

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

RESOLUTION NO. 09-12
AMENDMENT TO RESOLUTION NO. 65, SERIES OF 2007
(Regarding Authorization to Execute an Implementing Intergovernmental Agreement with the
Inverness Water and Sanitation District (IWSD) to address the transfer of IWSD's stormwater
management activities and non-standard NPDES MS4 permit to SEMSWA)

WHEREAS, the Board on December 19, 2007 approved Resolution No. 65, Series of 2007 authorizing the Chairman of the Board of SEMSWA to execute an Implementing Intergovernmental Agreement (IIGA) with the Inverness Water and Sanitation District (IWSD) to transfer the administration of IWSD's stormwater management programs, including its non-standard NPDES MS4 permit from IWSD to SEMSWA; and

WHEREAS, the Board in that same Resolution further authorized the reimbursement of IWSD for costs that it had incurred between January 1, 2007 and December 31, 2007 for stormwater management within its jurisdiction for which it had not collected fees; and

WHEREAS, IWSD did not approve the IIGA that the Board approved in Resolution No. 65, Series of 2007. However, the Staffs from SEMSWA and IWSD have continued to work together to modify the proposed IIGA between the Parties which IIGA has now been approved by IWSD; and

WHEREAS, the Board has had an opportunity to review the IIGA which has been approved by IWSD and the changes in it from the version that it previously approved; and

WHEREAS, IWSD, between January 1, 2008 and December 31, 2008, continued to incur costs for stormwater management within its jurisdiction for which it has not collected fees; and

WHEREAS, IWSD total costs for both 2007 and 2008 are now estimated not to exceed \$53,000.

NOW, THEREFORE, BE IT RESOLVED THAT PARAGRAPHS 1 AND 4 OF RESOLUTION NO. 65, SERIES OF 2007 BE AMENDED AS FOLLOWS:

1. The Board authorizes the Executive Director of SEMSWA to execute the Implementing Intergovernmental Agreement with the Inverness Water and Sanitation District to transfer the administration of stormwater management programs, including IWSD's non-standard NPDES MS4 permit from IWSD to SEMSWA.

4. The Board agrees to reimburse IWSD for costs that it has incurred between January 1, 2007 and December 31, 2008 for stormwater management within its jurisdiction for which it has not collected fees. Such reimbursements are subject to

IWSD providing an invoice and itemized accounting of work performed. IWSD has estimated its costs to be approximately Fifty Three thousand dollars (\$53,000).

All other conditions and authorizations remain as stated in Resolution No. 65, Series of 2007.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:

Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor