



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 17-0562 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 5/11/2017 **In control:** Stormwater Management Committee

On agenda: 5/18/2017 **Final action:** 5/18/2017

Title: Authority to enter into an intergovernmental agreement with the Forest Preserve District of Cook County for flood control improvements and maintenance of the Lyons Levee

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/18/2017	1	Board of Commissioners	Approved	Pass
5/18/2017	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF MAY 18, 2017

COMMITTEE ON STORMWATER MANAGEMENT

Mr. David St. Pierre, Executive Director

Authority to enter into an intergovernmental agreement with the Forest Preserve District of Cook County for flood control improvements and maintenance of the Lyons Levee

Dear Sir:

Authority is requested to enter into an intergovernmental agreement (IGA) with the Forest Preserve District of Cook County (Forest Preserve District) for the flood control improvements and maintenance of the Lyons Levee. Lyons Levee is owned by the Forest Preserve District and located on its property.

During April 18-19, 2013, severe flooding occurred when the Lyons Levee was overtopped by the Des Plaines River in the Village of Forest View. Nearly 270 homes and numerous businesses located along Harlem Avenue sustained flood damages as a result of this event. Due to significant concerns associated with the condition of the levee, the MWRDGC completed several temporary repair measures in 2014, to minimize future flooding. MWRDGC also initiated and completed preliminary engineering, and is presently performing final design of long-term flood control improvements to the levee.

Under an authority granted by the Board of Commissioners on February 2, 2017, MWRDGC is in the process of executing a Project Partnership Agreement (PPA) with the Department of the Army, represented by the United States Army Corps of Engineers (Corps), to implement the proposed long-term flood control improvements to the Lyons Levee. In accordance with the PPA, the MWRDGC will design the levee improvements and the Corps will construct the levee improvements. The MWRDGC's design work is considered work-in-kind. As local sponsor, MWRDGC will provide 35 percent of the project funding less any approved work-in-kind. Furthermore, MWRDGC will secure all necessary property rights and may cover any potential environmental costs associated with the project. The Government's share of the project costs is

projected to be \$4,734,015.00. The District's 35 percent share of such costs is projected to be \$2,549,085.00 as follows: 5 percent contribution of funds which is projected to be \$364,155.00; costs for obtaining an necessary property interests, projected to be \$91,000.00; costs for in-kind contributions, projected to be \$580,000; and additional funds required to meet the minimum 35 percent cost share, projected to be \$1,513,930.00. Completion of the levee improvements through the PPA requires an intergovernmental agreement (IGA) with the Forest Preserve District.

On June 18, 2015, the Board of Commissioners granted authority to the MWRDGC to negotiate an IGA with the Forest Preserve District to define the responsibilities of the Forest Preserve District and the MWRDGC on this project. Under the IGA, MWRDGC will maintain the structural components of the Lyons Levee. The Forest Preserve District will maintain the landscaping on and adjacent to the levee. The IGA also requires the Forest Preserve District to convey easements necessary for construction and maintenance, and to waive all Forest Preserve District permit and related fees associated with the project.

The MWRDGC and the Forest Preserve District have agreed in principle to the terms of the IGA. Based on the foregoing, it is respectfully requested that the Board of Commissioners grant authority to enter into an IGA with the Forest Preserve District for the flood control improvements and maintenance of the Lyons Levee. It is further requested that the Chairman of the Committee on Finance, Executive Director and Clerk be authorized to execute said agreement on behalf of the MWRDGC, as well as any documents necessary to effectuate the transaction and conveyance, upon approval by the Director of Engineering and the Director of Maintenance and Operations as to technical matters, and by the General Counsel as to form and legality.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:JK

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Debra Shore, Chairman Committee on Stormwater Management

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for May 18, 2017