



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

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**Title:** Authority to amend the Intergovernmental Agreement with the Village of Midlothian for Contract 14-252-5F (Formerly 14-252-3F), Flood Control Project on Natalie Creek in Midlothian and Oak Forest, Illinois

**Sponsors:**

**Indexes:**

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**Attachments:**

Date	Ver.	Action By	Action	Result
3/7/2019	1	Committee of the Whole	Recommended	Pass
3/7/2019	1	Board of Commissioners	Approved	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF MARCH 7, 2019

#### COMMITTEE ON STORMWATER MANAGEMENT

Mr. Brian A. Perkovich, Executive Director

Authority to amend the Intergovernmental Agreement with the Village of Midlothian for Contract 14-252-5F (Formerly 14-252-3F), Flood Control Project on Natalie Creek in Midlothian and Oak Forest, Illinois

Dear Sir:

On September 19, 2013, the Board of Commissioners authorized the District to negotiate an Intergovernmental Agreement (IGA) with the Village of Midlothian (Village) to outline certain responsibilities for the Flood Control Project on Natalie Creek in Midlothian and Oak Forest, Illinois (Project). On August 31, 2017, authority to enter into an IGA with the Village was granted and the IGA was thereafter executed by the parties.

The IGA stipulates that the Village is responsible for obtaining title to several parcels needed for the Project right-of-way via the Cook County Land Bank (Land Bank), and that the District will obtain the remaining property interests. One of the parcels to be acquired by the Village was a vacant, unimproved parcel commonly known as 14600 Kenneth Avenue in Midlothian (PIN 28-10-127-007-0000) (Parcel). The Parcel is needed for a proposed detention basin, which will aid in providing the intended Project benefits. The construction of the Project began in late 2018, and is currently underway.

Through the Land Bank, the Village attempted to acquire this Parcel by following the procedure for obtaining tax deeds in Illinois. However, due to a clerical error by the Circuit Court, and through no fault of the Village or the Land Bank, the procedure will take an additional eight months for the Land Bank to complete the acquisition process.

In order to keep the Project on schedule, it is necessary to amend the IGA to include this Parcel in the land

that the District will acquire for the Project. The District has already promulgated a right-of-way ordinance that includes this Parcel, which enables the Law Department to initiate condemnation proceedings if necessary to acquire the Parcel as soon as possible to avoid delays in constructing the Project.

Based on the foregoing, it is respectfully requested that the Board of Commissioners grant authority to amend this IGA as set forth herein and that the Chairman of the Committee on Finance, Executive Director, and Clerk be authorized to execute said amendment on behalf of the District upon approval by the Director of Engineering as to technical matters and by the General Counsel as to form and legality.

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

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for March 7, 2019