



**AGENDA ITEM # 7F**

**AGENDA ITEM EXECUTIVE SUMMARY  
Village Board Meeting  
March 26, 2018**

**Item Title: Metropolitan Water Reclamation District of Greater Chicago  
Amendment to Intergovernmental Agreement**

**Staff Contact: Victor C. Ramirez, P.E. Public Works Director**

**VILLAGE BOARD ACTION**

**Adopt a Resolution approving an amendment to the Multi-County Municipality Intergovernmental Agreement between the Village of Roselle and the Metropolitan Water Reclamation District of Greater Chicago.**

**Executive Summary:**

On May 7, 2015, the Village entered into an agreement with the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) whereby the Village administers the stormwater ordinance of DuPage County in which the municipal boundary is located in lieu of the Watershed Management Ordinance (WMO) for the Cook County portions of the Village. The Village had adopted the DuPage County Countywide Stormwater and Floodplain Ordinance for the area in the Village located in Cook County. However, the agreement also provided that Watershed Management Permits were required for development activities listed in Article 2, Section 201.2 of the WMO including modifications to MWRDGC permitted detention facilities.

On February 15, 2018 amendments were made to the WMO providing that Watershed Management Permits for development activities in Section 201.2E and 201.2F of the WMO are not required. The Village would now be able to issue permits within the corporate limits. This amendment to the agreement would provide consistency to the amendment to the WMO.

Staff concurs with the amendment to the agreement provisions.

**Implications:**

**Is this item budgeted?** N/A

**Any other implications to be considered?** None.

**Attachments:**

Resolution Amendment MWRDGC IGA  
Amendment to IGA Agreement 3 26 18  
MWRDGC letter 3 5 18

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO MULTI-COUNTY MUNICIPALITY INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF ROSELLE AND THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO**

WHEREAS, the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) is a unit of local government and body corporate and politic, organized and existing under the laws of the State of Illinois, and Village of Roselle (Roselle) is a municipal corporation and non-home rule unit of government organized and existing under Article VII, Section 7 of the Constitution of the State of Illinois: and

WHEREAS, on May 7, 2015, Roselle and the MWRDGC entered into a written agreement, entitled "Multi-County Municipality Intergovernmental Agreement Between the Village of Roselle and the Metropolitan Water Reclamation District of Greater Chicago"; and

WHEREAS, the agreement provides that Roselle administers the stormwater ordinance of another county in which its municipal boundary is located in lieu of the Watershed Management Ordinance (WMO) for the Cook County portions of its municipal boundary; and

WHEREAS, Roselle has adopted and is administering the DuPage County Countywide Stormwater and Floodplain Ordinance (DCCSFPO) for the municipal area located within Cook County, which is subject to the WDO; and

WHEREAS, the parties seek to amend the Agreement to be consistent with the February 12, 2018 amendments to the WDO under which Watershed Management Permits for development activities listed in Section 201.2E and 201.2F of the WMO are not required; and

WHEREAS, on March 1, 2018, the District's Board of Commissioners granted authority to negotiate and execute this amendment.

NOW THEREFORE, be it resolved by the Mayor and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois that the Mayor shall be and hereby is authorized to execute the attached Amendment to the Intergovernmental Agreement incorporated herein as Exhibit 1 and the Village Clerk is directed to attest to the Mayors signature; and

BE IT RESOLVED FURHTER, that the Village Clerk shall transmit copies of this Resolution to the Metropolitan Water Reclamation District of Greater Chicago; and further

This Resolution shall be in full force and effect from after its passage and approval in a manner provided by law.

ADOPTED this 26th day of March, 2018

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:

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Andrew J. Maglio, Mayor

ATTEST:

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Patricia Burns, Village Clerk

**AMENDMENT TO MULTI-COUNTY MUNICIPALITY INTERGOVERNMENTAL  
AGREEMENT BETWEEN THE VILLAGE OF ROSELLE AND THE  
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO**

**THIS AMENDMENT TO AGREEMENT** (“Amendment”) is entered into by and between the Metropolitan Water Reclamation District of Greater Chicago, a unit of local government and body corporate and politic, organized and existing under the laws of the State of Illinois (“District”) and the Village of Roselle, a municipal corporation and non-home rule unit of government organized and existing under Article VII, Section 7 of the 1970 Constitution of the State of Illinois (“Municipality”).

**WITNESSETH:**

**WHEREAS**, on May 7, 2015, the Municipality and the District (the “Parties”) entered into a written agreement, entitled “Multi-County Municipality Intergovernmental Agreement Between the Village of Roselle and the Metropolitan Water Reclamation District of Greater Chicago” (“Agreement”) whereby the Municipality administers the stormwater ordinance of another county in which its municipal boundary is located in lieu of the Watershed Management Ordinance (“WMO”) for the Cook County portions of its municipal boundary; and

**WHEREAS**, the Municipality has adopted and is administering the DuPage County Countywide Stormwater and Floodplain Ordinance (“DCCSFPO”) for the municipal area located within Cook County, which is subject to the WMO; and

**WHEREAS**, under the Agreement, Watershed Management Permits issued by the District are still required for development activities as listed in Article 2, Section 201.2 of the WMO, which includes modifications to District permitted detention facilities and/or their tributary area; and

**WHEREAS**, the Parties seek to amend the Agreement to be consistent with the February 15, 2018 amendments to the WMO under which Watershed Management Permits for development activities listed in Section 201.2.E and 201.2.F of the WMO are not required; and

**WHEREAS**, all other terms and conditions contained in the Agreement not expressly amended in this Amendment shall continue to remain in full force and effect; and

**WHEREAS**, on March 1, 2018, the District’s Board of Commissioners granted authority to negotiate and execute this Amendment; and

**WHEREAS**, on \_\_\_\_\_, 2018, the Municipality’s Board of Trustees authorized the Municipality to amend the intergovernmental agreement with the District; and

**NOW THEREFORE**, in consideration of the matters set forth, the mutual covenants and agreements contained herein, it is agreed by and between the parties that the recitals set forth above shall hereby be adopted as the terms and conditions of this Amendment, and Article 3 of the Agreement is stricken in its entirety and replaced with the following:

**Article 3. Watershed Management Permits**

1. Article 2, Section 207 of the WMO regulates development activities for multi-county municipalities and describes under what circumstances a Watershed Management Permit is required. In general, multi-county municipalities must obtain a Watershed Management Permit for: (1) qualified sewer construction tributary to either a combined sewer or waterway within the District's corporate boundaries; (2) direct connections to District infrastructure; (3) stormwater discharges on District property; or (4) new or reconstructed outfalls to waterways. The multi-county municipality should consult Article 2, Section 207 of the WMO for the specific instances where a Watershed Management Permit is required.
2. A Watershed Management Permit shall not be required from the District for any development activity enumerated in Article 2, Section 201.1 or Sections 201.2.E and 201.2.F of the WMO proposed within the Municipality's corporate limits. For such development activities, the Municipality shall issue permits within its corporate area in conformance with the terms and conditions of the DCCSFPO.
3. Upon request, the Municipality shall reasonably cooperate with the District on administrative proceedings related to variances, appeals, and violations of the WMO. The Municipality's reasonable cooperation shall include assistance in the form of supporting documents, information, and, if necessary, testimony.

EXCEPT AS AMENDED by the provisions contained above, all remaining terms and conditions of the Intergovernmental Agreement between the Parties shall be and remain in full force and effect.

**IN WITNESS WHEREOF**, the Metropolitan Water Reclamation District of Greater Chicago and the Village of Roselle, the parties hereto, have each caused this Amendment to be executed by their duly authorized officers, duly attested and their seals hereunto affixed on the dates specified below.

VILLAGE OF ROSELLE

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Date

METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

\_\_\_\_\_  
Chairman of the Committee on Stormwater Management

\_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

APPROVED AS TO ENGINEERING AND TECHNICAL MATTERS:

\_\_\_\_\_  
Engineer of Local Sewer Systems

\_\_\_\_\_  
Date

\_\_\_\_\_  
Assistant Director of Engineering

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of Engineering

\_\_\_\_\_  
Date

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Head Assistant Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Counsel

\_\_\_\_\_  
Date



Mariyana T. Spyropoulos  
President  
Barbara J. McGowan  
Vice President  
Frank Avila  
Chairman of Finance  
Timothy Bradford  
Martin J. Durkan  
Josina Morita  
Debra Shore  
Kari K. Steele  
David J. Walsh

**Metropolitan Water Reclamation District of Greater Chicago**

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312.751.5600

**Catherine A. O'Connor, Ph.D., P.E.**  
Director of Engineering

312.751.7905 f: 312.751.5681  
catherine.o'connor@mwrdd.org

March 5, 2018

Victor Ramirez  
Director of Public Works  
Village of Roselle  
474 Congress Circle North  
Roselle, Illinois 60172

Dear Mr. Ramirez:

Subject: Amendment to Multi-County Municipality Intergovernmental Agreement  
Under the Watershed Management Ordinance (WMO)

The Metropolitan Water Reclamation District of Greater Chicago (District) recently amended the Watershed Management Ordinance (WMO). One change included exempting District permitted detention from requiring a Watershed Management Permit if located within a Multi-County Municipality. As a result, the existing Intergovernmental Agreement (IGA) with the Village of Roselle (Village) is in conflict with the WMO. Please refer to the changes in Article 2, Section 207 of the WMO. To rectify this situation, the District is initiating an Amendment the Multi-County IGA (Amendment). The District's Board of Commissioners authorized the District to enter into the Amendment with the Village on March 1, 2018. Enclosed for the Village's execution are four Amendments.

Please execute each Amendment and return all four executed copies to the District. Also, please provide the Board of Trustees action authorizing the Village to enter into the Amendment. We will return a fully executed Amendment to you as soon as possible.

Please contact Ms. Lynn Kohlhaas at (312) 751-3242 if you require further information.

Very truly yours,



Catherine A. O'Connor  
Director of Engineering

WSS/JK/JBS/op  
Enclosures