

TOWN COUNCIL

STAFF REPORT Finance Department



MEETING DATE:	August 8, 2023
PROJECT:	Consideration of a 6-month Extension of the Agreement with Beaufort-Jasper Water and Sewer Authority
PROJECT MANAGER:	Chris Forster, Assistant Town Manager

RECOMMENDATION: Staff recommends another extension of the agreement with Beaufort-Jasper Water and Sewer Authority ("BJWSA").

BACKGROUND/DISCUSSION: On August 1, 1977, the Town of Bluffton signed a franchise agreement with BJWSA for a duration of 40 years. Prior to the 7/30/2017 expiration date, the Town and BJWSA expanded the scope captured by the franchise agreement with a new agreement dated November 14, 2001 with a validity period "for so long as the agreement is in effect", essentially granting a franchise until one party affirmatively terminated the agreement.

On November 11, 2010, the Town and BJWSA created a supplemental agreement governing project collaboration and capacity fee credit usage; that supplemental agreement had a duration of ten years, through November 10, 2020. Since the expiration of the supplemental agreement, it has been temporarily renewed seven times. The Town has engaged BJWSA in negotiations to renew for another ten-year period, however BJWSA has requested another smaller extension while they coordinate all of the intergovernmental agreements with surrounding municipalities.

NEXT STEPS: Authorizing the Town Manager to sign the renewal agreement with BJWSA.

ATTACHMENTS:

1. Agreement 2011-38, Amendment 8, BJWSA franchise extension
2. Resolution
3. Motion

IN WITNESS WHEREOF, the parties hereto have caused the within Amendment # 8 to MOU # 2011-38 to be executed this _____ day of _____, 2023.

BEAUFORT-JASPER WATER
AND SEWER AUTHORITY

TOWN OF BLUFFTON

Date: _____

Date: _____

By: _____

By: _____

Print Name: _____

Print Name: _____

Position: _____

Position: _____

Witness: _____

Witness: _____

Attachments:

1. none

A RESOLUTION

RELATING TO THE TOWN OF BLUFFTON, SOUTH CAROLINA, SUPPORT OF AGREEMENT WITH BEAUFORT JASPER WATER AND SEWER AUTHORITY

NOW, THEREFORE, BE IT RESOLVED, by the Town Council (the "Council"), as the governing body of the Town of Bluffton, as follows:

1. The Council hereby declares that this Resolution shall constitute its consent to extend the term of the intergovernmental agreement with the Beaufort Jasper Water and Sewer Authority for special project collaboration and use of capacity fee credits.

Approved this 8th day of August 2023.

Lisa Sulka, Mayor

Town of Bluffton, South Carolina

ATTEST:

Marcia Hunter, Town Clerk

SEAL

Recommended Motion

Consideration to Approve a Resolution for Execution of an Extension of a Memorandum of Understanding between the Town of Bluffton and Beaufort Jasper Water and Sewer Authority Addressing Projects and Capacity Fee Credits - Chris Forster, Assistant Town Manager

“I make a motion to approve a resolution for execution of an extension of the Memorandum of Understanding between the Town of Bluffton and the Beaufort Jasper Water and Sewer Authority addressing projects and capacity fee credits.”