



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

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TRANSMITTAL LETTER FOR BOARD MEETING OF MAY 4, 2017

COMMITTEE ON STORMWATER MANAGEMENT

Mr. David St. Pierre, Executive Director

Authorization to enter into a Memorandum of Understanding with the Forest Preserve District of Cook County for mutual waiver of various fees

Dear Sir:

Authorization is requested to enter into a Memorandum of Understanding (MOU) with the Forest Preserve District of Cook County (FPDCC) providing for mutual waiver of various fees between both agencies.

On April 21, 2016, the Board of Commissioners authorized the District to negotiate a Memorandum of Understanding with the FPDCC for mutual waiver of various fees. The FPDCC and the Metropolitan Water Reclamation District of Greater Chicago (District) are sister agencies that share missions that involve environmental stewardship, along with an overlapping tax base. Oftentimes, the FPDCC undertakes projects that require permits from the District, for which the District does not charge FPDCC any permit review or inspection fees. Similarly, the District undertakes projects that impact FPDCC-owned property. The FPDCC typically charges tree mitigation, application, license, and other fees for such projects. Given the District's investment in such projects and the District's policy not to charge the FPDCC for permit fees, FPDCC and District staff believe that reciprocally waiving such fees would be mutually beneficial and in the spirit of good faith and intergovernmental cooperation.

Currently, the District is pursuing two projects which would benefit from such an MOU with the FPDCC. The District is designing Contract 13-199-3F to restore the Lyons Levee, which is located on FPDCC-owned property. Additionally, the District intends to construct Contract 10-883-BF, Flood Control Project at Arrowhead Lake in the City of Palos Heights, which is also on FPDCC-owned property. The District would benefit from an MOU because both projects would require the District to pay the FPDCC various fees.

The provisions of the MOU allow the District to waive all fees normally required to be paid by the FPDCC under the MWRD's Watershed Management Ordinance or any other ordinances. In turn, the FPDCC agrees to waive all application, license, and other fees for flood control projects proposed by the MWRD on FPDCC land, including tree mitigation fees. Notwithstanding the FPDCC's waiver of tree mitigation fees, the MWRD will make every effort to minimize the impact to trees on FPDCC property. The duration of the MOU will last five years, at which point the MOU may be evaluated and extended upon mutual agreement of the parties. There is no maximum to the total dollar amount of fees that may be waived by either party within the five year term.

Based on the foregoing, it is requested that the Board of Commissioners grant authority to enter into an MOU with the FPDCC providing for mutual waiver of various fees between both agencies. 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 District, as well as any documents necessary to effectuate the transaction and conveyance, 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

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 4, 2017