

Intergovernmental Agreement for Management of Wastewater Treatment Facility
Amendment #1

This Intergovernmental Agreement is amended effective the 1st day of January, 2022 by and between the City of Manitowoc, a Wisconsin municipal corporation (“City”), and the Manitowoc Public Utilities, a municipal utility owned and operated in accordance with Chapter 66 of the Wisconsin Statutes and Chapter 12 of the City of Manitowoc Ordinances (“MPU”).

RECITALS

WHEREAS, City owns and operates a wastewater treatment facility serving the City of Manitowoc with a primary location at 1015 S. Lakeview Drive, Manitowoc (the “WWTF”); and

WHEREAS, MPU is a municipal utility currently providing water, electric, steam, and telecommunications utilities under the authority granted by City; and

WHEREAS, MPU currently provides billing services to the City’s wastewater customers;

WHEREAS, management and oversight of the WWTF has been temporarily transferred to MPU under a three-year intergovernmental agreement entered into on January 1, 2019; and

WHEREAS, the parties wish to extend the agreement for 2022 with the understanding that transfer of the WWTF will take place January 1, 2023.

NOW, THEREFORE, in consideration of the mutual covenants and agreements stated below and with intent to be legally bound, the parties agree to amend the agreement as follows:

- 1. Term.** The Term of the agreement, as referenced in Sections 1 and 9, shall be extended through December 31, 2022.
- 2. City/MPU WWTF Transition Milestones and Obligations**
 - a.** Develop an internal communication plan for the transition – March 31, 2022 (City HR LEAD, support by MPU GM)
 - b.** Develop a public communication plan for the transition – November 30, 2022 (MPU GM LEAD, support by MPU Communications)
 - c.** Host employee informational meetings regarding the transfer – March 31, 2022 (Combined City HR and MPU GM and Senior Managers, City HR director LEAD)
 - d.** Comprehensive Compensation and Benefits Evaluation – March 31, 2022 (Coordinated/LEAD by office of MPU GM)

- e. Cost of Service Study, Rate and fee Evaluation – September 30, 2022 (MPU Senior Manager – Business Services LEAD, with City Finance Director)
 - f. Accounting and IT Logistics Planning – September 30, 2022 (MPU Senior Manager – Business Services LEAD, with City Finance Director)
 - g. Rate and Fee Development – September 30, 2022 (MPU Senior Manager – Business Services LEAD, with City Finance Director)
 - h. Employee and Asset Transfer – January 1, 2023
- 3. Final Decision to Be Made.** The Common Council and MPU Commission shall hold a joint meeting before September 30, 2022 to discuss progress on the transfer and confirm that the WWTF will be transferred to MPU effective January 1, 2023.
- 4. Reporting to Council.** MPU shall provide a report on the status of benchmarks under this agreement to the Common Council at their April, July, and October meetings.

This amendment is executed by the persons signing below, who warrant that they have authority to execute the agreement.

City of Manitowoc

Manitowoc Public Utilities

Justin M. Nickels, Mayor

Troy Adams, General Manager

Mackenzie Reed-Kadow, Clerk

Dave Luckow, MPU Commission President