

VILLAGE OF ALMONT
RESOLUTION NO. 15-07-02

**A RESOLUTION OF THE ALMONT VILLAGE COUNCIL
REGARDING ASSIGNMENT AGREEMENT WITH THE
CITY OF DETROIT AND THE GREAT LAKES WATER
AUTHORITY**

The following preamble and resolution were offered by Council Member Tobias and supported by Council Member Steffler.

WHEREAS, on September 9, 2014, a Memorandum of Understanding Regarding the Formation of the Great Lakes Water Authority was adopted by the City of Detroit, the State of Michigan and the counties of Wayne, Oakland and Macomb; and

WHEREAS, the Memorandum of Understanding required, among other things, that the City of Detroit and the counties of Wayne, Oakland and Macomb adopt Articles of Incorporation no later than October 10, 2014, and that the City of Detroit and the Great Lakes Water Authority execute a lease agreement regarding the operation and management of the Detroit water supply and sewage disposal systems; and

WHEREAS, on October 10, 2014, the City of Detroit and the counties of Wayne, Oakland and Macomb adopted the Articles of Incorporation of Great Lakes Water Authority; and

WHEREAS, on June 12, 2015, the City of Detroit and the Great Lakes Water Authority executed two 40-year lease agreements regarding (1) the operation and management of the Detroit water supply system (“Water Lease”) and (2) the operation and management of the Detroit sewage disposal system; and

WHEREAS, Pursuant to Sections 4.1(a)(i), 4.1(d) and 4.4 of the Water Lease, the City of Detroit assigned and the Great Lakes Water Authority assumed all of Detroit’s rights, duties, liabilities, responsibilities and obligations under the wholesale customer water contracts without any impairment to said contracts; and

WHEREAS, Article III of the Water Lease provides that the effective date of the Water Lease is dependent upon the satisfaction of certain conditions precedent, including obtaining the consent of the wholesale water customers to the assignment of their 30-year water service contracts to the Great Lakes Water Authority pursuant to Section 3.2(j) of the Water Lease; and

WHEREAS, pursuant to the Water Lease, and as provided in Article 13 of the Water Service Contract, the City of Detroit has presented an Agreement to Assign Wholesale Customer Water Service Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority and this community for the assignment of the Water Service Contract with the City of Detroit Water and Sewerage Department to the Great Lakes Water Authority with a request for approval; and

WHEREAS, this Honorable Body finds it is in the best interests of this community to consent to the assignment of the Water Service Contract to the Great Lakes Water Authority;

NOW THEREFORE BE IT RESOLVED, that the attached Agreement to Assign Wholesale Customer Water Service Contract between the City of Detroit Water and Sewerage Department, the

Great Lakes Water Authority, and the Village of Almont is approved; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution and the executed Agreement to Assign Wholesale Customer Water Service Contract be returned to the City of Detroit Water and Sewerage Department within seven (7) days of the date of this Resolution.

AYES: Dyke, Love, Peltier, Steffler, Tobias, Schneider

NAY: Lauer

ABSENT: None

ABSTAIN: None

THIS RESOLUTION DECLARED ADOPTED THIS 7th DAY OF JULY 2015. I, Kimberly J. Keesler, Clerk/Treasurer of the Village of Almont, State of Michigan, do hereby certify that the foregoing Resolution No. 15-07-02 was duly adopted by the Almont Village Council during its regular meeting held in the Municipal Building in the Village of Almont on July 7th, 2015.

Kimberly J. Keesler
Almont Village Clerk/Treasurer

Steve Schneider
Village President