



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ETJ

Item Creation Date: 10/8/2021

HPW – 20WR326 – First Amendment to Sanitary Sewer Service Agreement, Harris County Municipal Utility District No. 421

Agenda Item#:

Background:

SUBJECT: First Amendment to Sanitary Sewer Service Agreement between the City of Houston and Harris County Municipal Utility District No. 421.

RECOMMENDATION: The First Amendment to Sanitary Sewer Service Agreement between the City of Houston and Harris County Municipal Utility District No. 421 be approved.

SPECIFIC EXPLANATION: The City of Houston (the "City") and Land Development Company, Ltd., a Texas limited partnership ("Land Development"), and Sowell Equities-Forestwood, L.P., a Texas limited partnership ("Sowell," and together with Land Development, the "Developers") entered into a Sanitary Sewer Service Agreement (the "Agreement") on behalf of Harris County Municipal Utility District No. 421 (the "District") on October 04, 2006, by Ordinance No. 2006-1011 to provide for wastewater treatment and disposal of waste collection.

The Agreement was assigned to the District under the Assignment of Agreement Rights, dated June 28, 2007.

The Agreement requires the District to prohibit the discharge of industrial waste into the District's sanitary sewer system without the City's prior written consent. The District is requesting the City's approval to provide out of district sanitary sewer collection and treatment service to a 22.48-acre tract of land located within the boundaries of Northeast Harris County Municipal Utility District No. 1 ("Northeast MUD 1"). The District has or will enter into an Out of District Agreement with Northeast MUD 1 as is required by the Agreement, subject to written approval of Houston Public Works. The owner of the 22.48-acre tract intends to develop the tract as a cold-storage industrial warehouse project.

The City must implement and enforce a pretreatment program to control discharges from industrial users to its wastewater treatment system pursuant to the requirements of the Federal Clean Water Act, 42 U.S.C. Section 1251 *et seq.*, 40 C.F.R. Part 403, and 30 Texas Administrative Code 315.1. To enforce its pretreatment program within the District, which is located outside City limits, the City must amend the Agreement to add multijurisdictional pretreatment program requirements.

The First Amendment approves out of district service with Northeast MUD 1. In addition, the First Amendment establishes the City's multijurisdictional pretreatment program requirements and states the terms and conditions under which industrial customers within the District may discharge into the District's sanitary sewer system. Lastly, the First Amendment requires the District to reimburse the City for all costs incurred by the City in implementing and enforcing the District's industrial waste requirements and establishes a rate to treat the industrial discharge.

Houston Public Works recommends the First Amendment be approved.

DocuSigned by:

10/21/2021
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Carol Ellinger Haddock, P. E.
Director
Houston Public Works

Prior Council Action:

(O) 2006-1011; Date: 10/04/2006

Contact Information:

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ATTACHMENTS:

Description	Type
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Description

Maps

First Amendment

Prior Council Action

Type

Backup Material

Backup Material

Backup Material