



City of Broken Arrow

Request for Action

File #: 17-1733, Version: 1

**Broken Arrow Municipal Authority
Meeting of: 01-17-17**

To: Mayor and City Council
From: Office of the City Attorney
Title: Consideration, discussion, and possible approval of and authorization to execute Amendment No. 1 to Waste Water Treatment Facility Contract between The Regional Metropolitan Utility Authority and the Broken Arrow Municipal Authority

Background:

The Legal Department is in the process of negotiating a comprehensive new agreement between the Regional Metropolitan Utility Authority (RMUA) and the City of Broken Arrow and the Broken Arrow Municipal Authority (BAMA). The initial agreement was between RMUA and the City and was approved in 1974. It provided for the operation of the Haikey Creek Wastewater Treatment Plant. In 2010, a subsequent agreement with purported automatic renewals was approved by both BAMA and the City Council. Unfortunately, that agreement did not contain the detail outlined in the 1974 agreement. The attached Contract Amendment No. 1 is for a one-year period of time, extending the previous updated contract approved in March of last year.

Importantly, the purpose of this one-year extension is to maintain the status quo until a comprehensive, updated agreement can be prepared. Staff recommends that the Authority approve Contract Amendment No. 1 and authorize its execution.

Cost: As set forth in the Facility Contract
Prepared By: Beth Anne Wilkening, City Attorney
Reviewed By: Assistant City Manager of Operations
Approved By: Michael L. Spurgeon, City Manager
Attachments: Waste Water Treatment Facility Contract Amendment No. 1 between the Regional Metropolitan Utility Authority and the Broken Arrow Municipal Authority

Recommendation: Approve Amendment No. 1 to the Waste Water Treatment Facility Contract Amendment No. 1 and authorize its execution.