



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 APRIL 5, 2018

COMMITTEE ON STORMWATER MANAGEMENT

Mr. David St. Pierre, Executive Director

Authority to enter into a Community Development Block Grant Disaster Recovery Program Subrecipient Agreement with Cook County for joint funding of flood-relief management projects and stormwater management planning studies located in Cook County

Dear Sir:

Authorization is requested to enter into a Community Development Block Grant Disaster Recovery Program (CDBG-DR) Subrecipient Agreement with Cook County for joint funding of stormwater management projects and stormwater management planning studies located in Cook County.

Based on severe flooding that occurred in April of 2013, Cook County was designated as a disaster area by the United States Department of Housing and Urban Development (HUD) and received grant funding under the CDBG-DR program. The purpose of the CDBG-DR program is to provide assistance for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster.

On September 4, 2014, the Board of Commissioners authorized the District to enter into an Intergovernmental Agreement (IGA) with Cook County to allow for partnership opportunities between the parties on stormwater management projects. After execution of the IGA, the parties identified the following projects and planning activities as eligible for joint funding by the District and Cook County through a Subrecipient Agreement under the County's CDGB-DR program:

1. Addison Creek Reservoir Flood Control Project
2. Flood Control Project on Deer Creek in Ford Heights, IL
3. Flood Control Project on Farmers and Prairie Creeks
4. Flood Control Project on Midlothian Creek in Robbins, IL
5. Professional Services for Stormwater Planning and Analysis Provided by the District in Support of Cook County's Application to HUD for the National Disaster Resilience Competition

The District and Cook County have reviewed the standard CDBG-DR Subrecipient Agreement template. The County has indicated that the eligible funding for the aforementioned projects is estimated at \$10 million, which is subject to change as their CDBG-DR program budget is finalized. Board approval for the District's project costs will be sought on a project-by-project basis as those cost estimates are finalized by the Engineering Department.

The parties have reached an agreement in principle to the terms and conditions of the Subrecipient Agreement, many of which are required in order to receive federal funding. In particular, the Subrecipient Agreement sets forth the standard federal requirements that are applicable to CDBG-DR funding, such as financial management standards, recordkeeping, performance reports, and prohibitions on the use of federal

funds for political activities and lobbying.

The Subrecipient Agreement also incorporates certain policies of Cook County, such as its MBE/WBE goals, signage indicating the County's participation and the funding source, defense and indemnification for claims arising out of District activities or projects carried out under the Agreement, and a right to recover reasonable attorney's fees if the County prevails in a proceeding to enforce the Agreement. The funds awarded under the Subrecipient Agreement are expected to be expended by June of 2019.

Based on the foregoing, the Engineering Department recommends that the District be authorized to negotiate and enter into a Community Development Block Grant Disaster Recovery Subrecipient Agreement with Cook County for joint funding of flood-relief management projects and stormwater management planning studies located in Cook County.

It is further requested that the Chairman of the Committee on Finance, Executive Director and Clerk be authorized to execute the above captioned agreement on behalf of the District, as well as any documents necessary to effectuate the agreement, 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 April 5, 2018