

RESOLUTION NO.: R-2017-042

Authorizing the City Manager to execute an Intergovernmental Agreement between Richland County and the City of Columbia for the Lake Katharine Sediment Removal Project

ORIGINAL
STAMPED IN RED

BE IT RESOLVED by the Mayor and City Council this 18th day of April, 2017, that the City Manager is hereby authorized to execute the attached Intergovernmental Agreement, or on a form to be approved by the City Attorney, between Richland County and the City of Columbia for the Lake Katharine Sediment Removal project.

Requested by:

City Manager _____



Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 4/18/2017

Final Reading: 4/18/2017

STATE OF SOUTH CAROLINA) INTERGOVERNMENTAL AGREEMENT
) BETWEEN RICHLAND COUNTY AND THE
COUNTY OF RICHLAND) CITY OF COLUMBIA
(Lake Katherine Sediment Removal)

This Agreement entered into this 24th day of April, 2017, by and between Richland County, South Carolina (the "County"), and the City of Columbia, South Carolina (the "City").

WITNESSETH THAT:

WHEREAS, the City and The Home Owners Association of Lake Katherine, Inc. ("LKHOA") have executed the Project Agreement, dated June 21, 2016, for the purpose of collaborating to remove the sediment/silt in Lake Katherine (the "Project"), which is private lake located in the City of Columbia and owned by the LKHOA; and

WHEREAS, the Project is vital to the County's watershed management and will have positive environmental effects on the County's watercourses and stormwater runoff; and

WHEREAS, the importance of Lake Katherine to the management of the watershed was made more poignant by the October 2015 overtopping of Lake Katherine dam during the historic flood

WHEREAS, Lake Katherine HOA has agreed, upon request of the City, during threats of inclement weather predicting a 10-year storm level of greater, reducing the Lake level to allow for excess stormwater storage in the Lake,

WHEREAS, the County has agreed to provide a portion of funding for the Project;


NOW THEREFORE, in consideration of the foregoing and of the mutual covenants herein set forth, the parties agree as follows:

1. The Project will be performed pursuant to the Project Agreement, to which the County is not a party.
2. The County shall not be responsible for any portion of the Project, including any design services, right-of-way acquisition, mobilization, traffic control, clearing and grubbing, drainage and erosion control, and appropriate inspection services.
3. The County agrees to provide to the City, for the sole purpose of partially funding the Project and pursuant to the Project Agreement, an amount equal to \$62,400.00. The City will then provide the same funding to Lake Katherine HOA only upon request for such through an invoice reflecting a portion of the work that has been performed.
4. Should work on the Project fail to commence within one (1) year, or fail to be completed with two (2) years, from the from the date of execution of this Agreement, the City shall return the funds in full to the County.
5. Should the Project be completed for less than the Project budget, as provided in the Project Agreement, the City shall return to the County a pro-rated amount based on the cost savings and the percentage of funding provided by each of the three entities.


6. This Agreement represents the entire and integrated agreement between the County and the City.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

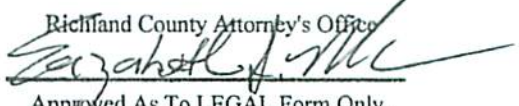
RICHLAND COUNTY, SOUTH CAROLINA

By: 
Printed Name: Gerald Seals
Title: Interim County Administrator

City of Columbia, South Carolina

By: 
Printed Name: Teresa Wilson
Title: City Manager

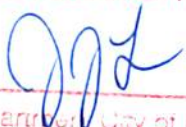
Richland County Attorney's Office



Approved As To LEGAL Form Only.

No Opinion Rendered As To Content.

APPROVED AS TO FORM


Legal Department, City of Columbia, SC



RICHLAND COUNTY
GOVERNMENT

Office of the County Administrator

March 28, 2017

Ms. Teresa Wilson, City Manager
City of Columbia
P.O. Box 147
Columbia, SC 29217

Dear Ms. Wilson:

As promised at our recent joint executive staff meeting, County staff, in conjunction with your executive staff, amended the original intergovernmental agreement for the dredging of Lake Katherine to provide both parties with the necessary considerations.

The enclosed agreement has been approved to form by the County's Legal staff and has been signed by me. Via this letter, I am forwarding this agreement for your signature and execution.

I am aware that this agreement may need to be approved by City Council prior to being executed. As such, the County defers to the City's approval process for executing this agreement.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me.

In the Spirit of Excellence,

Gerald Seals
County Administrator

