



Date: April 14, 2023
To: Kit Newland
From: GMWSD Board of Directors

Please consider this our written response:

GMWSD can agree on Lakewood taking ownership and liability and have incorporated those elements in our Feb 22 counterproposal. - We stand by the cost-sharing and trail management needs outlined in that proposal (items 3 and 5 below), without which we do not have an agreement.

1. The City of Lakewood will accept ownership, maintenance and operation of each structure, and all potential tort liability coverage for park users of these structures.
2. GMWSD will maintain pipe and pipe supports attached to the structure.
3. The City will pay 100% of the design, engineering, construction replacement costs for a man-rated pedestrian bridge in excess of the base amount necessary for erection of a trestle structure supporting GMWSD pipes.
4. Erosion control measures will be enacted by the City of Lakewood, on City park property, for the purpose of limiting erosion to each of the structures.
5. In the event that the City decides to decommission a structure from pedestrian use, the City will:
 - a. Close the trail leading to the structure
 - b. Disclose to the public the reason the trail and bridge is closing
 - c. Formally convey the structure to GMWSD and cooperate with GMWSD for any permitting or engineering for an alternative structure to be built, with no obligation that such alternative structure be suitable or capable for pedestrian use.
 - d. Contribute to GMWSD an amount equivalent to the cost of bridge demolition and removal of material, plus costs for district costs incurred to date (including barriers)
 - e. Cooperate with GMWSD to establish any easements necessary for the repaired or alternate structure.