



Legislation Details (With Text)

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On agenda: 11/18/2021 **Final action:** 11/18/2021
Title: Amendment to Schedule A of the Regional Sewage Disposal System Lease
Sponsors: Suzanne Coffey, Randal Brown
Indexes: General Counsel, Office of the Executive
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/18/2021	1	Board of Directors Workshop Meeting	Approved	Pass
10/27/2021	1	Legal Committee	Recommended for Approval	Pass

Amendment to Schedule A of the Regional Sewage Disposal System Lease

Agenda of: November 18, 2021
Item No.: **2021-378**
Amount: N/A

TO: The Honorable
Board of Directors
Great Lakes Water Authority

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

Randal M. Brown
General Counsel

DATE: October 4, 2021

RE: Amendment to Schedule A of the Regional Sewage Disposal System Lease

MOTION

Upon recommendation and opinion of Suzanne R. Coffey, P.E., Interim Chief Executive Officer, and Randal M. Brown, General Counsel, the Board of Directors (Board) for the Great Lakes Water

Authority (GLWA) (1) approves an Amendment to Schedule A of the Regional Sewage Disposal System Lease (the Sewer Lease) and (2) authorization for 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 Amendment to Schedule A to the Sewer Lease.

JUSTIFICATION

Schedule A, *Leased Sewer Facilities*, of the Sewer Lease includes 4233 Fourth and 4245 Fourth, Detroit, Michigan 48201, as properties leased by the City of Detroit to GLWA. 4233 Fourth St contains a facility for an in-system dam, ISD-006. 4245 Fourth is vacant land adjacent to the facility.

Pursuant to an agreement between the City of Detroit and a private developer, the developer agreed to build a new playground, surrounding ISD-006. Through subsequent negotiations, the developer agreed to upgrade the security fence around the ISD-006 facility to prevent access.

Since the land was repurposed for a playground, amending Schedule A to (1) delete 4245 Fourth, the vacant land, from Schedule A and (2) to reduce the property considered a Leased Sewer Facility on 4233 Fourth to the property within the security fence is necessary to eliminate GLWA's responsibility for the playground.

The Sewer Lease allows the DWSD Director and GLWA's Chief Executive Officer and Chairperson to execute amendments to Schedule A "to confirm to actual use." Since the actual use has changed, an amendment is warranted.

BUDGET IMPACT

This Amendment to Schedule A nominally reduces the property maintenance costs for GLWA.

COMMITTEE REVIEW

This matter was presented to the Legal Committee at its October 27, 2021 meeting.

SHARED SERVICES IMPACT

This request does not impact the Shared Services Agreement.