omaha's request of federal lawmakers to split the cost for meeting the requirements of the Federal Clean Water Act 50/50 between cities and the federal government in order to relieve La Vista homeowners and businesses from some of this costly financial burden.

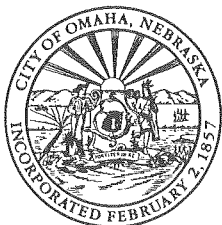
PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas D. Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



City of Omaha  
Jim Suttle, Mayor

April 18, 2011

Office of the Mayor  
1819 Farnam Street, Suite 300  
Omaha, Nebraska 68183-0300  
(402) 444-5000  
FAX: (402) 444-6059

Mayor Doug Kindig  
City of LaVista  
8116 Park View Boulevard  
LaVista, NE 68128

Dear Mayor Kindig:

On March 26, 2010 I was appointed to the U.S. Conference of Mayors Water Council (MWC), an organization with the primary goal to assist local governments in providing high quality water resources in a cost effective manner. This objective includes working to address federal mandates to cities for Combined Sewer Overflow (CSO) projects.

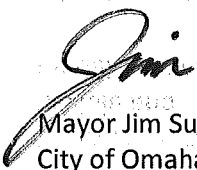
The Mayors Water Council established a policy negotiating team to meet with officials from the Environmental Protection Agency (EPA) and the Department of Justice (DOJ) in order to develop a more flexible and cost-effective CSO compliance protocol. One goal of this team is to establish a cost sharing model between CSO mandated cities and the federal government.

As you know, this unfunded federal mandate will affect roughly 600,000 users in Sarpy and Douglas counties, causing sewer fees for ratepayers to increase to \$50 per month on average.

In March the Omaha City Council passed the attached Resolution authorizing the Mayor of Omaha to request that Nebraska's US representatives propose legislation splitting the cost of the sewer overhaul 50/50 with the federal government. The purpose of the Resolution is to preserve economic development, job opportunities, and relieve homeowners and businesses from the costly financial burden of this unfunded federal mandate.

I am asking you to join us in passing a similar resolution to share the expense of this unfunded mandate with the federal government. When I return to Washington DC in June I will present our concerns to Nebraska's Congressional delegation and the federal government. We must work together to ease the financial burden this mandate puts on our two communities. As always, please contact me at 402-444-5005 to discuss the CSO project or any other issues that are important to our communities.

Respectfully,

  
Mayor Jim Suttle  
City of Omaha

JS/dd

*Thanks for your help.  
It's time to have a united  
push on The Congress*



City of Omaha  
Jim Suttle, Mayor

March 22, 2011

Office of the Mayor  
1819 Farnam Street, Suite 300  
Omaha, Nebraska 68183-0300  
(402) 444-5000  
FAX: (402) 444-6059


Honorable President

and Members of the City Council,

Transmitted herewith is a Resolution authorizing the Mayor of Omaha to request that Nebraska's United States representatives propose legislation splitting the cost of overhauling much of the city's sewer system. Federal requirements of the Clean Water Act have mandated that Omaha reduce the amount of untreated sewage that overflows at 29 locations, about 50 times a year, dumping raw sewage into the Missouri River and Papillion Creek, impairing the quality of those water bodies. The \$1.7 billion cost to overhaul major portions of the city's sewer system will cause the annual sewer usage fees to the average homeowner to increase to over \$600 by 2017 and even more for business users who will share the burden of this unfunded federal mandate.

The Mayor and city officials suggest legislation splitting the cost of sewer system upgrades, with the federal government, 50 / 50 in order to preserve economic development, job opportunities and relieve homeowners and businesses from some of this costly financial burden.

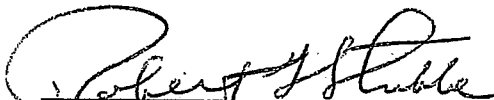
Respectfully submitted,

  
Jim Suttle  
Mayor


3/17/11  
Date

Approved:

Approved as to Funding:

  
Robert G. Stubbe, P.E.  
Public Works Director

3-16-11  
Date

  
Pam Spaccarotella  
Finance Director

3-17-11  
Date

**CITY OF OMAHA**

## LEGISLATIVE CHAMBER

Omaha, Nebraska

Amended by CCL No. 334  
of 3-22-11 (cc)**RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:**

WHEREAS, the City of Omaha, in order to comply with the requirements of the federal Clean Water Act, must upgrade a big part of the City's sewer system increasing sewer usage fees significantly over the next 10 years; and,

WHEREAS, the City's plan will reduce the amount of untreated sewage being dumped into local waterways by establishing separate and combined sewers in some parts of the City, building two new stormwater treatment plants and two new underground storage facilities, and boring a 5.4-mile-long tunnel along the Missouri River to carry overflow stormwater to one of the new treatment plants; and,

WHEREAS, federal regulators have mandated that Omaha reduce the amount of untreated sewage that currently overflows at 29 locations, presently about 50 times a year, dumping raw sewage into the Missouri River and Papillion Creek, thus impairing the quality of those water bodies; and,

WHEREAS, the \$1.7 billion cost to overhaul major portions of the City's sewer system will cause the annual sewer usage fees to the average homeowner to increase to over \$600 by 2017, and even more for business users who will share the burden of this federal mandate; and,

WHEREAS, major Omaha businesses are considering relocating outside of Omaha, taking hundreds of jobs from the City's economy; and,

WHEREAS, the Mayor recommends asking federal officials to propose legislation that would split the cost 50/50 between cities and the federal government, preserving economic development, job opportunities and relieving homeowners and businesses from some of this costly financial burden; and,

WHEREAS, on December 18, 2008, the Omaha City Council adopted a similar resolution seeking federal assistance for the said required overhaul of the City's sewer system, a copy of which resolution is attached.

By.....  
Councilmember

Adopted.....

.....  
City Clerk

Approved.....  
Mayor

**CITY OF OMAHA**

## LEGISLATIVE CHAMBER

Omaha, Nebraska

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

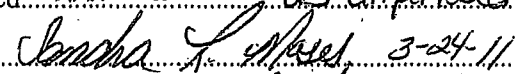
THAT, as recommended by the Mayor, this City Council does hereby approve making a request for lawmakers on the federal level to propose and endorse legislation that shares the financial burden of \$1.7 billion between sewer ratepayers of Omaha and the federal government for this unfunded mandate to overhaul the City's sewer system; that the City Clerk is directed to transmit a copy of this Resolution and other pertinent information to federal lawmakers; and that the City Clerk is directed to also transmit to federal lawmakers a copy of the December 18, 2008, City Council Resolution No. 1703 previously requesting such financial assistance.


APPROVED AS TO FORM:

  
DEPUTY CITY ATTORNEY      3-21-11  
DATE

PLAW - CITY COUNCIL DOCUMENTS\2011\30034dlm

By.....   
Councilmember

Adopted..... MAR 22 2011 as amended 7-0  
  
Deputy City Clerk

Approved.....   
Mayor

NO. 334

Resolution by .....

Res. that as recommended by the Mayor, this City Council does hereby approve making a request for lawmakers on the federal level to propose and endorse legislation that shares the financial burden of \$1.7 billion between sewer ratepayers of Omaha and the federal government for this unfunded mandate to overhaul the City's sewer system; that the City Clerk is directed to transmit a copy of this Resolution and other pertinent information to federal lawmakers; and that the City Clerk is directed to also transmit to federal lawmakers a copy of the December 18, 2008, City Council Resolution No. 1703 previously requesting such financial assistance.

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Presented to City Council

MAR 22 2011

*Removed from the Consent Agenda at the request of the City Clerk  
Resolution read  
Amendment of the whole - Adopted as amended 7-0*

*Buster Brown*

City Clerk