

SOUTHEAST METRO STORMWATER AUTHORITY  
acting by and through  
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 24-36

Authorization to Execute the Cottonwood Creek/Peoria Pond  
Shared Inspection and Maintenance Agreement

WHEREAS, on February, 14, 2000, an *Agreement Regarding Final Design, Right-of-Way Acquisition and Construction of Water Quality, Drainage and Flood Control Improvements for Cottonwood Creek, Arapahoe County*, (hereinafter "Peoria Pond IGA") was executed between the Urban Drainage and Flood Control District, now Mile Hile Flood District (MHFD); Arapahoe County; Greenwood Village, the Cherry Creek Basin Water Quality Authority (CCBWQA), and the Landmark Metropolitan District hereinafter "Parties"; and

WHEREAS, on May 18, 2001, the Peoria Pond IGA was amended by the Parties; and

WHEREAS, the Peoria Pond IGA predated the City of Centennial's incorporation in 2001 and SEMSWA's formation in 2006; and

WHEREAS, the Peoria Pond is located within the city of Greenwood Village outside of SEMSWA's Service Area but provides regional water quality treatment meeting the *WQCV Standard* set forth in the COR080000 CDPS Municipal Separate Storm Sewer System (MS4) permit (hereinafter "MS4 Permit") for applicable areas tributary to the Peoria Pond within SEMSWA's Service Area; and

WHEREAS, since the execution of the Peoria Pond IGA in 2000, in accordance with Part I.E.4, Post-Construction Stormwater Management in New Development and Redevelopment of the MS4 Permit, the MS4 permittee must provide long-term operations and maintenance post-acceptance oversight and provide documentation for the operation and maintenance procedures that ensure the long-term observation, maintenance, and operation of control measures, including routine inspection frequencies and maintenance activities; and

WHEREAS, as a means to address long-term operations and maintenance of the Peoria Pond and to clarify the roles and responsibilities associated with Peoria Pond, a *Cottonwood Creek/Peoria Pond Shared Inspection and Maintenance Agreement* (hereinafter "Peoria Pond Maintenance Agreement") between MHFD, CCBWQA, the City of Greenwood Village, and SEMSWA was drafted by the CCBWQA and reviewed by staff from each of the agencies party to the agreement, attached hereto; and

WHEREAS, the Peoria Pond Maintenance Agreement outlines SEMSWA's role outside of the SEMSWA Service Area specific to maintenance and inspections of the Peoria Pond, including routine and post storm event inspections and maintenance, as further documented in the Peoria Pond Maintenance Agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Executive Director is authorized to execute the *Cottonwood Creek/Peoria Pond Shared Inspection and Maintenance Agreement*, attached hereto.

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SEMSWA WATER ACTIVITY ENTERPRISE

Date: November 20, 2024

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

APPROVED AS TO FORM:  
Attorney for  
Southeast Metro Stormwater Authority

By \_\_\_\_\_  
Edward J. Krisor

Peoria Pond Map Exhibit  
11/20/2024

