



Date: July 7, 2015
To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Donald F. Greeley, Director, Water Management
Subject: Addendum No. 1 to Supplemental Article No. 4 for Jordan Lake Partnership regarding Phase II of the Triangle Regional Water Supply Plan

Executive Summary:

In March 2008, the City Council adopted a Resolution Supporting Regional Partnerships for Water Supply Planning and the Establishment of a Western Water Intake on the B. Everett Jordan Reservoir. Following that action, a Memorandum of Understanding (MOU) was developed and approved by 12 entities in the greater Triangle area. The MOU established Durham as the lead agency for general activities regarding the Jordan Lake Regional Water Supply Partnership and allows for Supplemental Articles to the MOU to define participation by some or all of the partners in further activities. To date, the Partnership has developed and completed several supplemental articles to support regional planning activities.

Due to continuing changes by DENR/Division of Water Resources (DWR) in the schedule and the requirements for supplemental information for allocation applications, additional time and funds were requested by TJCOG in order to complete the project. On June 16, 2014, City Council approved a contract amendment with TJCOG for an additional \$63,830.00. Addendum No. 1 to Supplemental Article No. 4 – Regional Water Supply Study, Phase II sets the cost-sharing mechanism for reimbursement to the City of Durham as the Lead Agency.

Recommendations:

The administration recommends that the City Council authorize the City Manager to execute Addendum No. 1 to Supplemental Article No. 4 – Regional Water Supply Study, Phase II for the Jordan Lake Partnership.

Background:

In March 2008, Durham City Council adopted a Resolution Supporting Regional Partnerships for Water Supply Planning and the Establishment of a Western Water Intake on the B. Everett Jordan Reservoir. The City committed to taking a leadership role in the partnership for regional water supply planning and to work with potential partners in the establishment of a western Jordan Lake water intake and possibly build an associated water treatment facility. Further, the City committed to proceed with the negotiation of Interlocal Agreements to accomplish the activities of the Partnership. The Memorandum of Understanding was approved by Durham City Council at the February 16, 2009 Council meeting and has been approved by 12 additional partnering jurisdictions: towns of Apex, Cary, Hillsborough, Holly Springs, Morrisville and Pittsboro, Chatham County, Orange County, Wake County, Orange Water and Sewer Authority (OWASA), and the cities of Sanford and Raleigh. In November 2014, City Council adopted a resolution extending the

MOU through June 2019 in recognition of the outstanding level of regional collaboration exhibited by the Partners.

As the lead agency, the City of Durham Department of Water Management serves as the Partnership's fiscal agent. Via this mechanism, the Partnership engaged the services of the Water Resources Planning group at Triangle J Council of Governments (TJCOG) to develop a comprehensive regional water supply plan. The planning document – Triangle Regional Water Supply Plan (TRWSP) – has been completed and was used as a basis for Round 4 Jordan Lake Allocation Requests for several partners. The TRWSP recently received Honorable Mention in the Comprehensive Planning – Multijurisdictional or Regional Project category of the 2014 North Carolina Marvin Colling Planning Awards Program sponsored by the North Carolina Chapter of the American Planning Association (NC-APA). Additionally, the TRWSP (Jordan Lake Partners & TJCOG staff) tied with Tampa area COGs for the Major Metro Award which was presented at the annual conference of the National Association of Regional Councils held June 7 – 10, 2015 in Raleigh.

The Partnership has also conducted a number of other projects to support implementation of the long-range plans such as the Phase 1 Interconnection Study (complete) and the Phase 2 Interconnection Study (underway). Additional work currently completed by a subset of the partners - Chatham County, Durham, Orange Water and Sewer Authority and Pittsboro - includes a feasibility study for an additional intake on the western side of Jordan Lake which would potentially serve these partners.

Issues and Analysis:

The TRWSP has been applauded by DENR/Division of Water Resources staff as an outstanding example of cooperation and coordination of regional planning for the continued reliability of public water supply sources in the Triangle Region. Through this collaborative effort, Partners have maximized resources and produced peer-reviewed technical data that supports requests for additional water supply from Jordan Lake that can be supported by all partners. The Partnership recognizes that the level of commitment and the excellent product produced by TJCOG staff was indeed cost effective and would not have been fully developed without the expanded scope and additional funding required.

Throughout the development of both phases of the TRWSP, DENR/DWR made a number of changes to the schedule and requirements for the allocation process which necessitated an expansion of the scope of the TJCOG contract for additional time and funds. The Partners agreed to the cost sharing mechanism to reimburse the City of Durham as outlined in Addendum No 1. to Supplemental Article No. 4 0 Regional Water Supply Study, Phase II.

Alternatives:

Alternative: Do not authorize the execution of Addendum No. 1 to Supplemental Article 4, which would result in the City's inability to recover the costs from its partners for work performed by TJCOG.

Financial Impacts:

With Addendum #1 the total cost associated with Supplemental Article #4 will be revised to \$158, 530. The City's cost share as outlined in the Amendment is \$24,583.00. As the Lead Agency, the City contracted with TJCOG for the work. The department then bills the other agencies for their portion of the contract. There have been no reimbursement issues to date with our utility partners.

SDBE Summary:

No SDBE goals are required for this item.

Attachments:

JLP Addendum No. 1 to Supplemental Article 4