

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

RESOLUTION NO. 09-22

(Adoption of Credit Policy)

WHEREAS, the Southeast Metro Stormwater Authority (SEMSWA) was formed by Intergovernmental Agreement (IGA) to plan, fund, construct, acquire, operate, and maintain drainage and flood control facilities as well to manage stormwater quality and comply with requirements of the National Pollutant Discharge Elimination System (NPDES) within its boundaries, hereinafter “Purposes”; and

WHEREAS, SEMSWA established the SEMSWA Water Activity Enterprise to carry out these Purposes; and

WHEREAS, SEMSWA, through the Board of Directors acting by and through SEMSWA Water Activity Enterprise (Board), adopted in Resolution No. 5, Series of 2006, a fee and rate schedule for all parcels in the SEMSWA Service Area based on the amount of impervious surface area on each parcel (Annual Fee); and

WHEREAS, the Board in Resolution No. 09-21 has adopted a fee associated with development (System Development Fee) to establish drainage basin fees within the SEMSWA Service Area for development, redevelopment, and other activities associated with added impervious surface area; and

WHEREAS, the Board in Resolution No. 5, Series of 2006, authorized the development of a policy addressing credits to establish a procedure for users of SEMSWA’s stormwater management system to apply to SEMSWA for a modification in user’s rate or fee because of an improvement to a parcel or other conditions which will reduce the impact of the parcel’s runoff on the SEMSWA stormwater system and assist in the implementation of these Purposes; and

WHEREAS, the Board hired AMEC Earth and Environmental to assist it in determining a Credit Policy that provides a mechanism to reduce fees for property owners assisting in the implementation of these Purposes; and

WHEREAS, a Credit Policy has been developed pursuant to the Board’s authorization; and

WHEREAS, the policy addresses the Board’s desire to provide existing customers a reduction in the Annual Fee or new customers reduction in a System Development Fee, in the form of a credit for practices that relieve a capital construction or maintenance burden from SEMSWA, or provides enhanced water quality or quantity that benefits the regional stormwater system; and

WHEREAS, the policy establishes a process for users of SEMSWA’s stormwater management system to apply to SEMSWA for a modification in the Annual Fee or System Development Fee based on an activity on, or improvement to, the parcel or other conditions which will reduce the impact of the parcel’s runoff in the SEMSWA stormwater system in accordance with the Credit Policy;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors of SEMSWA acting by and through SEMSWA Water Activity Enterprise hereby:

1. Adopts the attached Credit Policy, a copy of which is attached hereto.
2. Authorizes Executive Director and staff pursuant to the Executive Director's direction, to issue a credit that meets the criteria established in the Credit Policy and, in the case of the Grant Program, when a property owner requests SEMSWA financial assistance, budget funds are available.

SOUTHEAST METRO STORMWATER AUTHORITY
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SEMSWA WATER ACTIVITY ENTERPRISE

Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:

Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor