



CITY OF HIGHLAND PARK

Return to Excellence

Office of the Water Department
Director – Damon L. Garrett, PE
Metro Consulting Associates, LLC

January 26, 2022

Great Lakes Water Authority
P.O. Box 441370
Detroit, Michigan 48224-1370

Detroit Board of Water
Commissioners
735 Randolph Street
1st Floor
Detroit, Michigan 48226

Chrysler/Stellantis North America
Office of the General Counsel
Automotive Legal Affairs
1000 Chrysler Drive
Auburn Hills, Michigan 48326

Great Lakes Water Authority
Board of Directors
Great Lakes Water Authority
735 Randolph, Suite 1900
Detroit, MI 48226

**Re: Highland Park Emergency Water and Wastewater Treatment Services – Invoice
Highland Park, Michigan, Wayne County**

On September 11, 2020, Detroit, GLWA's assignor, consented to pay Highland Park a \$1,000,000 case evaluation award to secure dismissal of Highland Park's lawsuit for declaratory judgment that its sole obligation for water and sewer services was to pay \$22.66 per 1000 cubic feet of water (kcf) billed to Highland Park end users. Acceptance of a case evaluation award is essentially a non-appealable consent judgment which binds GLWA as a privy and assignee of Detroit to this declaratory judgment. As such, Highland Park has analyzed the surplus amounts mistakenly overpaid to GLWA from fiscal year 2016 to date and is submitting detailed invoices for the return of these surplus amounts. Starting

City of Highland Park Water Department
14110 Woodward Avenue
Highland Park, MI



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in fiscal year 2021, Highland Park is applying the \$22.66 per kcf as a deduction from the previous months invoice. The following table indicates the amount of overpayment to GLWA from Fiscal Year 2016 to present, including for FY 2022, the amount paid to GLWA and then retained by Highland Park to be applied to GLWA’s outstanding balance due Highland Park:

ACO/Settlement Summary					
City of Highland Park Overpayment Analysis					
Fiscal Year	Retail Water Sales Volume (KCF)	Rate/KCF	Maximum Sewer Charge Under 1996 Agreement and Amended Consent Judgement	Amount Paid by Highland Park to GLWA	Highland Park Overpayment Amount
2016	34,930.77	\$22.66	\$791,531.25	\$2,242,290.33	\$1,450,759.08
2017	28,306.83	\$22.66	\$641,432.77	\$3,504,691.15	\$2,863,258.38
2018	30,989.01	\$22.66	\$702,210.97	\$3,541,618.91	\$2,839,407.94
2019	30,511.07	\$22.66	\$691,380.85	\$4,612,566.67	\$3,921,185.82
2020	28,565.31	\$22.66	\$647,289.92	\$2,369,459.93	\$1,722,170.01
2021	29,102.00	\$22.66	\$659,451.32	\$2,198,555.40	\$1,539,104.08
2022 YTD	15,958.00	\$22.66	\$361,608.28	\$361,608.28 ¹	-\$361,608.28
Total			\$4,494,905.36	\$18,469,182.39	\$13,974,277.03

Attached is the monthly invoice for January 2022 showing the total accumulated surplus amount due to be returned to Highland Park in accordance with the parties’ consent judgment; and the total amount applied from current payments made to GLWA by Highland Park to reduce the outstanding balance owed by GLWA to Highland Park. The City of Highland Park will provide to GLWA a monthly invoice, resembling an escrow statement, indicating previous month(s) balance, payments, total monthly bill for water and wastewater treatment services per the established contract, and any outstanding amounts owed to the City of Highland Park for those services.

If you have any questions or concerns, please feel free to contact the department. Thank you.

Sincerely,

Damon L. Garrett, PE
Director
City of Highland Park Water Department

City of Highland Park Water Department
14110 Woodward Avenue
Highland Park, MI



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Cc:

Hubert Yopp, Mayor

William R. Ford, City Attorney

Cathy Square, City Administrator

Eleanor Williamson, City Finance Director

John J. Zech, Board Chair; Representative for Wayne County

Jaye Quadrozzi, Board Vice Chair; Representative for Oakland County

Freman Hendrix, Board Secretary; Representative for City of Detroit

Beverly Walker-Griffiea, Ph.D; Board Representative for the State of Michigan

Brian Baker; Board Representative for Macomb County

Gary A. Brown; Board Representative for the City of Detroit

City of Highland Park Water Department
14110 Woodward Avenue
Highland Park, MI

City of Highland Park
12050 Woodward Ave.
Highland Park, MI 48203
313-252-0050
Account No 200-1891-S



Invoice To: Great Lakes Water Authority
P.O. Box 441370
Detroit, MI 48224-1371

Invoice Date: 1/26/2022
Invoice Number: 13

Invoice Description: Accumulated Surplus due to Highland Park from GLWA under Par 5(b) of 1996 Federal Court Consent Order

<u>Description</u>	<u>Quantity</u>	<u>Rate</u>	<u>Total Due</u>
Previous Balance			14,021,228.55
Sewer Charge per kcf retail sales - January 2022	2,072.00	22.66	(46,951.52)
	TOTAL DUE:	\$	13,974,277.03

Paid to GLWA and then deducted from total due Highland Park

Please detach and return this portion with your payment

Invoice Date: 1/26/2022
Invoice Number: 13
Amount Due: \$ 13,974,277.03

Remit To:

**City of Highland Park
Attn: Finance Department
12050 Woodward Avenue
Highland Park, MI 48203**