



## Legislation Details (With Text)

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

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**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.