

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

RESOLUTION 11-27

(Acceptance of a Financial Contribution from East Cherry Creek Valley Water and Sanitation District to Assist in the Removal of the Tallgrass Sediment Basins)

WHEREAS, the Tallgrass Sediment Basins (Basins) are located within the boundaries of both East Cherry Creek Valley Water and Sanitation District (ECCV) and Southeast Metro Stormwater Authority (SEMSWA) and ECCV has determined that the Basins have served their useful purpose and are now required to be removed; and

WHEREAS, SEMSWA has reviewed the status of the Basins and is in agreement with ECCV that the Basins have served their useful purpose and now should be removed; and

WHEREAS, no third parties are legally required to remove the basins nor are there any third parties, with available funds, willing to commit those funds to either partially or completely fund the removal of the Basins; and

WHEREAS, ECCV has contracted, at its sole cost and expense, with Muller Engineering Company, Inc. (Muller) to prepare engineering plans for the removal of the Basins, which plans are subject to approval by both ECCV and SEMSWA; and

WHEREAS, ECCV also has a contract, at its sole cost and expense, with Muller to obtain the necessary permits for the removal of the Basins; and

WHEREAS, SEMSWA will, using the approved engineering plans of Muller, advertise for construction bids, award a construction contract, and manage the construction contract for the removal of the Basins; and

WHEREAS, ECCV and SEMSWA have, as their goal, construction for the removal of the Basins beginning in late summer or early fall of 2011; and

WHEREAS, ECCV will, within five days of SEMSWA awarding a contract for the removal of the Basins, pay SEMSWA \$75,000 toward the cost of the removal of the Basins; and

WHEREAS, SEMSWA will pay all remaining costs for the removal of the Basins with funds available in the 2011 Budget.

NOW, THEREFORE, BE IT RESOLVED THAT SEMSWA enter into a letter agreement with ECCV for the purpose of accepting the \$75,000 contribution from ECCV, committing to use the funds only toward the removal of the Basins and expressing its sincere appreciation to ECCV for its contribution in funds and in supplying the engineering documents necessary for the project to be successful.

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

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

APPROVED AS TO FORM:  
Attorney for  
Southeast Metro Stormwater Authority

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