

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

\_\_\_\_\_ Resolution or Ordinance (Blue) \_\_\_\_\_ *Waiver of First Requested*  
\_\_\_\_\_ Recommendations of Boards, Commissions & Committees (Green)  
  X   Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: David A. Hulseberg, Village Manager  
DATE: March 22, 2011 (B of T) DATE: March 23, 2011  
TITLE: Intergovernmental Agreement with Glenbard Wastewater Authority  
SUBMITTED BY: Carl Goldsmith, Director of Public Works *CG*

BACKGROUND/POLICY IMPLICATIONS:

A discussion regarding proposed revisions to the Intergovernmental Agreement between the Villages of Glen Ellyn and Lombard for the Glenbard Wastewater Authority.

FISCAL IMPACT/FUNDING SOURCE

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: Materials must be submitted to / approved by the Village Manager's Office by 12:00 pm, Wednesday, prior to the Agenda Distribution.



March 21, 2011

TO: Village President and Board of Trustees

THROUGH: David A. Hulseberg, Village Manager

FROM: Carl Goldsmith, Director of Public Works *CG*

SUBJECT: Glenbard Wastewater Authority Intergovernmental Agreement

The Villages of Glen Ellyn and Lombard jointly established the Glenbard Wastewater Authority (GWA) with through an intergovernmental agreement in 1977. The basic structure and content of the Agreement have remained in tact since the formation of the Authority. The GWA is managed by the Operating Agency (Glen Ellyn), with direct oversight by the Executive Oversight Committee (EOC), which is comprised of the Village Presidents, an elected official from each community, the Village Managers and the Public Works Directors. The GWA Board is comprised of the full Corporate Authorities from each community and meets annually to adopt the annual budget, or as called upon to discuss matters related to the GWA.

Beginning in 2008, the two staffs began to review the IGA. To ensure that the GWA was operating in accordance with the executed IGA and to make sure that the financial contributions by the member communities were appropriate based upon benefit derived. Through the review process, Lombard staff discovered several areas where practice did not match the language contained in the agreement.

The significant modifications to the IGA are identified below:

### **BUDGET & FUNDING**

Section I.G., I.K. and VI.C. identify all facilities covered by the GWA. Each facility that is operated by the GWA is assigned a cost center from both Operating & Maintenance and Capital budgeting purposes. The IGA identifies the breakdown of funding of operating and capital items based upon the benefiting member. The cost centers are broken down in accordance with the schedule below:

- Glenbard Treatment Plant (split based upon flow)
- Lombard Stormwater Plant (100% Lombard)
- North Regional Interceptor (split based upon flow)

- South Regional Interceptor (100% Glen Ellyn)
- St. Charles Road Lift Station (100% Glen Ellyn)
- Valley View Lift Station (100% Glen Ellyn)
- SRI Lift Station (100% Glen Ellyn)
- Sunnyside Lift Station (100% Glen Ellyn)

Section VI.A. defines the separation of funds for Operation & Maintenance and Capital Replacements, which shall follow the cost center allocation formulas.

Section VI.D. provides that a Member may adjust their contribution to a Division on an annual basis, provided the Member fully funds the debt service and capital expenses for each Division on an annual basis. This may only be done for Divisions funded 100% by the Member.

### **ORGANIZATIONAL STRUCTURE**

Section II.C. of the revised IGA clarifies the composition of the EOC, as well as identifying the assignment of the presiding officer function for the EOC.

### **PERSONNEL**

Section IV.A. provides that the evaluation and discipline of the GWA Executive Director shall be conducted by the Operating Agency, but the appointment and dismissal is made by the Executive Oversight Committee.

Section IV.E. gives greater clarity to the benefits afforded to employees of the GWA, which shall be consistent with those afforded to Glen Ellyn employees not covered by a collective bargaining agreement.

### **OPERATIONAL ISSUES**

Section IX. Has been amended to provide greater clarity on the use of Authority property. As a result of past discussions on the placement of cellular communication towers, the EOC desired to incorporate language on the matter into the amended IGA. Due to the fact that the GWA does not hold title to property, the Lombard staff felt it important to make sure to define the approval process and benefit (financially).

Section X. amends the Overhead Fees charged by the Village of Glen Ellyn. Exhibit "A" sets forth the initial fee, which will be adjusted annually by the equivalent amount of the most recent Consumer Price Index. Any additional or extraordinary costs that are incurred by the Operating Agency (Glen Ellyn) shall be reviewed by the EOC prior to reimbursement. The EOC shall review the indirect costs contained in the Overhead Fee every 3 years and has the authority to make revisions to Exhibit "A" without amending the IGA.

A section has been included to require that the selection of legal counsel, to serve the GWA Board and EOC, would be made by the EOC and shall have no affiliation to the

Member Agencies. This neutrality is the same requirement that was imposed in the amended IGA and was requested to ensure that the Authority's interests would be best served.

The overall goal was to guarantee a greater level of accountability for the operation of the GWA. The process to approve the revised IGA requires that the EOC approve the document and recommend approval to the GWA Board. The GWA Board is required to take action to approve the agreement and then each member community must approve the IGA.

At this time staff wanted to apprise the Board of the key changes in the revised IGA prior to the GWA Board meeting, which will be held on April 21, 2011. There is no action requested of the Village Board at this time. Please feel free to contact me with any questions or comments.