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**Title:** Public Hearings on Proposed FY 2024 Schedule of Revenues and Charges and FY 2024 & FY 2025 Biennial Budget Request

**Sponsors:** Nicolette Bateson

**Indexes:** Finance

**Code sections:**

**Attachments:** 1. 7A1 AC Memo FY 2024-25 Budget & Charges PH Request, 2. 7A3 Notice of Public Hearing for GLWA FY 2024 Charges, 3. 7A4 Notice of Public Hearing for GLWA Proposed Biennial Budget

Date	Ver.	Action By	Action	Result
12/14/2022	1	Board of Directors Workshop Meeting	Approved	Pass
12/9/2022	1	Audit Committee	Recommended for Approval	Pass

**Public Hearings on Proposed FY 2024 Schedule of Revenues and Charges and FY 2024 & FY 2025 Biennial Budget Request**

**Agenda of:** December 14, 2022  
**Item No.:** 2022-557  
**Amount:** N/A

**TO:** The Honorable  
Board of Directors  
Great Lakes Water Authority

**FROM:** Suzanne R. Coffey P.E.  
Chief Executive Officer  
Great Lakes Water Authority

**DATE:** December 14, 2022

**RE: Public Hearings on Proposed FY 2024 Schedule of Revenues and Charges and FY 2024 & FY 2025 Biennial Budget Request**

**MOTION**

Upon recommendation of Nicolette N. Bateson, Chief Financial Officer/Treasurer, the Board of Directors (Board) of the

Great Lakes Water Authority (GLWA), **authorizes staff to schedule a Public Hearing on Proposed FY 2024 Schedule of Revenues and Charges and a Public Hearing on the FY 2024 & FY 2025 Biennial Budget Request to be held at a Meeting of the Great Lakes Water Authority Board on February 22, 2023, at 2 pm, directs that notice of these Public Hearings be published in a daily newspaper of general circulation, and directs that notice of these Public Hearings be mailed to GLWA member partner communities on or before January 23, 2023;** and authorizes the CEO to take such other action as may be necessary to accomplish the intent of this vote.

### **BACKGROUND**

The timing of the proposed public hearings is guided largely by contractual commitments as well as following general practice in the public sector.

#### **Contractual Commitments**

Section 7.02 of the GLWA Model Water Contract requires a Public Hearing prior to adoption of the FY 2024 & FY 2025 Biennial Budget. Section 7.02 provides:

“Notification of Rates. As soon as possible in the ratemaking process, the Board shall provide information on proposed rates and the draft data and information used in the calculation of proposed rates in a format that will enable Customer to assist in the ratemaking process. Not less than thirty calendar days prior to the hearing required by Act 279, the Board shall provide Customer with written notice of a proposed rate and the underlying data used to calculate the rate. The Board shall meet with Customer to review the rate and the data.”

The GLWA Model Sewer contract has the similar wording in Section 20.02 of that contract.

“Notification of Rates. As soon as possible in the ratemaking process, DWSD *[now GLWA]* shall provide information on proposed rates and the draft data and information used in the calculation of proposed rates in a format that will enable Customer to assist in the ratemaking process. Not less than thirty calendar days prior to the hearing required by Act 279, DWSD *[now GLWA]* shall provide Customer with written notice of a proposed rate and the underlying data used to calculate the rate. DWSD *[now GLWA]* shall meet with Customer to review the rate and the data.” *[Note that the contracts still reference DWSD; italics noted to infer GLWA.]*

#### **General Practice in the Public Sector**

Michigan Public Act 279 provides that a water or sewerage system which serves more than 40% of the population must hold at least one public hearing at least 120 days before a proposed rate increase is scheduled to take effect. The hearing(s) must be conducted in compliance with the Open Meetings Act (OMA). Notice of the time, date and place of each hearing must be in compliance with the OMA and must be mailed to each city, village or township served by the system not less than 30 days before each hearing.

Although Act 279 does not currently apply to GLWA operations as the population served is close to, but less than, 40%, counsel has been in agreement that GLWA should continue to abide by the notice requirements of Act 279 as the most faithful interpretation of the contract requirements.

### **JUSTIFICATION**

The timing of the proposed public hearings aligns with the annual financial planning and charge development cycle in

process.

### **BUDGET IMPACT**

Public Hearings on a Proposed FY 2024 Schedule of Charges and FY 2024 & FY 2025 Biennial Budget Request are necessary for the establishment of a current budget and schedule of charges effective July 1, 2023.

### **COMMITTEE REVIEW**

A discussion draft budget will be presented to the Audit Committee on December 16, 2022, with further discussion scheduled for the Board of Directors workshop on January 11, 2023, the Board of Directors meeting on January 25, 2023, and the Audit Committee meeting on January 27, 2023 as needed.

The Audit Committee met on December 9, 2022 and unanimously recommended that the Board of Directors authorizes staff to schedule a Public Hearing on Proposed FY 2024 Schedule of Revenues and Charges and a Public Hearing on the FY 2024 & FY 2025 Biennial Budget Request to be held at a Meeting of the Great Lakes Water Authority Board on February 22, 2023, at 2 pm, directs that notice of these Public Hearings be published in a daily newspaper of general circulation, and directs that notice of these Public Hearings be mailed to GLWA member partner communities on or before January 23, 2023; and authorizes the CEO to take such other action as may be necessary to accomplish the intent of this vote.