

RESOLUTION NO. 2022-____

**A REVISED RESOLUTION BY THE CITY TO ENTER INTO AN AMENDED
CONTRACT WITH WASHINGTON COUNTY PROPERTY OWNERS
IMPROVEMENT DISTRICT NUMBER 5 FOR THE TREATMENT OF WASTE
WATER**

WHEREAS, the City and the Washington County Property Owners Improvement District No. 5 (POID) have an agreement for the City to accept and treat wastewater generated by the POID; and

WHEREAS, the City is expanding its wastewater treatment plant; and

WHEREAS, required improvements to the City's wastewater treatment plant will require an increase in the costs of treating wastewater; and

WHEREAS, the City passed Resolution 2022-18 on October 17, 2022 to enter into a revised agreement with the POID; and

WHEREAS, conditions have changed, allowing the rate charged to the POID to increase to a lesser extent; and

WHEREAS, the rate paid by the POID to the City for the treatment of wastewater will increase to \$6.60/1000 gallons as measured at the master meter effective January 1, 2023.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF PRAIRIE GROVE, ARKANSAS:**

That the City Council hereby agrees to enter into the attached contract addendum with the POID to: accept waste water generated by the POID into the City's waste water treatment system; to establish rates for the treatment of such waste water; and to govern all other aspects of such relationship.

PASSED AND APPROVED on this 19th day of December 2022.

APPROVED:

ATTEST:

Charles (Sonny) Hudson, Mayor

Christine Kelly, Clerk

SEWER CONTRACT ADDENDUM

This Addendum to the Sewer Contract between the parties, is made and entered into this ____ day of December 2022 by and between the City of Prairie Grove, Arkansas (hereinafter “Prairie Grove” and/or “the City”) and the Washington County Property Owners Improvement District No. 5 (hereinafter “POID”);

WHEREAS, Prairie Grove in its governmental capacity owns and operates a complete wastewater collection, treatment and discharge system; and

WHEREAS, the POID operates a wastewater collection system for certain subdivisions, and generally described as the Valley View Estates, Meadowsweet, Walnut Grove Acres and Saddle Brook subdivisions (representing the POID’s current connection agreements), and any future subdivision to be served by the POID as may be approved by Prairie Grove.

WHEREAS, the POID desires to connect to the Prairie Grove wastewater system and contract with Prairie Grove to provide wastewater treatment and disposal services to the POID; and

WHEREAS, Prairie Grove must ensure that this arrangement does not place undue burdens on the City and the City’s retail customers; and

WHEREAS, the POID must ensure that this arrangement does not place undue burdens on the POID and the POID’s retail customers; and

WHEREAS, the POID acknowledges that Prairie Grove will have to add and fund capacity additions from time to time; and

WHEREAS, Prairie Grove acknowledges that the POID will likely add other subdivisions to its wastewater collection system in the future,

NOW THEREFORE, in consideration of the mutual covenants, promises and conditions set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Prairie Grove and the POID, it is hereby agreed that Section III, paragraph 2 of the existing agreement between the parties is amended to read as follows.

III. RATES FOR SERVICES

2. The POID shall pay Prairie Grove a rate for treatment and disposal of \$6.60/1,000 gallons of delivered wastewater, effective January 1, 2023.

CITY OF PRAIRIE GROVE,
ARKANSAS

WASHINGTON COUNTY PROPERTY
OWNERS IMPROVEMENT DISTRICT
NO. 5

By: _____
Sonny Hudson
Title: Mayor

By: _____
William C. Winn
Title: Operations Manager

By: _____
Christine Kelly
Title: Clerk

By: _____
William Stephenson
Title: President