



## Legislation Text

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**File #:** 2020-234, **Version:** 1

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**Settlement Approval-- GLWA v. Storage Operations LLC, et al.; 18-006894-CC and GLWA v. Storage Operations LLC, et al.; 18-006896-CC**

**Agenda of:** July 22, 2020  
**Item No.:** **2020-234**  
**Amount:** N/A

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

**FROM:** Randal M. Brown, General Counsel

**DATE:** July 13, 2020

**RE:** ***Settlement Approval: GLWA v. Storage Operations LLC, et al.; 18-006894-CC and GLWA v. Storage Operations LLC, et al.; 18-006896-CC***

### **MOTION**

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

- 1) To settle the matters of GLWA v. Storage Operations LLC, et al.; 18-006894-CC & GLWA v. Storage Operations LLC, et al.; 18-006896-CC consistent with an attorney-client communication; and
- 2) To authorize the Chief Executive Officer to take such other action as may be necessary to accomplish the intent of this vote.

### **JUSTIFICATION**

These easements are needed by Wastewater Operations to complete the Water Resource Recovery Facility's Third Electrical Feed. Through a facilitation, a settlement of \$460,481.34 in additional money, inclusive of interest, attorney fees and expert's fees, was reached. Through the condemnation process, GLWA made good faith offers on the subject easements and already paid \$214,930.00 to the property owners. The settlement is subject to full Board approval.

**BUDGET IMPACT**

These condemnation actions were anticipated in Wastewater Operations Budget.

**COMMITTEE REVIEW**

This matter is being presented to the Legal Committee at its July 22, 2020 Meeting. The Legal Committee unanimously recommended that the GLWA Board adopt the resolution as presented.

**SHARED SERVICES IMPACT**

These settlements do not impact the Shared Services Agreement.