

Resolution Authorizing Executive Director to Enter into Amendment #2 to the Memorandum of Agreement for the Western Intake Partnership

Whereas, Orange Water and Sewer Authority (OWASA) originally received an allocation of water from Jordan Lake's Water Supply Pool in 1988; and

Whereas, OWASA's current allocation of water from Jordan Lake is 5 percent of the water supply pool, which is approximately 5 million gallons per day; and

Whereas, Jordan Lake is an important part of OWASA's water supply plan; and

Whereas, the uncertainty of climate change makes it important to maintain a diverse water supply portfolio for reliability and resilience; and

Whereas, OWASA has been working with the City of Durham, Chatham County, and Town of Pittsboro to explore a western intake and treatment plant on Jordan Lake and these entities are collectively known as the Western Intake Partners; and

Whereas, the Western Intake Partners entered into a Memorandum of Agreement which outlines cost shares for each Partner on future studies in 2019; and

Whereas, the Western Intake Partners amended the Memorandum of Agreement in 2020 to hire an independent program manager to manage the projects identified in the Memorandum of Agreement for the Western Intake Partnership; and

Whereas, on June 9, 2022, the OWASA Board of Directors selected working with the Western Intake Partners as the best alternative to secure access to OWASA's allocation of water in Jordan Lake as part of the update to the Long-Range Water Supply Plan; and

Whereas, after the FY 2023 budget was approved, OWASA began participating in the studies included in the original Memorandum of Agreement and Amendment #1 with the exception of the preliminary design of the water treatment facility; and

Whereas, the Memorandum of Agreement is set to expire on June 30, 2023; and

Whereas, the projects covered by the Memorandum of Agreement and Amendment #1 are currently scheduled to extend to the end of calendar year 2024, but there is some uncertainty in that schedule and the Partners wish to extend the MOA until June 30, 2025; and

Whereas, the Memorandum of Agreement, Amendment #1, and Amendment #2 do not obligate OWASA to participate in any future study regarding the final design and construction of any of the WIP facilities, but keeps options open to access OWASA's Jordan Lake allocation:

Resolution Authorizing Staff to Enter into Amendment #2 to the Memorandum of Agreement for the Western Intake Partnership

May 11, 2023

Page 2 of 2

Now, Therefore, Be It Resolved By the Orange Water and Sewer Authority Board of Directors That:

1. The Amendment #2 to the Memorandum of Agreement for the Western Intake Partnership to extend the duration to June 30, 2025 is approved, and OWASA's Executive Director is authorized to execute it on OWASA's behalf.

Adopted this 11th day of May 2023.

Raymond E. DuBose, P.E., Acting Chair

ATTEST:

Andrea Orbich, Assistant Secretary