

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

RESOLUTION 13-22

Authorization to Enter into an Amendment to the Agreement Funding the Design and Construction of Cherry Creek Reclamation - Cherry Creek State Park to the Cherry Creek Valley Ecological Park

WHEREAS, with Resolutions 11-05 and 11-09 the SEMSWA Board authorized the execution of agreements including expenditures of SEMSWA funds with Urban Drainage and Flood Control District (UDFCD), Cherry Creek Basin Water Quality Authority (CCBWQA), and Arapahoe County (County) for funding of alternatives analysis and preliminary design of drainage, flood control and water quality improvements for the Cherry Creek Stream Reclamation Arapahoe Road to Piney Creek (Project) and;

WHEREAS, the Project limits of the preliminary design were expanded upstream to include participation from the City of Aurora (City) within its jurisdiction to provide continuous stream improvements from the Cherry Creek Valley Ecological Park to the Cherry Creek State Park; and

WHEREAS, with Resolution 12-47 the SEMSWA Board authorized entering into a funding agreement with UDFCD for final design and construction, with anticipated funding participation in 2013; and

WHEREAS, the parties, including CCBWQA, City and SEMSWA, have since entered into a UDFCD funding agreement making UDFCD responsible for management of the Project; and

WHEREAS, SEMSWA has adopted a budget for calendar year 2013 subsequent to public hearing, which includes funds for the design and construction of the Project; and

WHEREAS, the amended funding for the Project will now be as follows:

	<u>Percentage Share</u>	<u>Previously Contributed</u>	<u>Additional Contribution</u>	<u>Maximum Contribution</u>
UDFCD	42.16%	\$ 265,000.00	\$ 515,000.00	\$ 780,000.00
CITY	21.62%	\$ 200,000.00	\$ 200,000.00	\$ 400,000.00
SEMSWA	1.08%	\$ -	\$ 20,000.00	\$ 20,000.00
<u>CCBWQA</u>	<u>35.14%</u>	<u>\$ 150,000.00</u>	<u>\$ 500,000.00</u>	<u>\$ 650,000.00</u>
	<b>100.00%</b>	<b>\$ 615,000.00</b>	<b>\$ 1,235,000.00</b>	<b>\$ 1,850,000.00</b>

and;

WHEREAS, SEMSWA will participate in the Project funding up to \$20,000, as a party to the UDFCD Agreement.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board authorizes funding in an amount not to exceed \$20,000 for the Project.
2. The Executive Director is authorized to execute an amendment to the funding agreement with UDFCD for the Project.
3. The SEMSWA funding for the Project is limited to \$20,000 without prior approval of the Board.

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

APPROVED AS TO FORM:

Attorney for  
Southeast Metro Stormwater Authority

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





PROJECT  
BOUNDARY

PARKER ROAD

ARAPAHOE ROAD

JORDAN ROAD

Google earth

Imagery Date: 10/7/2012 39°35'58.42" N 104°48'39.06" W elev 5641 ft eye alt 20198 ft