

BILL NO. 2174

ORDINANCE NO. 1952

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF CHESTERFIELD TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF CHESTERFIELD WITH THE SHENANDOAH RESIDENTS ASSOCIATION FOR THE REIMBURSEMENT FOR STORMWATER BASIN PLANS

WHEREAS, the City of Chesterfield has applied for and has been awarded a state stormwater grant in an amount not to exceed Seventeen Thousand Eight Hundred Dollars (\$17,800) to develop a stormwater basin plan for several drainage basins within the Shenandoah Subdivision; and

WHEREAS, said grant is based upon a 50% local share requirement for said work; and

WHEREAS, the Shenandoah Residents Association has approved a special assessment to reimburse to the City the matching share of the grant funds from the state stormwater grant for the development of the stormwater drainage for their subdivision; and

WHEREAS, the City recognizes that stormwater problems in the Shenandoah Subdivision are part of a larger stormwater problem within the City of Chesterfield and the City finds that correction of the problem to the extent that funds are available from the state stormwater grant is in the best interests of the public health and safety of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield hereby agrees to the terms and conditions of the agreement, which is marked as Exhibit 1 and attached hereto and made a part hereof as if fully set out herein as it relates to the reimbursement by the Shenandoah Residents Association of the City's share of matching funds for the state stormwater grant for work to be done in the Shenandoah Subdivision.

Section 2. The City Administrator is authorized to execute the contract with the Shenandoah Residents Association by the acceptance of this obligation on the part of Shenandoah Residents Association under the terms and conditions as set out in the contract which attached hereto and made a part hereof.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 3rd day of September, 2003.


John Nations, Mayor

ATTEST:


Marty DeMay, City Clerk

**CITY OF CHESTERFIELD STORMWATER REIMBURSEMENT AGREEMENT WITH THE
SHENANDOAH RESIDENTS ASSOCIATION**

THIS AGREEMENT made and entered into on this 12TH day of AUGUST, 2003 by and between the City of Chesterfield hereinafter referred to as "City", and the Shenandoah Residents Association hereinafter referred to as "SRA".

WITNESSETH:

WHEREAS, the City of Chesterfield has applied for and has been awarded a state stormwater grant in an amount not to exceed Seventeen Thousand Eight Hundred Dollars (\$17,800) to develop a basin stormwater plan for several drainage basins within the Shenandoah Subdivision, a subdivision located in the City of Chesterfield; and

WHEREAS, said grant is based upon a 50% local share requirement for said work; and

WHEREAS, the Shenandoah Residents Association has approved a resolution to reimburse to the City the matching share of the grant funds as required by the state stormwater grant for the development of the stormwater drainage for their subdivision; and

WHEREAS, the City recognizes that stormwater problems in the Shenandoah Subdivision are part of a stormwater problem within the City of Chesterfield and the City find that correction of the problem, to the extent that funds are available from the state stormwater grant, is in the best interests of the public health and safety of the City and the Shenandoah Residents Association.

NOW THEREFORE, this agreement is entered by the undersigned to accomplish the aforementioned purposes and for and in consideration of the agreements contained herein and for and in consideration of One Dollars (\$1) and other good and valuable consideration, the receipt of which is hereby acknowledged, the City and SRA agree as follows:

1. The City shall hire the engineering firm of Horner & Shifrin, Inc. to perform the work called for under the City's application for grant funds for the 2003 State Stormwater Grant, a copy of which is attached hereto and made a part hereof as Exhibit A.

2. The City will advance all sums necessary to pay for the services in accordance with Exhibit A not to exceed \$33,377.

3. The City shall have the sole authority to manage the work, pay for the work, and obtain reimbursement from the grant. The City will consult with a designated representative of SRA as the work progresses.

4. The grant monies available provide for up to a maximum of Seventeen Thousand Eight Hundred Dollars (\$17,800) (being one-half of the cost for preparing a stormwater basin plan), which shall be paid to City upon acceptance as set forth in 10 CSR 20-4.061 and its amendments.

5. The City shall pay the local matching funds as required by the State and SRA shall, within 30 days of proof of payment, pay to the City all unreimbursed funds the City pays directly for its share of the expenses incurred. SRA agrees that it shall be responsible for the payment of any and all funds (other than administration costs of the City) above the amount of Seventeen Thousand Eight Hundred Dollars (\$17,800), which is the grant amount. If the cost is more than Thirty Three Thousand Three Hundred Seventy Seven Dollars (\$33,377), SRA shall pay all of the amount not paid from grant funds. Any extra work shall be paid by SRA.

6. Although the City and State must approve said plans, SRA understands that the City makes no further warranty or guarantee as to said plans other than they meet with approval of the State for grant purposes.

7. The signatories for SRA warrant and affirm that their signature hereto has the authority of the Shenandoah residents in accordance with Subdivision Indentures; Shenandoah residents approved resolution for the purpose of providing the sum due the City per this Agreement; the resolution was approved in accordance with the procedures set forth in their Indentures and that they have the authority to commit the SRA to the terms contained herein.

CITY OF CHESTERFIELD

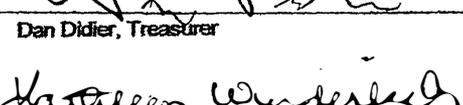
SHENANDOAH RESIDENTS ASSOCIATION
by the following who declares that they are the
duly elected Trustee of Shenandoah Residents
Association and that they have the authority
under this Subdivision Indenture to enter into
this Contract.

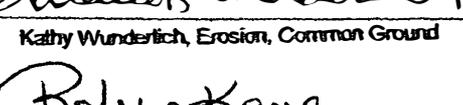
By: _____
City Administrator

By: 
Harvey Present, President


Mario Linneman, Secretary


Dan Didier, Treasurer


Kathy Wunderlich, Erosion, Common Ground


Robyn Kane, Common Ground

**ST. LOUIS STATE STORMWATER GRANT COMMITTEE
APPLICATION FOR STATE STORMWATER
GRANT AND/OR LOAN**

Fill in information requested below, and use additional sheets as required.

Municipality City of Chesterfield

Authorized Contact Person and Phone No. Brian McGownd, P.E. - Deputy Director of
Public Works/Assistant City Engineer Phone No. 636-537-4762

Stormwater Project Title Shenandoah Subdivision Stream Stabilization

Description of Problem (Include a location map and photos):

Severe erosion threatens residences and common ground along several tributaries in the Shenandoah subdivision. Stormwater flows in these streams have increased as a result of development. The subdivision is situated in silt loam soils which respond to increased flows by first incising, or downcutting, followed by widening as the oversteepened streambanks fail. This cycle of incision and widening will continue until the channel achieves a cross section capable of transporting the flows of both water and sediment. A location map is attached.

Description of Proposed Solution:

Prepare a stormwater basin plan, which will be used to design a solution which will restore the channels using MSD approved bioengineering techniques to provide long lasting solutions to erosion and embankment problems. This will include a combination of structural (out-fall structures), biological, and ecological concepts.

Estimated Project Cost (Including Engineering): \$45,000.00 (Basin Plan Only)

Limited Structural Solutions to be used? (Y/N) Yes
(Describe in Proposed Solution) If No, please explain.

Priority Ranking (i.e., 1,2,3 etc.)* 2 Number of Homes Benefited 29 + Common Gr.

Will Local Funding be Available? (Y/N) Yes Will project be in an easement? (Y/N) No

Who will maintain this project (City/County/MSD)? Subdivision/Property Owner

Name of Designer Unknown at this time.

Estimated Contract Award Date July 1, 2003

***If more than one project is submitted, prioritize the projects indicating your 1st and 2nd choice.**

Note: One application must be submitted for each project



Missouri Department of Natural Resources, Water Pollution Control Program

50% STORMWATER GRANT AND/OR LOAN APPLICATION

FY 2003

Office Use Only
Event/Grant Number

Applicant Information

1. First Class County or City in first class county with pop. \geq 25,000 Chesterfield

2. Project Name Shenandoah Subdivision Stream Stabilization

3. Authorized Representative Brian K. McGownd, P.E. Deputy Director of Public Works

4. Mailing Address 690 Chesterfield Parkway West
Chesterfield, MO 63017

5. Phone No./Email Address 636-537-4762 bmcgownd@chesterfield.mo.us

6. Consulting Engineer Name/Telephone Number Unknown at this time

Project Information

1. Project Description (Indicate Phase if this is a phased project) Preparation of a basin plan to be used to develop a bio-engineers solution to restore the streams and stop the erosion.

2. Geographic Location Shenandoah Subdivision (see attached map)

3. State Senate District for Project 7th State Representative District for Project 86th

4. Estimated Project Cost (Please see 10 CSR 20-4.061 for cost eligibility)

	Total Cost	Grant	Loan	Local
Land (eligible)				
Land (ineligible)				
Legal				
Administration				
Comprehensive Storm Water Control Plan Development				
Planning and Design (Basin Plan)	\$45,000	\$22,500		\$22,500
Construction				
Construction Engineering				
Other (specify) _____				
Other (specify) _____				
Costs of Issuing Bonds				
Contingencies (5%)				
Totals	\$45,000	\$22,500		\$22,500

Anticipated Project Funding

Grant Funds (note that grant funds are limited to 50% of eligible costs) \$ 22,500

Loan Funds (any amount up to to 100% of eligible costs) \$ _____

Local Share \$ 22,500

Total Project Cost \$ 45,000

Bond Information

Anticipated date for bond election _____

Debt Instrument

General Obligation Bonds \$ _____

Revenue Bonds \$ _____

Other \$ _____

Local Bond Counsel Name _____

Certification: The undersigned representative certifies that, to the best of my belief, the information contained on this is true and correct. I further certify that (1) all state storm water funds will be expended solely for the approved project; (2) a registered professional engineer has been selected and will perform services required in 10 CSR 20-4.061 (9); (3) local match is available; and (4) any required 404 dredge and fill permits from the US Army Corps of Engineers or land disturbance permits from the department will be obtained prior to construction.

Brian K. McGownd
Signature of Authorized Representative
Brian K. McGownd, P.E. Deputy Director of Public Works
Name and title (Please print or type)

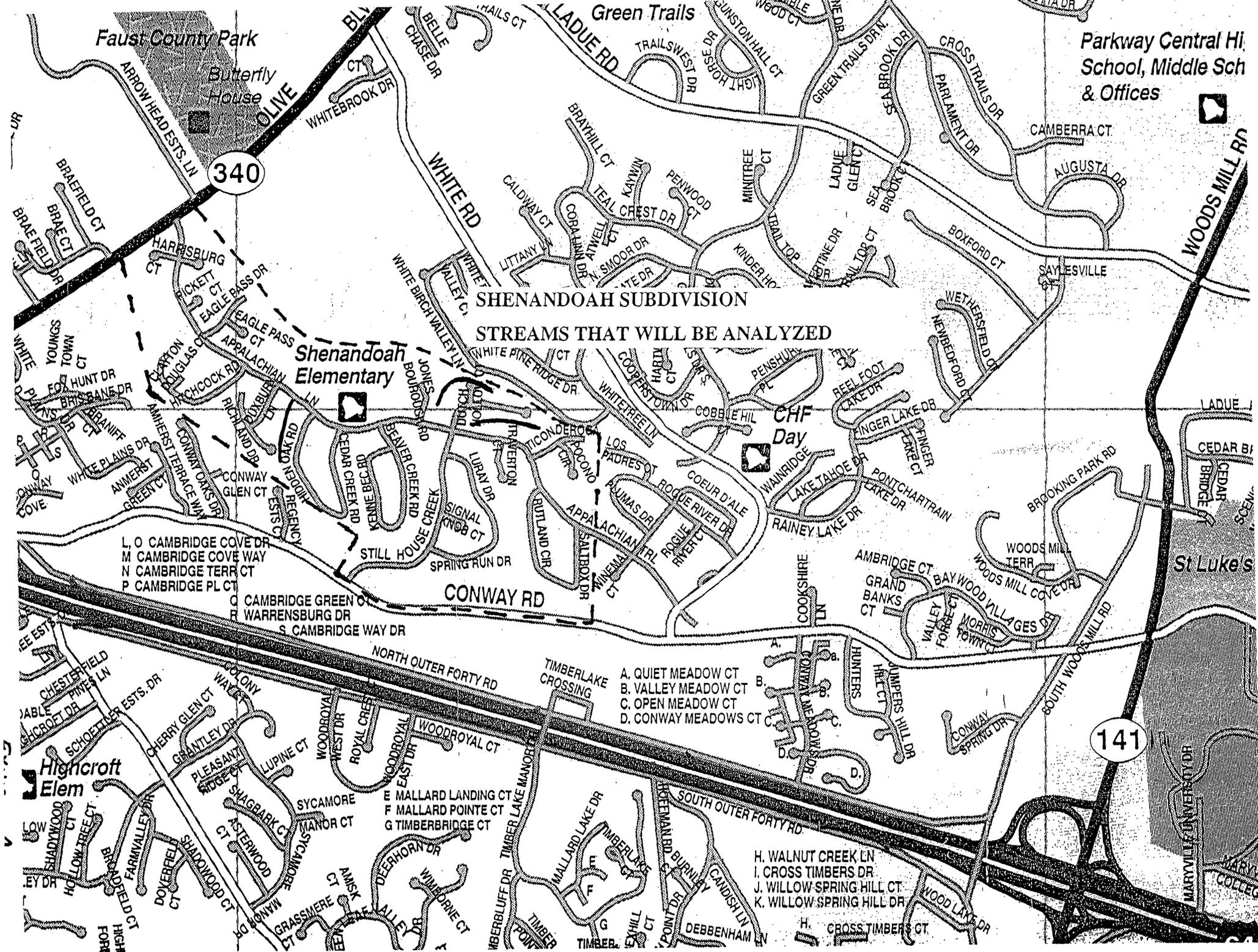
Date

Signature of Storm Water Coordinating Committee Representative (if applicable)

All major contracts funded by the grant and loan funds under this application must be awarded by December 31, 2003.

SW Appl 16-99

EXHIBIT A



Faust County Park

340

Parkway Central Hi.
School, Middle Sch
& Offices

SHENANDOAH SUBDIVISION

STREAMS THAT WILL BE ANALYZED

Shenandoah
Elementary

CHF
Day

St Luke's

CONWAY RD

141

Highcroft
Elem

- A. QUIET MEADOW CT
- B. VALLEY MEADOW CT
- C. OPEN MEADOW CT
- D. CONWAY MEADOWS CT

- H. WALNUT CREEK LN
- I. CROSS TIMBERS DR
- J. WILLOW-SPRING HILL CT
- K. WILLOW-SPRING HILL DR

H. CROSS TIMBERS CT

Map labels include: Green Trails, Olive Bly, White Rd, Shenandoah Elementary, CHF Day, Highcroft Elem, Parkway Central Hi. School, Middle Sch & Offices, St Luke's, Conway Rd, North Outer Forty Rd, South Outer Forty Rd, and various street names like Arrowhead Ests Ln, Braefield Ct, Harrisburg Ct, Eagle Pass Ct, Appalochian Ln, Beaver Creek Rd, Signal Knob Ct, Spring Run Dr, and others.