



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

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Title: Authorization to enter into a Mutual Release and Rescission of Sewer Service Agreement By and Between the Village of Sauk Village ("Village") and the Metropolitan Sanitary District of Greater Chicago n/k/a Metropolitan Water Reclamation District of Greater Chicago (Deferred from the March 20, 2014, Board Meeting)

Sponsors:

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Attachments:

Date	Ver.	Action By	Action	Result
4/3/2014	1	Board of Commissioners	Approved	Pass
4/3/2014	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 3, 2014

COMMITTEE ON ENGINEERING

Mr. David St. Pierre, Executive Director

Authorization to enter into a Mutual Release and Rescission of Sewer Service Agreement By and Between the Village of Sauk Village ("Village") and the Metropolitan Sanitary District of Greater Chicago n/k/a Metropolitan Water Reclamation District of Greater Chicago (*Deferred from the March 20, 2014, Board Meeting*)

Dear Sir:

The corporate limits of the Village consist of areas within Cook County and Will County. On August 29, 1985, MWRDGC entered into an extra-territorial Agreement ("Agreement") with the Village to serve the area outside of MWRDGC's corporate limits in the Will County section of the Village. At that time, development of the land within Will County appeared imminent, and the MWRDGC allowed construction of a sanitary sewer extension which would allow the proposed development to be served ("Service Area"). Although the Service Area was never developed, the Village remains responsible for the annual service charges associated with the sewer extension. According to Paragraph 5 of the Agreement, these charges are based upon the Village's submittal of the required Service Area map and Equalized Assessed Valuation of the related Permanent Index Numbers.

Currently, it appears that this parcel will not be developed in the foreseeable future, and it appears to be problematic for the Village to administer the Agreement. Because the Village has failed to submit required documentation, MWRDGC is unable to provide an exact amount the Village owes MWRDGC; however, MWRDGC estimates that the payment due is \$300.00. Additionally, MWRDGC does not receive sufficient revenue to justify maintaining the Agreement. After discussing the matter with the Village's Engineer and Attorney, MWRDGC and the Village believe it would be beneficial for both parties to terminate the Agreement. To that end, MWRDGC's Law Department drafted a Mutual Release and Rescission of Sewer Service Agreement. The Village's Mayor, Engineer, and Attorney have executed the Mutual Release and Rescission

as well as paid the estimated \$300.00 owed for the outstanding service charges.

In view of the foregoing, it is hereby recommended that the Board of Commissioners approve rescission of the Sewer Service Agreement and authorize the General Counsel to execute the Mutual Release and Rescission of Sewer Service Agreement By and Between the Village of Sauk Village and the Metropolitan Water Reclamation District of Greater Chicago and take further steps as necessary to effectuate mutual rescission.

Requested, Catherine A. O'Connor, Director of Engineering, CAO:RMH:LLD:PS:nm

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Frank Avila, Chairman Committee on Engineering

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 3, 2014