



Rochester Hills

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Master

File Number: 2015-0291

File ID: 2015-0291

Type: Agreement

Status: To Council

Version: 1

Reference:

Controlling Body: City Council
Regular Meeting

File Created Date : 07/09/2015

File Name: Request for Approval DPS/ENG: The Agreement to Assign Wholesale Customer Water Service Contract provided by the Detroit Water and Sewerage Department (DWSD) and the Great Lakes Water Authority (GLWA) be accepted and that City Council approves the North Oa

Final Action:

Title label: Request for Acceptance of the Great Lakes Water Authority Water Service Contract and Authorization for the North Oakland County Water Authority (NOCWA) to execute the agreement

Notes:

Sponsors:

Enactment Date:

Attachments: 072015 Agenda Summary.pdf, Agreement to Assign Wholesale Customer Water Service Contract .pdf, Resolution-Agreement Detroit GLWA NOCWA.pdf

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 2015-0291

Title

Request for Acceptance of the Great Lakes Water Authority Water Service Contract and Authorization for the North Oakland County Water Authority (NOCWA) to execute the agreement

Body

Whereas, on September 9, 2014, a Memorandum of Understanding Regarding the Formation of the Great Lakes Water Authority was adopted by the City of Detroit, the State of Michigan and the counties of Wayne, Oakland and Macomb; and

Whereas, the Memorandum of Understanding required, among other things, that the City of Detroit and the counties of Wayne, Oakland and Macomb adopt Articles of Incorporation no later than October 10, 2014, and that the City of Detroit and the Great Lakes Water Authority execute a lease agreement

regarding the operation and management of the Detroit water supply and sewage disposal systems; and

Whereas, on October 10, 2014, the City of Detroit and the counties of Wayne, Oakland and Macomb adopted the Articles of Incorporation of Great Lakes Water Authority; and

Whereas, on June 12, 2015, the City of Detroit and the Great Lakes Water Authority executed two 40-year lease agreements regarding (1) the operation and management of the Detroit water supply system ("Water Lease") and (2) the operation and management of the Detroit sewage disposal system; and

Whereas, at Section 4.1(a)(i) of the Water Lease, the City of Detroit assigns and the Great Lakes Water Authority assumes all of Detroit's rights and obligations under the wholesale customer water contracts; and

Whereas, Section 3.2(j) of the Water Lease provides that the effective date of the Water Lease is dependent upon the satisfaction of certain conditions precedent, including obtaining the consent of the wholesale water customers to the assignment of their 30-year water service contracts to the Great Lakes Water Authority; and

Whereas, pursuant to the Water Lease, and as provided in Article 13 of the Water Service Contract, the City of Detroit has presented an Agreement to Assign Wholesale Customer Water Service Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority and this community for the assignment of the Water Service Contract with the City of Detroit Water and Sewerage Department to the Great Lakes Water Authority with a request for approval; and

Whereas, this Honorable Body finds it is in the best interests of this community to consent to the assignment of the Water Service Contract to the Great Lakes Water Authority;

Now Therefore Be It Resolved, that the attached Agreement to Assign Wholesale Customer Water Service Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority, and North Oakland County Water Authority is approved; and

Be It Further Resolved, that a certified copy of this Resolution and the executed Agreement to Assign Wholesale Customer Water Service Contract be returned to the City of Detroit Water and Sewerage Department within seven (7) days of the date of this Resolution.