



Legislation Details (With Text)

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File created: 12/12/2022 **In control:** Board of Directors Workshop Meeting
On agenda: 12/14/2022 **Final action:** 12/14/2022
Title: Maximum Allowable Flow Limit/Capital Contribution Agreement with Evergreen-Farmington Sanitary Drain Drainage District
Sponsors: Randal Brown
Indexes: General Counsel
Code sections:
Attachments:

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

Maximum Allowable Flow Limit/Capital Contribution Agreement with Evergreen-Farmington Sanitary Drain Drainage District

Agenda of: December 14, 2022
Item No.: **2022-586**
Amount: Revenue Contract

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: Maximum Allowable Flow Limit/Capital Contribution Agreement with Evergreen-Farmington Sanitary Drain Drainage District

MOTION

Upon recommendation of Randal Brown, General Counsel, the Board of Directors ("Board") of the Great Lakes Water Authority ("GLWA"), **authorizes the Chief Executive Officer ("CEO") to execute the Maximum Allowable Flow Limit/Capital Contribution Agreement with Evergreen-Farmington Sanitary Drain Drainage District;** and authorizes the CEO to take such other action as

may be necessary to accomplish the intent of this vote.

BACKGROUND

On 12/13/2022, the Evergreen Farmington Sanitary Drain Drainage District Board agreed to the terms of a Maximum Allowable Flow Limit/Capital Contribution Agreement.

In exchange for an increased Maximum Allowable Flow Limit in the parties' Wastewater Services Contract, the Evergreen Farmington Sanitary Drain Drainage District agreed to make capital contributions in the amount of \$33,733,845.00. The capital contributions will be applied to two West Warren Sewer Projects, as described in Exhibit A to the Agreement.

The Maximum Allowable Flow Limit/Capital Contributions Agreement should be tie-barred to the approval of the Wastewater Contract.

JUSTIFICATION

Approval of this contract provides a mutually beneficial, stable, long-term framework for interactions between GLWA and the Evergreen-Farmington Sanitary Drain Drainage District.

BUDGET IMPACT

A budget adjustment will be made once GLWA receives the funds from the Evergreen Farmington Sanitary Drain Drainage District, allocating the capital contributions to DWSD and GLWA projects pursuant to Exhibit A to the Agreement.

COMMITTEE REVIEW

This matter is being presented to the Legal Committee for consideration at its meeting on December 14, 2022. The Legal Committee unanimously recommended that the GLWA Board adopt the resolution as presented.

SHARED SERVICES IMPACT

This item does not impact the shared services agreement between GLWA and DWSD.