

Resolution No.: 17-344
Introduced: February 7, 2012
Adopted: February 14, 2012

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Support for the Blue Plains Intermunicipal Agreement of 2012

Background

1. The first Blue Plains Intermunicipal Agreement (IMA) was executed on September 5, 1985 by the Mayor of the District of Columbia, the Fairfax County Chairman of the Board of Supervisors, the Montgomery County Executive and Council Chairman, the Prince Georges County Executive and Council Chairman, and the Washington Suburban Sanitary Commission Chairman and Vice Chairman.
2. The IMA of 1985 is an invaluable inter-jurisdictional agreement, among the parties utilizing the Blue Plains Advanced Wastewater Treatment Facility, that established shared principles for cooperation, rights and responsibilities of signatories, guaranteed sewage capacity allocations, defined financial commitments, planned for the future, supported water quality programs, and provided a framework for cooperation for over 26 years.
3. Many provisions in the IMA of 1985 are out of date because of changes over the past 26 years. The IMA of 1985 does not permit limited updates without adopting a formal amendment signed by all of the parties to the IMA. The IMA has never been amended during its 26 year history.
4. The new IMA of 2012 will: retain the Principles in the 1985 IMA, recognize the District of Columbia Water and Sewer Authority (DC Water) as a party, since it did not exist in 1985, eliminate outdated planning concepts, provide flexibility for updating through the use of derivative agreements, address technical complexities associated with the reality of the Chesapeake Bay Program, update principles of shared financial responsibilities to address increased technical knowledge, and incorporate a dispute resolution process.
5. The Council's Transportation, Infrastructure, Energy and Environment Committee discussed the IMA of 2012 on January 30, 2012 and supports its signing by the Council President.

Action

The County Council for Montgomery County, Maryland approves the following action:

The County Council approves the Blue Plains Intermunicipal Agreement of 2012 and authorizes the Council President to execute the Agreement on its behalf.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council