



Legislation Details (With Text)

File #:	24-0001	Version:	1	Name:	
Type:	Intergovernmental Agreement	Status:		Approved	
File created:	9/20/2023	In control:		Office of the General Superintendent	
On agenda:	1/23/2024	Final action:		1/23/2024	
Title:	PROPOSED INTERGOVERNMENTAL AGREEMENT				

Department: Department of Planning and Development

Other Part(ies): Metropolitan Water Reclamation District of Greater Chicago ("MWRD"), Chicago, Illinois

Request: Authorization to enter into a new expanded intergovernmental agreement with MWRD

Goods or Services: Master agreement for the following: (1) MWRD financial support for green infrastructure projects on Forest Preserves of Cook County (the "Forest Preserves") land; (2) mutual waiver of license and other fees for projects proposed by either agency that otherwise meet the respective agency's permit or license review criteria; and (3) clarification of environmental inspection obligations for MWRD land leased by the Forest Preserves.

Agreement Number(s): N/A

Agreement Period: Five (5) years from the Effective Date regarding joint green infrastructure projects and the mutual waiver of fees, and thirty (30) years from the Effective Date with automatic one-year renewals regarding maintenance of the completed green infrastructure projects

Fiscal Impact: Revenue Generating for Green Infrastructure Projects - MWRD participation of up to \$3 million per year subject to Forest Preserves match; Varies by project for mutual waiver of fees

Accounts: Various grant accounts to be assigned for specific green infrastructure and ecosystem restoration projects after approval of the proposed intergovernmental agreement

District(s): Districtwide

Summary: The Forest Preserves and MWRD wish to expand upon prior Intergovernmental Agreements for MWRD financial participation in mutually beneficial green infrastructure and ecosystem restoration projects, and for the mutual waiver of various fees for improvements. The proposed new intergovernmental agreement seeks to address three (3) items.

First, instead of individual intergovernmental agreements for each green infrastructure project, the master agreement would establish blanket terms and conditions for MWRD approval of reimbursement of project cost based on a fixed rate per gallon of Design Retention Capacity (DRC) up to \$3 million per year over the next five (5) years. The anticipated reimbursement for individual projects is not expected to exceed 50% of project costs for most projects based on past project subsidies. Construction contracts for specific green infrastructure projects would still be subject to the Forest Preserves' procurement and MWBE ordinances. Eligible projects would make Forest Preserves land more climate resilient by expanding the potential to hold or slow stormwater after storm events. Past examples have included the retrofit of existing parking lots near the Des Plaines River to replace portions with porous pavers, bioswales or other vegetation (See Board Item Nos. 19-0328, 20-0175, and 21-0229).

Second, the Forest Preserves typically charges tree mitigation, application, license, and other fees for

projects that impact Forest Preserves-owned property; and MWRD typically charges permit review and inspection fees for permits sought under its Watershed Management Ordinance or any other ordinances. The proposed new intergovernmental agreement would continue the prior practice of both agencies of mutually waiving various fees for improvement projects (See Board Item Nos. 17-0133 and 22-0281).

Third, the proposed intergovernmental agreement would clarify responsibilities with respect to periodic environmental inspections of MWRD parcels leased by the Forest Preserves. Final agreement is subject to legal review and approval.

Sponsors:

Indexes: (Inactive) ARNOLD RANDALL, General Superintendent

Code sections:

Attachments: 1. MWRD - Green Infrastructure Program, 2. MWRD

Date	Ver.	Action By	Action	Result
1/23/2024	1	FPD Board of Commissioners	approve	Pass

PROPOSED INTERGOVERNMENTAL AGREEMENT

Department: Department of Planning and Development

Other Part(ies): Metropolitan Water Reclamation District of Greater Chicago (“MWRD”), Chicago, Illinois

Request: Authorization to enter into a new expanded intergovernmental agreement with MWRD

Goods or Services: Master agreement for the following: (1) MWRD financial support for green infrastructure projects on Forest Preserves of Cook County (the “Forest Preserves”) land; (2) mutual waiver of license and other fees for projects proposed by either agency that otherwise meet the respective agency’s permit or license review criteria; and (3) clarification of environmental inspection obligations for MWRD land leased by the Forest Preserves.

Agreement Number(s): N/A

Agreement Period: Five (5) years from the Effective Date regarding joint green infrastructure projects and the mutual waiver of fees, and thirty (30) years from the Effective Date with automatic one-year renewals regarding maintenance of the completed green infrastructure projects

Fiscal Impact: Revenue Generating for Green Infrastructure Projects - MWRD participation of up to \$3 million per year subject to Forest Preserves match; Varies by project for mutual waiver of fees

Accounts: Various grant accounts to be assigned for specific green infrastructure and ecosystem restoration projects after approval of the proposed intergovernmental agreement

District(s): Districtwide

Summary: The Forest Preserves and MWRD wish to expand upon prior Intergovernmental Agreements for MWRD financial participation in mutually beneficial green infrastructure and ecosystem restoration projects, and for the mutual waiver of various fees for improvements. The proposed new intergovernmental agreement seeks to address three (3) items.

First, instead of individual intergovernmental agreements for each green infrastructure project, the master agreement would establish blanket terms and conditions for MWRD approval of reimbursement of project cost based on a fixed rate per gallon of Design Retention Capacity (DRC) up to \$3 million per year over the next five (5) years. The anticipated reimbursement for individual projects is not expected to exceed 50% of project costs for most projects based on past project subsidies. Construction contracts for specific green infrastructure projects would still be subject to the Forest Preserves' procurement and MWBE ordinances. Eligible projects would make Forest Preserves land more climate resilient by expanding the potential to hold or slow stormwater after storm events. Past examples have included the retrofit of existing parking lots near the Des Plaines River to replace portions with porous pavers, bioswales or other vegetation (See Board Item Nos. 19-0328, 20-0175, and 21-0229).

Second, the Forest Preserves typically charges tree mitigation, application, license, and other fees for projects that impact Forest Preserves-owned property; and MWRD typically charges permit review and inspection fees for permits sought under its Watershed Management Ordinance or any other ordinances. The proposed new intergovernmental agreement would continue the prior practice of both agencies of mutually waiving various fees for improvement projects (See Board Item Nos. 17-0133 and 22-0281).

Third, the proposed intergovernmental agreement would clarify responsibilities with respect to periodic environmental inspections of MWRD parcels leased by the Forest Preserves. Final agreement is subject to legal review and approval.