



Department Source: City Utilities - Sewer/Stormwater

To: City Council

From: City Manager & Staff

Council Meeting Date: January 16, 2024

Re: Authorizing Amendment 9 to the general cooperative agreement with the Boone County Regional Sewer District to remove the portion of the agreement related to the Midway area sewer service

## Executive Summary

Staff has prepared for Council consideration an ordinance authorizing the City Manager to execute Amendment 9 to the General Cooperative Agreement Dated March 8, 2011 with the Boone County Regional Sewer District. This amendment removes the portion of the Agreement relative to the "Midway Area Cooperative Agreement" and the associated financial participation in the construction of the "Henderson Branch Sewer Extension".

## Discussion

On August 17, 2015 the City Council approved 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 Henderson Branch Sewer Extension. City staff proceeded with the standard public improvement process for the Henderson Branch Sewer Extension. On May 21, 2018 and again on September 4, 2018, the City Council defeated the ordinance authorizing construction of the sanitary sewer to serve the Henderson Branch Watershed. On February 1, 2021, the City Council re-appropriated the funds from the Henderson Branch Sewer Extension Project to sewer rehabilitation projects.

Amendment 3 obligates Boone County Regional Sewer District to reimburse the City in an amount not to exceed \$628,047.00 for construction of the Henderson Branch Sewer Extension. Amendment 9 is necessary to remove the "Midway Area Cooperative Agreement", "BCRSD Midway Connection Agreement Map" and financial participation in the "Henderson Branch Sewer Extension" from the General Cooperative Agreement with the Boone County Regional Sewer District. This agreement will remove all requirements to construct a sewer extension in the Henderson Branch and assignments of sewer territory in the Midway area. This relieves the Boone County Regional Sewer District of unknown future financial liability with regard to a Henderson Branch Sewer Extension. Additionally, by approving Amendment 9, this allows future development in the Midway area without causing the Boone County Regional Sewer District or the City of Columbia to be in a situation where either party is failing to perform contractual obligations outlined in Amendment 3 and the General Cooperative Agreement. This would also allow for future discussions on the construction of this sewer without the existing financial obligations and territorial boundaries.



## Fiscal Impact

Short-Term Impact: None

Long-Term Impact: None

## Strategic & Comprehensive Plan Impact

### [Strategic Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### [Comprehensive Plan Impacts:](#)

Primary Impact: Inter-Governmental Cooperation, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
02/01/2021	B35-21 Amending the FY 2021 Annual Budget by appropriating funds for sewer rehabilitation projects.
09/04/2018	B206-18 Authorizing the acquisition of easements for construction of sanitary sewers to serve the Henderson Branch Watershed. WITHDRAWN
09/04/2018	B205-18 Authorizing construction of sanitary sewers to serve the Henderson Branch Watershed; calling for bids through the Purchasing Division. DEFEATED
09/04/2018	PH33-18 Proposed design and construction of sanitary sewers to serve the Henderson Branch Watershed.
08/20/2018	R120-18 Setting a public hearing: proposed design and construction of sanitary sewers to serve the Henderson Branch Watershed.
05/21/2018	B101-18 Authorizing the acquisition of easements for construction of sanitary sewers to serve the Henderson Branch Watershed. WITHDRAWN
05/21/2018	B100-18 Authorizing construction of sanitary sewers to serve the Henderson Branch Watershed; calling for bids through the Purchasing Division. DEFEATED
05/15/2017	PH15-17 Proposed design and construction of sanitary sewers to serve the Henderson Branch Watershed. Staff directed to proceed with design.
04/17/2017	R52-17 Setting a public hearing: proposed design and construction of sanitary sewers to serve the Henderson Branch Watershed.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

11/07/2016	PH20-16 Construction of the Henderson Branch sewer extension project. Public Hearing Held. Staff directed to negotiate with interested parties and return with plan of action.
10/02/2016	PH20-16 TABLED
07/05/2016	PH20-16 TABLED
06/06/2016	R60-16 Setting a public hearing: construction of the Henderson Branch sewer extension project.
08/17/2015	B232-15 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.
03/07/2011	B57-11 Authorizing a general cooperative agreement with the Boone County Regional Sewer District 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

## Suggested Council Action

Approve the ordinance.