



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: City Utilities - Sewer/Stormwater

To: City Council

From: City Manager & Staff

Council Meeting Date: March 21, 2016

Re: Amending the General Cooperative Agreement with Boone County Regional Sewer District

Executive Summary

Staff has prepared for Council consideration an ordinance authorizing the City Manager to execute Amendment No. 4 to the March 8, 2011 General Cooperative Agreement with Boone County Regional Sewer District (BCRSD). This amendment provides public sanitary sewer service to 801 and 809 Happy Hollow Road.

Discussion

In June 2006, the City and BCRSD entered into an agreement relating to sanitary sewer service for property located in Happy Hollow Estates Subdivision and other subdivisions and locations. This agreement identified BCRSD and City customers in the Happy Hollow Subdivision.

In March 2011, the City and BCRSD entered into a general connection agreement authorizing BCRSD to connect existing customers in the State Highway HH area, Westwood Meadows Subdivision, El Rey Heights Subdivision and Cow Branch Watershed area. The 2011 general connection agreement also renewed previous 20-year wholesale treatment agreements that had lapsed for the Little Bonne Femme area and the Jerry Morris Subdivision.

The March 2011 general connection agreement was amended in March 2013, renewing a previous 10-year wholesale treatment agreement that had lapsed for the Water's Edge, Lakewood Villas, Lakewood Estates, Lakeland Acres and Pin Oak Subdivision Service area. The general connection agreement was amended a second time in May 2014 to connect the Abilene Acres Subdivision to City sewer. The third amendment was in August 2015 to identify the customer service area for Midway and the Henderson Branch Sewer Extension.

Amendment No. 4 to the General Cooperative Agreement updates the Boundary Area covered by the agreement to include 801 and 809 Happy Hollow Road as shown on Exhibit 10 in the Agreement. The exhibit identifies existing BCRSD and City customers and BCRSD customers required to annex and develop to city standards in order to connect to the public sewer. All other general and special conditions stipulated in the March 2011 agreement remain the same, where treatment costs are charged to BCRSD at 80% of the current sewer rates for the properties served.



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Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Development, Secondary Impact: Environment, Tertiary Impact: Community Facilities and Services

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Secondary, Tertiary Impact: Tertiary

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Inter-Governmental Cooperation, Tertiary Impact: Environmental Management

Legislative History

Date	Action
08/17/2015	(Ord) authorizing Amendment No. 3 to the general cooperative agreement with BCRSD relating to sewer service within the Midway area and financial participation in the construction of the Henderson Branch Sewer Extension project.
05/05/2014	(Ord 22052) authorizing Amendment No. 2 to the general cooperative agreement with BCRSD relating to sewer service within Abilene Acres Subdivision.
03/04/2013	(R49-13) authorizing Amendment No. 1 to the general cooperative agreement with BCRSD relating to sewer service within the Water's Edge, Lakeland Acres, Lakewood Estates, Lakewood Villas and Pin Oak Subdivision service area.
03/07/2011	(Ord 20898) authorizing a general cooperative agreement with BCRSD relating to sewers in the Highway HH service area, Westwood Meadows Subdivision, El Rey Heights Subdivision, Cow Branch Watershed, Little Bonne Femme Pump Station and Jerry Morris Subdivision
06/19/2006	(Ord 19083) authorizing agreement with BCRSD relating to sanitary sewer service for property located in Happy Hollow Estates Subdivision, W B Smith Subdivision, Walnut Brook Subdivision, country Farms Subdivision, Bearfield Valley Subdivision and Persimmon Road



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Suggested Council Action

Authorizing the city Manager to execute Amendment #4 to the March 8, 2011 General Cooperative Agreement with Boone County Regional Sewer District (BCRSD).

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 69-16

AN ORDINANCE

authorizing Amendment No. 4 to the general cooperative agreement with Boone County Regional Sewer District relating to sewer service within Happy Hollow Estates; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute Amendment No. 4 to the general cooperative agreement with Boone County Regional Sewer District relating to sewer service within Happy Hollow Estates. The form and content of the amendment shall be substantially in the same form as set forth in "Exhibit A" attached hereto.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2016.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

**AMENDMENT 4 TO THE GENERAL COOPERATIVE
AGREEMENT DATED MARCH 8TH, 2011**

On this _____ day of _____, 20____, the Boone County Regional Sewer District, a common sewer district organized pursuant to Chapter 204 RSMo (“District”) and the City of Columbia, Missouri, a municipal corporation (“City”) hereby amend their agreement of March 8th, 2011 (hereinafter the General Cooperative Agreement).

WHEREAS, the General Cooperative Agreement contemplated that said agreement may be amended from time to time by adding, deleting, and/or revising the Special Conditions and Exhibits as needed and as mutually agreed upon by the Board of Trustees of the District and the City Council of the City; and

WHEREAS, the following are the revisions to the GENERAL CONDITIONS and the SPECIAL CONDITIONS of the General Cooperative Agreement.

REVISIONS TO THE GENERAL CONDITIONS

1. Section 1 is deleted in its entirety. In its place a new Section 1 is included, as follows:
 1. The scope of the this agreement is limited to those geographic areas within the “Boundary of Area Covered by Agreement” on the attached Exhibits 1 through 10, both inclusive, and which are entitled “State Highway HH Cooperative Agreement”, “Westwood Meadows Cooperative Agreement”, “El Rey Heights Cooperative Agreement”, “Cow Branch Watershed Cooperative Agreement”, “Little Bonne Femme Pump Station Cooperative Agreement”, “Jerry Morris Subdivision Cooperative Agreement”, “Water’s Edge, Lakewood Villas, Lakewood Estates, Lakeland Acres and Pin Oak Subdivisions Service Area”, “Abilene Acres Connection Agreement”, “BCRSD Midway Connection Agreement Map” and “Happy Hollow Estates”.

All other GENERAL CONDITIONS of the original March 8th, 2011, General Cooperative Agreement shall remain in effect.

END OF GENERAL CONDITIONS, BEGINNING OF SPECIAL CONDITIONS

SPECIAL CONDITIONS

1. Add the following Special Condition 11.
 11. The City and District agree that the customers in the District’s service area shown on Exhibit 10, “Happy Hollow Estates” are and shall remain connected to the City’s wastewater treatment and collection system as provided for in the GENERAL CONDITIONS of this agreement.

IN WITNESS WHEREOF, the Parties have caused this amendment to be executed by their duly authorized agents on the day and year first above written.

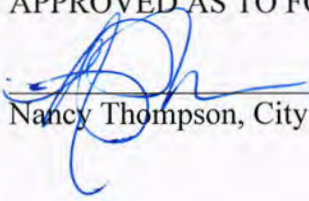
CITY OF COLUMBIA, MISSOURI

BY: _____
Michael Matthes, City Manager

ATTEST

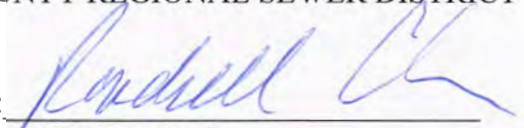
Sheela Amin, City Clerk

APPROVED AS TO FORM:



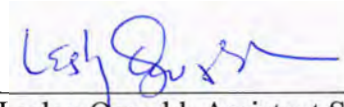
Nancy Thompson, City Counselor

BOONE COUNTY REGIONAL SEWER DISTRICT

BY: 

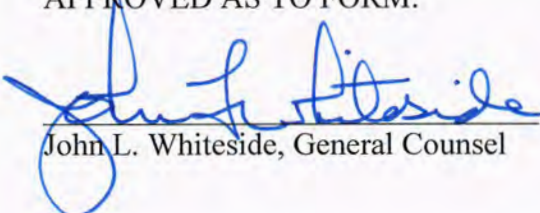
Randall Chann, Chair

ATTEST:



Lesley Oswald, Assistant Secretary

APPROVED AS TO FORM:



John L. Whiteside, General Counsel

