

## CITY OF HIGHLAND PARK PRESS RELEASE

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## FOR IMMEDIATE RELEASE

Direct to Macomb County Officials

*Highland Park, MI* – In 1977, the U.S. Government sued the City of Detroit and the State of Michigan for violations of the Federal Clean Water Act (the CWA) in the Eastern District of Michigan [Case No 77-1100]. A Settlement Agreement was reached in 1980 with Detroit and all the users of the Regional System which mandated the Detroit sewer fees comply with Federal Law “User Charge System” requirements. Under the Settlement Agreement Detroit had to sign Standard written sewer rate contracts with all users including Highland Park which required rates based on use and not leaks. Macomb came out of the 1980 Settlement Agreement with a “sweetheart” fixed rate for thirty years before they had to go into the standard contract. The 1980 Settlement stated:

(a) *The rate to Macomb shall be 4.26 per thousand cubic feet of metered sewage* for billings rendered from January 1, 1980, as set forth on Exhibit 'A', Part I.B.4., plus the sum of \$82,497.20 per month for three hundred sixty (360) months (30 years) effective on billings rendered on a after January 1, 1980.

From the 1980 Settlement Highland Park got a 1983 Sewage services agreement requiring rates set by a federally mandated formula. Litigation arose under that agreement and Detroit got a judgment of \$10.599 million. Following appeal of this judgment to the 6<sup>th</sup> Circuit Court another Settlement Agreement was entered by Detroit and Highland Park which was approved in a June 1996 Federal Consent Order which reduced the judgment to \$6 million and proscribed a fixed rate to Highland Park as follows:

*The resulting wastewater rate will be \$22.66 per kcf.* The rate increase will be effective July 1, 1996 on all bills rendered on or after August 1, 1996

***At the highest level of hypocrisy, Macomb officials who enjoyed a \$4.84 per kcf fixed rate that was subsidized for 30 years by all other users who had to pay Detroit/GLWA rate increases are now claiming Highland Park should have an emergency manager appointed because it has overpaid by \$23 million its fixed rate coming out of the same 1980 Federal Court ordered settlement agreement.***

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