



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 15-0394 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 4/1/2015 **In control:** Judiciary Committee

On agenda: 4/9/2015 **Final action:** 4/9/2015

Title: Authority to settle Presence Saints Mary and Elizabeth Medical Center d/b/a Presence Saint Elizabeth Hospital's 2006, 2009, and 2012 User Charge penalties for a payment in the amount of \$5,000.00 and to waive \$24,661.08 in User Charge penalties for 2006, 2009, and 2012.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/9/2015	1	Board of Commissioners	Approved	Pass
4/9/2015	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to settle Presence Saints Mary and Elizabeth Medical Center d/b/a Presence Saint Elizabeth Hospital's 2006, 2009, and 2012 User Charge penalties for a payment in the amount of \$5,000.00 and to waive \$24,661.08 in User Charge penalties for 2006, 2009, and 2012.

Dear Sir:

The Metropolitan Water Reclamation District of Greater Chicago ("MWRD") and Presence Saints Mary and Elizabeth Medical Center d/b/a Presence Saint Elizabeth Hospital ("Saint Elizabeth"), located at 1431 North Claremont Avenue, Chicago, Illinois, have reached a settlement of a Director's Appeal arising out of Saint Elizabeth's failure to file its RD 925 statements in a timely manner in accordance with MWRD's User Charge Ordinance ("Ordinance").

Saint Elizabeth paid the User Charges, penalty, and interest for the years 2006, 2009, and 2012 and timely appealed its 2006, 2009, and 2012 User Charge penalties to MWRD's Director of Monitoring and Research Department ("M&R"), and upon conclusion of the Director's Appeal, Saint Elizabeth's User Charge penalties were determined to be \$29,661.08. Saint Elizabeth subsequently appealed the Director's Determination to MWRD's Board of Commissioners ("Board"); however, pending the Board's grant of the appeal, MWRD and Saint Elizabeth engaged in settlement negotiations.

MWRD acknowledges that Saint Elizabeth has been in full compliance with all Ordinance requirements for all other years and recognizes that Saint Elizabeth provides health care services to a medically underserved community. Furthermore, Saint Elizabeth represents that it has taken measures to ensure full compliance in the future. Therefore, MWRD and St. Elizabeth have agreed to accept \$5,000.00 as St. Elizabeth's User Charge penalties for the years 2006, 2009, and 2012, with a waiver of User Charge penalties in the amount of

\$24,661.08. M&R has reviewed the settlement and has no objection to same.

Therefore, the General Counsel respectfully requests that the Board of Commissioners approve the settlement of Saint Elizabeth's User Charge penalties in the total amount of \$5,000.00, with a waiver of User Charge penalties in the amount of \$24,661.08 and for authority to execute such documents as may be necessary to effectuate settlement.

Requested, Ronald M. Hill, General Counsel, RMH:LLD:PS:nm

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Judiciary

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015