



City Council Agenda Memo

Crest Hill, IL

Meeting Date: 3/6/2023

Submitter: Mark Siefert, Director of Public Works

Department: Public Works

Agenda Item: Approval of a Resolution Approving a First Amendment to the Preliminary Agreement Regarding Formation of a Regional Water Commission

Summary:

As was presented to council last month, the process of forming the regional water commission (tentatively called the Grand Prairie Water Commission) has been delayed on account of the heightened level of scrutiny that the Illinois Department of Natural Resources has applied to the Lake Michigan water allocation applications filed by Crest Hill and other member communities (as compared to the City of Joliet). For this reason, it is necessary that each commission member formally approve an amendment to the preliminary agreement that was signed in January of 2022. The first amendment covers the following items:

- Section 3(A): Pushes back the deadline for member approval of the final water commission IGA (*i.e.* the document that will “form” the water commission) from April 30, 2023, to June 30, 2024. This is to give Crest Hill and the other Lake Michigan applicants time to secure their allocation permits. Section 3(E) pushes back the automatic termination date to account for this extension.
- Section 3(B): Provides for additional funding of water commission formation activities. Each municipality agrees to contribute \$110,000 on July 1, 2023, and the same again on July 1, 2024.
- Section 3(C): Commits all commission members to provided updated financial plans as needed to support water commission funding opportunities (federal and state grants, low-interest loans, etc.).
- Section 3(D): Creates a mechanism whereby the City of Joliet, as the commission’s program manager, can begin to design, bid, and construct parts of the future commission system (*e.g.* the pumping station at Durkin Park in Chicago), in order to keep the commission on track for water in 2030.

- Section 4(A): Amends the key principles document to allow for “alternative delivery methods” (such as the “design-build” and “construction manager at risk” methods), as permitted by the regional water commission statute.
- Section 4(B): Creates a mechanism whereby the water commission may provide member communities with a credit if (1) the member moves its primary delivery point (paid for by the commission) and (2) the move (a) increases that members capital costs, (b) reduces the commission’s capital costs, and (c) does not increase the costs of any other individual member. Going forward, credits will be approved by the commission Board of Commissioners without the requirement that it be voted on by the legislative boards and councils of all member communities.

All of these documents have been reviewed and approved by Spesia and Taylor. Spesia and Taylor, along with City Staff, were involved in the creation of these documents.

Recommended Council Action:

Approval of a resolution accepting the first amendment to the preliminary agreement regarding the formation of a regional water commission.

Financial Impact: n/a

Funding Source: n/a

Budgeted Amount: n/a

Cost: n/a

Attachments:

- Resolution Approving a First Amendment to the Preliminary Agreement Regarding Formation of a Regional Water Commission.
- First Amendment to the Preliminary Agreement Regarding Formation of a Regional Water Commission.