

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 232-15

Department Source: Public Works

To: City Council

From: City Manager & Staff

Council Meeting Date: 8/3/2015

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

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance

Supporting documentation includes: Map

Executive Summary

Authorizing the City Manager to execute Amendment #3 to the March 8, 2011 General Cooperative Agreement with Boone County Regional Sewer District (BCRSD). This amendment sets forth terms for financial participation in the construction of the Henderson Branch Sewer Extension and identifies customer service areas in the Midway area, as shown on the map.

Discussion

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 Ray 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 of 2013, renewing a previous 20-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 of 2014 to connect the Abilene Acres Subdivision to City sewer.

Amendment No. 3 sets forth terms for financial participation in the construction of the Henderson Branch Sewer Extension and identifies customer service areas in the Midway area. The Henderson Branch Sewer Extension includes approximately 8,000 linear feet of gravity sewer ranging in size from 18" to 24" diameter, and would extend public sewer from the existing Perche Creek interceptor sewer, along the Henderson Branch creek to a point just north of I-70, near the Midway Auto Truck Plaza at the NW corner of the I-70 and US-40 interchange. This sewer extension is planned to ultimately serve the entire Henderson Branch watershed, approximately 1,300 acres, and an additional 800 acres of property adjacent to this watershed. This amendment stipulates the BCRSD will fund 31.3% of the project cost with a not to exceed amount of \$628,047.00. This contribution will be paid to the city in five equal annual installments after completion of the project. The proposed customer service areas are shown on the exhibit attached to the agreement. The exhibit also

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identifies properties 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.

Fiscal Impact

Short-Term Impact: The total project cost of the Henderson Branch Sewer extension is estimated at \$2,300,000.00. The BCRSD will provide funding for 31.3% of the project cost, not to exceed \$628,047.00.

Long-Term Impact: Same information as above.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development, Environment

Strategic Plan Impact: Growth Management, Health, Safety and Wellbeing, Infrastructure

Comprehensive Plan Impact: Infrastructure

Suggested Council Action

Authorize the City Manager to execute Amendment #3 to the March 8, 2011 General Cooperative Agreement with Boone County Regional Sewer District (BCRSD).

Legislative History

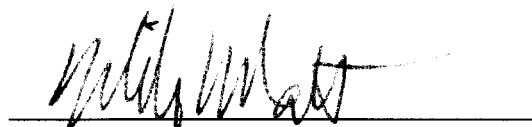
3/07/11 (Ord 20898) authorizing a general cooperative agreement with BCRSD relating to sewers in the Highway HH service area, Westwood Meadows Subdivision, El Ray Heights Subdivision, Cow Branch Watershed, Little Bonne Femme Pump Station and Jerry Morris Subdivision

3/04/13 (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.

5/05/14 (Ord 22052) authorizing Amendment No. 2 to the general cooperative agreement with Boone County Regional Sewer District relating to sewer service within Abilene Acres Subdivision



Department Approved



City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 232-15

AN ORDINANCE

authorizing Amendment 3 to the general cooperative agreement with the Boone County Regional Sewer District relating to sewer service within the Midway area and financial participation in the construction of the Henderson Branch Sewer Extension project; 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 3 to the general cooperative agreement with the Boone County Regional Sewer District relating to sewer service within the Midway area and financial participation in the construction of the Henderson Branch Sewer Extension project. The form and content of the agreement 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 _____, 2015.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

**AMENDMENT 3 TO THE GENERAL COOPERATIVE
AGREEMENT DATED MARCH 8TH, 2011**

On this _____ day of _____, 2015, 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 9, 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 Cooperative Agreement” and “Midway Area Cooperative Agreement”.

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 9 & 10.
9. The City and District agree that the customers in the District’s service area shown on Exhibit 9, “Midway Area Cooperative Agreement” shall be allowed to connect to the City’s wastewater treatment and collection system as provided for in the GENERAL CONDITIONS of this agreement.
10. The City and District agree to share in the cost to construct the “Henderson Branch Sewer Extension” as follows:

a. The Henderson Branch Sewer Extension (HBSE) shall be constructed from the City existing Perche Creek Outfall Sewer to the existing WWTF currently serving the Midway Plaza Truck Stop generally following the Henderson Branch Creek in a route determined by the City.

b. The City shall prepare the construction plans, specifications and bid documents for the HBSE project.

c. The City shall acquire all easements necessary for construction of the HBSE project.

d. The City shall bid the HBSE project pursuant to established City policy. District shall reimburse the City for 31.3%, with a not to exceed amount of \$628,047.00, of the cost to construct the HBSE project which includes construction, engineering, subsurface exploration to determine rock excavation quantities and easement acquisition; but District shall not pay for easement acquisition related to trail easements.

e. The City shall own and maintain the entire length of HBSE project.

f. The City shall provide construction management services for the HBSE project.

g. The project contribution by the District shall be paid in five equal annual installments without interest, commencing within 60 days of District's receipt that construction of HBSE project has been completed and work accepted by the City, and each subsequent installment being due on the anniversary date of the first installment. These payments would be subject to annual appropriations, however if the funds are not appropriated and paid to the City all existing and proposed District's service area shown on Exhibit 9 "Midway Area Cooperative Agreement" may be, refused connection or become City customers at the City's option.

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

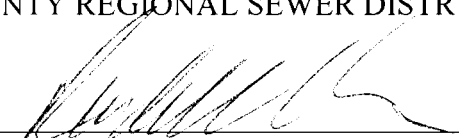
ATTEST

Sheela Amin, City Clerk

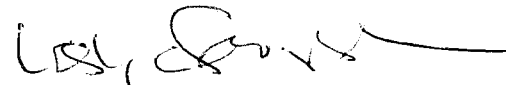
APPROVED AS TO FORM:

Nancy Thompson, City Counselor

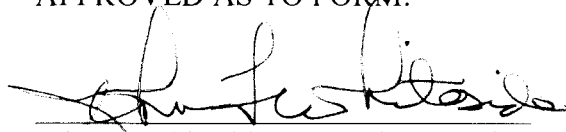
BOONE COUNTY REGIONAL SEWER DISTRICT

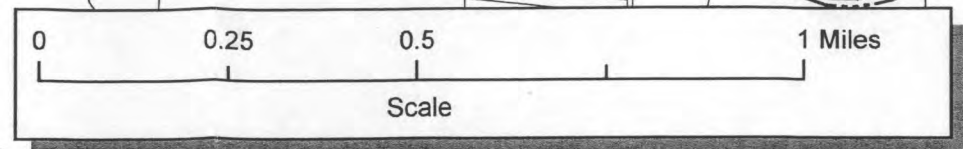
BY: 
Randall Chann, Chair

ATTEST:


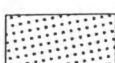

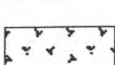





Lesley Oswald, Assistant Secretary

APPROVED AS TO FORM:


John L. Whiteside, General Counsel



Legend

-  Existing BCRSD Customers - Annex and Develop to City Standards
Total Area=21.5 acres
-  Proposed BCRSD Customers - Annexation Not Required Unless Subdivides
or Use of Property Changes to Non-Residential - Total Area=400 acres
-  Existing BCRSD Customers - Not Required to Annex and Develop
to City Standards to Receive Sewer Service - Total Area=242 acres
-  Proposed City of Columbia Customers - Annex and Develop
to City Standards - Total Area=1454 acres
-  Existing City Trunk Sewer
-  Proposed Sewer
-  City Limits
-  Henderson Branch Watershed Boundary
Total Area=1300 acres

Boundary of
Area Covered
by Agreement

Route UU

Perche Creek

Henderson Branch



City of Columbia, Missouri
Department of Public Works

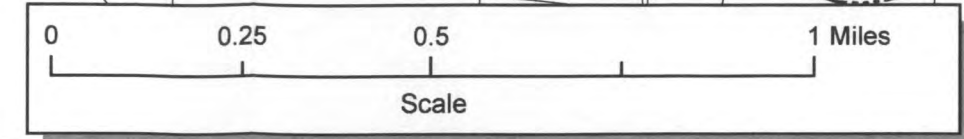
BCRSD Midway Connection Agreement Map
Exhibit 9

Scale: As Shown Drawn: J.K.M Date: 7/13/2015




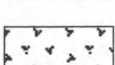






SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Map



Legend

-  Existing BCRSD Customers - Annex and Develop to City Standards
Total Area=21.5 acres
-  Proposed BCRSD Customers - Annexation Not Required Unless Subdivides
or Use of Property Changes to Non-Residential - Total Area=400 acres
-  Existing BCRSD Customers - Not Required to Annex and Develop
to City Standards to Receive Sewer Service - Total Area=242 acres
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to City Standards - Total Area=1454 acres
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-  Henderson Branch Watershed Boundary
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Boundary of
Area Covered
by Agreement