

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

RESOLUTION NO. 09-04

(Authorization for Design and Construction of Hazard Mitigation and Creek Stabilization Measures for a Tributary to Willow Creek at Otero Avenue and Newport Street)

WHEREAS, a tributary to Willow Creek has eroded horizontally and vertically to create a vertical bank approximately twenty-five feet in height, creating a hazard to life and property; and

WHEREAS, Resolution No. 08-21 authorized \$38,000 for the design of a solution to the existing hazard; and

WHEREAS, the U. S. Army Corps of Engineers has informed SEMSWA that an Individual Section 404 Permit will be required instead of the Nationwide Permit submitted, and an increase in design funding in an amount of \$15,000 is necessary to meet the requirements of the Individual Permit; and

WHEREAS, in addition, a FEMA Conditional Letter of Map Revision is required, and an increase in design funding in an amount of \$15,000 is necessary for this requirement; and

WHEREAS, construction costs are estimated to be \$350,000, including a ten (10) percent contingency; and

WHEREAS, \$310,000 is identified for the construction of the project at this location in SEMSWA's 2009 Capital Project Budget; and

WHEREAS, Resolution No. 08-47 deferred a 2009 project budgeted in the amount of \$350,000, and authorized \$200,000 of that \$350,000 to be used for the Little Dry Creek at Arapahoe Road project. Leaving a remaining balance of \$150,000; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board authorizes additional funding in an amount of \$380,000 for design and construction of the Tributary to Willow Creek at Otero Avenue and Newport Street project.
2. The Board authorizes the Executive Director to contract for the design and construction of the Tributary to Willow Creek at Otero Avenue and Newport Street project.

- 3. The funding for the Tributary to Willow Creek at Otero Avenue and Newport Street project design and construction is \$380,000 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