



Legislation Details (With Text)

File #: 2020-022 **Version:** 1 **Name:**

Type: Resolution **Status:** Passed

File created: 1/17/2020 **In control:** Board of Directors

On agenda: 1/22/2020 **Final action:** 1/22/2020

Title: Settlement Approval: GLWA v Red Cap Distribution Center, Inc.; Red Cap Transportation, Inc. and C2 Transport, Inc.

Sponsors: Randal Brown

Indexes: General Counsel

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/22/2020	1	Board of Directors	Approved	Pass

Settlement Approval: *GLWA v Red Cap Distribution Center, Inc.; Red Cap Transportation, Inc. and C2 Transport, Inc.*

Agenda of: January 16, 2020
Item No.: **2020-022**
Amount: N/A

TO: The Honorable
Board of Directors
Great Lakes Water Authority

FROM: Randal M. Brown, General Counsel

DATE: January 17, 2020

RE: ***Settlement Approval: GLWA v Red Cap Distribution Center, Inc.; Red Cap Transportation, Inc. and C2 Transport, Inc.***

MOTION

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

- 1) **Agrees to settle the matter of *GLWA v Red Cap Distribution Center, Inc.; Red Cap Transportation, Inc. and C2 Transport, Inc.* consistent with an attorney-client communication; and**
- 2) **Authorizes the Chief Executive Officer to take such other action as may be necessary to accomplish the intent of this vote.**

JUSTIFICATION

This property is needed by Wastewater Operations to complete the Water Resource Recovery Facility's Third Electrical Feed. Both parties accepted the case evaluation of \$115,000.00 award. Per the Uniform Condemnation Procedures Act, the property owner is entitled to interest, attorney fees and experts fees as well.

BUDGET IMPACT

This purchase was anticipated in Wastewater Operations Budget.

COMMITTEE REVIEW

The matter was reviewed by the Legal Committee in a closed session on December 19, 2019.

SHARED SERVICES IMPACT

This matter does not impact the Shared Services Agreement.