

2021 Memorandum of Understanding
Relating to Ongoing Inflow and Infiltration Program
Between
City of St. Anthony Village
And
Metropolitan Council

WHEREAS:

1. The Council has adopted the Inflow and Infiltration (I/I) Program procedures pursuant to Minnesota Statutes (M.S.), chapter 473, including section 473.145-146 and section 473.858, and the MCES's Waste Discharge Rules, and are declared to be necessary for the efficient, economic, and safe operation of the regional sanitary sewer system and for protection of the health, safety, and general welfare of the public in the metropolitan region.
2. The Metropolitan Council Environmental Services (MCES) policy regarding I/I is contained in the *2040 Water Resources Policy Plan*, adopted by the Metropolitan Council in May 2015.
3. The Ongoing I/I Mitigation Program requires that the Council establish inflow and infiltration goals for all communities discharging wastewater to the regional wastewater system. Communities that have excessive inflow and infiltration in their wastewater collection systems will be required to eliminate the excessive inflow and filtration within a reasonable time.
4. The City of St. Anthony Village has been identified by the Council as contributing excessive inflow and infiltration in the wastewater collection system.
5. The City of St. Anthony Village has implemented an aggressive Street and Utility Capital Improvement Program to replace aging infrastructure throughout the entire city.
6. Because of circumstances related to age of infrastructure, age of housing stock, historical building methods used to handle clear water, and capacity in the local wastewater collection systems, the City of St. Anthony Village is undertaking a long-term I/I mitigation program.

Now, therefore, the Metropolitan Council ("Council") and the City of St. Anthony Village ("City") hereby agree as follows:

1. **Purpose of Agreement:** The parties to the Memorandum of Understanding ("MOU") recognize the need to outline their joint and separate efforts in inflow and infiltration mitigation.

- 2. Continuation of private property I/I mitigation:** The City will adopt and implement ordinances which require the following:

 - a. Effective January 1, 2022, a I/I compliance inspection shall occur prior to the sale of an owner-occupied single-family property. The property shall be brought into compliance within 18 months from the date of the sale of the property.
 - b. Properties affected by the City's annual pavement management program shall be provided a free I/I compliance inspection. The City shall encourage private property owners to have non-compliant services replaced or repaired.
 - c. Effective July 1, 2022, rental properties shall be required to become compliant within 24 months of the property's annual rental license renewal.
 - d. Effective July 1, 2022 Commercial properties and homeowner associations shall be required to become compliant within 24 months of the ordinance becoming effective.
 - e. The City will work with MCES staff to conduct city-wide flow monitoring in an attempt to isolate areas of high I/I.
 - f. The City will properly enforce the ordinance. An estimated 50-100 properties on average will be inspected for compliance with the ordinance on an annual basis.

- 3. I/I Policy Implementation:** The City will report to the MCES a list of compliant properties including addresses and cost of service lateral repair including city contribution. The report shall be submitted by March 31 each year. The City will also submit a report documenting expenditures to the City's wastewater collection system. The Council will advise the City of wastewater flows including exceedances, but the city will not be subject to an I/I work plan assignment.

- 4. Joint Study:** The Council and the City will work jointly to measure wastewater flows and rainfall totals collected by existing the Council meters to assess program effectiveness.

- 5. Education and Outreach:** The City will educate residents on I/I and service repair at least twice a year through the City's quarterly resident newsletter and City webpage. Properties affected by the City's annual pavement management program shall receive addition communication regarding the compliance inspection, replacement or repair options, and assessment options.

- 6. Effective Date:** This MOU shall be effective upon execution by both of the parties.

- 7. Termination Upon Mutual Agreement.** The parties may terminate this agreement upon mutual written consent.

<u>METROPOLITAN COUNCIL</u>	<u>FOR THE CITY OF ST. ANTHONY VILLAGE</u>
By: <hr/>	Mayor: <hr/>
Title: Regional Administrator <hr/>	City Manager: <hr/>
Date: <hr/>	Date: <hr/>
APPROVED AS TO FORM	APPROVED AS TO FORM
By: <hr/>	By: <hr/>