



## Legislation Details (With Text)

**File #:** 2022-115      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** New Business

**File created:** 3/21/2022      **In control:** Board of Directors

**On agenda:** 3/23/2022      **Final action:** 3/23/2022

**Title:** Easement Agreements between GLWA and Waterfront Terminal Holdings, LLC and Waterfront Terminal Holdings II, LLC

**Sponsors:** Randal Brown

**Indexes:** General Counsel

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/23/2022	1	Board of Directors	Approved	Pass
3/23/2022	1	Legal Committee	Recommended for Approval	Pass

### Easement Agreements between GLWA and Waterfront Terminal Holdings, LLC and Waterfront Terminal Holdings II, LLC

Agenda of: March 23, 2022  
Item No.: **2022-115**  
Amount: \$325,000

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

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

**DATE:** March 21, 2022

**RE: Easement Agreements between GLWA and Waterfront Terminal Holdings, LLC and Waterfront Terminal Holdings II, LLC**

#### MOTION

Upon recommendation and opinion of Randal M. Brown, General Counsel, the Board of Directors (Board) for the Great Lakes Water Authority (GLWA):

(1) approves an Easement Agreement between GLWA and Waterfront Terminal Holdings, LLC

and Waterfront Terminal Holdings II, LLC; and

(2) authorizes the Interim Chief Executive Officer to take such other action as may be necessary to accomplish the intent of this vote, including the execution of the Easement Agreements.

### **JUSTIFICATION**

GLWA needs to acquire permanent easements and a staging area over properties owned by Waterfront Terminal Holdings, LLC and Waterfront Terminal Holdings II, LLC and located at 5425 and 5601 West Jefferson Avenue. The easements are needed in conjunction with rehabilitation efforts of Outfalls B-36, B-37, B-38 and B-39. Without the easement agreements, GLWA's ability to complete the sewer rehabilitation will be compromised.

Outfall B-39 work is expected to take 24 months. In consideration for the 24-month access period, GLWA would pay \$325,000. If more time is needed, GLWA will pay \$12,500 for each additional month. The properties are active loading and unloading sites of cargo vessels and tractor trailers of primarily fuel and road construction materials. For GLWA to complete its work, the owners must reroute traffic which traverses over the outfall on the properties. According to the owners, the rerouting of traffic will require the relocation of trailer, the installation of security cameras and possibly a new roadway. The outfall work also requires a significant laydown area for materials and equipment, which impacts the owners' operations.

### **BUDGET IMPACT**

Easement acquisitions were included in the budget for the Outfall Rehabilitation Project.

### **COMMITTEE REVIEW**

This matter was presented to the Legal Committee on March 23, 2022. The Legal Committee unanimously recommended that the GLWA Board adopt the resolution as presented.

### **SHARED SERVICES IMPACT**

This request does not impact the Shared Services Agreement.