



# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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## BOARD OF DIRECTORS MEETING

Date: Wednesday, February 1, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

How the District Works – 12:45 – 1:00 pm

**1. Call to Order and Pledge of Allegiance – 1:00 pm**

**2. Introductions**

- a. Swearing in of New Board Members
  - i. Deputy Mayor Happy Haynes (City of Denver)
  - ii. Mayor Pro Tem Angela Lawson (City of Aurora)
  - iii. Commissioner Lora Thomas (Douglas County)
- b. Visitors/Guests/Staff
  - i. Student Intern: Salomon Ybarra
- c. Awards/Recognitions
  - i. CASFM – Engineering Excellence Award: River Vision Implementation Plan
  - ii. CASFM – Outstanding Achievement Award: Lower Westerly Creek

**3. Roll Call – Determination of Quorum**

**4. Board of Directors Reappointment**

- a. Reappointment of Mr. Mark Hunter to Board of Directors  
(Resolution No. 01, Series of 2017)

**5. Approval of December 15, 2016 Meeting Minutes** *(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)*

**6. Public Hearing**

- a. Floodplain Maps Adoption

**7. Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*

- a. Review of Cash Disbursements
- b. Adoption of Floodplain Maps for Happy Canyon Creek; Box Elder Creek (Downstream of Jewell Avenue) and Coyote Run; Coal Creek (East Yale Avenue to East County Line Road), Coal Creek and Rock Creek; and Newlin Gulch  
(Resolution No. 02, Series of 2017)
- c. Designation of Public Place for Posting of Meeting Notices  
(Resolution No. 03, Series of 2017)
- d. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Block 3 within the St. Anthony Urban Redevelopment Area  
(Resolution No. 04, Series of 2017)
- e. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Block 9 within the St. Anthony Urban Redevelopment Area  
(Resolution No. 05, Series of 2017)
- f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Drainageway No. 2, City of Lafayette, Boulder County  
(Resolution No. 06, Series of 2017)
- g. Additional Authorization to Participate in Drainage and Flood Control Improvements on Van Bibber Creek at McIntyre Street, Jefferson County  
(Resolution No. 07, Series of 2017)

- h. Additional Authorization to Participate in Drainage and Flood Control Improvements on North Dry Gulch from Lamar Street to Teller Street, City of Lakewood, Jefferson County (Resolution No. 08, Series of 2017)
- i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Piney Creek at Caley Drive, City of Centennial and Unincorporated Arapahoe County (Resolution No. 09, Series of 2017)
- j. Additional Authorization to Participate in Drainage and Flood Control Improvements on School Tributary Upstream of Colorado Boulevard, City of Thornton, Adams County (Resolution No. 10, Series of 2017)

**8. Vote on Approval of the Consent Agenda** (*Motion and roll call vote required*)

**9. Reports/Discussion**

- a. Executive Director's Report
- b. Board of Directors Survey Results

**10. Executive Session**

- a. Contract with Edward J. Krisor, UDFCD's Legal Counsel, [24-6-402 (4)(e)(I) C.R.S.]
- b. Personnel Matter – Presentation / Policy for Avoidance of a Conflict of Interest, [24-6-402 (f)(I) and (3.5) C.R.S.]

**11. Approval of Edward J. Krisor's Contract as Legal Counsel to the Board of Directors**  
(Resolution No. 11, Series of 2017)

**12. Announcements**

- a. Next Regularly Scheduled Meeting: **Thursday, March 16, 2017**
- b. UDFCD Annual Seminar:  
**Tuesday, April 4, 2017 from 8 a.m. to 4 p.m.**  
**Omni Interlocken Hotel**  
**500 Interlocken Boulevard, Broomfield, CO**

**13. Adjournment**



**URBAN DRAINAGE AND FLOOD CONTROL DISTRICT  
BOARD OF DIRECTORS**

**December 15, 2016**

**MINUTES**

**Members Present:**

Herb Atchison, Mayor, City of Westminster  
Bruce Beckman, Mayor, City of Littleton  
Joyce Downing, Mayor, City of Northglenn  
Bob Fifer, Mayor Pro Tem, City of Arvada  
Deb Gardner, Commissioner, Boulder County  
Stacie Gilmore, Council Member, City/County of Denver  
Mark Hunter, Engineer  
Joyce Jay, Mayor, City of Wheat Ridge  
Paul Kashmann, Council Member, City/County/Denver  
Paul López, Council Member, City/County of Denver  
Don Mares, Deputy Mayor, City/County of Denver  
Adam Paul, Mayor, City of Lakewood  
Renie Peterson, Mayor Pro Tem, City of Aurora  
Jill Repella, Commissioner, Douglas County  
Dave Sellards, Engineer  
Nancy Sharpe, Commissioner, Arapahoe County  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield  
Libby Szabo, Commissioner, Jefferson County  
Charles (Chaz) Tedesco, Commissioner, Adams County  
C.J. Whelan, Mayor Pro Tem, City of Centennial  
Heidi Williams, Mayor, City of Thornton  
Mary Young, Council Member, City of Boulder

**Members Absent:**

None.

**UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Ed Krisor	Legal Counsel
Julia Bailey	Project Engineer, Information Services and Flood Warning
Dave Bennetts	Program Manager, Design, Construction, and Maintenance
Richard Borchardt	Project Manager, Design, Construction, and Maintenance
Amelia Deleon	Human Resources Manager
Laura Kroeger	Assistant Program Manager, Design, Construction, and Maintenance
David Mallory	Program Manager, Floodplain Management
Holly Piza	Project Manager, Master Planning
Mike Sarmiento	Senior Construction Manager
David Skuodas	Project Manager, Design, Construction, and Maintenance
Kevin Stewart	Program Manager, Information Services and Flood Warning
Shea Thomas	Project Manager, Master Planning

**Others Present:**

Lanae Raymond, SEMSWA  
Dan Olsen, SEMSWA

**How The District Works – Flood Warning Program**

Mr. Ken MacKenzie presented the Flood Warning Program for the *How The District Works* presentation.

1. **Call to Order and Pledge of Allegiance – 1:00 p.m.**  
Mayor Downing called the meeting to order at 1:05 p.m.

2. **Introductions**

- a. **Visitors/Guests/Staff**

- Lanae Raymond, SEMSWA
- Dan Olsen, SEMSWA

- b. **Awards/Recognitions**

- i. **APWA Colorado Award – Willow Creek**

In 2014, the District and the Southeast Metro Stormwater Authority (SEMSWA) initiated a stream stabilization design project for a reach of Willow Creek downstream of Englewood Dam and upstream of Arapahoe Road. The project, due to its innovative water quality enhancements, received the attention of the American Public Works Association (APWA) and was awarded the APWA Colorado Environmental Award.

Mr. Dan Olsen, Director of Maintenance and Inspections Division, SEMSWA, Mrs. Lanae Raymond, Director of the Environmental Resources Division, SEMSWA, and Mr. Richard Borchardt, UDFCD Project Manager, were all in attendance to receive this prestigious award.

- ii. **2016 Perfect Attendance – Board Members**

Seven board members were recognized for having perfect attendance in 2016, including:

1. Mayor Herb Atchison
2. Mayor Bruce Beckman
3. Mayor Joyce Downing
4. Mr. David Sellards
5. Commissioner Libby Szabo
6. Mayor Heidi Williams
7. Mayor Pro Tem C.J. Whelan

Mr. MacKenzie thanked them for their dedicated service.

3. **Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

4. **Board Approval of November 22, 2016 Meeting Minutes** (*If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”*)

Mayor Downing asked if there were any corrections to the November 22, 2016 minutes. Hearing none, the minutes were approved as submitted.

5. **Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)

- a. **Review of Cash Disbursements**

Cash Disbursement list, dated November and December 2016, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.

- b. **Legislative Committee**

- (**Resolution No. 67, Series of 2016**)

Resolution No. 67 would establish the 2017 Legislative Committee for the District. The Legislative Committee was appointed at the November Board Meeting and is comprised of the following Board Members:

1. Commissioner Libby Szabo
2. Mayor Heidi Williams
3. Mr. David Sellards

The purpose of this committee shall include, but not be limited to; review and evaluate pending legislation, both state and federal; direct the District’s lobbyists and/or Executive Director to advocate, oppose, or



monitor, individual bills and to receive updates and advice on activities at the city and county level, which are applicable to the District.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 67 on the Consent Agenda.

**c. Adoption of UDFCD 2016 – 2018 Strategic Plan  
(Resolution No. 68, Series of 2016)**

Mr. MacKenzie gave a brief history of the Strategic Planning effort that began with a staff retreat in May of 2015. The effort included extensive data gathering, analysis of District strengths, weaknesses, opportunities, and threats (SWOT), development of key objectives, strategies, and short and long-term goals. The draft Strategic Plan was completed in April of 2016 and the plan results were presented to the Board at the April 21, 2016 Board Meeting. The District identified four areas of focus including Culture, Organization, Customers, and Results.

Mr. MacKenzie also provided the Board with an update on the progress being made on the strategic planning goals to date, including:

- Development of personal development plans for each employee
- Development of professional membership tracking system
- Enhanced local government satisfaction survey
- The development of the District's core values

Resolution No. 68 adopts the 2016 – 2018 UDFCD Strategic Plan. Mr. MacKenzie will provide the Board with periodic updates on the planning goals.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 68 on the Consent Agenda.

**d. Authorization of Expenditures for Electronic Data Management  
(Resolution No. 69, Series of 2016)**

This is an on-going project that is updated regularly. More of the District's information continues to be available electronically and this resolution will allow further enhancement to the District's website to increase the speed in retrieving information and allow other information to be added as appropriate to the needs of the public.

The District has also implemented an electronic document management system (OnBase), to administer and retain electronic documents in compliance with the District's records retention policy. Resolution No. 69 authorizes \$100,000 for calendar year 2017 to further develop, enhance, and maintain capabilities to manage and disseminate electronic data and information.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 69 on the Consent Agenda.

**e. Authorization of 2017 Maintenance Expenditures to Assist Local Governments in  
Maintaining Existing Flood Warning Systems  
(Resolution No. 70, Series of 2016)**

The District implemented its first early flood detection network in 1978 by installing automated rain and stream gages in the Boulder Creek drainage basin. This network now extends into all seven District counties and includes over 200 stations. Data from the ALERT System is used extensively by local public works and emergency management agencies, our forecasters, the National Weather Service, local news media, and many others including the general public. ALERT is an acronym that stands for Automated Local Evaluation in Real-Time.

Measurements from gaging stations are relayed by radio to repeaters that forward the information to base station receivers. All ALERT transmitters are licensed by the FCC and use dedicated hydrologic frequencies assigned to the National Weather Service.

For the past 38 years, the District has assisted local governments with maintaining the ALERT System. Maintenance activities include:

- Activation of gages prior to the flood season that begins on April 15
- Preventative maintenance during the flood season

- Fall shutdown and removal of electronic equipment
- Winter storage of equipment
- Year-round maintenance of weather stations, repeaters, base stations, and stream gages

Resolution No. 70 will authorize \$480,000 from the Maintenance Fund for maintaining the ALERT system in 2017.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 70 on the Consent Agenda.

**f. Authorization to Establish an Area-wide Meteorological Support Service to Local Governments (Resolution No. 71, Series of 2016)**

The District's flash flood prediction program was first established by the District in 1979 after the Big Thompson Canyon flash flood and has been serving the District for the past 37 consecutive years. It utilizes the services of a private meteorologist and operates in close partnership with the National Weather Service.

The professional forecast services provide notifications to local governments concerning potential flood threats. After storms develop, the meteorologists are engaged with interpreting radar and other weather data and keeping local governments informed as conditions change. The District's ALERT system is used by the meteorologist along with radar and satellite data in making forecasts. The program also supports basin flood warning plans for Boulder Creek, Lena Gulch, and Bear Creek in Jefferson County, Ralston Creek in Arvada, Goldsmith/Harvard Gulch in Denver, Toll Gate Creek in Aurora, and Westerly Creek in Denver/Aurora. The program operates during the flood season from mid-April through mid-September.

Resolution No. 71 authorizes \$115,000 from the General Fund to provide weather forecasts and flood predictions to local governments in 2017. The resolution also authorizes an additional \$42,000 for acquiring radar and satellite data, and for other operating costs.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 71 on the Consent Agenda.

**g. Acceptance of Harvard Gulch Planning Study (Resolution No. 72, Series of 2016)**

Resolution No. 59 of 2014 authorized a major drainageway planning (MDP) study for drainage issues along Harvard Gulch and Dry Gulch. The District partnered with the City and County of Denver and the City of Englewood to fund the study. Matrix Design Group was selected to perform the study.

Harvard Gulch is a right bank tributary to the South Platte River draining a basin that is 7.4 square miles in area, including its tributary Dry Gulch. In conjunction with this study, the U.S. Army Corps of Engineers is conducting the Denver Urban Waterways Restoration Study which identifies restorative improvements to three major urban waterways in Denver – Harvard Gulch, Weir Gulch, and the South Platte River. The recommendations in this MDP are consistent with the recommendations in the USACE study, but the MDP includes recommendations outside the limits of the USACE study and provides a more detailed design of the improvements.

The goals of the study were to provide conveyance of the 100-year storm event, to minimize flood risk to structures currently in the floodplain, reduce the maintenance needs along the open channel and provide opportunities for water quality treatment. Recommended improvements include:

- New box culvert outfall in Iliff Avenue
- Offline detention in Rosedale Park
- Multiple roadway crossing replacements
- Increased capacity to trapezoidal concrete channel
- Acquisition of flood-prone properties
- Drop structures for vertical stabilization
- Water quality sedimentation basins
- Storm sewer conduit for Dry Gulch

There are currently 725 structures in the 100-year floodplain, after the master planned is implemented there will only be four structures remaining in the floodplain. The total cost of improvements recommended in the study is over \$100 million.

Resolution No. 72 accepts the report and recommends the improvements and practices in the report be used as a guide in future public works projects and in land development activities.

Council Member Gilmore asked how we plan to fund the extensive improvements proposed in the study. Mrs. Shea Thomas, Project Manager, replied that Denver is looking into alternate sources of funding, such as cooperation with the US Army Corps of Engineers .

Council Member Kashmann asked what the overall cost of the proposed improvements for each of the three alternatives were for Reach 4. Mrs. Thomas will look into the costs and provide Mr. Kashmann with those costs.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 72 on the Consent Agenda.

**h. Acceptance of Niver Creek Planning Study  
(Resolution No. 73, Series of 2016)**

Resolution No. 33 of 2014 authorized a major drainageway planning study for drainage issues along Niver Creek, Tributary M and Tributary L. The District partnered with the City of Thornton, the City of Federal Heights, and Adams County to fund the study. Brown & Caldwell was originally selected to perform the study, but after losing the team working on the study, CH2M was selected to complete the study.

Harvard Gulch is a left bank tributary to the South Platte River draining a basin that is 6.7 square miles in area, including its tributaries Tributary M and Tributary L.

The goals of the study were to reduce the 100-year peak flows in order to safely convey flows and minimize flood risk to structures currently in the floodplain and to stabilize the existing creek.

Recommended improvements include:

- Three detention basins (one on Niver Creek, two on Tributary L)
- Multiple roadway crossing replacements
- Drop structures for vertical stabilization
- Bank stabilization to stop lateral movement
- Storm sewer conduit in 88th Avenue
- Guidelines for potential redevelopment areas

These master-planned improvements would remove the 1% (aka 100-year) flood risk from all 279 structures currently in the 100-year floodplain. The total cost of improvements recommended in the study is \$38 million.

Resolution No. 73 accepts the report and recommends the improvements and practices in the report be used as a guide in future public works projects and in land development activities.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 73 on the Consent Agenda.

**i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Little Dry Creek from Lowell Boulevard to Federal Boulevard, City of Westminster, Adams County  
(Resolution No. 74, Series of 2016)**

This is a joint project with the City of Westminster and Adams County. Muller Engineering Company designed the project under contract with the District. The drainage elements of the project include rebuilding the entire Little Dry Creek corridor from Lowell to Federal Boulevards and construction of a formal detention pond upstream of Federal Boulevard to remove adjacent structures from the floodplain and to support future construction of a new park and an adjacent Commuter Rail Station.

The final design is now complete and the District, the City of Westminster, and Adams County desire to complete construction which is being managed by the City of Westminster, with completion planned for the spring of 2017. After receiving construction bids, it has been determined that additional funding is required to complete the project.

The District, the City of Westminster, and Adams County have identified \$6,775,000 in total project costs with the District's participation being \$2,600,000. The previous authorizations (Resolution No. 54, Series

of 2008; Resolution No. 20, Series of 2009; Resolution No. 12, Series of 2010; Resolution No. 43, Series of 2010; Resolution No. 21, Series of 2012; Resolution No. 65, Series of 2012; Resolution No. 37, Series of 2013; Resolution No. 63, Series of 2013; Resolution No. 78, Series of 2014; and Resolution 23, Series of 2015) totaled \$2,325,000 to fund design and to partially fund acquisition of right-of-way and construction.

Resolution No. 74 authorizes an additional \$275,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Westminster and Adams County for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 74 on the Consent Agenda.

**j. Authorization to Participate in Drainage and Flood Control Improvements on Big Dry Creek (ADCO), Upstream of Sheridan Boulevard, City of Westminster, Jefferson County (Resolution No. 75, Series of 2016)**

This is a joint project with the City of Westminster. The City of Westminster and the District desire to design, acquire of right-of-way, and construct improvements along Big Dry Creek (ADCO), upstream of Sheridan Boulevard, in accordance with the "Big Dry Creek Major Drainageway Plan," dated March 2012. The project includes improvements to stabilize the highly eroding banks and bed of Big Dry Creek upstream of Sheridan (Jeffco/ADCO boundary) to Standley Lake, as funds permit. Design will include identifying the needs of each reach in accordance with the MDP and prioritizing the improvements for construction phasing. Depending on future funding, construction could begin as early as 2018.

Easement and right-of-way acquisition will be included in the project costs. The District will be administering the design once a consulting engineering firm is selected. It is anticipated that additional funds may be required for this project in the future. The District and the City of Westminster have identified \$100,000 in initial project costs for the design, with the District's participation being \$50,000 in 2016 funds.

Resolution No. 75 authorizes \$50,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Westminster for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 75 on the Consent Agenda.

**k. Additional Authorization to Participate in Drainage and Flood Control Improvements on Massey Draw at Deer Creek Golf Course, Jefferson County (Resolution No. 76, Series of 2016)**

This is a joint project with Jefferson County. Icon Engineering designed the project under contract with the District and Naranjo Civil Constructors is currently constructing the project. The construction on Massey Draw within the Deer Creek Golf Club boundary includes two concrete box culvert crossings, channel improvements and three drop structures. The project will eliminate 100-year flooding of approximately ten private residences adjacent to Deer Creek Golf Club and Massey Draw, many of which experienced flooding on June 27, 2004.

The District is managing the construction of the improvements with Icon Engineering providing construction observation. Construction is anticipated to be complete in May 2017. After receiving construction bids and discovering the need to relocate additional utilities, it was determined that additional funding would be needed to complete the construction as designed.

The District and Jefferson County have identified \$2,400,000 in total project costs with the District's participation being \$1,200,000. The previous authorization (Resolution No. 73, Series of 2014) totaled \$900,000 to fund design, acquisition of right-of-way, and partial construction.

Resolution No. 76 authorizes an additional \$300,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Jefferson County for the construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 76 on the Consent Agenda.

**l. Additional Authorization to Participate in Drainage and Flood Control Improvements on the South and Middle Branches of Hylands Creek, Upstream of 104th Avenue, City of Westminster, Jefferson County (Resolution No. 77, Series of 2016)**

This is a joint project with the City of Westminster. The City of Westminster and the District desire to design, acquire of right-of-way, and construct improvements along the South and Middle Branches of Hylands Creek, Upstream of 104th Avenue, in accordance with the "Big Dry Creek (ADCO) and Tributaries, Outfall Systems Plan," dated January 1989. The project includes 100-year channel improvements to stabilize the eroding banks and bed, protect utilities, and improve the pedestrian/maintenance access at 104th Avenue on the South and Middle Branches of Hylands Creek, upstream of 104th Avenue. Prior to construction stream improvement reaches will be prioritized to allow for phased construction based on available funding and best value. Construction could begin as early as 2018.

Easement and right-of-way acquisition will be included in the project costs. The District will be administering the design, once a consulting engineering firm is selected, and will manage construction. The District and the City of Westminster have identified \$400,000 in initial project costs for the design, acquisition of right-of-way, and partial construction, with the District's participation being \$200,000 in 2016 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 77 authorizes \$200,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Westminster for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 77 on the Consent Agenda.

**m. Authorization to Participate in Drainage and Flood Control Improvements on Newlin Gulch at Heirloom Parkway, Town of Parker, Douglas County (Resolution No. 78, Series of 2016)**

This is a joint project with the Town of Parker. The Town of Parker desires to design and construct improvements along Newlin Gulch at Heirloom Parkway in accordance with the "Newlin Gulch Major Drainageway Plan," dated October 2015. The project includes improvements to Newlin Gulch at Heirloom Parkway. Parker already holds the necessary easements and right-of-way where the project will be carried out. District will be administering the design once a consulting engineering firm is selected.

The District and the Town of Parker desire to construct the improvements which will be managed by the District. Construction is anticipated in 2018. The District and the Town of Parker have identified \$80,000 in initial project costs for the design and construction with the District's participation being \$40,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 78 authorizes \$40,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Parker for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 78 on the Consent Agenda.

**n. Authorization to Participate in Drainage and Flood Control Improvements on West Fork Big Dry Creek Downstream of Cresthill Lane, Highlands Ranch Metro District, Douglas County (Resolution No. 79, Series of 2016)**

This is a joint project with Highlands Ranch Metro District (HRMD). HRMD desires to design, acquire an easement, and construct improvements along the West Fork Big Dry Creek downstream of Cresthill Lane in accordance with the "Big Dry Creek (Downstream of County Line Road) Major Drainageway Plan," dated June 2015. The project includes improvements to the West Fork Big Dry Creek downstream of Cresthill Lane. HRMD is administering the design with Muller Engineering Company.

The District and Highlands Ranch Metro District desire to construct the improvements which will be managed by the District. Construction is anticipated in 2017. Easement and right-of-way acquisition will be included in the project costs. The District and Highlands Ranch Metro District have identified \$1,000,000 in total project costs for the design, right-of-way acquisition, and construction with the

District's participation being \$500,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 79 authorizes \$500,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Highlands Ranch Metro District for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 79 on the Consent Agenda.

**6. Vote on Approval of the Consent Agenda** (*Motion and roll call vote required*)

It was the consensus of the Board that Resolutions No. 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, and 79, Series of 2016, and Review of Cash Disbursements dated November and December 2016 be placed on the Consent Agenda. Mayor Downing moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

**7. Executive Session**

**a. Contract with Edward J. Krisor, UDFCD's Legal Counsel, [24-6-402 (4)(e)(I) C.R.S.]**

It was moved by Mayor Downing to go into Executive Session at 2:07 pm to review the draft contract with Mr. Krisor. The Executive Session concluded at 2:36 pm.

Following the session, the Board requested to table the Resolution No. 80, Series of 2016, Approval of Edward J. Krisor's Contract as Legal Counsel to the Board of Directors, to the February Board Meeting.

**8. Approval of Edward J. Krisor's Contract as Legal Counsel to the Board of Directors (Resolution No. 80, Series of 2016)**

This resolution was tabled to the February 01, 2017 Board Meeting.

**9. Other Business**

**a. Nominating Committee – Recommendation of 2017 Officers**

The Nominating Committee for 2017 officers (comprised of Mayor Pro Tem Fifer, Mayor Paul, and Commissioner Szabo) recommended the following slate of candidates for 2017 officers:

- Chair – Mayor Heidi Williams
- Chair Pro Tem – Commissioner Chaz Tedesco
- Treasurer – Mayor Bruce Beckman
- Secretary – Mayor Pro Tem Greg Stokes
- Member At Large – Mr. David Sellards

Commissioner Tedesco recommended that the District establish criteria to assist in the selection of officers. Ms. Deleon will work with Mr. MacKenzie to establish such criteria for future use.

The board motioned and approved the recommended Executive Committee members. Mr. MacKenzie thanked the Nominating Committee for their service.

**10. Reports/Discussion**

**a. Executive Director's Report.**

2016 Executive Committee

Mr. MacKenzie thanked the 2016 Executive Committee for their service and in particular, to Mayor Joyce Downing for shepherding the executive director selection process and for the generous support she has provided Mr. MacKenzie in his first months as Executive Director.

Working with the Federal Government

Mr. MacKenzie, along with other NAFSMA representatives, attended a two-day meeting in Washington DC with the Army Corps of Engineers, the USEPA, and FEMA. Mr. MacKenzie had the opportunity to comment on permitting problems that the District is having with the local/District Corps of Engineers' office. Mr. MacKenzie was promised a follow-up communication. Contacts made at the meeting included:

- James Dalton, Director of Civil Works, Headquarters, U.S. Army Corps of Engineers
- Doug Lamont, Deputy Assistant Secretary of the Army (Project Planning and Review)
- Tab Brown, Chief of Planning and Policy Division, U.S. Army Corps of Engineers
- Mike Shapiro, Deputy Assistant Administrator, U.S. EPA Office of Water
- Roy Wright, Deputy Associate Administrator for Insurance & Mitigation, FEMA

Water Infrastructure Improvements Act for the Nation (WIIN)

The Water Infrastructure Improvements Act for the Nation (WIIN) Act, which incorporates WRDA and other water-related legislation, cleared the US Senate and the US House of Representatives last week. It now awaits the President's signature. The package authorizes nearly \$10 billion in federal investments, including minor funding for projects within the District.

**11. Announcements**

- a. The next regularly scheduled meeting is Wednesday, February 01, 2017.**
- b. The Board does not meet in January.**

**12. Adjournment**

Mayor Downing adjourned the meeting at 2:49 p.m.





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 01, SERIES OF 2017  
(Reappointment of Mark R. Hunter to Board of Directors)

WHEREAS, the term of Mark R. Hunter as director of Urban Drainage and Flood Control ends January 31, 2017; and

WHEREAS, Subsection 204(6)(a) of the Urban Drainage and Flood Control Act provides that “On or after the twenty-first day of January of each year but on or before the last day of January in such year, a director shall be appointed to the board by such board...”; and

WHEREAS, Subsection 204(6)(b) requires that “Each director appointed pursuant to this subsection (6) shall be a professional engineer licensed by the state, an elector of the District, and not an officer in the regular employment of any public body. Each such director shall remain so qualified during his or her term of office as director.”; and

WHEREAS, Subsection 204(9) provides “Except as otherwise provided in this article, any incumbent may be reappointed as director to the board.”; and

WHEREAS, Mark R. Hunter is a taxpaying elector of the District, is not an officer, or employed by any public body, is a licensed Colorado professional engineer holding license number 17172.

NOW, THEREFORE, BE IT RESOLVED THAT:

Mark R. Hunter is reappointed as a member of the Board of Directors of the Urban Drainage and Flood Control District, effective February 1, 2017 for a term ending on January 31, 2019.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION 02, SERIES OF 2017

(Adoption of Floodplain Maps for Happy Canyon Creek; Box Elder Creek (Downstream of Jewell Avenue) and Coyote Run; Coal Creek (East Yale Avenue to East County Line Road), Coal Creek and Rock Creek; and Newlin Gulch)

WHEREAS, the Board of Directors, by Resolution No. 11, Series of 1970, adopted a Floodplain Regulation; and

WHEREAS, the Board of Directors, by Resolution No. 26, Series of 1974; Resolution No. 2, Series of 1979; Resolution No. 2, Series of 1980; and Resolution No. 53 Series of 2013, amended the Floodplain Regulation; and

WHEREAS, floodplain maps for Happy Canyon Creek; Box Elder Creek (Downstream of Jewell Avenue) and Coyote Run; Coal Creek (East Yale Avenue to East County Line Road), Coal Creek and Rock Creek; and Newlin Gulch have been prepared by the District, but not yet adopted by the Board pursuant to public hearing, Exhibit A; and

WHEREAS, the Floodplain Regulation is only applicable for those floodplain maps adopted by the Board of Directors after a public hearing as required by Section 32-11-218(1)(f)(II), C.R.S. 1973, as amended; and

WHEREAS, a public hearing duly noticed was held on February 1, 2017.

### NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors, after a public hearing, held on February 1, 2017, hereby adopts the maps and profiles contained in the following engineering reports as Flood Regulatory Districts and further subdivides the Flood Regulatory Districts into Floodway Districts and Flood Storage Districts by adopting the Floodway Tables contained in the reports and referenced below:

1. "Flood Hazard Area Delineation, Happy Canyon Creek," July 2014; in the Town of Parker, Cities of Lone Tree and Castle Pines, Arapahoe and Douglas Counties, Colorado; by Muller Engineering Company, including Appendix D, Floodplain and Floodway Data Tables for the "100-Yr Floodway (0.5ft. rise in EGL)."
2. "Flood Hazard Area Delineation, Box Elder Creek (Downstream of Jewell Avenue) and Coyote Run," December 2014; in the City of Aurora, Arapahoe and Adams Counties, Colorado; by Olsson Associates, including Appendix E, Floodplain and Floodway Data Tables for the "100-Yr Floodway (0.5ft. rise in EGL)."
3. "Flood Hazard Area Delineation, Coal Creek (East Yale Avenue to East County Line Road)," August 2014; in Arapahoe County, Colorado; by Matrix Design Group, including Appendix D, Floodplain and Floodway Data Tables for the "100-Yr Floodway (0.5ft. rise in EGL)."
4. "Flood Hazard Area Delineation, Coal Creek and Rock Creek," November 2014; in the City and County of Broomfield, Cities of Louisville and Lafayette, Towns of Erie and Superior, and Jefferson and Boulder Counties, Colorado; by Respec Consulting and Services, including Appendix D, Floodplain and Floodway Data Tables for the "100-Yr Floodway (0.5ft. rise in EGL)."
5. "Flood Hazard Area Delineation, Newlin Gulch," November 2015; in the Town of Parker and Douglas County, Colorado; by Muller Engineering Company, including Appendix F, Floodplain and Floodway Data Tables for the "100-Yr Floodway (0.5ft. rise in EGL)."

These maps, profiles, and tables supersede any previously adopted maps, profiles, and tables for the same areas.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

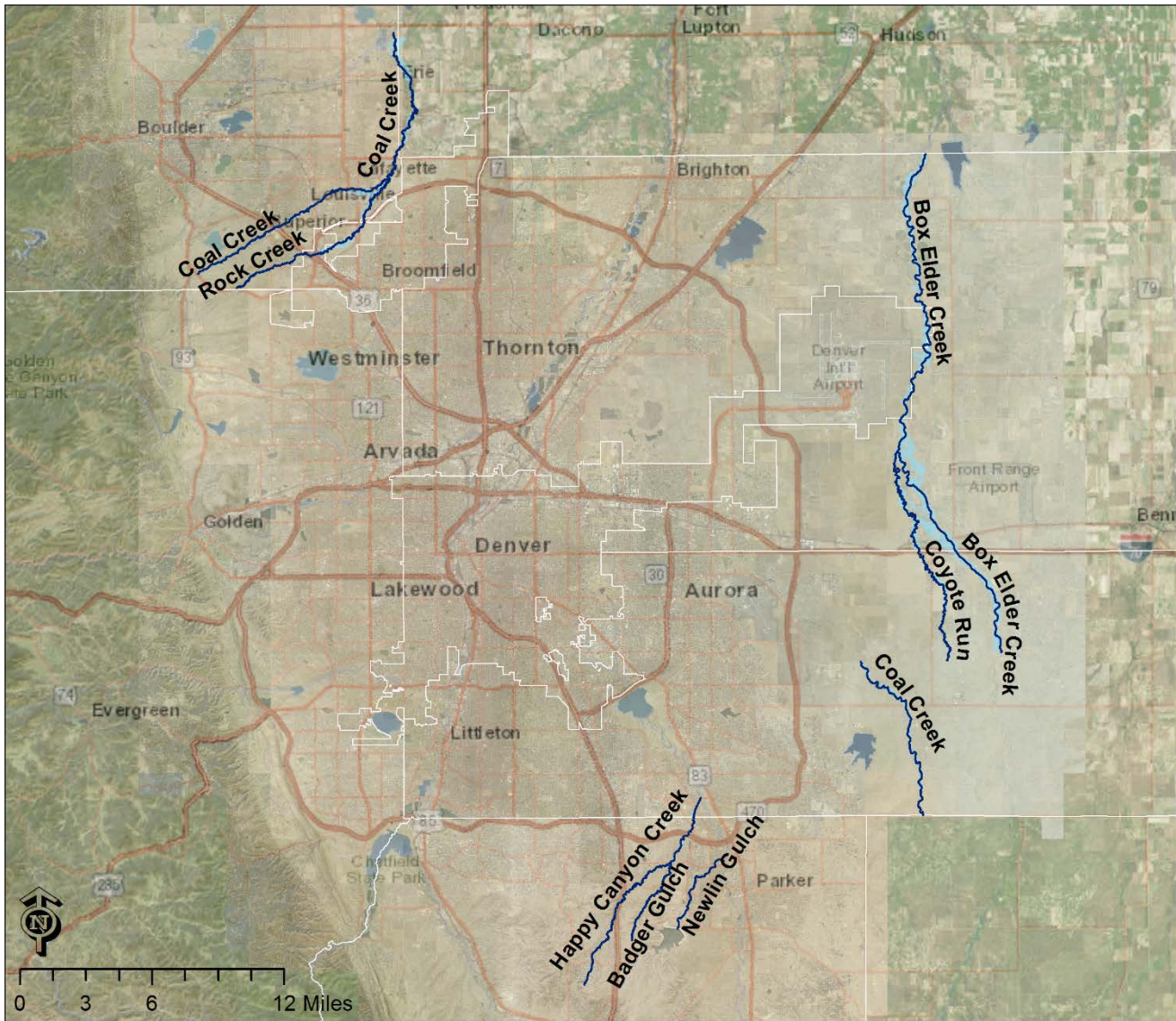
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION 02, SERIES OF 2017

(Adoption of Floodplain Maps for Happy Canyon Creek; Box Elder Creek (Downstream of Jewell Avenue) and Coyote Run; Coal Creek (East Yale Avenue to East County Line Road), Coal Creek and Rock Creek; and Newlin Gulch)

### EXHIBIT A





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 03, SERIES OF 2017  
(Designation of Public Place for Posting of Meeting Notices)

WHEREAS, the Colorado Open Meeting Law requires that notice of public meetings be posted in a designated public place within the boundaries of the local public body; and

WHEREAS, the public place or places shall be designated annually at the local public body's first regular meeting of each calendar year.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors hereby designates the window area adjacent to the main entrance to the District's office at 2480 West 26<sup>th</sup> Avenue, Suite 156-B, Denver, Colorado, as the public place for posting of meeting notices.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson





## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 04, SERIES OF 2017

(Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Block 3 within the St. Anthony Urban Redevelopment Area)

WHEREAS, the Board of Directors of the Urban Drainage and Flood Control District (the District) amended Resolution No. 38, Series of 2011 with Resolution No. 21, Series of 2016 to expand its policy in regard to its agreement to accept the use of property tax increment financing to include urban redevelopment areas; and

WHEREAS, the Denver Urban Renewal Authority (DURA) on behalf of the City and County of Denver has made a written request of the District to accept the use of property tax increment financing for the proposed Block 3 within the St. Anthony Urban Redevelopment Area (Exhibit “A”); and

WHEREAS, the legal description of such redevelopment area is attached hereto as Exhibit “B”; and

WHEREAS, DURA has fully complied with all requirements of the District that are contained in Amended Resolution No. 38, Series 2011; and

WHEREAS, no extraordinary circumstances have been brought to the attention of the Board of Directors of the Urban Drainage and Flood Control District by a Board Member that would prevent the District from agreeing, in writing, to accept the use of property tax increment financing for the proposed Block 3 within the St. Anthony Urban Redevelopment Area; and

WHEREAS, the District has prepared a letter to DURA setting forth the terms of the District’s agreement to accept the use of property tax increment financing for the proposed Block 3 within the St. Anthony’s Hospital Urban Redevelopment Area which letter is attached hereto as Exhibit “C”; and

WHEREAS, the attached Exhibit “C” letter, in order for the District’s approval to be binding, requires the acknowledgement and agreement of DURA.

#### NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby agrees to accept the use of property tax increment financing for the proposed Block 3 within the St. Anthony Urban Redevelopment Area.
2. The Executive Director of the Urban Drainage and Flood Control District is authorized to execute the attached Exhibit “C” letter and forward it to Phillip Caplan, Chair, Denver Urban Renewal Authority.
3. The agreement of the District contained in the attached Exhibit “C” letter will become effective upon the District’s receipt of a copy of the letter agreement bearing the signature of Phillip Caplan, Chair, Denver Urban Renewal Authority, acknowledging and agreeing to the terms of the letter.
4. The agreement of the District contained in the attached Exhibit “C” letter will expire by its own terms if the Block 3 within the St. Anthony Urban Redevelopment Area is not under construction by January 1, 2022.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



## EXHIBIT A

### MEMORANDUM

Date: January 5, 2017

To: Urban Drainage and Flood Control District  
Ken MacKenzie, Executive Director

From: Tracy Huggins, Executive Director

Subject: Introduction to the Redevelopment of Block 3 within the St. Anthony Urban Redevelopment Area

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#### Introduction

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Presented to the District is an introduction of a potential project to redevelop Block 3 within the St. Anthony Urban Redevelopment Area (the “Area”).

#### Background

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In 2013, the Denver Urban Renewal Authority (the “Authority”) and the City and County of Denver (the “City”) approved the St. Anthony Urban Redevelopment Plan (the “Plan”), a 9 block, 32 acre site, and created a 7 block, 27 acre Property Tax Increment Area.

While much of the site was expected to be redeveloped without public assistance, there was concern that key objectives of the West Colfax Plan may go unrealized without potential gap financing to support catalytic projects along West Colfax Avenue and along West 17th Avenue. In particular, there was concern that Block 7 would have difficulty attracting neighborhood-serving retail to a largely blighted stretch of West Colfax, and the anticipated extraordinary costs to support structured parking to meet the urban design objectives of Main Street zoning.

There was also concern that gap financing for the Kuhlman Parcel, located on Block 3, would be required in order to preserve the 1939 structure. This historic nurse’s dormitory requires

extraordinary abatement and renovation, including a complete replacement of mechanical systems that were previously served by the main hospital's central plant.

In 2015, the Plan was amended to include two projects on Block 7, the rehabilitation of the former Raleigh office building and construction of a new retail site on Block 7 East, and the construction of an 8 screen Alamo Drafthouse Theater on Block 7 West.

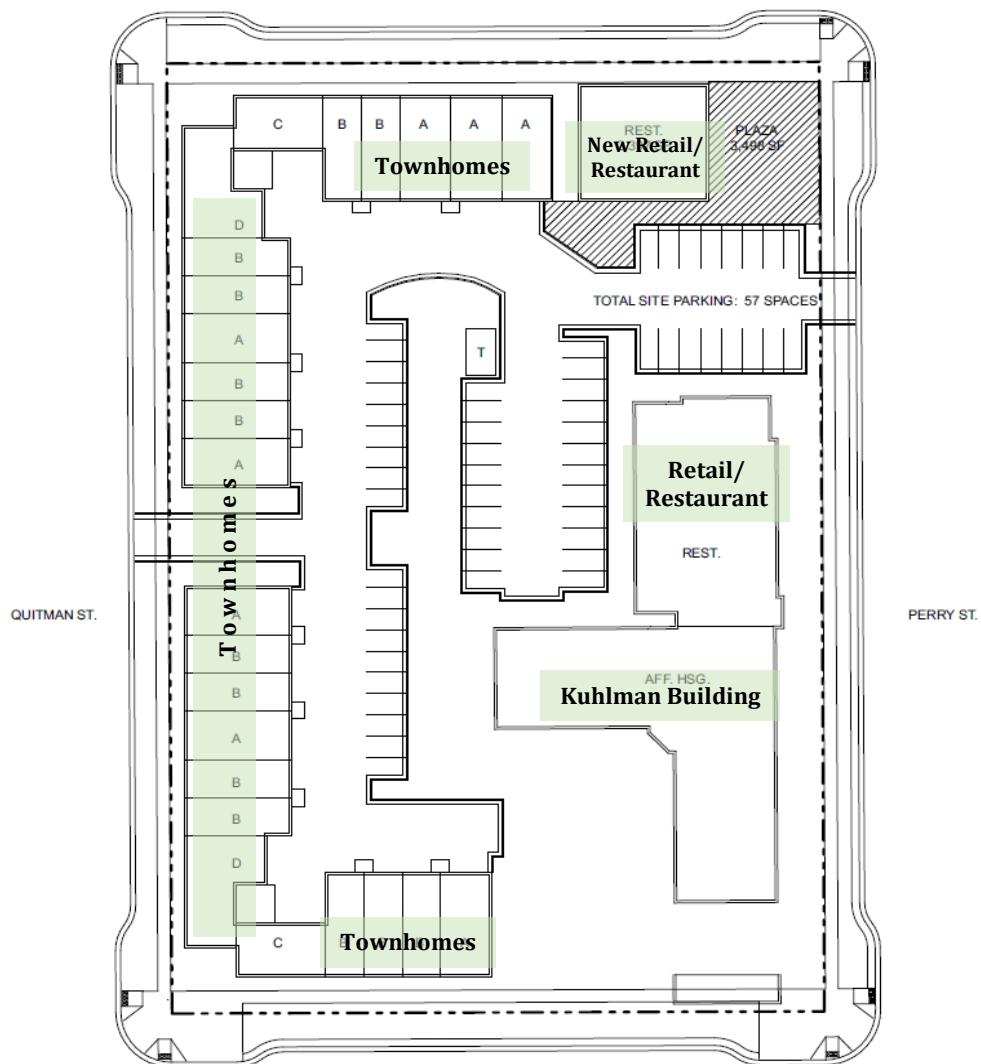


The Block 7 East project is substantially complete; tenant improvements in the office building have commenced and at least one tenant has signed a lease for space in the retail site. The Block 7 West project has seen some delays with soil testing and cost increases, but has recently broken ground and commenced construction, with the goal of a spring 2017 opening.

### Block 3 Project

In April, Sloans Block 3 LLC (the “Redeveloper”), a joint venture consisting of Trailbreak Partners and Koelbel & Company, submitted their request for financial assistance for the redevelopment of Block 3. Their plan consists of the following:

- Rehabilitation of the 44,000 square foot historic Kuhlman Building, a former nurse’s dormitory, into 49 affordable rental apartments at 60% of Area Median Income (“AMI”).
- Rehabilitation of the auditorium attached to the Kuhlman Building into a 5,000 square foot retail/restaurant space.
- Construction of 2,500 square feet of new retail/restaurant space.
- Construction of 25 new, market rate townhomes.
- Installation of streets, utilities and public space within the site, as well as storm drainage facilities for Block 3 and adjacent blocks.



Sloan's Block 3 – Site Plan

The entire project is expected to cost approximately \$31.4 million, and the Redeveloper has identified a financial gap of approximately \$7.4 million, or 23.6% of the total project costs.

As proposed, the development on Block 3 alone is not projected to generate sufficient tax increment to repay an obligation of this size. This is due in large part to the affordable multi-family units placed in the Kuhlman Building. The Redeveloper is expecting this project component to be converted into a separate tax exempt entity, eliminating the possibility of generating any property tax increment. The reduced tax increment collection had been expected from the start, and the Authority is willing to consider applying a portion of the property tax increment generated from land and development on Block 1, Block 2 and Block 4 to assist in the reimbursement of any Block 3 obligation. While construction of the proposed projects on Blocks 1 and 2 have not yet commenced, DURA staff has projected the property tax increment to be generated from expected development on these blocks and feel that as these projects progress there will be sufficient increment generated to support the Authority's existing \$2.5 million obligation to Denver Public Schools, as well as potential projects on Block 3 and Block 9.

### **Next Steps**

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DURA staff has been working with City and County of Denver staff to prepare an amendment to the Plan to add Block 3 as an approved project and to establish two sales tax increment areas for Block 3. As these amendments constitute a substantial modification to the Plan, DURA is seeking the District's agreement to continue to allow the property tax increment derived from the District's mill levy to be allocated to DURA to support the Block 3 project.

## EXHIBIT B

### Sloans Block 3 Project Legal Description

Lots 1-4, Block 3,  
South Sloan's Lake Subdivision Filing No. 1, according to the plat thereof recorded May 15,  
2014 at Reception No. 2014055707,  
City and County of Denver,  
State of Colorado





## EXHIBIT C

### [URBAN DRAINAGE AND FLOOD CONTROL DISTRICT]

February 1, 2017

Phillip Caplan, Chair  
Tracy Huggins, Executive Director  
Denver Urban Renewal Authority  
1555 California Street, Suite 200  
Denver, CO 80202

Dear Ms. Huggins and Mr. Caplan:

This letter agreement ("Agreement") is entered into pursuant to Section 31-25-107(9.5), C.R.S. The Urban Drainage and Flood Control District ("District") understands that the Denver Urban Renewal Authority ("Authority") and the City and County of Denver ("Denver") desire to undertake a substantial modification of the St. Anthony Urban Redevelopment Plan (the "Urban Redevelopment Plan") to add the Block 3 Project consisting of the rehabilitation of the 44,000 square foot Kuhlman Building into affordable rental apartments, the rehabilitation of the auditorium attached to the Kuhlman Building into approximately 5,000 square feet of retail/restaurant space, the construction of approximately 2,500 square feet of new retail restaurant space and the construction of approximately 25 market rate townhomes (the "Project") as one of the projects for tax increment funding and to create the Sloans Block 3A and Sloans Block 3B Sales Tax Increment Areas (the "Sales Tax Increment Areas").

The Urban Drainage and Flood Control District (the "District") is in receipt of the Urban Redevelopment Plan creating the St. Anthony Urban Redevelopment Area which was adopted by the City Council of Denver on August 9, 2013, the proposed Ordinance establishing the Sales Tax Increment Areas, and the proposed amendment to the Urban Redevelopment Plan adding the Project and authorizing the use of property tax increment and sales tax increment for the Project.

The District agrees that in accordance with C.R.S. § 31-25-107(9.5), the District has received proper notice of the proposed substantial modification to the Urban Redevelopment Plan and that the Authority, and the District are entering into this agreement to address the estimated impacts of the Urban Redevelopment Plan on District services associated solely with the Urban Redevelopment Plan. The District has determined that there are no impacts to District services caused by the proposed amendment to the Urban Redevelopment Plan to add the Project and create the Sales Tax Increment Areas and therefore the tax increment derived from the District's mill levy shall continue to be allocated to the Authority. The parties agree that this Agreement satisfies the requirements of C.R.S. § 31-25-107(9.5)(a).

The District further agrees that, as permitted under C.R.S. § 31-25-107(9.5)(b)(i), the District waives the requirements of any future notice, including, but not limited to, notice of any modifications or amendments to the Urban Redevelopment Plan, other than regarding the creation of a new

property tax increment area under the Urban Redevelopment Plan, any future filings with or by the District, any requirement for future consent by the District, including but not limited to, consent to any modifications or amendments to the Urban Redevelopment Plan, other than regarding the creation of a new property tax increment area under the Urban Redevelopment Plan and any enforcement right regarding the Urban Redevelopment Plan, or matters contemplated under the Urban Redevelopment Plan, except that the District shall have the right to take any actions necessary to enforce this Agreement.

If the City and County of Denver and the Authority desire that the drainage and flood control facilities constructed as part of the Urban Redevelopment Plan be eligible for future District maintenance assistance, they shall comply with the terms and conditions of Amended Resolution No. 38, Series of 2011 as amended by Resolution 21, Series of 2016, including but not limited to Resolution No. 26, Series of 1983 of the District.

The consent of the District to the Urban Redevelopment Plan will expire and be of no force and effect unless the Block 3 Project is under construction by January 1, 2022.

If this letter correctly reflects our agreement, please sign below and return a fully-executed original to me.

Respectfully,

Ken MacKenzie  
Executive Director  
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

DENVER URBAN RENEWAL AUTHORITY

By: \_\_\_\_\_  
Phillip Caplan  
Chair

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

## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 05, SERIES OF 2017

(Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Block 9 within the St. Anthony Urban Redevelopment Area)

WHEREAS, the Board of Directors of the Urban Drainage and Flood Control District (the District) amended Resolution No. 38, Series of 2011 with Resolution No. 21, Series of 2016 to expand its policy in regard to its agreement to accept the use of property tax increment financing to include urban redevelopment areas; and

WHEREAS, the Denver Urban Renewal Authority (DURA) on behalf of the City and County of Denver has made a written request of the District to accept the use of property tax increment financing for the proposed Block 9 within the St. Anthony Urban Redevelopment Area (Exhibit “A”); and

WHEREAS, the legal description of such redevelopment area is attached hereto as Exhibit “B”; and

WHEREAS, DURA has fully complied with all requirements of the District that are contained in Amended Resolution No. 38, Series 2011; and

WHEREAS, no extraordinary circumstances have been brought to the attention of the Board of Directors of the Urban Drainage and Flood Control District by a Board Member that would prevent the District from agreeing, in writing, to accept the use of property tax increment financing for the proposed Block 9 within the St. Anthony Urban Redevelopment Area; and

WHEREAS, the District has prepared a letter to DURA setting forth the terms of the District’s agreement to accept the use of property tax increment financing for the proposed Block 9 within the St. Anthony’s Hospital Urban Redevelopment Area which letter is attached hereto as Exhibit “C”; and

WHEREAS, the attached Exhibit “C” letter, in order for the District’s approval to be binding, requires the acknowledgement and agreement of DURA.

#### NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby agrees to accept the use of property tax increment financing for the proposed Block 9 within the St. Anthony Urban Redevelopment Area.
2. The Executive Director of the Urban Drainage and Flood Control District is authorized to execute the attached Exhibit “C” letter and forward it to Phillip Caplan, Chair, Denver Urban Renewal Authority.
3. The agreement of the District contained in the attached Exhibit “C” letter will become effective upon the District’s receipt of a copy of the letter agreement bearing the signature of Phillip Caplan, Chair, Denver Urban Renewal Authority, acknowledging and agreeing to the terms of the letter.
4. The agreement of the District contained in the attached Exhibit “C” letter will expire by its own terms if the Block 9 within the St. Anthony Urban Redevelopment Area is not under construction by January 1, 2022.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



## EXHIBIT A

### MEMORANDUM

Date: January 5, 2017

To: Urban Drainage and Flood Control District  
Ken MacKenzie, Executive Director

From: Tracy Huggins, Executive Director

Subject: Introduction to the Redevelopment of Block 9 within the St. Anthony Urban Redevelopment Area

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#### Introduction

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Presented to the Urban Drainage and Flood Control District (“District”) is an introduction of a potential project to redevelop Block 9 within the St. Anthony Urban Redevelopment Area (the “Area”).

#### Background

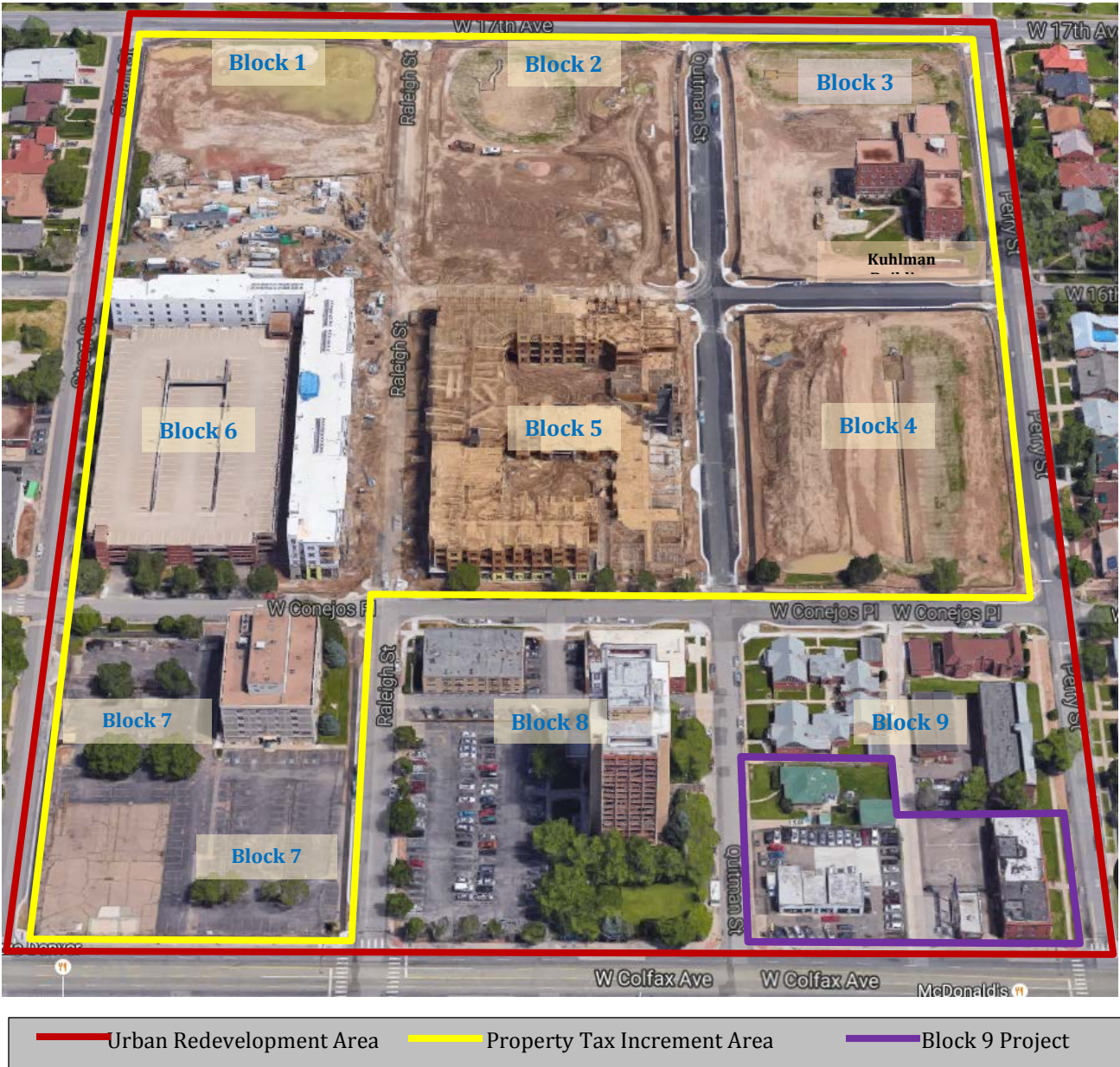
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In 2013, the Denver Urban Renewal Authority (the “Authority”) and the City and County of Denver (the “City”) approved the St. Anthony Urban Redevelopment Plan (the “Plan”), a 9 block, 32 acre site, and created a 7 block, 27 acre Property Tax Increment Area.

While much of the site was expected to be redeveloped without public assistance, there was concern that key objectives of the West Colfax Plan may go unrealized without potential gap financing to support catalytic projects along West Colfax Avenue and along West 17<sup>th</sup> Avenue. In particular, there was concern that Block 7 would have difficulty attracting neighborhood-serving retail to a largely blighted stretch of West Colfax, and the anticipated extraordinary costs to support structured parking to meet the urban design objectives of Main Street zoning.

There was also concern that gap financing for the Kuhlman Parcel, located on Block 3, would be required in order to preserve the 1939 structure. This historic nurse's dormitory requires extraordinary abatement and renovation, including a complete replacement of mechanical systems that were previously served by the main hospital's central plant.

In 2015, the Plan was amended to include two projects on Block 7, the rehabilitation of the former Raleigh office building and construction of a new retail site on Block 7 East, and the construction of an 8 screen Alamo Drafthouse Theater on Block 7 West.





The Block 7 East project is substantially complete; tenant improvements in the office building have commenced and at least one tenant has signed a lease for space in the retail site. The Block 7 West project has seen some delays with soil testing and cost increases, but has recently broken ground and commenced construction, with the goal of a spring 2017 opening.

## Block 9 Project

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In July, the Denver Housing Authority (the “Redeveloper”), submitted their request for financial assistance for the redevelopment of Block 9. The \$58.3 million project is called Vida at Sloan’s Lake; a new 217,290 square foot building consisting of:

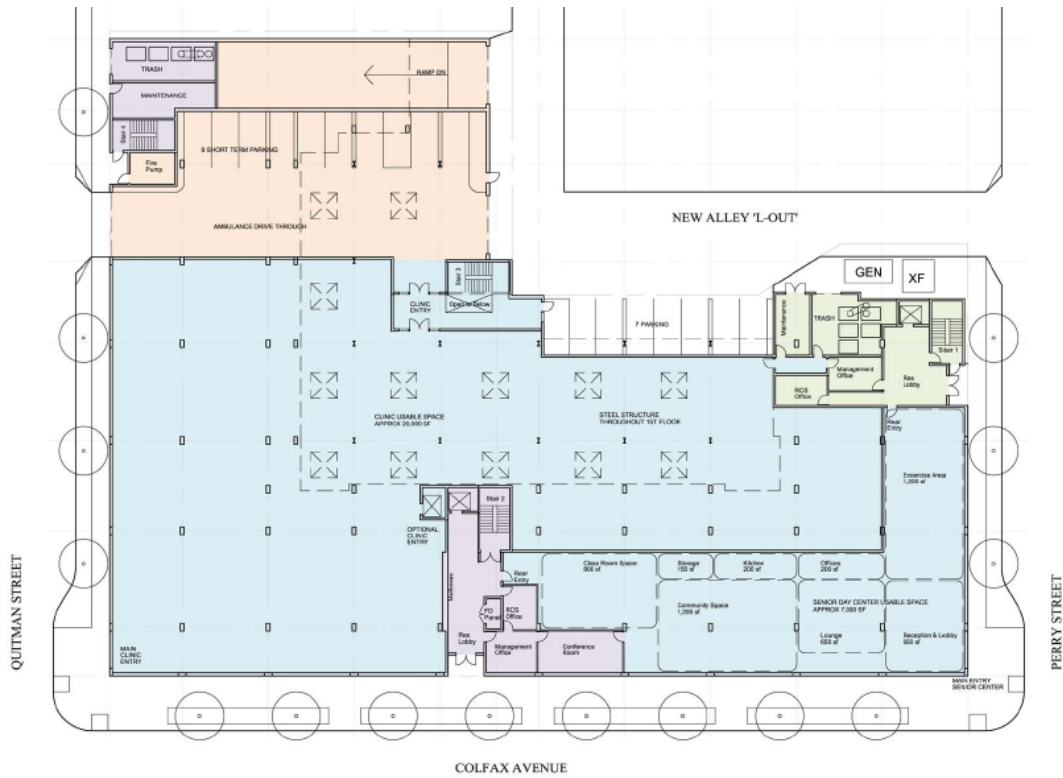
- A 7-story tower with 112 units of senior rental housing at 60% Area Median Income (“AMI”).
- A 5-story tower with 64 units of senior rental housing with affordability at the 30%, 40%, 50% and 60% AMI levels.
- A 20,000 square foot community health clinic on the main level.
- Senior activity center and rooftop community amenity space.
- 125 parking spaces (109 spaces of below grade, 16 spaces above grade and surface).



### Street View from Colfax & Quitman

- Engage the Street with Commercial Uses. Main Entry of Clinic on the street corner. Vehicular Emergency Access off Quitman St. Main lobby
- Ample ceiling height on first floor.
- Public Art Opportunity on building facade.





Site Plan - Vida at Sloan's Lake - Main Level



Site Plan - Vida at Sloan's Lake - Levels 2 - 5





**Vida at Sloan's Lake – Fifth Floor Open Space / Outdoor Exercise Deck**

As stated above, the entire project is expected to cost \$58.3 million, and the Redeveloper has identified a financial gap of approximately \$5.5 million to address costs primarily related to underground structured parking, or 9.6% of the total project costs.

As the entirety of this projected is expected to be tax exempt, no property or sales tax is expected to be generated from this project.

The Authority is willing to consider applying a portion of the property tax increment generated from land and development on Block 1, Block 2 and Block 4 to assist in the reimbursement of any Block 9 obligation. While construction of the proposed projects on Blocks 1 and 2 have not yet commenced, staff has projected the property tax increment to be generated from expected development on these blocks and feel that as these projects progress there will be sufficient increment generated to support the Authority's existing \$2.5 million obligation to Denver Public Schools, as well as potential projects on Block 3 and Block 9.

### **Next Steps**

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DURA staff has been working with City and County of Denver staff to prepare an amendment to the Plan to add Block 9 as an approved project. As this amendment constitutes a substantial modification to the Plan, DURA is seeking the District's agreement to continue to allow the property tax increment derived from the District's mill levy to be allocated to DURA to support the Block 9 project.



## EXHIBIT B

### Sloans Block 9 – Vida at Sloans Project Legal Description

#### PARCEL A:

Lots 1 through 5, inclusive, Block 1,  
Gavin Addition,  
City and County of Denver,  
State of Colorado

#### PARCEL B:

Lots 6, 7 and 8, inclusive, Block 1,  
Gavin Addition,  
City and County of Denver,  
State of Colorado

#### PARCEL C:

All of Lots 23, 24, 25 and 26, and the East 75.5 feet of Lots 27 and 28, Block 1,  
Gavin Addition,  
City and County of Denver,  
State of Colorado

#### PARCEL D:

The West 50 feet of Lots 27 and 28,  
Block 1,  
Gavin Addition,  
City and County of Denver,  
State of Colorado



## EXHIBIT C

### [URBAN DRAINAGE AND FLOOD CONTROL DISTRICT]

February 1, 2017

Phillip Caplan, Chair  
Tracy Huggins, Executive Director  
Denver Urban Renewal Authority  
1555 California Street, Suite 200  
Denver, CO 80202

Dear Ms. Huggins and Mr. Caplan:

This letter agreement ("Agreement") is entered into pursuant to Section 31-25-107(9.5), C.R.S. The Urban Drainage and Flood Control District ("District") understands that the Denver Urban Renewal Authority ("Authority") and the City and County of Denver ("Denver") desire to undertake a substantial modification of the St. Anthony Urban Redevelopment Plan (the "Urban Redevelopment Plan") to add the Block 9 Project, known as *Vida at Sloan's Lake*; which will include a new 217,290 square foot building consisting of:

- A 7-story tower with 112 units of senior rental housing at 60% Area Median Income ("AMI").
- A 5-story tower with 64 units of senior rental housing with affordability at the 30%, 40%, 50% and 60% AMI levels.
- A 20,000 square foot community health clinic on the main level.
- Senior activity center and rooftop community amenity space.
- 125 parking spaces (109 spaces of below grade, 16 spaces above grade and surface)

as one of the projects for tax increment funding.

The Urban Drainage and Flood Control District (the "District") is in receipt of the Urban Redevelopment Plan creating the St. Anthony Urban Redevelopment Area which was adopted by the City Council of Denver on August 9, 2013, and the proposed amendment to the Urban Redevelopment Plan adding the Project and authorizing the use of property tax increment for the Project.

The District agrees that in accordance with C.R.S. § 31-25-107(9.5), the District has received proper notice of the proposed substantial modification to the Urban Redevelopment Plan and that the Authority, and the District are entering into this agreement to address the estimated impacts of the Urban Redevelopment Plan on District services associated solely with the Urban Redevelopment Plan. The District has determined that there are no impacts to District services caused by the proposed amendment to the Urban Redevelopment Plan to add the Project and therefore the tax increment derived from the District's mill levy shall continue to be allocated to the Authority. The parties agree that this Agreement satisfies the requirements of C.R.S. § 31-25-107(9.5)(a).

The District further agrees that, as permitted under C.R.S. § 31-25-107(9.5)(b)(i), the District waives the requirements of any future notice, including, but not limited to, notice of any modifications or amendments to the Urban Redevelopment Plan, other than regarding the creation of a new property tax increment area under the Urban Redevelopment Plan, any future filings with or by the District, any requirement for future consent by the District, including but not limited to, consent to any modifications or amendments to the Urban Redevelopment Plan, other than regarding the creation of a new property tax increment area under the Urban Redevelopment Plan and any enforcement right regarding the Urban Redevelopment Plan, or matters contemplated under the Urban Redevelopment Plan, except that the District shall have the right to take any actions necessary to enforce this Agreement.

If the City and County of Denver and the Authority desire that the drainage and flood control facilities constructed as part of the Urban Redevelopment Plan be eligible for future District maintenance assistance, they shall comply with the terms and conditions of Amended Resolution No. 38, Series of 2011 as amended by Resolution 21, Series of 2016, including but not limited to Resolution No. 26, Series of 1983 of the District.

The consent of the District to the Urban Redevelopment Plan will expire and be of no force and effect unless the Block 9 Project is under construction by January 1, 2022.

If this letter correctly reflects our agreement, please sign below and return a fully-executed original to me.

Respectfully,

Ken MacKenzie  
Executive Director  
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

DENVER URBAN RENEWAL AUTHORITY

By: \_\_\_\_\_  
Phillip Caplan  
Chair

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

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 06, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Drainageway No. 2, City of Lafayette, Boulder County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Lafayette has enacted floodplain regulations; and

WHEREAS, the City of Lafayette, Boulder County, and the District cooperated in the preparation of "Major Basinwide Planning, City of Lafayette/Boulder County, Phase B Development of Preliminary Plan," dated December 1980; and

WHEREAS, the Board previously authorized \$750,000 for design, acquisition of right-of-way, and construction of improvements along Drainageway No. 2 (Table 1 and Exhibit A); and

**Table 1**  
**Drainageway No. 2**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
45	2006	\$100,000	Design
33	2008	\$200,000	Design
49	2009	\$300,000	Design, Right of Way Purchases, and Construction Funding
41	2010	\$150,000	Right of Way Purchases and Construction Funding
<b>TOTAL</b>		<b>\$750,000</b>	

WHEREAS, the City of Lafayette and the District now desire to construct improvements along Drainageway No. 2; and

WHEREAS, the City of Lafayette has estimated the additional drainage project costs to be \$1,200,000 resulting in a revised total drainage project cost of \$2,712,500 (\$1,080,000 District; \$1,632,500 City of Lafayette); and

WHEREAS, the District's additional participation being authorized by this resolution is \$330,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Drainageway No. 2; and

WHEREAS, the District has adopted, at a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Drainageway No. 2 were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 45, Series of 2006, Paragraph 3, is further amended as follows:  
"The District's maximum contribution to the Drainageway No. 2 project without prior approval of the Board shall be ~~\$750,000~~ **\$1,080,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Lafayette."
2. All other conditions and authorizations remain as stated in Resolution No. 45, Series of 2006.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 06, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Drainageway No. 2, City of Lafayette, Boulder County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 07, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Van Bibber Creek at McIntyre Street, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Jefferson County has enacted floodplain regulations; and

WHEREAS, Jefferson County and the District cooperated in the preparation of "Major Drainageway Planning – Van Bibber Creek," dated March 1977; and

WHEREAS, the Board previously authorized \$175,000 for design, acquisition of right-of-way, and construction of improvements along Van Bibber Creek at McIntyre Street (Table 1 and Exhibit A); and

**Table 1**  
**Van Bibber Creek at McIntyre Street**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
25	2016	\$175,000	Final Design Funding
<b>TOTAL</b>		<b>\$175,000</b>	

WHEREAS, Jefferson County and the District now desire to construct improvements along Van Bibber Creek at McIntyre Street; and

WHEREAS, Jefferson County has estimated the additional drainage project costs to be \$166,000 resulting in a revised total drainage project cost of \$516,000 (\$258,000 District; \$258,000 Jefferson County); and

WHEREAS, the District's additional participation being authorized by this resolution is \$83,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Van Bibber Creek at McIntyre Street; and

WHEREAS, the District has adopted, at a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Van Bibber Creek at McIntyre Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 25, Series of 2016, Paragraph 3, is amended as follows:  
"The District's maximum contribution to the Van Bibber Creek at McIntyre Street project without prior approval of the Board shall be ~~\$175,000~~ **\$258,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Jefferson County."
2. All other conditions and authorizations remain as stated in Resolution No. 25, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



RESOLUTION NO. 07, SERIES OF 2017  
(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Van Bibber Creek at McIntyre Street, Jefferson County)



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 08, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on North Dry Gulch from Lamar Street to Teller Street, City of Lakewood, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Lakewood has enacted floodplain regulations; and

WHEREAS, the City of Lakewood and the District cooperated in the preparation of “Outfall Systems Planning, North Dry Gulch,” dated October 1995; and

WHEREAS, the Board previously authorized \$2,725,000 for design, acquisition of right-of-way, and construction of improvements along North Dry Gulch from Lamar Street to Teller Street (Table 1 and Exhibit A); and

**Table 1**  
**North Dry Gulch from Lamar Street to Teller Street**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
65	2008	\$350,000	OSP Update, Initiate Design
42	2011	\$200,000	Design
25	2013	\$475,000	Design, Right of Way Acquisition
60	2013	\$650,000	Right of Way Acquisition
74	2014	\$450,000	Construction Funding
82	2015	\$600,000	Construction Funding
<b>TOTAL</b>		<b>\$2,725,000</b>	

WHEREAS, the City of Lakewood and the District now desire to construct improvements along North Dry Gulch from Lamar Street to Teller Street; and

WHEREAS, the City of Lakewood has estimated the additional drainage project costs to be \$1,050,000 resulting in a revised total drainage project cost of \$6,500,000 (\$3,250,000 District; \$3,250,000 City of Lakewood); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$525,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along North Dry Gulch from Lamar Street to Teller Street; and

WHEREAS, the District has adopted, at a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along North Dry Gulch from Lamar Street to Teller Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 65, Series of 2008, Paragraph 3, is further amended as follows:  
"The District's maximum contribution to the North Dry Gulch from Lamar Street to Teller Street project without prior approval of the Board shall be ~~\$2,725,000~~ **\$3,250,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Lakewood."
2. All other conditions and authorizations remain as stated in Resolution No. 65, Series of 2008.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 08, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on North Dry Gulch from Lamar Street to Teller Street, City of Lakewood, Jefferson County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 09, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Piney Creek at Caley Drive, City of Centennial and Unincorporated Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Centennial and Arapahoe County have assigned and transferred to the Southeast Metro Stormwater Authority (SEMSWA) its rights and obligation for the Piney Creek at Caley Drive project; and

WHEREAS, SEMSWA, Douglas County, and the District cooperated in the preparation of “Piney Creek Major Drainageway Plan,” dated February 2012; and

WHEREAS, the Board previously authorized \$4,198,000 for design, acquisition of right-of-way, and construction of improvements along Piney Creek at Caley Drive (Table 1 and Exhibit A); and

**Table 1**  
**Piney Creek at Caley Drive**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
40	2006	\$50,000	Design
57	2007	\$350,000	Design
69	2007	\$200,000	Design
07	2008	\$50,000	Design and Right of Way Purchases
11	2009	\$300,000	Design and Right of Way Purchases
33	2010	\$200,000	Design, Right of Way Purchases, and Construction Funding
66	2010	\$300,000	Design, Right of Way Purchases, and Construction Funding
27	2011	\$200,000	Design, Right of Way Purchases, and Construction Funding
46	2013	\$415,000	Design, Right of Way Purchases, and Construction Funding
23	2014	\$443,000	Design, Right of Way Purchases, and Construction Funding
28	2014	\$175,000	Design, Right of Way Purchases, and Construction Funding
26	2015	\$575,000	Design, Right of Way Purchases, and Construction Funding
53	2015	\$100,000	Design, Right of Way Purchases, and Construction Funding
80	2015	\$550,000	Design, Right of Way Purchases, and Construction Funding
39	2016	\$290,000	Design, Right of Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$4,198,000</b>	

WHEREAS, SEMSWA, the Cherry Creek Basin Water Quality Authority (CCBWQA), and the District now desire to construct improvements along Piney Creek at Caley Drive; and

WHEREAS, SEMSWA, CCBWQA, and the District have estimated the additional drainage project costs to be \$1,250,000 resulting in a revised total drainage project cost of \$16,656,000 (\$4,848,000 District; \$9,808,000 SEMSWA; \$2,000,000 CCBWQA); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$650,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Piney Creek at Caley Drive; and

WHEREAS, the District has adopted, at a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Piney Creek at Caley Drive were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 40, Series of 2006, Paragraph 3, is further amended as follows:  
“The District's maximum contribution to the Piney Creek at Caley Drive project without prior approval of the Board shall be ~~\$\$4,198,000~~ **\$4,848,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Southeast Metro Stormwater Authority and Cherry Creek Basin Water Quality Authority.”
2. All other conditions and authorizations remain as stated in Resolution No. 40, Series of 2006.

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

(SEAL)

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

ATTEST:

\_\_\_\_\_  
Secretary

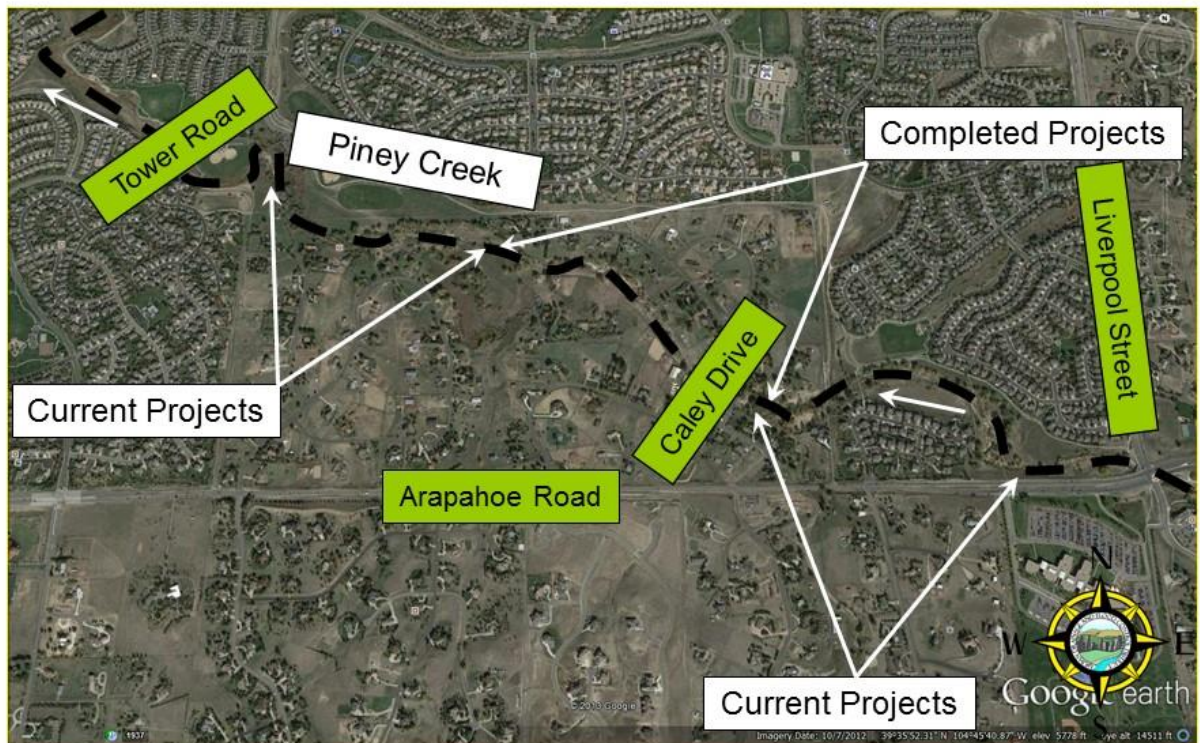
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 09, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Piney Creek at Caley Drive, City of Centennial and Unincorporated Arapahoe County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 10, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on School Tributary Upstream of Colorado Boulevard, City of Thornton, Adams County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Thornton has enacted floodplain regulations; and

WHEREAS, the City of Thornton and the District cooperated in the preparation of “Basin 4100 and Direct Flow Area 0056 Outfall Systems Planning Study Preliminary Design Report,” dated July 2002; and

WHEREAS, the Board previously authorized \$425,000 for design, acquisition of right-of-way, and construction of improvements along School Tributary Upstream of Colorado Boulevard (Table 1 and Exhibit A); and

**Table 1**  
**School Tributary Upstream of Colorado Boulevard**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
12	2015	\$100,000	Design
10	2016	\$325,000	Design, Right of Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$425,000</b>	

WHEREAS, the City of Thornton and the District now desire to construct improvements along School Tributary Upstream of Colorado Boulevard; and

WHEREAS, the City of Thornton has estimated the additional drainage project costs to be \$430,000 resulting in a revised total drainage project cost of \$1,280,000 (\$640,000 District; \$640,000 City of Thornton); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$215,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along School Tributary Upstream of Colorado Boulevard; and

WHEREAS, the District has adopted, at a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along School Tributary Upstream of Colorado Boulevard were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 12, Series of 2015, Paragraph 3, is further amended as follows:  
“The District’s maximum contribution to the School Tributary Upstream of Colorado Boulevard project without prior approval of the Board shall be ~~\$425,000~~ **\$640,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Thornton.”

2. All other conditions and authorizations remain as stated in Resolution No. 12, Series of 2015.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 10, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on School Tributary Upstream of Colorado Boulevard, City of Thornton, Adams County)

### EXHIBIT A





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 11, SERIES OF 2017  
(Approval of Edward J. Krisor's Contract as  
Legal Counsel to the Board of Directors)

WHEREAS, the Board of Directors requires the services of an attorney for its general legal affairs; and

WHEREAS, Edward J. Krisor provides legal representation to many cities, counties, and special districts and a state agency regarding drainage and flood control legal matters; and

WHEREAS, the Board of Directors, for its general legal needs, has engaged Edward J. Krisor as its general counsel for many years; and

WHEREAS, the Board of Directors would like to continue to have Mr. Krisor represent the Board of Directors; such engagement being upon those terms as set forth in the Legal Counsel Contract, dated February 1, 2017; and

WHEREAS, these services are at the will of the Board of Directors and that representation of UDFCD and the Board may be terminated at any time for any reason by the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board authorizes its Chairperson to enter into a Legal Counsel Contract with Mr. Edward J. Krisor as Legal Counsel to the Board of Directors and UDFCD.
2. Such employment shall be at will.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

# REVISED

### BOARD OF DIRECTORS MEETING

Date: Thursday, March 16, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

How the District Works – 12:45 – 1:00 pm

1. **Call to Order and Pledge of Allegiance – 1:00 pm**
2. **Introductions**
  - a. Swearing in of New Board Member
    - i. Stephanie Piko, Mayor Pro Tem, City of Centennial
  - b. Visitors/Guests/Staff
3. **Roll Call – Determination of Quorum**
4. **Presentation of 2016 Audit – Discussion**
  - a. Mark Elmshauser, CPA, CliftonLarsonAllen, LLP
5. **Approval of February 1, 2017 Meeting Minutes** *(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)*
6. **Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*
  - a. Review of Cash Disbursements
  - b. Acceptance of Dry Gulch Planning Study  
(Resolution No. 12, Series of 2017)
  - c. Acceptance of Flood Hazard Area Delineation Report for Harvard Gulch and Dry Gulch  
(Resolution No. 13, Series of 2017)
  - d. Additional Authorization to Participate in Drainage and Flood Control Improvements on Bullhead Gulch at the BNSF Railroad Crossing, City of Louisville, Boulder County  
(Resolution No. 14, Series of 2017)
  - e. Additional Authorization to Participate in Drainage and Flood Control Improvements on Coal Creek from County Line Road to Kenosha Road, Town of Erie, Boulder County  
(Resolution No. 15, Series of 2017)
  - f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek from Monaco Parkway to East Iliff Avenue, City and County of Denver  
(Resolution No. 16, Series of 2017)
  - g. Authorization to Participate in Drainage and Flood Control Improvements on Glenbrook Detention Basin, City and County of Denver  
(Resolution No. 17, Series of 2017)
  - h. Authorization to Participate in Drainage and Flood Control Improvements on Platte Farm Open Space Detention Basin, City and County of Denver  
(Resolution No. 18, Series of 2017)
  - i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Sanderson Gulch from Lipan Street to the South Platte River, City and County of Denver  
(Resolution No. 19, Series of 2017)
  - j. Additional Authorization to Participate in Drainage and Flood Control Improvements on Goldsmith Gulch at Orchard Road, City of Greenwood Village, Arapahoe County  
(Resolution No. 20, Series of 2017)

- k. Additional Authorization to Participate in Drainage and Flood Control Improvements on West Fork Big Dry Creek downstream of Cresthill Lane, Highlands Ranch Metro District, Douglas County  
(Resolution No. 21, Series of 2017)

**7. Vote on Approval of the Consent Agenda** *(Motion and roll call vote required)*

**8. Executive Session – Provide Board with Legal Advice [24-6-402(4)(b) C.R.S.]**

**9. Annual Legal Summary, Ed Krisor**

**10. Announcements**

- a. Annual Seminar: **Tuesday, April 4, 2017**
- b. Next Regularly Scheduled Meeting: **Thursday, April 20, 2017**
- c. District Project Tour: **Thursday, May 18, 2017**

**11. Adjournment**



## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT BOARD OF DIRECTORS

February 1, 2017

### MINUTES

#### **Members Present:**

Herb Atchison, Mayor, City of Westminster  
Joyce Downing, Mayor, City of Northglenn  
Deb Gardner, Commissioner, Boulder County  
Happy Haynes, Deputy Mayor, City/County of Denver  
Mark Hunter, Engineer  
Joyce Jay, Mayor, City of Wheat Ridge  
Paul Kashmann, Council Member, City/County/Denver  
Angela Lawson, Mayor Pro Tem, City of Aurora  
Paul López, Council Member, City/County of Denver  
Adam Paul, Mayor, City of Lakewood  
Dave Sellards, Engineer  
Nancy Sharpe, Commissioner, Arapahoe County  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield  
Libby Szabo, Commissioner, Jefferson County  
Lora Thomas, Commissioner, Douglas County  
C.J. Whelan, Mayor Pro Tem, City of Centennial  
Heidi Williams, Mayor, City of Thornton  
Mary Young, Council Member, City of Boulder

#### **Members Absent:**

Bruce Beckman, Mayor, City of Littleton  
Bob Fifer, Mayor Pro Tem, City of Arvada  
Stacie Gilmore, Council Member, City/County of Denver  
Charles (Chaz) Tedesco, Commissioner, Adams County

#### **UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Ed Krisor	Legal Counsel
Julia Bailey	Project Engineer, Information Services and Flood Warning
Dave Bennetts	Program Manager, Design, Construction, and Maintenance
Richard Borchardt	Project Manager, Design, Construction, and Maintenance
Barbara Chongtousa	Project Manager, Design, Construction, and Maintenance
Amelia Deleon	Human Resources Manager
Terri Fead	Project Manager, Watershed Services
Bryan Kohlenberg	Project Manager, Design, Construction, and Maintenance
Laura Kroeger	Assistant Program Manager, Design, Construction, and Maintenance
Teresa Patterson	Project Manager, Watershed Services
Holly Piza	Project Manager, Watershed Services
Terri Schafer	Manager, Finance and Accounting
David Skuodas	Project Manager, Design, Construction, and Maintenance
Jason Stawski	Senior Construction Manager
Kevin Stewart	Program Manager, Information Services and Flood Warning
Shea Thomas	Project Manager, Watershed Services
Salomon Ybarra	Student Intern, Watershed Services

#### **Others Present:**

None.

#### **How the Districts Works – Adopting Floodplains**

Mr. MacKenzie conducted a presentation entitled, “Adopting Floodplains” for this month’s How the District Works presentation.

**1. Call to Order and Pledge of Allegiance – 1:00 p.m.**

Mayor Heidi Williams called the meeting to order at 1:00 p.m.

**2. Introductions**

**a. Swearing in of New Board Members**

Mayor Williams announced that we have three new board members in attendance:

- Deputy Mayor Happy Haynes, City and County of Denver
- Mayor Pro Tem Angela Lawson, City of Aurora
- Commissioner Lora Thomas, Douglas County

The new board members were sworn in by Mr. Ed Krisor. Mr. Ken MacKenzie welcomed them to the District.

**b. Visitors/Guests/Staff**

Mr. MacKenzie introduced a new student, Salomon Ybarra, who will be assisting the newly formed Watershed Services Program. Salomon is a civil engineering student at the University of Colorado, Denver.

**c. Awards/Recognitions**

The District was presented with two awards from the Colorado Association of Stormwater and Floodplain Managers (CASFM). Both awards were presented by Mrs. Shea Thomas, CASFM Chair and Manager of the Watershed Services Program.

**i. CASFM – Engineering Excellence Award: River Vision Implementation Plan**

The CASFM Engineering Excellence Award went to the River Vision Implementation Plan. The City and County of Denver, the Colorado Water Conservation Board, and the District partnered to fund the implementation of five priority projects along the Greenway Corridor. The plan focused on:

- Promotion of ecosystem restoration
- Enhanced accessibility, safety and security, aesthetics, and water quality
- Creation of a parks/open space-oriented model for urban living;
- Maintaining or improving flood control capacity and river stability

As additional development begins to take place along the River South and River North corridors, the River Vision Implementation serves as a valuable ‘lessons learned’ tool and a model for future development.

**ii. CASFM – Outstanding Achievement Award: Lower Westerly Creek**

The CASFM Outstanding Achievement award went to the Lower Westerly Creek Flood Control Improvements project. Funded by the City of Aurora and the District, this flood mitigation project provides numerous public health, safety, and welfare benefits to the surrounding community, including:

- Extension of the regional trail beneath Montview Boulevard to 17<sup>th</sup> Ave
- Improved channel alignment
- Construction of new pedestrian bridge
- Initiated master planning effort for overall park improvements

This project serves as a great model of how to meet flood mitigation requirements while also creating benefits that extend well beyond and into the community.

**3. Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

**4. Board of Directors Reappointment**

**a. Reappointment of Mr. Mark Hunter to Board of Directors  
(Resolution No. 01, Series of 2017)**

Mayor Williams stated that Mr. Mark Hunter is willing to be reappointed to the Board of Directors. Mr. MacKenzie also added that for those that are new to the Board, Mr. Hunter had a long, successful career with the District before his retirement in 2010. The District is honored for his continued support as a member of our Board of Directors. Resolution No. 01, Series of 2017, would reappoint Mr. Hunter to a two-year term through January 31, 2019. The Board motioned and approved Resolution No. 01, Series of 2017.

5. **Approval of December 15, 2016 Meeting Minutes** *(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)*  
Mayor Williams asked if there were any corrections to the December 15, 2016 minutes. Hearing none, the minutes were approved as submitted.

6. **Public Hearing**

a. **Floodplain Maps Adoption**

Mayor Heidi Williams opened the public hearing at 1:14pm.

The District’s enabling legislation allows the District to regulate floodplains and although the Board has adopted a floodplain regulation, it is not enforced so long as the local governments are regulating their floodplains within the National Flood Insurance Program (NFIP) minimum standards. We do keep the regulation up to date by adopting our new flood hazard area delineation studies (FHADs) following a public hearing.

There are five recent studies to consider for Board adoption all of which have been designated and approved by the Colorado Water Conservation Board (CWCBC). The FHADs are available on our website.

- Clear Creek and Rock Creek in Boulder Co from Highway 128 to Boulder Creek (Boulder Co, Superior, Broomfield, Louisville, Lafayette, Erie)
- Happy Canyon Creek from Castle Pines to Cherry Creek and Badger Gulch in Douglas County (Castle Pines, Douglas Co, Lone Tree, Parker, Arapahoe County)
- Newlin Gulch from Reuter-Hess reservoir to Cherry Creek (Douglas Co, Parker)
- Coal Creek in Arapahoe Co from Yale Avenue extended to County Line Road (Arapahoe Co)
- Box Elder Creek from Jewell Avenue to Weld County line and Coyote Run from Jewell Avenue to Box Elder (Arapahoe Co, Aurora, Adams Co, City and County of Denver)

Mayor Williams requested comments or questions from the Board and public. There being none, the Floodplain Map Adoption Public Hearing was closed at 1:19 p.m.

7. **Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*

a. **Review of Cash Disbursements**

Cash Disbursement list, dated December 2016 and January 2017, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.

b. **Adoption of Floodplain Maps for Happy Canyon Creek; Box Elder Creek (Downstream of Jewell Avenue) and Coyote Run; Coal Creek (East Yale Avenue to East County Line Road), Coal Creek and Rock Creek; and Newlin Gulch (Resolution No. 02, Series of 2017)**

Resolution No. 02, Adoption of Floodplain Maps for Happy Canyon Creek; Box Elder Creek (Downstream of Jewell Avenue) and Coyote Run; Coal Creek (East Yale Avenue to East County Line Road), Coal Creek and Rock Creek; and Newlin Gulch, was discussed during the Public Hearing portion of the meeting.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 02 on the Consent Agenda.

c. **Designation of Public Place for Posting of Meeting Notices (Resolution No. 03, Series of 2017)**

It is required by the Colorado Open Meetings Law that the District annually designate the location for the posting of meeting notices. The District designates the window area adjacent to the main entrance of the District Office as the public place for posting of meeting notices. The District is located at 2480 W. 26th Avenue, Suite 156-B, Denver, Colorado 80211.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 03 on the Consent Agenda.



**d. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Block 3 within the St. Anthony Urban Redevelopment Area (Resolution No. 04, Series of 2017)**

In 2011, the Board adopted a resolution (Resolution No. 38, Series 2011) that sets a policy for requests by Governing Bodies and/or Urban Renewal Authorities to the District that it consent to the inclusion of agricultural land located in the District boundaries within an urban renewal area in compliance with the new 2010 requirements set by the General Assembly (31-25-107 C.R.S.). The Board policy also states that each request should come before the Board for review and discussion.

In 2016, this resolution was amended (Resolution No. 21, Series of 2016) to expand its policy to accept the use of property tax increment financing to include urban redevelopment areas.

The District received a written request from the Denver Urban Renewal Authority (DURA) on behalf of the City and County of Denver to accept the use of property tax increment financing for the proposed Block 3 within the St. Anthony Redevelopment Area. Mr. MacKenzie stated that the District has never collected taxes from this site due to the fact that it was a hospital. Mr. MacKenzie also reminded the board that this agreement means that we would not collect taxes up to a 25-year period; however, DURA believes that the tax increment financing (TIF) will mature in 20 years.

Councilman Lopez stated that he has seen the area map and there is a concern regarding the potential of Sloan's Lake going over its banks. The Councilman requested that District staff make sure that these concerns are addressed by DURA.

Resolution No. 04, Series 2017, authorizes the Executive Director to execute a letter (exhibit C) to DURA, agreeing to accept the use of property tax increment financing for the proposed Block 3 within the St. Anthony Redevelopment Area.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 04 on the Consent Agenda.

**e. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Block 9 within the St. Anthony Urban Redevelopment Area (Resolution No. 05, Series of 2017)**

Similar to Resolution No. 04, Series of 2017, this resolution authorizes the Executive Director to execute a letter (exhibit C) to DURA, agreeing to accept the use of property tax increment financing for the proposed Block 9 within the St. Anthony Redevelopment Area.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 05 on the Consent Agenda.

**f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Drainageway No. 2, City of Lafayette, Boulder County (Resolution No. 06, Series of 2017)**

This is a joint project with the City of Lafayette. Merrick and Company designed the project under contract with the District. The drainage elements of the project include enlarging the drainage culvert under 111<sup>th</sup> Street to pass the 100-year flood without overtopping the road, with accommodation for a new trail underpass once the regional trail reaches this location with a future project. Several utilities will also be relocated and/or improved, and the road will be raised and widened including the addition of sidewalks.

The City of Lafayette already holds the necessary easements and right-of-way where the project will be carried out. The final design is now complete and the District and the City of Lafayette desire to construct the improvements which will be managed by the District. Construction is anticipated in 2017.

The District and the City of Lafayette have identified \$2,712,500 in total project costs with the District's participation being \$1,080,000. The previous authorizations (Resolution No. 45, Series of 2006; Resolution No. 33, Series of 2008; Resolution No. 49, Series of 2009; and Resolution No. 41, Series of 2010) totaled \$750,000 to fund design and to partially fund acquisition of right-of-way and construction.

Resolution No. 06 authorizes an additional \$330,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Lafayette for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 06 on the Consent Agenda.

**g. Additional Authorization to Participate in Drainage and Flood Control Improvements on Van Bibber Creek at McIntyre Street, Jefferson County (Resolution No. 07, Series of 2017)**

This is a joint project with Jefferson County. Jefferson County desires to construct improvements along Van Bibber Creek at the McIntyre Street crossing in Jefferson County. Currently the crossing consists of a 60-inch corrugated metal pipe, significantly undersized for the 100-year storm event. Flows frequently overtop McIntyre Street as they did during the September 2013 floods. This crossing is a part of a larger McIntyre Street roadway improvement project from 52nd Avenue to 60th Avenue.

Jefferson County has hired Muller Engineering to provide the design of roadway and drainageway elements of the project. Jefferson County will administer the construction with oversight of the drainageway elements of the project provided by the District. Construction is anticipated in 2018-2019.

Easement and right-of-way acquisition is included in the project costs. The District and Jefferson County have identified \$516,000 in total project costs with the District's participation being \$258,000. It is anticipated that additional funds for construction will be needed in the future.

Resolution No. 07 authorizes \$83,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Jefferson County for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 07 on the Consent Agenda.

**h. Additional Authorization to Participate in Drainage and Flood Control Improvements on North Dry Gulch from Lamar Street to Teller Street, City of Lakewood, Jefferson County (Resolution No. 08, Series of 2017)**

This is a joint project with the City of Lakewood. The District is currently administering the preliminary plan (OSP Update) being completed by Muller Engineering. Once this phase is complete, they will move on to final design. The preliminary plan includes a 100-yr drainageway system to remove several businesses from the floodplain. Ultimately, the existing underground system will be removed and flows placed within an open channel with an enhanced local greenway similar to the upstream channel through the existing Wal-Mart redevelopment area. Phased construction could begin as early as 2018.

Easement and right-of-way acquisition is included in the project costs. The District and City of Lakewood have identified \$6,500,000 in total project costs with the District's participation being \$3,250,000. It is anticipated that additional funds for construction will be needed in the future.

Resolution No. 08 authorizes an additional \$525,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Lakewood for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 08 on the Consent Agenda.

**i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Piney Creek at Caley Drive, City of Centennial and Unincorporated Arapahoe County (Resolution No. 09, Series of 2017)**

This is a joint project with the Southeast Metro Stormwater Authority (SEMSWA) and the Cherry Creek Basin Water Quality Authority (CCBWQA). CH2M and Olsson and Associates are designing the project under contract with the District. The drainage elements of the project include installation of channel restoration including bank protection and drop structures.

Easement and right-of-way acquisition is included in the project costs. The final design is in progress and the District, SEMSWA, and CCBWQA desire to construct the improvements which will be managed by SEMSWA. Construction is anticipated in 2017 and 2018.

The District, SEMSWA, and CCBWQA have identified \$16,656,000 in total project costs with the District's participation being \$4,848,000. The previous authorizations (Resolution No. 40, Series of 2006;

Resolution No. 57, Series of 2007; Resolution No. 69, Series of 2007; Resolution No. 07, Series of 2008; Resolution No. 11, Series of 2009; Resolution No. 33, Series of 2010; Resolution No. 66, Series of 2010; Resolution No. 27, Series of 2011; Resolution 46, Series of 2013; Resolution No. 23, Series of 2014; Resolution No. 28, Series of 2014; Resolution No. 26, Series of 2015; Resolution No. 53, Series of 2015; Resolution No. 80, Series of 2015; and Resolution No. 39, Series of 2016) totaled \$4,198,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 09 authorizes an additional \$650,000 of District funds from the Special Revenue Fund - Construction to at least be matched by SEMSWA and CCBWQA for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 09 on the Consent Agenda.

**j. Additional Authorization to Participate in Drainage and Flood Control Improvements on School Tributary Upstream of Colorado Boulevard, City of Thornton, Adams County (Resolution No. 10, Series of 2017)**

This is a joint project with the City of Thornton. The City of Thornton desires to design, acquire right-of-way, and construct improvements along School Tributary Upstream of Colorado Boulevard in accordance with the "Basin 4100 and Direct Flow Area 0056 Outfall Systems Planning Study Preliminary Design Report," dated July 2002. The project includes improvements to provide 100-year conveyance from upstream of Monroe Street to Colorado Boulevard.

Easement and right-of-way acquisition will be included in the project costs. The City of Thornton is administering the design with Merrick and Company. The District and the City of Thornton desire to construct the improvements which will be managed by the District. Construction is anticipated in 2017.

The District and the City of Thornton have identified \$1,280,000 in total project costs with the District's participation being \$640,000. The previous authorization (Resolution No. 12, Series of 2015 and Resolution No. 10, Series of 2016) totaled \$425,000 to fund design and to partially fund acquisition of right-of-way and construction.

Resolution No. 10 authorizes an additional \$215,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Thornton for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 10 on the Consent Agenda.

**8. Vote on Approval of the Consent Agenda (*Motion and roll call vote required*)**

It was the consensus of the Board that Resolutions No. 01, 02, 03, 04, 05, 06, 07, 08, 09, and 10, Series of 2017, and Review of Cash Disbursements dated December 2016 and January 2017 be placed on the Consent Agenda. Mayor Pro Tem Whelan moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

**9. Reports/Discussion**

**a. Executive Director's Report**

Board of Directors – Online Survey

Mr. MacKenzie thanked the Board Members who participated in the online survey regarding the District's services. Highlights of the feedback we received, included:

- Everyone likes the "How the District Works" presentations although a few senior members find them repetitive.
- Several board members indicated they would like to know more about the process behind how projects are chosen and funded, the names of the people at the communities we are working with, what other alternatives were considered, i.e., the "rest of the story." Mr. MacKenzie mentioned that before each board meeting, Mr. Hunter and Mr. Sellards meet with some of the District staff for an in-depth review of the resolutions (projects) being presented that month. Board members are encouraged to attend these informative meetings, if they have an interest in the projects being discussed.

- Thirty percent of respondents felt the orientation materials and meeting with the executive director were not sufficient to fully understand their role and duties as a new board member. Mr. MacKenzie will work with staff on improving that process.
- Board members enjoyed hearing different staff members speak and were interested in getting to know the staff better.

#### Watershed Services Program

As presented to the Board of Directors during Mr. MacKenzie's interview for the Executive Director position, the District has merged the former Floodplain Management Program and Master Planning Program into one new program (Watershed Services) thus eliminating one program manager position. Four internal candidates were interviewed for the position of the Watershed Services Program Manager and ultimately, Shea Thomas was selected. Shea has been with the District since 2008, she has several years of consulting engineering prior to working for the District. We are currently recruiting two new hires for this program and possibly a third hire before the end of the year.

#### Annual Seminar

The UDFCD Annual Seminar is an all-day event featuring presentations by UDFCD staff and research partners. This year, topics include watershed planning, criteria, stormwater quality, stream stabilization, hydraulic design, and construction methods. The event will be held on April 4th at the Omni Interlocken Hotel in Broomfield. Please look for an email invitation from Ms. Amelia Deleon.

#### TABOR Bill

Representative Thurlow and Senator Crowder are sponsoring legislation to fine-tune the TABOR bill. To paraphrase Representative Thurlow's words, by changing the TABOR measurement from one based on consumer inflation to one based on personal income, it will give us the ability to invest in infrastructure when we are growing and to tighten our belt when we are not. It preserves a growth constraint on government, but does not impose a ratchet that forever shrinks services.

This discussion segwayed into the topic of debrucing the District. While at least some of the Directors agreed that it makes sense to debruce, it was stated that the level of effort it would take should not be taken lightly. Mr. MacKenzie stated that the District would do its due diligence in identifying the next steps before bringing it to the Board for further consideration.

Commissioner Gardner mentioned that the Supreme Court is looking into the Tabor case in which Boulder County is one of the plaintiff's. In the original suit filed in 2011, there was a question with regard to whether the plaintiffs had standing. More recently, the issue of standing has been decided. The case has a few more hoops to go thorough before it goes to the Supreme Court.

#### **b. Board of Directors Survey Results**

This topic was covered in the Executive Director's report.

### **10. Executive Session**

- a. Contract with Edward J. Krisor, UDFCD's Legal Counsel, [24-6-402 (4)(e)(l) C.R.S.]  
It was moved by Mayor Pro Tem Whelan and seconded by Mayor Joyce Downing to go into Executive Session at 2:09 p.m. to discuss Mr. Ed Krisor's contract as Legal Counsel.
- b. Personnel Matter – Presentation / Policy for Avoidance of a Conflict of Interest, [24-6-402 (f)(l) and (3.5) C.R.S.]  
Following the legal counsel contract discussion, the Executive Session continued with a discussion regarding the District's policy for avoidance of conflicts of interest. The Executive Session concluded at 2:38 p.m.

### **11. Approval of Edward J. Krisor's Contract as Legal Counsel to the Board of Directors (Resolution No. 11, Series of 2017)**

Following the Executive Session, the Board authorized Chairperson Williams to enter into an employment agreement with Mr. Ed Krisor for legal counsel services to the Board of Directors. There being no further comments or questions, a motion was made and seconded to adopt Resolution No. 11, Series of 2017. The motion was passed unanimously.

### **12. Announcements**

#### **a. Next Board Meeting: Thursday, March 16, 2017**

The next regularly scheduled Board meeting will take place on Thursday, March 16, 2017.

**b. Annual Seminar: Tuesday, April 4, 2017**

Once again, the annual seminar will take place on Tuesday, April 4, 2017 from 8 a.m. to 4 p.m. at the Omni Interlocking Hotel in Broomfield. All Board Members are encouraged to attend, free of charge. Additional information will be made available to the Board as soon as it is available.

**13. Adjournment**

Mayor Williams adjourned the meeting at 2:38 p.m.

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 12, SERIES OF 2017  
(Acceptance of Dry Gulch Planning Study)

WHEREAS, the District cooperated with the City of Lakewood and the City and County of Denver in the preparation of a major drainageway planning study for Dry Gulch (Resolution No. 44, Series of 2012); and

WHEREAS, the Executive Director executed an agreement for engineering services with the consulting firm ICON Engineering, Inc. to conduct studies and prepare a major drainageway planning report for Dry Gulch; and

WHEREAS, ICON Engineering, Inc. has completed the study and submitted to the District the report titled "Dry Gulch Major Drainageway Plan," dated January 2017.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby accepts the report titled "Dry Gulch Major Drainageway Plan," dated January 2017, and recommends that all drainage, flood control, and stormwater management infrastructure and practices recommended in the report be used to guide future drainage and flood control planning, land development design, and construction of all such infrastructure within jurisdiction covered by said plan.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 12, SERIES OF 2017  
(Acceptance of Dry Gulch Planning Study)

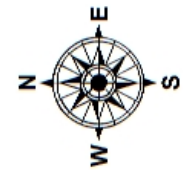
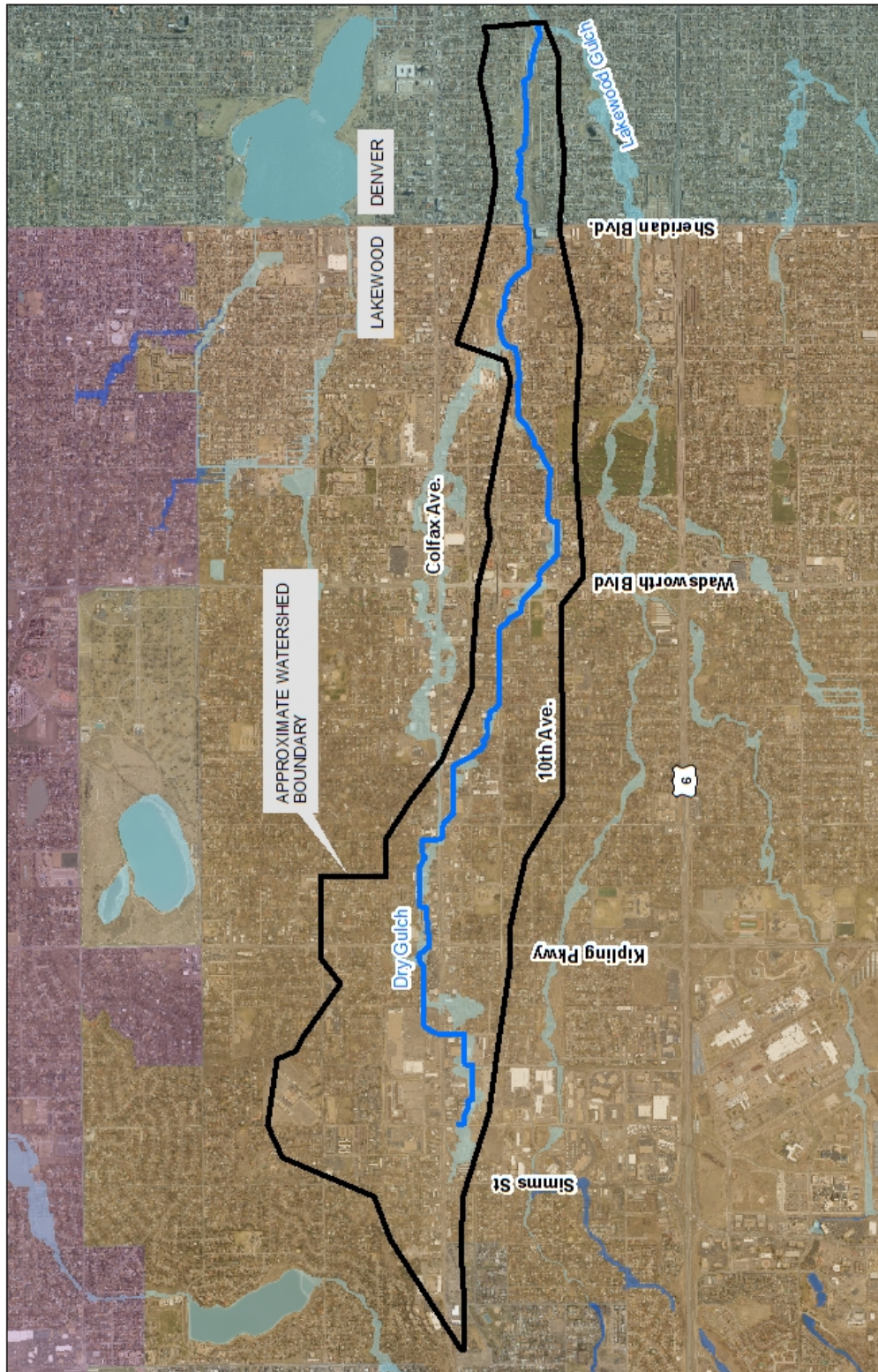


EXHIBIT A  
DRY GULCH  
Major Drainage Plan  
February 2017

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 13, SERIES OF 2017

(Acceptance of Flood Hazard Area Delineation Report for Harvard Gulch and Dry Gulch)

WHEREAS, the Board has previously established a Work Program for 2017 (Resolution No. 52, Series of 2016) which included master planning and the delineation of flood hazard areas; and

WHEREAS, the Board has previously authorized the Executive Director to expend funds from the Flood Hazard Area Delineation budget for the completion of flood hazard area delineation studies (Resolution No. 66, Series of 2013); and

WHEREAS, the Executive Director has executed an agreement with Matrix Design Group, Inc. for master planning and flood hazard area delineation studies of Harvard Gulch and Dry Gulch; and

WHEREAS, a report "Flood Hazard Area Delineation Harvard Gulch and Dry Gulch," dated February 2017, has been completed by Matrix Design Group, Inc.; and

WHEREAS, the Board has previously indicated its desire that the results of such studies be provided to the local governments to assist such local governments in meeting the requirements of 24-65.1-101, et seq. C.R.S.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby accepts the report titled "Flood Hazard Area Delineation Harvard Gulch and Dry Gulch," dated February 2017, and recommends its use as a guide in future planning related to the floodplains contained therein.
2. The Board of Directors of the Urban Drainage and Flood Control District recommends that the City and County of Denver and the City of Englewood adopt the report and regulate the 100-year floodplains defined in the report.
3. The Board of Directors of the Urban Drainage and Flood Control District submit the report for designation and approval by the Colorado Water Conservation Board as stated in 37-60-106(1)(c) C.R.S., as flood hazard areas, those areas described as being inundated by the 100-year flood.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

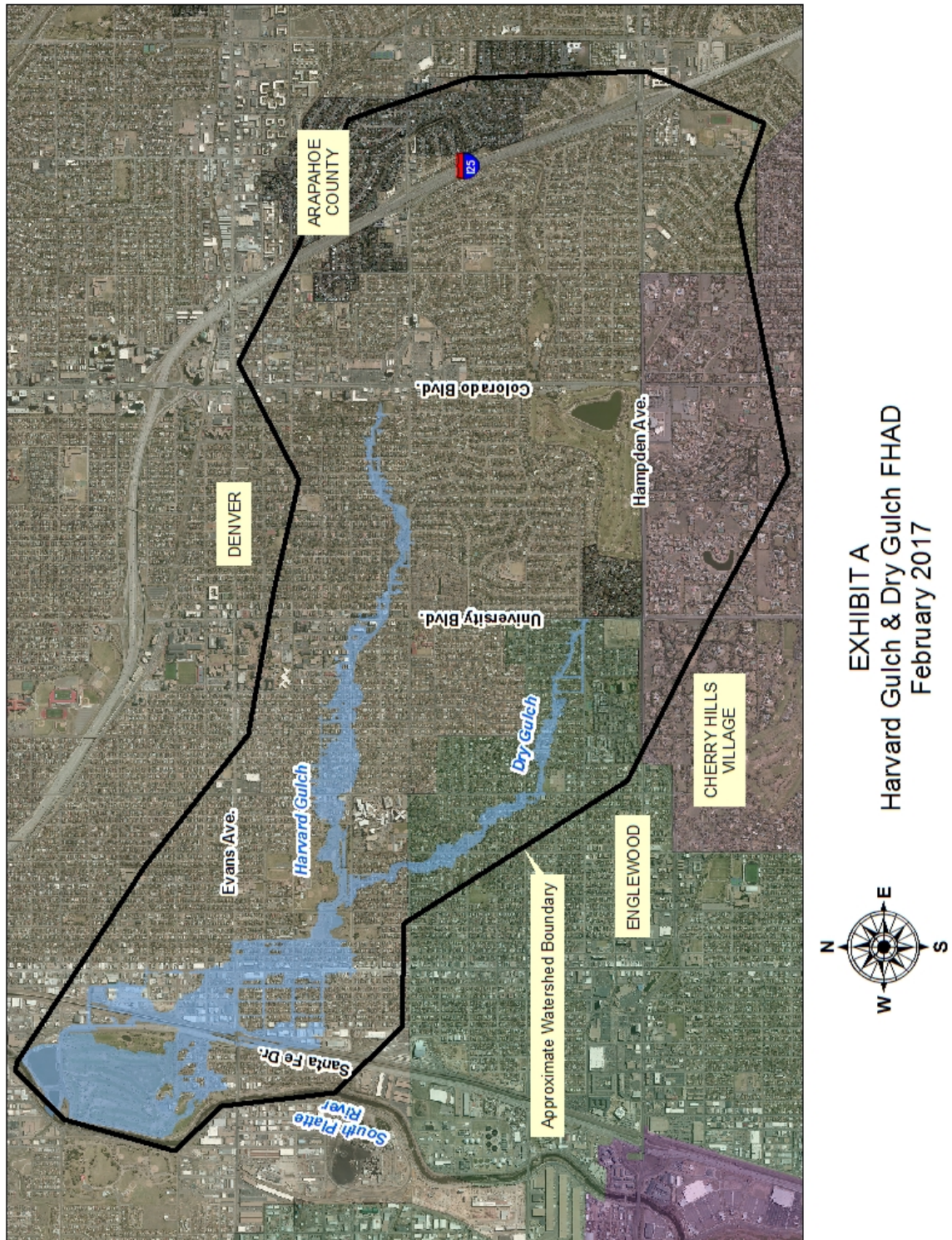
\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION 13, SERIES OF 2017

(Acceptance of Flood Hazard Area Delineation Report for Harvard Gulch and Dry Gulch)



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 14, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Bullhead Gulch at the BNSF Railroad Crossing, City of Louisville, Boulder County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Louisville has enacted floodplain regulations; and

WHEREAS, the City of Louisville and the District cooperated in the preparation of “Bullhead Gulch Watershed Outfall Systems Planning,” dated June 1992; and

WHEREAS, the Board previously authorized \$0 for design, acquisition of right-of-way, and construction of improvements along Bullhead Gulch at the Burlington Northern Santa Fe (BNSF) Railroad Crossing (Table 1); and

**Table 1**  
**Bullhead Gulch at the BNSF Railroad Crossing**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
35	2016	\$0	(\$0 District; \$186,500 City of Louisville) for Design
<b>TOTAL</b>		<b>\$0</b>	

WHEREAS, the City of Louisville and the District now desire to construct improvements along Bullhead Gulch at the BNSF Railroad Crossing (Exhibit A); and

WHEREAS, the City of Louisville has estimated the additional drainage project costs to be \$200,000 resulting in a revised total drainage project cost of \$386,500 (\$100,000 District; \$286,500 City of Louisville); and

WHEREAS, the District’s participation being authorized by this resolution is \$100,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for construction of drainage and flood control improvements along Bullhead Gulch at the BNSF Railroad Crossing; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Bullhead Gulch at the BNSF Railroad Crossing were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 35, Series of 2016, Paragraph 3, is amended as follows:  
“The District's maximum contribution to the Bullhead Gulch at the BNSF Railroad Crossing project without prior approval of the Board shall be ~~\$0~~ **\$100,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Louisville.”
2. All other conditions and authorizations remain as stated in Resolution No. 35, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 14, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Bullhead Gulch at the BNSF Railroad Crossing, City of Louisville, Boulder County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 15, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Coal Creek from County Line Road to Kenosha Road, Town of Erie, Boulder County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the Town of Erie has enacted floodplain regulations; and

WHEREAS, the Town of Erie and the District cooperated in the preparation of “Coal Creek and Rock Creek Major Drainageway Plan,” dated October 2014; and

WHEREAS, the Board previously authorized \$50,000 for design, acquisition of right-of-way, and construction of improvements along Coal Creek from County Line Road to Kenosha Road (Table 1); and

**Table 1**  
**Coal Creek from County Line Road to Kenosha Road**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
06	2015	\$50,000	Design, Right-of-Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$50,000</b>	

WHEREAS, the Town of Erie and the District now desire to construct improvements along Coal Creek from County Line Road to Kenosha Road (Exhibit A); and

WHEREAS, the Town of Erie has estimated the additional drainage project costs to be \$1,900,000 resulting in a revised total drainage project cost of \$1,100,000 (\$550,000 District; \$550,000 Town of Erie); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$500,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for construction of drainage and flood control improvements along Coal Creek from County Line Road to Kenosha Road; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Coal Creek from County Line Road to Kenosha Road were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 6, Series of 2015, Paragraph 3, is amended as follows:  
“The District's maximum contribution to the Coal Creek from County Line Road to Kenosha Road project without prior approval of the Board shall be ~~\$50,000~~ **\$550,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the Town of Erie.”
2. All other conditions and authorizations remain as stated in Resolution No. 6, Series of 2015.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 15, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Coal Creek from County Line Road to Kenosha Road, Town of Erie, Boulder County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 16, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek from Monaco Parkway to East Iliff Avenue, City and County of Denver)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Denver has enacted floodplain regulations; and

WHEREAS, the City and County of Denver and the District cooperated in the preparation of “Cherry Creek Stabilization Plan Update,” dated December 2011; and

WHEREAS, Arapahoe County has assigned and transferred to the Southeast Metro Stormwater Authority (SEMSWA) its rights and obligation for the Cherry Creek from Monaco Parkway to East Iliff Avenue project; and

WHEREAS, the Board previously authorized \$1,550,000 for design, acquisition of right-of-way, and construction of improvements along Cherry Creek from Monaco Parkway to East Iliff Avenue (Table 1); and

**Table 1**  
**Cherry Creek from Monaco Parkway to East Iliff Avenue**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
31	2011	\$50,000	Design, Right-of-Way Purchases, and Construction Funding
46	2011	\$50,000	Design, Right-of-Way Purchases, and Construction Funding
13	2012	\$250,000	Design, Right-of-Way Purchases, and Construction Funding
64	2012	\$250,000	Design, Right-of-Way Purchases, and Construction Funding
58	2013	\$250,000	Design, Right-of-Way Purchases, and Construction Funding
76	2015	\$250,000	Design, Right-of-Way Purchases, and Construction Funding
13	2016	\$450,000	Design, Right-of Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$1,550,000</b>	

WHEREAS, the City and County of Denver, SEMSWA, and the District now desire to add funds to construct improvements along Cherry Creek from Monaco Parkway to East Iliff Avenue (Exhibit A); and

WHEREAS, the City and County of Denver and SEMSWA have estimated the additional drainage project costs to be \$600,000 resulting in a revised total drainage project cost of \$3,700,000 (\$1,800,000 District; \$300,000 SEMSWA; \$1,600,000 City and County of Denver); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$250,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for construction of drainage and flood control improvements along Cherry Creek from Monaco Parkway to East Iliff Avenue; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Cherry Creek from Monaco Parkway to East Iliff Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 31, Series of 2011, Paragraph 3, is further amended as follows:  
“The District's maximum contribution to the Cherry Creek from Monaco Parkway to East Iliff Avenue project without prior approval of the Board shall be ~~\$1,550,000~~ **\$1,800,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City and County of Denver and SEMSWA.”
2. All other conditions and authorizations remain as stated in Resolution No. 31, Series of 2011.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 16, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek from Monaco Parkway to East Iliff Avenue, City and County of Denver)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 17, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Glenbrook Detention Basin, City and County of Denver)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Denver has enacted floodplain regulations; and

WHEREAS, the City and County of Denver and the District cooperated in the preparation of “Marston Lake North Drainageway Major Drainageway Plan,” dated May 2012, which recommended improvements to the Glenbrook Detention Basin; and

WHEREAS, the City and County of Denver has requested District participation in the construction of improvements to the Glenbrook Detention Basin (Exhibit A); and

WHEREAS, the City and County of Denver has estimated the total drainage project costs to be \$5,000,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$1,050,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for design and construction of drainage and flood control improvements along Glenbrook Detention Basin; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Glenbrook Detention Basin were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City and County of Denver for the design and construction of drainage and flood control improvements on Glenbrook Detention Basin.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Glenbrook Detention Basin.
3. The District’s maximum contribution to the Glenbrook Detention Basin project, without prior approval of the Board, shall be \$1,050,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City and County of Denver.
4. Such approval for expenditure of District funds is contingent upon the City and County of Denver agreeing to regulate and control any defined floodplain in the Glenbrook Detention Basin project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 17, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Glenbrook Detention Basin, City and County of Denver)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 18, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Platte Farm Open Space Detention Basin, City and County of Denver)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Denver has enacted floodplain regulations; and

WHEREAS, the City and County of Denver and the District cooperated in the preparation of “Globeville – Utah Junction Watershed Outfall Systems Plan,” dated May 2013, which recommended improvements to the Platte Farm Open Space Detention Basin; and

WHEREAS, the City and County of Denver has requested District participation in the design and construction of improvements along Platte Farm Open Space Detention Basin (Exhibit A); and

WHEREAS, the City and County of Denver has estimated the total drainage project costs to be \$300,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$150,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Platte Farm Open Space Detention Basin; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Platte Farm Open Space Detention Basin were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City and County of Denver for the design and construction of drainage and flood control improvements on Platte Farm Open Space Detention Basin.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Platte Farm Open Space Detention Basin.
3. The District’s maximum contribution to the Platte Farm Open Space Detention Basin project, without prior approval of the Board, shall be \$150,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City and County of Denver.
4. Such approval for expenditure of District funds is contingent upon the City and County of Denver agreeing to regulate and control any defined floodplain in the Platte Farm Open Space Detention Basin project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 18, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Platte Farm Open Space Detention Basin, City and County of Denver)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 19, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Sanderson Gulch from Lipan Street to the South Platte River, City and County of Denver)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Denver has enacted floodplain regulations; and

WHEREAS, the City and County of Denver and the District cooperated in the preparation of “Sanderson Gulch Master Drainageway Plan,” dated September 2013; and

WHEREAS, the Board previously authorized \$800,000 for design and construction of improvements along Sanderson Gulch from Lipan Street to the South Platte River (Table 1); and

**Table 1**  
**Sanderson Gulch from Lipan Street to the South Platte River**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
12	2016	\$800,000	Design and Construction Funding
<b>TOTAL</b>		<b>\$800,000</b>	

WHEREAS, the City and County of Denver and the District now desire to construct improvements along Sanderson Gulch from Lipan Street to the South Platte River (Exhibit A); and

WHEREAS, the City and County of Denver has estimated the additional drainage project costs to be \$8,400,000 resulting in a revised total drainage project cost of \$10,000,000 (\$1,800,000 District; \$8,200,000 City and County of Denver); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$1,000,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for construction of drainage and flood control improvements along Sanderson Gulch from Lipan Street to the South Platte River; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Sanderson Gulch from Lipan Street to the South Platte River were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 12, Series of 2016, Paragraph 3, is amended as follows:  
“The District's maximum contribution to the Sanderson Gulch from Lipan Street to the South Platte River project without prior approval of the Board shall be ~~\$800,000~~ **\$1,800,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by City and County of Denver.”
2. All other conditions and authorizations remain as stated in Resolution No. 12, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 19, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Sanderson Gulch from Lipan Street to the South Platte River, City and County of Denver)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 20, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Goldsmith Gulch at Orchard Road, City of Greenwood Village, Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Greenwood Village has enacted floodplain regulations; and

WHEREAS, the City of Greenwood Village and the District cooperated in the preparation of "Upper Goldsmith Gulch Outfall Systems Planning," dated November 2005; and

WHEREAS, the Board previously authorized \$60,000 for design, acquisition of right-of-way, and construction of improvements along Goldsmith Gulch at Orchard Road (Table 1); and

**Table 1**  
**(Goldsmith Gulch at Orchard Road)**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
15	2016	\$60,000	Design, Right-of-Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$60,000</b>	

WHEREAS, the City of Greenwood Village and the District now desire to construct improvements along Goldsmith Gulch at Orchard Road (Exhibit A); and

WHEREAS, the District and the City of Greenwood Village have estimated the additional drainage project costs to be \$50,000 resulting in a revised total drainage project cost of \$170,000 (\$85,000 District; \$85,000 Greenwood Village); and

WHEREAS, the District's additional participation being authorized by this resolution is \$25,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for construction of drainage and flood control improvements along Goldsmith Gulch at Orchard Road; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Goldsmith Gulch at Orchard Road were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 15, Series of 2016, Paragraph 3, is amended as follows:  
"The District's maximum contribution to the Goldsmith Gulch at Orchard Road project without prior approval of the Board shall be ~~\$60,000~~ **\$85,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Greenwood Village."
2. All other conditions and authorizations remain as stated in Resolution No. 15, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 20, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Goldsmith Gulch at Orchard Road, City of Greenwood Village, Arapahoe County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 21, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on West Fork Big Dry Creek downstream of Cresthill Lane, Highlands Ranch Metro District, Douglas County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Douglas County has enacted floodplain regulations; and

WHEREAS, the Highlands Ranch Metro District and the District cooperated in the preparation of “Big Dry Creek (ARAPCO) & Tributaries Major Drainageway Plan,” dated April 1998; and

WHEREAS, the Board previously authorized \$500,000 for design, acquisition of right-of-way, and construction of improvements along West Fork Big Dry Creek downstream of Cresthill Lane (Table 1); and

**Table 1**  
**West Fork Big Dry Creek downstream of Cresthill Lane**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
79	2016	\$500,000	Design, Right-of-Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$500,000</b>	

WHEREAS, the Highlands Ranch Metro District and the District now desire to construct improvements along West Fork Big Dry Creek downstream of Cresthill Lane (Exhibit A); and

WHEREAS, the Highlands Ranch Metro District has estimated the additional drainage project costs to be \$140,000 resulting in a revised total drainage project cost of \$1,140,000 (\$570,000 District; \$570,000 Highlands Ranch Metro District); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$70,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for construction of drainage and flood control improvements along West Fork Big Dry Creek downstream of Cresthill Lane; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along West Fork Big Dry Creek downstream of Cresthill Lane were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 79, Series of 2016, Paragraph 3, is amended as follows:  
“The District's maximum contribution to the West Fork Big Dry Creek downstream of Cresthill Lane project without prior approval of the Board shall be ~~\$500,000~~ **\$570,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the Highlands Ranch Metro District.”
2. All other conditions and authorizations remain as stated in Resolution No. 79, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

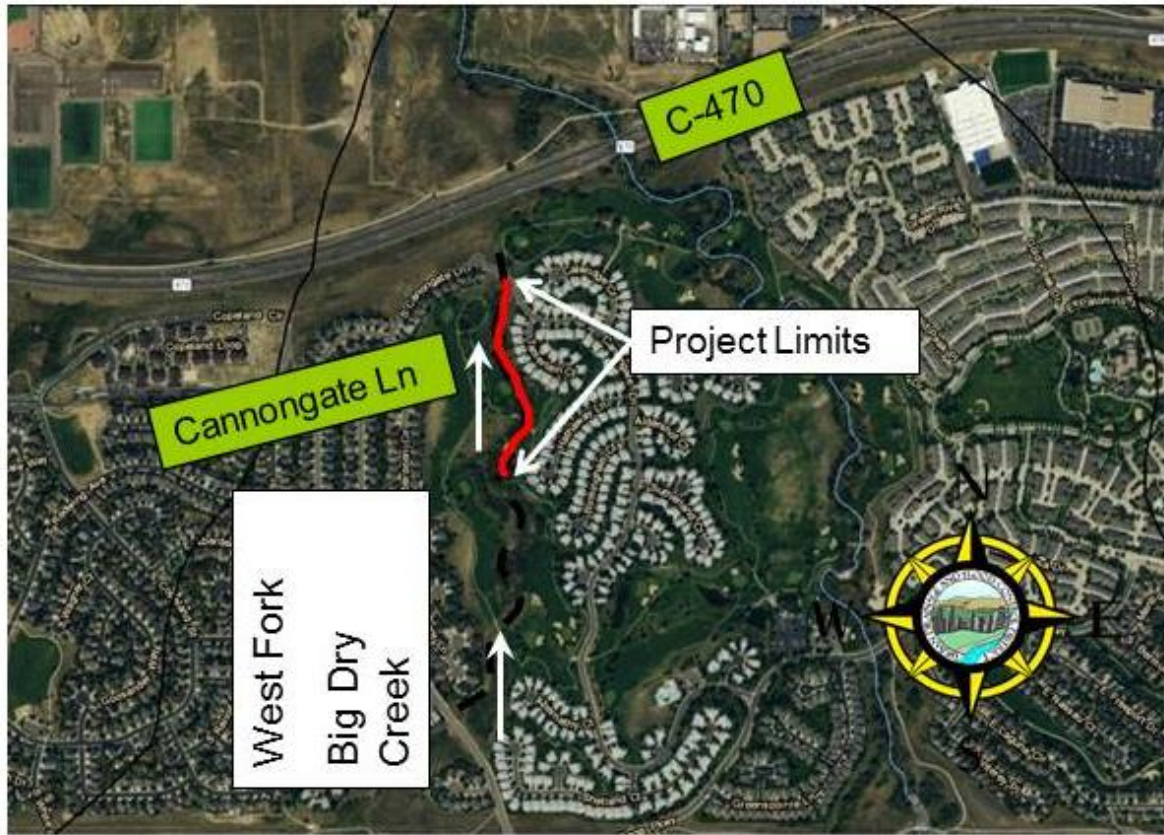


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 21, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on West Fork Big Dry Creek downstream of Cresthill Lane, Highlands Ranch Metro District, Douglas County)

### EXHIBIT A







# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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## BOARD OF DIRECTORS MEETING

Date: Thursday, April 20, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

How the District Works – 12:45 – 1:00 pm

1. **Call to Order and Pledge of Allegiance – 1:00 pm**
2. **Introductions**
  - a. Visitors/Guests/Staff
    - i. Morgan Lynch
    - ii. Brooke Seymour
  - b. Awards/Recognitions
    - i. UDFCD Lifetime Achievement Award – Ron Propp
    - ii. NSPE – Math Counts – Bryan Kohlenberg
3. **Roll Call – Determination of Quorum**
4. **Approval of March 16, 2017 Meeting Minutes** (*If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”*)
5. **Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)
  - a. Review of Cash Disbursements
  - b. Acceptance of 2016 Audit Report  
(Resolution No. 22, Series of 2017)
  - c. Authorization to Participate in Acquisition of the Willow Bay Property Along the South Platte River, Adams County  
(Resolution No. 23, Series of 2017)
  - d. Additional Authorization to Participate in Drainage and Flood Control Improvements on North Outfall at Midland Street, City of Brighton, Adams County  
(Resolution No. 24, Series of 2017)
  - e. Additional Authorization to Participate in Drainage and Flood Control Improvements on the City Park Drainageway, Lower Reach, City of Westminster, Adams County  
(Resolution No. 25, Series of 2017)
  - f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Easterly Creek Detention Basin at 1st Avenue and Kenton Street, City of Aurora, Arapahoe County  
(Resolution No. 26, Series of 2017)
  - g. Additional Authorization to Participate in Drainage and Flood Control Improvements on First Creek Detention Basins Upstream of I-70, City of Aurora, Arapahoe County  
(Resolution No. 27, Series of 2017)
  - h. Additional Authorization to Participate in Drainage and Flood Control Improvements on Apex Gulch at Heritage Road, City of Golden, Jefferson County  
(Resolution No. 28, Series of 2017)
  - i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Coon Creek at Beers Sisters Lake Reservoir, Jefferson County  
(Resolution No. 29, Series of 2017)
6. **Vote on Approval of the Consent Agenda** (*Motion and roll call vote required*)

**7. Reports/Discussion**

- a. Executive Director's Report

**8. Announcements**

- a. Next Regularly Scheduled Meeting: **Thursday, May 18, 2017** – Bus Tour

**9. Adjournment**



## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT BOARD OF DIRECTORS

March 16, 2017

### MINUTES

#### **Members Present:**

Herb Atchison, Mayor, City of Westminster  
Bruce Beckman, Mayor, City of Littleton  
Joyce Downing, Mayor, City of Northglenn  
Bob Fifer, Mayor Pro Tem, City of Arvada  
Stacie Gilmore, Council Member, City/County of Denver  
Happy Haynes, Deputy Mayor, City/County of Denver  
Mark Hunter, Engineer  
Joyce Jay, Mayor, City of Wheat Ridge  
Paul Kashmann, Council Member, City/County/Denver  
Paul López, Council Member, City/County of Denver  
Adam Paul, Mayor, City of Lakewood  
Dave Sellards, Engineer  
Nancy Sharpe, Commissioner, Arapahoe County  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield  
Libby Szabo, Commissioner, Jefferson County  
Charles (Chaz) Tedesco, Commissioner, Adams County  
Heidi Williams, Mayor, City of Thornton  
Mary Young, Council Member, City of Boulder

#### **Members Absent:**

Deb Gardner, Commissioner, Boulder County  
Angela Lawson, Mayor Pro Tem, City of Aurora  
Lora Thomas, Commissioner, Douglas County

#### **UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Julia Bailey	Project Engineer, Information Services and Flood Warning
Dave Bennetts	Program Manager, Stream Services
Richard Borchardt	Project Manager, Stream Services
Barbara Chongtoua	Project Manager, Stream Services
Amelia Deleon	Human Resources Manager
Terri Fead	Project Manager, Watershed Services
Bryan Kohlenberg	Project Manager, Stream Services
Laura Kroeger	Assistant Program Manager, Stream Services
David Mallory	Floodplain Manager, Watershed Services
Holly Piza	Project Manager, Watershed Services
Terri Schafer	Manager, Finance and Accounting
David Skuodas	Project Manager, Stream Services
Jason Stawski	Senior Construction Manager, Stream Services
Kevin Stewart	Program Manager, Information Services and Flood Warning
Shea Thomas	Program Manager, Watershed Services

#### **Others Present:**

Ed Krisor	Legal Counsel
Mark Elmshauser	CliftonLarsonAllen, LLP
Brad Robenstein	Douglas County
John Villines	Aurora Water
Marjorie Wickham	CliftonLarsonAllen, LLP

#### **How the Districts Works – Definitions**

Mr. MacKenzie presented “The Role of the Board Member” for this month’s How the District Works presentation.

**1. Call to Order and Pledge of Allegiance – 1:00 p.m.**

Mayor Williams called the meeting to order at 1:00 p.m.

**2. Introductions**

**a. Swearing in of New Board Members**

The following individual was sworn in as new board member by Mr. Ed Krisor:

- Mayor Pro Tem Stephanie Piko, City of Centennial

**b. Visitors/Guests/Staff**

Mr. MacKenzie introduced the following guests:

- Mark Elmshauser and Marjorie Wickham with CliftonLarsonAllen, LLP
- Brad Robenstein, representing Douglas County Commissioner Thomas
- John Villines, with Aurora Water, representing Aurora Mayor Pro Tem Lawson

**3. Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

**4. Presentation of 2016 Audit – Discussion**

**a. Mark Elmshauser, CPA, CliftonLarsonAllen, LLP**

Mr. Mark Elmshauser with CliftonLarsonAllen, LLP, provided a briefing on the 2016 audit report.

Electronic copies of the draft UDFCD 2016 Audit Report were provided to the Board of Directors in advance of the board meeting. The 2016 Audit findings included two material weaknesses and several non-significant deficiencies which Mr. Elmshauser reviewed with the Board in detail.

Mr. MacKenzie added that he and Mrs. Terri Schafer, UDFCD's Finance and Accounting Manager, met with Mr. Elmsahuser ahead of this meeting to discuss the findings, including the areas of deficiencies discussed at today's Board Meeting. Mr. MacKenzie assured the Board that he and Mrs. Schafer are developing a plan to address these concerns. Concluding the presentation, Mr. Elmshauser asked if there were any questions regarding the 2016 audit findings.

Councilwoman Young asked if all of our investments were bonds. Mrs. Schafer explained that they were not bonds, but agency notes.

Mayor Pro Tem Fifer asked if any of the audit findings were carryovers from the previous year. Mr. Elmshauser confirmed that there were a few carryovers; the reconciliation of project fund accounts was one example.

Upon completion of the audit presentation Mr. MacKenzie reiterated that he will be working with Mrs. Schafer to correct the issues identified in the 2016 Audit. Mr. MacKenzie stated that the District is not taking these findings lightly. Mr. MacKenzie will have an update for the Board regarding a plan of action at the next Board Meeting, if not sooner. The final adoption of the audit will take place at the April Board Meeting.

**5. Approval of February 1, 2017 Meeting Minutes**

Mayor Williams asked if there were any corrections to the February 1, 2017 minutes. Hearing none, the minutes were approved as submitted.

**6. Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)

**a. Review of Cash Disbursements**

Cash Disbursement list, dated February and March 2017, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.

**b. Acceptance of Dry Gulch Planning Study  
(Resolution No. 12, Series of 2017)**

Resolution No. 44 of 2012 authorized a planning study for drainage issues along Dry Gulch. The District partnered with the City of Lakewood and the City and County of Denver to fund the study. ICON

Engineering was selected to perform the study. Dry Gulch is a left bank tributary to Lakewood Gulch, draining a basin that is 3.7 square miles in area, including its tributary North Dry Gulch. The goals of the study were to provide conveyance of the 100-year storm event to minimize flood risk to structures currently in the floodplain and identify existing infrastructure that is under capacity.

Recommended improvements include:

- Increased capacity in Kipling Pond
- Regional water quality pond near Richey Park
- Open channel from Miller St to Colfax Ave
- Open channel from Zephyr St to Wadsworth Blvd
- Multiple roadway crossing replacements
- Stream stabilization
- Maintenance trail

The total cost of improvements recommended in the study is approximately \$36 million. Resolution No. 12 accepts the report and recommends the improvements and practices in the report be used as a guide in future public works projects and in land development activities.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 12 on the Consent Agenda.

**c. Acceptance of Flood Hazard Area Delineation Report for Harvard Gulch and Dry Gulch (Resolution No. 13, Series of 2017)**

Resolution No. 59 of 2014 authorized a major drainageway planning study and Flood Hazard Area Delineation for Harvard Gulch and Dry Gulch. The District partnered with the City and County of Denver and the City of Englewood to fund the studies. Matrix Design Group was selected to perform the study. Resolution No. 72 of 2016 accepted the major drainageway planning study. Harvard Gulch is a right bank tributary to the South Platte River draining a basin that is 7.4 square miles in area, including its tributary Dry Gulch.

Most of the major drainage infrastructure along Harvard Gulch consist of concrete-lined open channel and box culverts built in the late 1960s and was designed for a 10-year storm event. The 100-year flood exceeds the capacity of the built system, flowing overland until it reaches the South Platte River. The Dry Gulch drainage infrastructure consists of storm sewer pipes built in the 1960s with segments updated in the 1980s and was designed for a 2- to 10-year storm event. The 100-year flood exceeds the capacity of the built system, flowing overland until it reaches Harvard Gulch within Harvard Gulch Park. There are 729 building structures within the Harvard Gulch 100-year floodplain and 174 building structures within the Dry Gulch 100-year floodplain.

This resolution accepts the Flood Hazard Area Delineation Harvard Gulch and Dry Gulch study and upon that acceptance, the study will be submitted to the Colorado Water Conservation Board for designation and approval. At that point, the City and County of Denver and the City of Englewood will be able regulate to the new floodplains.

Council Member Kashmann expressed his gratitude to the District for all their public outreach efforts on this project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 13 on the Consent Agenda.

**d. Additional Authorization to Participate in Drainage and Flood Control Improvements on Bullhead Gulch at the BNSF Railroad Crossing, City of Louisville, Boulder County (Resolution No. 14, Series of 2017)**

This is a joint project with the City of Louisville. Atkins North America is designing the project under contract with the District. The drainage elements of the project include improvements to Bullhead Gulch at the Burlington Northern Santa Fe (BNSF) Railroad Crossing to install a 100-year bridge and pedestrian underpass. Easement and right-of-way acquisition will be included in the project costs. Construction is anticipated in 2019.

The District and the City of Louisville have identified \$1,500,000 in total project costs with the District's participation being \$100,000. The previous authorization (Resolution No. 35, Series of 2016) totaled \$0 in District funds. The previous resolution authorized the District to enter into an Intergovernmental

Agreement (IGA) with the City of Louisville to begin design on the project with City of Louisville funds only. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 14 authorizes \$100,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Louisville for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 14 on the Consent Agenda.

**e. Additional Authorization to Participate in Drainage and Flood Control Improvements on Coal Creek from County Line Road to Kenosha Road, Town of Erie, Boulder County (Resolution No. 15, Series of 2017)**

This is a joint project with the Town of Erie. The District will be administering the design once a consulting engineering firm is selected. The drainage elements of the project include stream restoration to Coal Creek from County Line Road to Kenosha Road to improve public safety and restore ecological function. Easement and right-of-way acquisition will be included in the project costs. Construction is anticipated in 2018.

The District and the Town of Erie have identified \$1,100,000 in total project costs with the District's participation being \$550,000. The previous authorization (Resolution No. 6, Series of 2015) totaled \$50,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 15 authorizes an additional \$500,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the Town of Erie for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 15 on the Consent Agenda.

**f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek from Monaco Parkway to East Iliff Avenue, City and County of Denver (Resolution No. 16, Series of 2017)**

This is a joint project with the City and County of Denver and the Southeast Metro Stormwater Authority (SEMSWA). Muller Engineering Company designed the project under contract with the District. The drainage elements of the project include installation of bank improvements and drop structures. Easement and right-of-way acquisition will be included in the project costs. The design is ongoing, and the District, the City and County of Denver, and Arapahoe County desire to add funds to construct the improvements which will be managed by the District. Construction is anticipated in 2019.

The District, the City and County of Denver, and SEMSWA have identified \$3,700,000 in total project costs with the District's participation being \$1,800,000. The previous authorizations (Resolution No. 31, Series of 2011; Resolution No. 46, Series of 2011; Resolution No. 13, Series of 2012; Resolution No. 64, Series of 2012; Resolution No. 58, Series of 2013; Resolution No. 76, Series of 2015; and Resolution No. 13, Series of 2016) totaled \$1,550,000 to fund design and to partially fund construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 16 authorizes an additional \$250,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City and County of Denver and Arapahoe County for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 16 on the Consent Agenda.

**g. Authorization to Participate in Drainage and Flood Control Improvements on Glenbrook Detention Basin, City and County of Denver (Resolution No. 17, Series of 2017)**

This is a joint project with the City and County of Denver. The City and County of Denver desires to construct improvements along Glenbrook Detention Basin in accordance with the "Marston Lake North Drainageway Major Drainageway Plan," dated May 2012. The project includes the design and construction of a detention basin. The City and County of Denver already holds the necessary easements

and right-of-way where the project will be carried out. The District and the City and County of Denver desire to construct the improvements, which will be managed by the City and County of Denver. Construction is anticipated in 2017.

The District and the City and County of Denver have identified \$5,000,000 in total project costs for the design and construction with the District's participation being \$1,050,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 17 authorizes \$1,050,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City and County of Denver for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 17 on the Consent Agenda.

**h. Authorization to Participate in Drainage and Flood Control Improvements on Platte Farm Open Space Detention Basin, City and County of Denver (Resolution No. 18, Series of 2017)**

This is a joint project with the City and County of Denver. The City and County of Denver desires to design and construct improvements along Platte Farm Open Space Detention Basin in accordance with the "Globeville – Utah Junction Watershed Outfall Systems Plan," dated May 2013. The project includes the design and construction of a regional detention basin. The City and County of Denver already holds the necessary easements and right-of-way where the project will be carried out. The District will be administering the design once a consulting engineering firm is selected. The District and the City and County of Denver desire to construct the improvements which will be managed by the District. Construction is anticipated in 2019.

The District and the City and County of Denver have identified \$300,000 in initial project costs for the design and partial funding of construction with the District's participation being \$150,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 18 authorizes \$150,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City and County of Denver for the design and construction of the drainage elements of the project

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 18 on the Consent Agenda.

**i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Sanderson Gulch from Lipan Street to the South Platte River, City and County of Denver (Resolution No. 19, Series of 2017)**

This is a joint project with the City and County of Denver. ICON Engineering, Inc. designed the project under contract with the District. The drainage elements of the project include channel bank and bed stabilization as well as improved road crossing structures. Easement and right-of-way acquisition will be included in the project costs. The final design is ongoing and the District and the City and County of Denver desire to add funds for construction, which will be managed by the District. Construction is anticipated in 2017.

The District and the City and County of Denver have identified \$10,000,000 in total project costs with the District's participation being \$1,800,000. The previous authorization (Resolution No. 12, Series of 2016) totaled \$800,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 19 authorizes an additional \$1,000,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City and County of Denver for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 19 on the Consent Agenda.



**j. Additional Authorization to Participate in Drainage and Flood Control Improvements on Goldsmith Gulch at Orchard Road, City of Greenwood Village, Arapahoe County (Resolution No. 20, Series of 2017)**

This is a joint project with the City of Greenwood Village. Muller Engineering designed the project under contract with the District. The drainage elements of the project include a new drainage crossing at Orchard Road and a detention basin upstream in Silo Park. Easement and right-of-way acquisition will be included in the project costs.

The final design is underway and the District and the City of Greenwood Village desire to construct the improvements which will be managed by the District. Construction is anticipated in 2019.

The District and the City of Greenwood Village have identified \$170,000 in total project costs with the District's participation being \$85,000. The previous authorization (Resolution No. 15, Series of 2016) totaled \$60,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 20 authorizes an additional \$25,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Greenwood Village for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 20 on the Consent Agenda.

**k. Additional Authorization to Participate in Drainage and Flood Control Improvements on West Fork Big Dry Creek downstream of Cresthill Lane, Highlands Ranch Metro District, Douglas County (Resolution No. 21, Series of 2017)**

This is a joint project with the Highlands Ranch Metro District (HRMD). Muller Engineering Company designed the project under contract with the District. The drainage elements of the project include channel bank and bed stabilization. Easement will be included in the project costs. The final design is now complete and the District and HRMD are constructing the improvements which will be managed by the District. Construction is anticipated in 2017.

The District and HRMD have identified \$1,140,000 in total project costs with the District's participation being \$570,000. The previous authorization (Resolution No. 79, Series of 2016) totaled \$500,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 21 authorizes an additional \$70,000 of District funds from the Special Revenue Fund - Construction to at least be matched by HRMD for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 21 on the Consent Agenda.

**7. Vote on Approval of the Consent Agenda (*Motion and roll call vote required*)**

It was the consensus of the Board that Resolutions No. 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, Series of 2017, and Review of Cash Disbursements dated February and March 2017 be placed on the Consent Agenda. Mayor Williams moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

**8. Executive Session – Provide Board with Legal Advice [24-6-402(4)(b) C.R.S.]**

It was moved by Mayor Downing to go into Executive Session at 2:07 pm to discuss legal matters with Mr. Ed Krisor. The Executive Session concluded at 2:14 pm.

Following the Executive Session, Mayor Pro Tem Fifer expressed further concern with the 2016 Audit results, particularly, the carryover issues from last years' audit findings. Mr. Fifer, along with several other Board Members, found the audit results unsatisfactory and would like for Mr. MacKenzie to assure the Board that these issues be resolved immediately to ensure a cleaner audit for 2017 and on.

**9. Annual Legal Summary presented by Ed Krisor**

This agenda item was discussed during Executive Session.

**10. Announcements**

- a.** The annual seminar will take place on Tuesday, April 4, 2017.
- b.** The next regularly scheduled Board meeting will take place on Thursday, April 20, 2017.
- c.** The District project tour will take place on Thursday, May 18, 2017.

**11. Adjournment**

Mayor Williams adjourned the meeting at 2:20 p.m.



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 22, SERIES OF 2017  
(Acceptance of 2016 Audit Report)

WHEREAS, the enabling legislation of the District (32-11-801 C.R.S.) requires that an annual audit be made pertaining to the financial affairs of the District; and

WHEREAS, CliftonLarsonAllen LLP, Certified Public Accountants and Consultants, were retained to audit the financial records of the District for the year ending December 31, 2016; and

WHEREAS, CliftonLarsonAllen LLP, Certified Public Accountants and Consultants, completed the audit and delivered and presented same to the Board at their Board meeting on March 16, 2017; and

WHEREAS, a copy of the audit report, entitled, "Urban Drainage and Flood Control District, Denver, Colorado, General Purpose Financial Statements, December 31, 2016" was provided to each Board member; and

WHEREAS, Board Members were asked to contact the CliftonLarsonAllen LLP or the Executive Director regarding any questions on the audit report.

NOW, THEREFORE, BE IT RESOLVED THAT:

The audit report of the District's financial affairs for the year ending December 31, 2016 as prepared and presented by CliftonLarsonAllen LLP, Certified Public Accountants and Consultants entitled, "Urban Drainage and Flood Control District, Denver, Colorado, General Purpose Financial Statements, December 31, 2016" is accepted by the Board of Directors of the Urban Drainage and Flood Control District.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 23, SERIES OF 2017 (Authorization to Participate in Acquisition of the Willow Bay Property Along the South Platte River, Adams County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Adams County has enacted floodplain regulations; and

WHEREAS, Adams County and the District cooperated in the preparation of "Major Drainageway Planning South Platte River in Adams County, Colorado, Phase B Report," dated April 2002, which identified certain flood-prone properties; and

WHEREAS, Adams County is currently negotiating with the owner of the Willow Bay Property along the South Platte River (Exhibit A) for the acquisition of that property; and

WHEREAS, the appraisal price is \$9,000,000; and

WHEREAS, Adams County has requested District funding assistance in the purchase of the Willow Bay Property along the South Platte River; and

WHEREAS, the District's share would be \$100,000; and

WHEREAS, the District's Preservation Policy (Resolution No. 10, Series of 1994) authorizes District participation in the acquisition of undeveloped floodplains in order to preserve them in their natural state; and

WHEREAS, the District has included funding for floodplain preservation in the Special Revenue Fund – Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for the acquisition of the subject parcel.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with Adams County for the acquisition of the Willow Bay Property along the South Platte River.
2. The District's maximum contribution to the acquisition of the above floodplain area without prior approval of the Board, shall be \$100,000, which contribution shall be at least matched by Adams County.
3. Such approval for expenditure of District funds is contingent upon Adams County agreeing to regulate and control any defined floodplains on the South Platte River in accordance with the National Flood Insurance Program regulations as a minimum; agreeing to maintain the property in a manner acceptable to the District; granting the District access to the acquired property at all times; and agreeing not to make any changes to the property without the District's approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

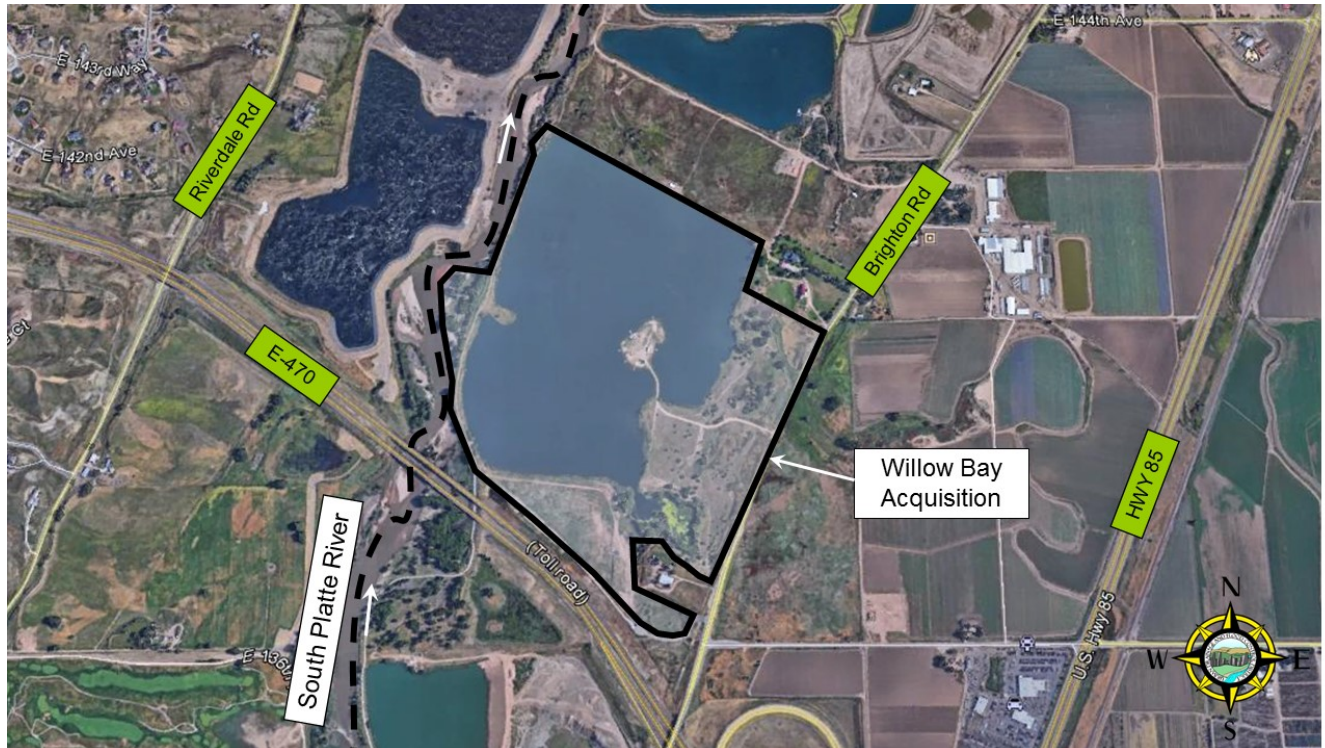
\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 23, SERIES OF 2017  
(Authorization to Participate in Acquisition of  
the Willow Bay Property Along the South Platte River, Adams County)

## EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 24, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on North Outfall at Midland Street, City of Brighton, Adams County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Brighton has enacted floodplain regulations; and

WHEREAS, the City of Brighton and the District cooperated in the preparation of “Brighton Watershed Tributary to South Platte River Outfall Systems Planning,” dated December 2006; and

WHEREAS, the Board previously authorized \$975,000 for the North Outfall at Midland Street project (Table 1); and

**Table 1**  
**North Outfall at Midland Street**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
4	2006	\$0	Authorization for District Participation in Project
25	2008	\$400,000	Design, Right-of-Way Purchases, and Construction Funding
44	2010	\$200,000	Construction Funding
25	2011	\$125,000	Construction Funding
11	2014	\$150,000	Construction Funding
11	2015	\$100,000	Construction Funding
<b>TOTAL</b>		<b>\$975,000</b>	

WHEREAS, the City of Brighton and the District now desire to construct improvements along North Outfall at Midland Street (Exhibit A); and

WHEREAS, the City of Brighton has estimated the additional drainage project costs to be \$130,000 resulting in a revised total drainage project cost of \$2,836,000 (\$1,105,000 District; \$1,731,000 City of Brighton); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$130,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along North Outfall at Midland Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along North Outfall at Midland Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 4, Series of 2006, Paragraph 3, is further amended as follows:  
“The District's maximum contribution to the North Outfall at Midland Street project without prior approval of the Board shall be ~~\$975,000~~ **\$1,105,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Brighton.”
2. All other conditions and authorizations remain as stated in Resolution No. 4, Series of 2006.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 24, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on North Outfall at Midland Street, City of Brighton, Adams County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 25, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on the City Park Drainageway, Lower Reach, City of Westminster, Adams County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Broomfield and the City of Westminster have enacted floodplain regulations; and

WHEREAS, the City and County of Broomfield, the City of Westminster, and the District cooperated in the preparation of "City Park and 3207 Drainageways Outfall Systems Planning Study, Preliminary Design Report," dated June 2006; and

WHEREAS, the Board previously authorized \$400,000 for the City Park Drainageway, Lower Reach project (Table 1); and

**Table 1**  
**City Park Drainageway, Lower Reach in the City of Westminster**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
13	2015	\$150,000	Preliminary Design
03	2016	\$250,000	Design and Construction
<b>TOTAL</b>		<b>\$400,000</b>	

WHEREAS, the City and County of Broomfield, the City of Westminster, and the District now desire to construct improvements along City Park Drainageway, Lower Reach in the City of Westminster (Exhibit A); and

WHEREAS, the City and County of Broomfield and the City of Westminster have estimated the additional drainage project costs to be \$1,100,000 resulting in a revised total drainage project cost of \$2,000,000 (\$1,000,000 District; \$500,000 City and County of Broomfield; \$500,000 City of Westminster); and

WHEREAS, the District's additional participation being authorized by this resolution is \$600,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along City Park Drainageway, Lower Reach in the City of Westminster; and

WHEREAS, the District has adopted, at a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along City Park Drainageway, Lower Reach in the City of Westminster were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 13, Series of 2015, Paragraph 3, is further amended as follows:  
“The District's maximum contribution to the City Park Drainageway, Lower Reach in the City of Westminster project without prior approval of the Board shall be ~~\$400,000~~ **\$1,000,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City and County of Broomfield and the City of Westminster.”
2. All other conditions and authorizations remain as stated in Resolution No. 13, Series of 2015.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

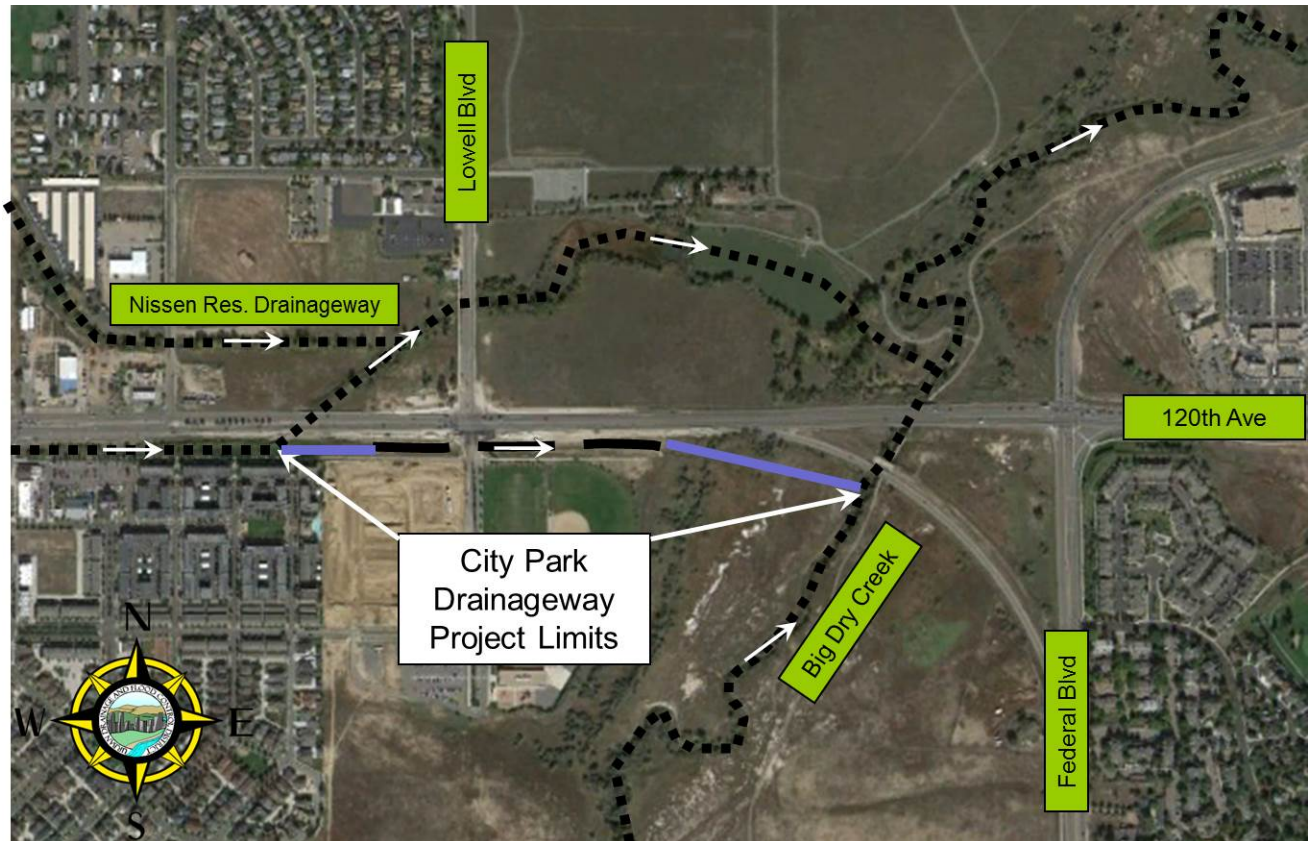


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 25, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on the City Park Drainageway, Lower Reach, City of Westminster, Adams County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 26, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Easterly Creek Detention Basin at 1st Avenue and Kenton Street, City of Aurora, Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Aurora has enacted floodplain regulations; and

WHEREAS, the City of Aurora and the District cooperated in the preparation of “Easterly Creek Outfall Systems Plan,” dated December 2012; and

WHEREAS, the Board previously authorized \$350,000 for the Easterly Creek Detention Basin at 1st Avenue and Kenton Street project (Table 1); and

**Table 1**  
**(Easterly Creek Detention Basin at 1st Avenue and Kenton Street)**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
15	2015	\$350,000	Design, Right-of-Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$350,000</b>	

WHEREAS, the City of Aurora and the District now desire to construct improvements along Easterly Creek Detention Basin at 1st Avenue and Kenton Street (Exhibit A); and

WHEREAS, the City of Aurora has estimated the additional drainage project costs to be \$6,702,000 resulting in a revised total drainage project cost of \$7,402,000 (\$575,000 District; \$6,827,000 City of Aurora); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$225,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Easterly Creek Detention Basin at 1st Avenue and Kenton Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Easterly Creek Detention Basin at 1st Avenue and Kenton Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 15, Series of 2015, Paragraph 3, is amended as follows:  
“The District's maximum contribution to the Easterly Creek Detention Basin at 1st Avenue and Kenton Street project without prior approval of the Board shall be ~~\$350,000~~ **\$575,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Aurora.”
2. All other conditions and authorizations remain as stated in Resolution No. 15, Series of 2015.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 26 SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Easterly Creek Detention Basin at 1st Avenue and Kenton Street, City of Aurora, Arapahoe County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 27, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on First Creek Detention Basins Upstream of I-70, City of Aurora, Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Aurora has enacted floodplain regulations; and

WHEREAS, the City of Aurora, the City and County of Denver, and the District cooperated in the preparation of “First Creek Major Drainageway Planning Study,” dated September 2010; and

WHEREAS, the Board previously authorized \$2,249,000 for the First Creek Detention Basins upstream of I-70 project (Table 1); and

**Table 1**  
**First Creek Detention Basins Upstream of I-70**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
58	2009	\$200,000	Design
50	2010	\$100,000	Design
18	2011	\$150,000	Design and Right of Way Purchases
32	2012	\$600,000	Design and Right of Way Purchases
34	2013	\$420,000	Design and Right of Way Purchases
18	2014	\$379,000	Design and Right of Way Purchases
16	2015	\$200,000	Design and Right of Way Purchases
31	2016	\$200,000	Design and Right of Way Purchases
<b>TOTAL</b>		<b>\$2,249,000</b>	

WHEREAS, the City of Aurora and the District now desire to construct improvements along First Creek Detention Basins upstream of I-70 (Exhibit A); and

WHEREAS, the City of Aurora and the District have estimated the additional drainage project costs to be \$800,000 resulting in a revised total drainage project cost of \$5,298,000 (\$2,649,000 District; \$2,649,000 City of Aurora); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$400,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along First Creek Detention Basins upstream of I-70; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along First Creek Detention Basins upstream of I-70 were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

Resolution No. 58, Series of 2009, Paragraph 3, is further amended as follows:

“The District's maximum contribution to the First Creek Detention Basins upstream of I-70 project without prior approval of the Board shall be ~~\$2,249,000~~ **\$2,649,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Aurora.”

2. All other conditions and authorizations remain as stated in Resolution No. 58, Series of 2009.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

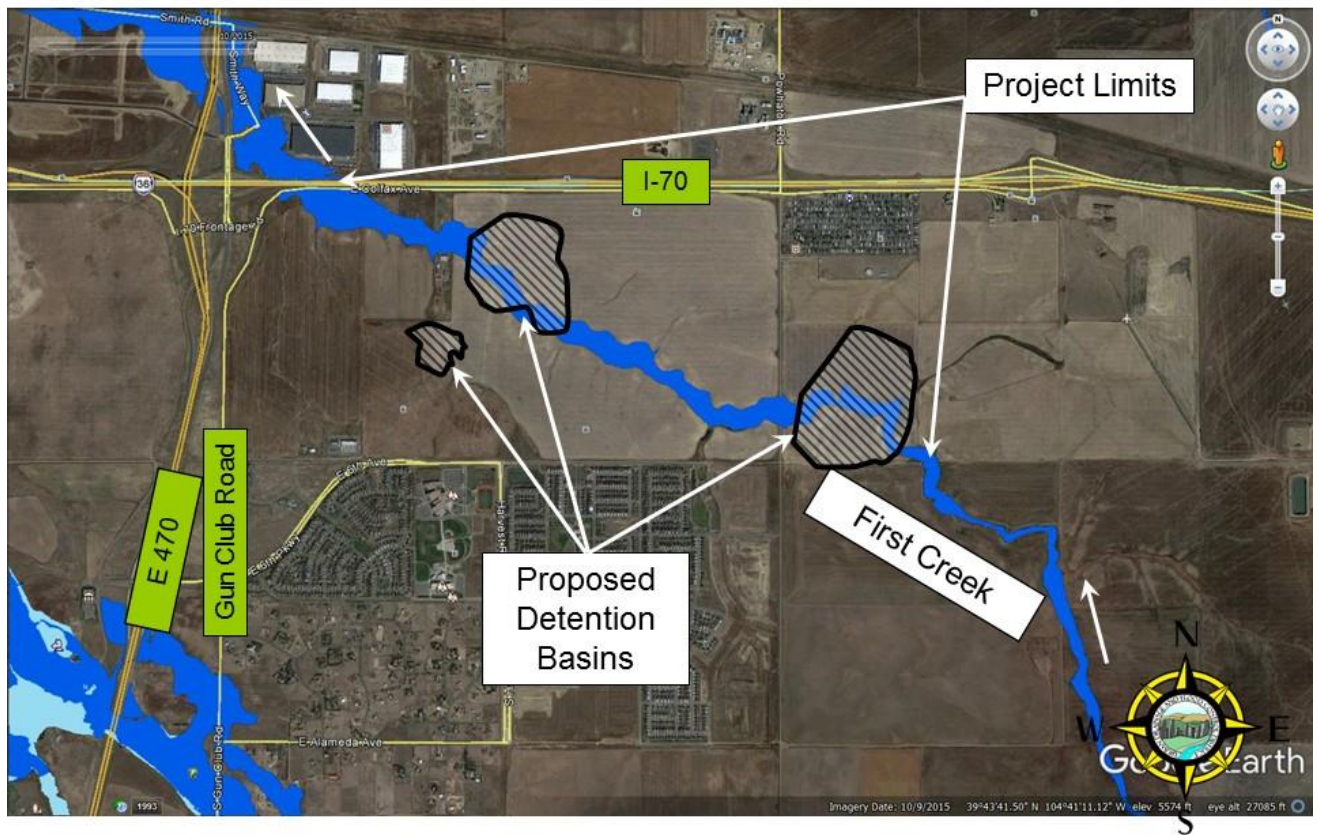


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 27, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on First Creek Detention Basins Upstream of I-70, City of Aurora, Arapahoe County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 28, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Apex Gulch at Heritage Road, City of Golden, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Golden has enacted floodplain regulations; and

WHEREAS, the City of Golden and the District cooperated in the preparation of “Major Drainageway Planning – Upper Lena Gulch – Phase B Report,” dated March 1994; and

WHEREAS, the Board previously authorized \$200,000 for the Apex Gulch at Heritage Road project (Table 1); and

**Table 1**  
**Apex Gulch at Heritage Road**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
24	2016	\$200,000	Design
<b>TOTAL</b>		<b>\$200,000</b>	

WHEREAS, the City of Golden and the District now desire to construct improvements along Apex Gulch at Heritage Road (Exhibit A); and

WHEREAS, the City of Golden has estimated the additional drainage project costs to be \$400,000 resulting in a revised total drainage project cost of \$800,000 (\$400,000 District; \$400,000 City of Golden); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$200,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Apex Gulch at Heritage Road; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Apex Gulch at Heritage Road were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 24, Series of 2016, Paragraph 3, is further amended as follows:  
“The District’s maximum contribution to the Apex Gulch at Heritage Road project without prior approval of the Board shall be ~~\$200,000~~ **\$400,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Golden.”
2. All other conditions and authorizations remain as stated in Resolution No. 24, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 28, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Apex Gulch at Heritage Road, City of Golden, Jefferson County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 29, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Coon Creek at Beers Sisters Lake Reservoir, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Jefferson County has enacted floodplain regulations; and

WHEREAS, Jefferson County, the Foothills Park and Recreation District, and the District cooperated in the preparation of "Dutch Creek, Coon Creek, Lilley Gulch and Three Lakes Tributary Major Drainageway Planning and Flood Hazard Area Delineation," dated December 2008; and

WHEREAS, the Board previously authorized \$300,000 for the Coon Creek at Beers Sisters Lake Reservoir project (Table 1); and

**Table 1**  
**Coon Creek at Beers Sisters Lake Reservoir**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Work Elements
72	2014	\$150,000	Design
81	2015	\$150,000	Design and Construction
<b>TOTAL</b>		<b>\$300,000</b>	

WHEREAS, Jefferson County, the Foothills Park and Recreation District, and the District now desire to design and construct improvements along Coon Creek at Beers Sisters Lake Reservoir (Exhibit A); and

WHEREAS, Jefferson County, the Foothills Park and Recreation District, and the District have estimated the additional drainage project costs to be \$800,000 resulting in a revised total drainage project cost of \$1,400,000 (\$700,000 District; \$700,000 Jefferson County); and

WHEREAS, the District's additional participation being authorized by this resolution is \$400,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Coon Creek at Beers Sisters Lake Reservoir; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Coon Creek at Beers Sisters Lake Reservoir were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 72, Series of 2014, Paragraph 3, is further amended as follows:  
"The District's maximum contribution to the Coon Creek at Beers Sisters Lake Reservoir project without prior approval of the Board shall be ~~\$300,000~~ **\$700,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Jefferson County and the Foothills Park and Recreation District."

2. All other conditions and authorizations remain as stated in Resolution No. 72, Series of 2014.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 29, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Coon Creek at Beers Sisters Lake Reservoir, Jefferson County)

### EXHIBIT A





# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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## BOARD OF DIRECTORS MEETING

Date: Thursday, June 15, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

How the District Works – 12:45 – 1:00 pm

1. **Call to Order and Pledge of Allegiance – 1:00 pm**
2. **Introductions**
  - a. Visitors/Guests/Staff
3. **Roll Call – Determination of Quorum**
4. **Approval of April 20, 2017 Meeting Minutes** *(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)*
5. **Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*
  - a. Review of Cash Disbursements
  - b. Audit and Finance Committee  
(Resolution No. 30 Series of 2017)
  - c. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Mile High Greyhound Park [MHGP] Urban Redevelopment Area  
(Resolution No. 31, Series of 2017)
  - d. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Emily Griffith Opportunity School Urban Renewal Area  
(Resolution No. 32, Series of 2017)
  - e. Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek at the KOA Property, Town of Parker, Douglas County  
(Resolution No. 33, Series of 2017)
  - f. Authorization to Participate in Drainage and Flood Control Improvements on Timbers Creek Downstream of Fox Sparrow Road, Douglas County  
(Resolution No. 34, Series of 2017)
  - g. Authorization to Participate in Drainage and Flood Control Improvements on Goldsmith Gulch West Tributary at Maplewood Avenue, City of Greenwood Village, Arapahoe County  
(Resolution No. 35, Series of 2017)
6. **Vote on Approval of the Consent Agenda** *(Motion and roll call vote required.)*
7. **Reports/Discussion**
  - a. Executive Director's Report
8. **Announcements**
  - a. Next Regularly Scheduled Meeting: **Thursday, August 17, 2017**
  - b. **No July Board Meeting**
9. **Adjournment**





## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT BOARD OF DIRECTORS

April 20, 2017

### MINUTES

#### **Members Present:**

Bruce Beckman, Mayor, City of Littleton  
Joyce Downing, Mayor, City of Northglenn  
Deb Gardner, Commissioner, Boulder County  
Stacie Gilmore, Council Member, City/County of Denver  
Happy Haynes, Deputy Mayor, City/County of Denver  
Mark Hunter, Engineer  
Joyce Jay, Mayor, City of Wheat Ridge  
Paul Kashmann, Council Member, City/County/Denver  
Angela Lawson, Mayor Pro Tem, City of Aurora  
Adam Paul, Mayor, City of Lakewood  
Stephanie Piko, Mayor Pro Tem, City of Centennial  
Dave Sellards, Engineer  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield  
Libby Szabo, Commissioner, Jefferson County  
Charles (Chaz) Tedesco, Commissioner, Adams County  
Lora Thomas, Commissioner, Douglas County  
Heidi Williams, Mayor, City of Thornton  
Mary Young, Council Member, City of Boulder

#### **Members Absent:**

Herb Atchison, Mayor, City of Westminster  
Bob Fifer, Mayor Pro Tem, City of Arvada  
Paul López, Council Member, City/County of Denver  
Nancy Sharpe, Commissioner, Arapahoe County

#### **UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Julia Bailey	Project Engineer, Information Services and Flood Warning
Dave Bennetts	Program Manager, Stream Services
Barbara Chongtoua	Project Manager, Stream Services
Amelia Deleon	Human Resources Manager
Bryan Kohlenberg	Project Manager, Stream Services
Laura Kroeger	Assistant Program Manager, Stream Services
Morgan Lynch	Project Manager, Watershed Services
Teresa Patterson	Project Manager, Watershed Services
Holly Piza	Project Manager, Watershed Services
Terri Schafer	Manager, Finance and Accounting
Brooke Seymour	Project Manager, Watershed Services
David Skuodas	Project Manager, Stream Services
Shea Thomas	Program Manager, Watershed Services

#### **Others Present:**

Ed Krisor, Legal Counsel  
Jerry Naranjo, Naranjo Civil Constructors  
Kelly Neumann, Deputy Director, Aurora Water  
Ron Propp, Naranjo Civil Constructors

#### **How the Districts Works – Definitions**

Mr. David Skuodas, Project Manager, Stream Services, conducted a presentation entitled, “Avoiding the Cobra Effect in our Land Use Decisions” for this month’s How the District Works presentation.

1. **Call to Order and Pledge of Allegiance – 1:00 p.m.**  
Mayor Williams called the meeting to order at 1:00 p.m.

2. **Introductions**

- a. **Visitors/Guests/Staff**

Mr. MacKenzie introduced two new project managers that were hired last month:

- Brooke Seymour – civil engineer with 11 years of engineering experience
- Morgan Lynch – civil engineer with 14 years of engineering experience

Both Brooke and Morgan will be working in the Watershed Services Program assisting in the management of watershed planning studies, flood mapping studies and private development reviews.

Mr. MacKenzie also introduced Ms. Kelly Neumann, Deputy Director with Aurora Water, who attended the Engineer's Briefing that took place prior to the Board Meeting. Mr. MacKenzie reminded the Board that the Engineer's Briefing is a great opportunity for Board Members (or their staff) to get more in-depth information on the resolutions being presented that month.

- b. **Awards/Recognitions**

Lifetime Achievement Award – Mr. Ron Propp

At the District Annual Seminar, the District presented a Lifetime Achievement Award to Mr. Ron Propp in recognition of his decades of excellent work on District projects. Mr. Propp is the epitome of excellence in a construction superintendent and has left a positive mark along the urban streams throughout the District.

Mr. MacKenzie invited Mr. Propp to the Board Meeting to recognise his contributions to the District. Mr. MacKenzie thanked Ron for his years of service and in helping the District achieve its goals in protecting people, property, and the environment.

MathCounts Recognition of Service – Bryan Kohlenberg

The MathCounts Foundation is a non-profit organization that encourages and advances STEM in our public schools through statewide and national math competitions for middle-schoolers. Mr. Bryan Kohlenberg, who has been with the District for 23 years, is the scoring coordinator for two Mathcounts chapters and for the annual Colorado State Championship Showdown.

MathCounts recently recognized Bryan for 33 years of volunteer service to that organization.

Mr. MacKenzie thanked Bryan for his years of service to the MathCounts Foundation, and for thereby advocating for advancement of STEM in our public schools.

3. **Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

4. **Approval of March 16, 2017 Meeting Minutes**

Mayor Williams asked if there were any corrections to the March 16, 2017 minutes. Hearing none, the minutes were approved as submitted.

5. **Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)

- a. **Review of Cash Disbursements**

Cash disbursement list, dated March and April 2017, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.

- b. **Acceptance of 2016 Audit report  
(Resolution No. 22, Series of 2017)**

The final UDFCD 2016 Audit Report was provided to the Board for review prior to the Board Meeting. Mr. MacKenzie asked the Board if they had any questions concerning the 2016 Audit Report. Mr. MacKenzie also stated that additional information concerning the 2016 Audit results will be provided during the Executive Director's report.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 22 on the Consent Agenda.

**c. Authorization to Participate in Acquisition of the Willow Bay Property along the South Platte River, Adams County (Resolution No. 23, Series of 2017)**

This is a joint project with Adams County. Adams County and the District cooperated in the preparation of the "Major Drainageway Planning South Platte River in Adams County, Colorado, Phase B Report," dated April 2002, which identifies the Willow Bay Property within the 100-yr floodplain. The appraised price is \$9,000,000.

Adams County has pursued several grant opportunities to raise the funding for this purchase. Partners include the State, Natural Resource Trustees Funds, Great Outdoors Colorado, and Adams County Open Space Grant.

The acquisition of the Willow Bay property is a once-in-a-lifetime opportunity for Adams County. This 174-acre parcel sits along the South Platte River, north of the Adams County Regional Park and just south of Brighton's Ken Mitchell Open Space.

This property has long been a high-priority acquisition for Adams County, as part of their open space preservation efforts along the South Platte River corridor. The Willow Bay property is envisioned to provide passive recreational opportunities for the public that may include regional trail access, picnicking, fishing, and non-motorized boating. The recreational development of the site will be guided by a master planning process that will include community input and be led by Adams County.

Resolution No. 23 authorizes \$100,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Adams County for the acquisition of the Willow Bay Property.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 23 on the Consent Agenda.

**d. Additional Authorization to Participate in Drainage and Flood Control Improvements on North Outfall at Midland Street, City of Brighton, Adams County (Resolution No. 24, Series of 2017)**

This is a joint project with the City of Brighton. ICON Engineering, Inc. designed the project under contract with the District. The drainage elements of the project include installation of new storm drain up to 84 inches in diameter and excavation of a new outfall channel to the South Platte River. Easement and right-of-way acquisition will be included in the project costs.

Phase I Construction to install the storm sewer and outfall channel from the South Platte River to east of Highway 85 is complete. The final design for Phase II is ongoing and the District and the City of Brighton desire to construct the improvements which will be managed by the District. Phase II will extend the new storm drain to the east of the Union Pacific Railroad (UPRR) tracks. Construction is anticipated in 2018.

The District and the City of Brighton have identified \$2,836,000 in total project costs with the District's participation being \$1,105,000. The previous authorizations (Resolution No. 4, Series of 2006; Resolution No. 25 Series of 2008; Resolution 44 Series of 2010; Resolution 25 Series of 2011; Resolution 11 Series of 2014; and Resolution 11 Series of 2015) totaled \$975,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 24 authorizes an additional \$130,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Brighton for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 24 on the Consent Agenda.

**e. Additional Authorization to Participate in Drainage and Flood Control Improvements on the City Park Drainageway, Lower Reach, City of Westminster, Adams County (Resolution No. 25, Series of 2017)**

This is a joint project with the City and County of Broomfield and the City of Westminster. CH2M is designing the project under contract with the District. The drainage elements of the project include channel improvements upstream and downstream of a previous District project completed in 2009 at Lowell Boulevard. Easement and right-of-way acquisition will be included in the project costs.

The final design is 50 percent complete and the District, the City and County of Broomfield, and the City of Westminster desire to construct the improvements which will be managed by the District. Construction is anticipated in 2017-2018.

The District, the City and County of Broomfield, and the City of Westminster have identified \$2,000,000 in total project costs with the District's participation being \$1,000,000. The previous authorizations (Resolution No. 13, Series of 2015 and Resolution No. 03, Series of 2016) totaled \$400,000 to fund design and to partially fund construction.

Resolution No. 25 authorizes an additional \$600,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City and County of Broomfield and the City of Westminster for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 25 on the Consent Agenda.

**f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Easterly Creek Detention Basin at 1st Avenue and Kenton Street, City of Aurora, Arapahoe County (Resolution No. 26, Series of 2017)**

This is a joint project with the City of Aurora. RESPEC designed the project under contract with the City of Aurora. The drainage elements of the project include storm sewer, inlets, detention basin, outlet structure, and a spillway. Easement and right-of-way acquisition will be included in the project costs. The final design is now complete and the District and the City of Aurora desire to construct the improvements which will be managed by the City of Aurora. Construction is anticipated in 2017-2018.

The District and the City of Aurora have identified \$7,402,000 in total project costs with the District's participation being \$575,000. The previous authorization (Resolution No. 15, Series of 2015) totaled \$350,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 26 authorizes an additional \$225,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Aurora for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 26 on the Consent Agenda.

**g. Additional Authorization to Participate in Drainage and Flood Control Improvements on First Creek Detention Basins Upstream of I-70, City of Aurora, Arapahoe County (Resolution No. 27, Series of 2017)**

This is a joint project with the City of Aurora. Merrick and Company is designing the project and is under contract with the District. The drainage elements of the project include construction of inlets, detention basins, outlet structures, and spillways. Easement and right-of-way acquisition are included in the project costs. Property negotiations continue and construction is anticipated in 2018.

The District and the City of Aurora have identified \$5,298,000 in total project costs with the District's participation being \$2,649,000. The previous authorizations (Resolution No. 58, Series 2009; Resolution No. 50, Series 2010; Resolution No. 18, Series 2011; Resolution No. 32, Series 2012; Resolution No. 34, Series of 2013; Resolution No. 18, Series of 2014; Resolution No. 16, Series of 2015; and Resolution No. 31, Series of 2016) totaled \$2,249,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.



Resolution No. 27 authorizes an additional \$400,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Aurora for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 27 on the Consent Agenda.

**h. Additional Authorization to Participate in Drainage and Flood Control Improvements on Apex Gulch at Heritage Road, City of Golden, Jefferson County (Resolution No. 28, Series of 2017)**

This is a joint project with the City of Golden. The City of Golden desires to construct improvements along Apex Gulch at the Heritage Road crossing (County Road 93) in the City of Golden. Currently, the gulch crossing consists of a failing concrete box structure thought to have been built in the 1930's. The box has reached its serviceable life and is in need of replacement. The proposed improvements will consist of a new 10ft x 8ft concrete box culvert with upstream and downstream channel transitions sized for the 100-year flow. The City of Golden already holds the necessary easements and right-of-way where the project will be carried out.

The District and the City of Golden have selected RESPEC Consulting & Services to perform the preliminary/final design and Edge Contracting to perform construction. The District will administer the design and construction. Construction is anticipated in 2017-2018.

The District and the City of Golden have identified \$800,000 in total project costs with the District's participation being \$400,000. The previous authorization (Resolution No. 24, Series of 2016) totaled \$200,000 to fund design. It is anticipated that additional funds for construction will be needed in the future.

Resolution No. 28 authorizes an additional \$200,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Golden for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 28 on the Consent Agenda.

**i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Coon Creek at Beers Sisters Lake Reservoir, Jefferson County (Resolution No. 29, Series of 2017)**

This is a joint project with Jefferson County and the Foothills Park and Recreation District (non-funding partner). The project will construct the improvements necessary to assure the 100-year flood routing capacity of Beers Sisters Lake Reservoir in accordance with the Major Drainageway Planning and Flood Hazard Area Delineation Study. Icon Engineering is designing the project under contract with the District.

Construction of the improvements are necessary to bring this facility into compliance with the current State Engineer's Office Rules and Regulations for Dam Safety and Dam Construction. American West Construction will construct the project under contract with the District.

The Foothills Park and Recreation District already holds the necessary easements and right-of-way where the project will be carried out. The final design is now complete and the District, Jefferson County, and the Foothills Park and Recreation District desire to construct the improvements which will be managed by the District. Construction is anticipated in 2018.

The District and Jefferson County have identified \$1,400,000 in total project costs with the District's participation being \$700,000. The previous authorizations (Resolution No. 72, Series of 2014 and Resolution No. 81, Series of 2015) totaled \$300,000 to fund design and to partially fund construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 29 authorizes an additional \$400,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Jefferson County for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 29 on the Consent Agenda.



**6. Vote on Approval of the Consent Agenda** (*Motion and roll call vote required*)

It was the consensus of the Board that Resolutions No. 22, 23, 24, 25, 26, 27, 28, and 29, Series of 2017, and Review of Cash Disbursements dated March and April 2017 be placed on the Consent Agenda. Mayor Williams moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

**7. Reports/Discussion**

**a.** The Executive Director's report included the following discussion topics.

Annual Seminar

This year's annual seminar included an opening address from Mayor Williams and 15 presentations. The event was very well attended (over 315 attendees) and well received with some attendees commenting that it was the best one they had ever attended. During the "How the District Works" presentation before our Board Meeting in June, Barbara Chongtoun, Project Manager, Stream Services, will present a condensed version of her annual seminar talk titled "Oak Gulch, A Pilot Project in Adaptive Management," a topic which is receiving national attention.

Audit and Finance Committee.

At the June Board Meeting, Mr. MacKenzie will place on the Agenda a resolution for the Board of Directors to consider the authorization of an Audit and Finance Committee, which was the suggestion of Deputy Mayor Haynes. The resolution will authorize the creation of the committee, appoint its members, and define its purpose and scope. Following up on the two major weaknesses and seven internal control deficiencies identified in the 2016 audit report, Mr. MacKenzie drafted a nine-step corrective action plan, which was emailed to the Board of Director's last month. In that email, Mr. MacKenzie asked for volunteers to serve on a new audit and finance committee. Mayor Beckman, Mayor Williams, Commissioner Gardner, and Mr. Sellards have all volunteered to serve on this new committee. The District's Treasurer, Mayor Beckman has agreed to chair this committee.

The Audit and Finance Committee will meet two or three times per year, as follows:

1. The first meeting will be in March to meet with the auditors ahead of the audit presentation to the Board of Directors, and to go over the audit results in detail.
2. The second meeting will be in July to select the next year's auditor. This meeting will not occur every year.
3. The third meeting will be to go over the next year's proposed budget in detail with Staff. This will allow the committee to make a budget recommendation to the entire Board of Directors. Then, at the October Board Meeting, staff will present the budget to the Board of Directors at a higher level than in the past, sparing the Board of Directors a lengthy presentation consisting of spreadsheet after spreadsheet.

Mr. Sellards recommended the nine-step corrective action plan be shared with the auditors to ask their opinion as to the efficacy of the plan toward our goal of future audits being free of deficiency findings. The auditor has reviewed the plan and agreed it is the right approach. This plan has already been implemented to correct four of the nine audit deficiencies.

**8. Announcements**

May 18 – UDFCD Project Bus Tour

The next regularly scheduled Board Meeting will take place on Thursday, May 18, 2017. In lieu of our typical meeting format, the District has planned a bus tour of a few District projects. Board Members are encouraged to arrive at the District at 11:30 am and the bus will leave the District promptly at Noon. An itinerary is still being developed but there will most likely be six stops and we anticipate returning no later than 3:00 pm.

**9. Adjournment**

Mayor Williams adjourned the meeting at 1:47 p.m.

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 30, SERIES OF 2017 (Audit and Finance Committee)

WHEREAS, Section 32-11-208(1)(b), C.R.S., provides that: “The board, on behalf and in the name of the district, has the following powers: To adopt and amend or otherwise modify bylaws and rules of procedure”; and

WHEREAS, the Board of Directors wishes to establish an Audit and Finance Committee to act in an advisory capacity to the Board to ensure that the District’s financial records and statements are fairly and appropriately presented and are in accordance with Generally Accepted Accounting Principles; and

WHEREAS, the Audit and Finance Committee shall be a standing committee comprised of no fewer than three Board Members and chaired by the Treasurer of the Board of Directors; and

WHEREAS, each year, members of the Audit and Finance Committee shall be appointed by the Board of Directors by resolution.

### NOW, THEREFORE, BE IT RESOLVED THAT:

1. There is hereby established an Audit and Finance Committee (Committee).
2. For fiscal year 2017, the Committee shall be comprised of Board Members Mayor Bruce Beckman (Committee Chair), Mayor Heidi Williams, Commissioner Deb Gardner, and Mr. Dave Sellards.
3. For each subsequent fiscal year, Committee members shall be appointed by the Board of Directors by resolution.
4. The Committee shall be responsible for the administration of the District’s Auditor Selection and Retention Policy in accordance with Resolution 50, Series of 2009.
5. The Audit and Finance Committee shall act in an advisory capacity to the Board on matters related to the District’s annual financial records and statements and the opinion of the independent auditors, the District’s annual budget, the implementation of internal controls, procedures and practices for financial, accounting, and legal compliance.
6. The Committee shall report to the Board at the next regularly scheduled Board meeting any recommendations of the Committee along with a summary of activities that have come to the attention of the Committee that may affect the District. Such report may include any recommendations to ensure that the District’s financial records and statements are fairly and appropriately presented and are in accordance with Generally Accepted Accounting Principles.
7. The Committee shall usually meet three times per year outside of regular Board meetings, as follows:
  - a. Once to meet with the previous year’s selected auditor and District staff to review the audit results and financial records and statements before the auditor presents their findings to the Board. This meeting will typically occur in the first quarter of the year.
  - b. Once to meet with District staff for the purpose of selecting or retaining an auditor for the following year. This meeting will typically occur in second quarter of the year.
  - c. Once to meet with District staff to review the District’s proposed annual budget for the following year before this is presented to the Board. This meeting will typically occur in the third quarter of the year.
8. The Committee’s authority and powers shall be limited to these specified tasks unless additional authority and powers are granted by amendment to this Resolution.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 31, SERIES OF 2017

(Authorization to Agree In Writing to Accept the Use of Property Tax Increment Financing for the Proposed Mile High Greyhound Park [MHGP] Urban Renewal Area)

WHEREAS, the Board of Directors of the Urban Drainage and Flood Control District (the District) amended Resolution No. 38, Series of 2011 with Resolution No. 21, Series of 2016 to expand its policy in regard to its agreement to accept the use of property tax increment financing to included urban redevelopment areas; and

WHEREAS, the Urban Renewal Authority of the City of Commerce City (Authority) and the City of Commerce City (City) have made a written request of the District to accept the use of property tax increment financing for the redevelopment of the property formerly known as the Mile High Greyhound Park (the “MHGP Urban Renewal Plan”) (Exhibit A); and

WHEREAS, the legal description of such redevelopment area is attached hereto as Exhibit “B”; and

WHEREAS, the Authority has fully complied with all requirements of the District that are contained in Amended Resolution No. 38, Series 2011; and

WHEREAS, no extraordinary circumstances have been brought to the attention of the Board of Directors of the Urban Drainage and Flood Control District by a Board Member that would prevent the District agreeing in writing to accept the use of property tax increment financing for the proposed MHGP Urban Renewal Plan area; and

WHEREAS, the District has prepared a letter to the Authority setting forth the terms of the District’s agreement to accept the use of property tax increment financing for the MHGP Urban Renewal Plan Area, which letter is attached hereto as Exhibit “C”; and

WHEREAS, the attached Exhibit “C” letter, in order for the District’s approval to be binding, requires the acknowledgement and agreement of the Authority.

#### NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby agrees to accept the use of property tax increment financing for the proposed MHGP Urban Renewal Plan Area.
2. The Executive Director of the Urban Drainage and Flood Control District is authorized to execute the attached Exhibit “C” letter and forward it to Mr. Sean Ford, Chair, Urban Renewal Authority of the City of Commerce City.
3. The agreement of the District contained in the attached Exhibit “C” letter will become effective upon the District’s receipt of a copy of the letter bearing the signature of Mr. Sean Ford, Chair, Urban Renewal Authority of the City of Commerce City, acknowledging and agreeing to the terms of the letter.
4. The agreement of the District contained in the attached Exhibit “C” letter will expire by its own terms if the MHGP Urban Renewal Redevelopment area is not under construction by January 01, 2022.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# Mile High Greyhound Park

Urban Renewal Plan  
City of Commerce City, Colorado

## 1.0 Introduction

### 1.1 Preface

This Mile High Greyhound Park Urban Renewal Plan (the “**Plan**” or the “**Urban Renewal Plan**”) has been prepared by the Urban Renewal Authority of the City of Commerce City, Colorado (the “**Authority**”) for the City of Commerce City, Colorado (“**City**”). It will be carried out by the Authority, pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “**Act**”). The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

### 1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the City Council must find that the presence of those conditions of blight, “substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.” C.R.S. § 31-25-103(2).

The Mile High Greyhound Park Current Conditions Survey, prepared by City staff, dated December, 2016, which is attached hereto as **Appendix IV** (the “**Survey**”), demonstrates that the Mile High Greyhound Park Urban Renewal Area (the “**Urban Renewal Area**” or the “**Area**”) included in the Survey, is a blighted area under the Act. On December 19, 2016, the City Council of Commerce City

approved Resolution #2016-130 declaring the Study Area as a blighted area under the Act.

## **1.3 Other Findings**

The Area is appropriate for one or more urban renewal activities and undertakings authorized by the Act to be advanced by the Authority.

It is the intent of the City Council in adopting this Plan that the Authority exercise all powers authorized in the Act which are necessary, convenient or appropriate to accomplish the objectives stated herein. Further, it is the intent of this Plan that the Authority exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying blight conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended and police powers exercised. This Plan is in the public interest and necessity, which finding is a legislative determination by the City Council.

## **1.4 Plan Review and Public Process**

Copies of this Plan have been provided to all public entities having taxing authority with the Area for their review and comment. In addition to the Plan, each taxing entity including Adams County has received a copy of an Impact Report which indicates the current taxes being generated from the Area, the current proposed development plan, and the proposed capture of tax increment from the Area as it relates to each taxing entity. The Area encompassed by the Plan has been rezoned through a public review process which included review and approval by the Commerce City Planning Commission on December 6, 2016 which held that the development plan and proposed zoning were in furtherance of the Comprehensive Plan. The rezoning process also included a public hearing before the Commerce City Council noticed on December 6, 2016 and held on December 19, 2016 at which the zoning and urban renewal financing plan were

discussed. At that same meeting a public hearing was held to review the Condition Survey for the Area and the findings of blight. The City Council approved the Condition Survey and blight findings under Resolution # 2016-130. As a part of the zoning review process a public meeting was held on September 1, 2016 at which both the proposed development plan and proposed zoning were discussed. In addition, the creation of an urban renewal plan and the use of tax increment financing were reviewed and discussed at these public meetings. All of the land in the Area is owned by the City of Commerce City or the Commerce City Urban Renewal Authority and there are no structures, businesses or occupants within the Area. As such, no additional notice or public review is required for adoption of the Plan.

### **1.5 Urban Renewal Area Boundaries**

The Urban Renewal Area includes properties all located within the City limits as delineated in **Figure No. 1** and described in the legal description presented in the **Appendix II**. The boundaries of the Area include approximately 65 acres of land generally defined to include 5 legal parcels plus public rights-of-way located within the former Mile High Greyhound Park property. Geographically, it is bound by 64<sup>th</sup> Avenue on the north, 62<sup>nd</sup> Avenue to the south, Holly Street to the east and Highway 2 to the west in south central Commerce City.

The boundaries of the Urban Renewal Area were defined as narrowly as feasible to accomplish the objectives identified herein.

As per the Act, the legal description presented in the Appendix controls the boundary description in case of any conflict. No agriculturally-assessed properties are included in the Urban Renewal Area.



### 1.5.1 Map of Urban Renewal Area (Figure 1)

The Urban Renewal Area map is presented as **Figure No. 1** on the following page.



LEGAL DESCRIPTION

A PORTION OF, RESUBDIVISION OF TOWN AND COUNTRY SUBDIVISION ADAMS COUNTY FILE 9 MAP 43 RECEPTION NO. 342483 RECORDED MARCH 30, 1949. LOCATED IN THE NORTHEAST 1/4 OF SECTION 7 TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO.

A PORTION OF PARCEL D, EXCLUDING BOYS AND GIRLS CLUBS OF METRO DENVER SUBDIVISION FILING NO. 1 REPLAT RECEPTION NO. 2016000008888 AND RIGHT OF WAY BOOK 3953 PAGE 404-405.

TOWN AND COUNTRY SUBDIVISION RESUBD TRACT D, DESCRIBED AS THE NORTH 825 FEET OF EAST 121 FT OF BLOCK D  
TOWN AND COUNTRY SUBDIVISION RESUBDIVISION BLOCK: 1, LOTS 14 EXCLUDING RIGHT OF WAY RECEPTION NO 2011000050034 AND 15 THRU 24. TOGETHER WITH THE DAHLIA STREET PLATED AS EUDORA STREET RIGHT OF WAY ADJACENT TO BLOCK 1 ON THE WEST  
CONTAINING 2836218.28 SQUARE FEET OR 65.111 ACRES MORE OR LESS.





## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Ken MacKenzie, Executive Director  
2480 W. 26th Avenue, Suite 156B  
Denver, CO 80211-5304

Telephone 303-455-6277  
Fax 303-455-7880  
[www.udfcd.org](http://www.udfcd.org)

## EXHIBIT C

June 20, 2017

Sean Ford, Chair  
Brian McBroom, Executive Director  
Urban Renewal Authority of the City of Commerce City  
7887 E. 60th Avenue  
Commerce City, CO 80022

Dear Mr. Ford and Mr. McBroom:

This letter agreement ("Agreement") is entered into pursuant to C.R.S. § 31-25-107(9.5). The Urban Drainage and Flood Control District ("District") understands that the Urban Renewal Authority of the City of Commerce City, Colorado ("Authority") and the City of Commerce City, Colorado ("City") anticipate considering and approving an urban renewal plan related to the redevelopment of the property formerly known as the Mile High Greyhound Park (the "MHGP Urban Renewal Plan").

The District is in receipt of the draft MHGP Urban Renewal Plan creating the MHGP Urban Renewal Area (entire former Mile High Greyhound Park) and Phase I Tax Increment Area. The MHGP Urban Renewal Plan defines the Project (as defined in the MHGP Urban Renewal Plan) and authorizes the use of property tax increment, sales tax increment and lodger's tax increment within the Phase I Tax Increment Area.

The District agrees that in accordance with C.R.S. § 31-25-107(9.5), the District has received proper notice of the proposed MHGP Urban Renewal Plan, and that the Authority and the District are entering into this agreement to address the sharing of incremental property tax revenue allocated to the Authority and estimated impacts of the MHGP Urban Renewal Plan on District services associated solely with the MHGP Urban Renewal Area. The District has determined that there are minimal to no impacts to District services caused by the proposed MHGP Urban Renewal Plan and therefore the tax increment derived from the District's mill levy shall continue to be allocated to the Authority. The parties agree that this Agreement satisfies the requirements of C.R.S. § 31-25-107(9.5)(a).

The District acknowledges that the Authority and the City may consider future amendments to the MHGP Urban Renewal Plan to include provisions authorizing tax increment financing for new and additional tax increment areas, which constitutes a substantial modification of the MHGP Urban Renewal Plan under C.R.S. § 31-25-107(7). If this occurs, the Authority shall provide 30 days' written notice to the District ahead of the City Council public hearing on the amendment to the MHGP Urban Renewal Plan. Nonetheless, the District agrees that the statement in the previous paragraph regarding notice, impact, and the determination by the District that the District's mill levy shall continue to be allocated to the Authority in satisfaction of C.R.S. § 31-25-107(9.5)(a) applies to

future amendments to the MHGP Urban Renewal Plan authorizing tax increment financing for new and additional tax increment areas, acknowledging that the District's impact analysis performed for the MHGP Urban Renewal Plan took into account impacts across the entire MHGP Urban Renewal Area, not just the Phase I Tax Increment Area.

The District further agrees that, as permitted under C.R.S. § 31-25-107(9.5)(b), the District waives the requirements of any future notice, including, but not limited to, notice of any modifications or amendments to the MHGP Urban Renewal Plan, other than regarding the creation of a new property tax increment area as described in the previous paragraph, any future filings with or by the City and the Authority, any requirement for future consent by the District, including but not limited to, consent to any modifications or amendments to the MHGP Urban Renewal Plan, other than regarding the creation of a new property tax increment area and any enforcement right regarding the MHGP Urban Renewal Plan, or matters contemplated under the MHGP Urban Renewal Plan, except that the District shall have the right to take any actions necessary to enforce this Agreement.

If Commerce City and the Authority desire that the drainage and flood control facilities constructed as part of the MHGP Urban Renewal Plan be eligible for future District maintenance assistance, they shall comply with the terms and conditions of Amended Resolution No. 38, Series of 2011 as amended by Resolution 21, Series of 2016, including but not limited to Resolution No. 26, Series of 1983 of the District.

The consent of the District to the MHGP Urban Renewal Plan will expire and be of no force and effect unless the Phase I Tax Increment Area is under construction by January 1, 2022.

This Agreement was considered and approved at a meeting of the District on June 15, 2017. If this correctly reflects our agreement, please sign below and return a fully-executed original to me.

Respectfully,

Ken MacKenzie  
Executive Director  
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

Urban Renewal Authority of the City of Commerce City, Colorado

By: \_\_\_\_\_  
Mr. Sean Ford  
Chair

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

## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 32, SERIES OF 2017

(Authorization to Agree In Writing to Accept the Use of Property Tax Increment Financing for the Proposed Emily Griffith Opportunity School Urban Redevelopment Area)

WHEREAS, the Board of Directors of the Urban Drainage and Flood Control District (the District) amended Resolution No. 38, Series of 2011 with Resolution No. 21, Series of 2016 to expand its policy in regard to its agreement to accept the use of property tax increment financing to included urban redevelopment areas; and

WHEREAS, the Denver Urban Renewal Authority (DURA) and the City and County of Denver (City) have made a written request of the District to accept the use of property tax increment financing for the Emily Griffith Opportunity School Urban Redevelopment Area (Exhibit A); and

WHEREAS, an aerial photograph of the redevelopment area is attached hereto as Exhibit “B”; and

WHEREAS, DURA has fully complied with all requirements of the District that are contained in Amended Resolution No. 38, Series 2011; and

WHEREAS, no extraordinary circumstances have been brought to the attention of the Board of Directors of the Urban Drainage and Flood Control District by a Board Member that would prevent the District agreeing in writing to accept the use of property tax increment financing for the proposed Emily Griffith Opportunity School Urban Redevelopment Area; and

WHEREAS, the District has prepared a letter to DURA setting forth the terms of the District’s agreement to accept the use of property tax increment financing for the Emily Griffith Opportunity School Urban Redevelopment Area, which letter is attached hereto as Exhibit “C”; and

WHEREAS, the attached Exhibit “C” letter, in order for the District’s approval to be binding, requires the acknowledgement and agreement of DURA.

#### NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby agrees to accept the use of property tax increment financing for the proposed Emily Griffith Opportunity School Urban Redevelopment Area.
2. The Executive Director of the Urban Drainage and Flood Control District is authorized to execute the attached Exhibit “C” letter and forward it to Mr. Phillip Caplan, Chair, Denver Urban Renewal Authority.
3. The agreement of the District contained in the attached Exhibit “C” letter will become effective upon the District’s receipt of a copy of the letter bearing the signature of Mr. Phillip Caplan, Chair, Denver Urban Renewal Authority acknowledging and agreeing to the terms of the letter.
4. The agreement of the District contained in the attached Exhibit “C” letter will expire by its own terms if the Emily Griffith Opportunity School Urban Redevelopment Plan is not amended with the addition of a Project by December 31, 2020.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# MEMORANDUM

To: Urban Drainage and Flood Control District  
Ken MacKenzie, Executive Director

From: Tracy Huggins, Executive Director

Date: May 26, 2017

RE: Emily Griffith Opportunity School Urban Redevelopment Area and Tax Increment Area

### Property Description and Background

In December 2012, the Denver Public Schools ("DPS") Board approved the purchase of 1860 Lincoln and a series of other proposed facility changes that would ultimately eliminate the need for the ageing Emily Griffith Opportunity School ("EGOS") at 1250 Welton Street. In June 2015, the last programs of the Emily Griffith Technical College of Trades and Industry relocated to the new trades facility at 12<sup>th</sup> and Osage. Currently, Emily Griffith High School and Technical College occupy several floors of 1860 Lincoln.

During 2013, DPS undertook an Historic Evaluation Committee process which evaluated the significance of various components of the EGOS site, and their relevance and eligibility for historical designation or preservation. At the conclusion of the process, the Historical Evaluation Committee submitted a letter from Historic Denver, Inc. to the DPS Board recommending that the EGOS site is significant for its architecture, historical associations, and geography. They further recommended that DPS move forward with a local historic designation for the buildings located along the western side of the campus on Welton Street prior to marketing the property for sale.

The Emily Griffith Sale Advisory Committee ("SAC") was formed in January of 2014 to help inform the goals and criteria for the sales process for the EGOS site. These criteria included recommendations on the highest and best use(s) of the property in downtown, the ability for DPS to obtain reasonable value in a sale, preservation considerations for the redevelopment of the site and the optimal sale process to employ that would result in a successful sale that met the defined goals/criteria.

Following the conclusion of the SAC process in 2014, DPS engaged with City Staff to explore options to help address the considerations of the SAC. It was determined that achieving consensus with community members on elements of the site that should be designated historic, while providing flexibility for redevelopment of the site, was a critical step to support a positive sale process. By addressing the historic designation prior to a sale process, potential purchasers would fully understand the development potential of the site and, therefore, provide stronger and clearer purchase offers with fewer contingencies. The City and DPS together engaged with the community, Historic Denver and the Landmark Commission to gain consensus on the aspects of the site that should be preserved. In May 2016, Denver City Council approved the recommended designation ordinance that preserved the most historic aspects of the Welton Street buildings.



In March 2016, Jones Lang LaSalle (“JLL”) issued a request for proposal (“RFP”) for the EGOS site, on behalf of DPS, which reflected the principles of the SAC. DPS and JLL determined that 3 out of the 7 responses received were viable and competitive. The RFP stated that DPS would evaluate potential buyers based on the following criteria:

- Proposed purchase price (and ability to pay purchase price)
- Respondent’s experience and track record for large urban redevelopments
- Respondent’s demonstrated ability to close on a timely basis
- Respondent’s requested due diligence period

Through this evaluation, DPS staff recommended the DPS Board approve the Purchase and Sale Agreement (“PSA”) with Stonebridge Companies (“Stonebridge”). While not offering the highest purchase price, Stonebridge had the shortest due diligence and closing periods, had no financing contingencies and had a strong development background and experience. The DPS Board approved the PSA with Stonebridge in September 2016 and the sale was finalized May 25, 2017.

### Potential DURA Role

Following execution of the PSA, Stonebridge requested DURA to undertake a Conditions Study of the EGOS site to determine if the property could be considered for inclusion in an Urban Redevelopment Area (“URA”). DURA staff met with members of the City Administration and agreed that the Conditions Study Area be drawn to include the triangular area generally bounded by Welton Street, 13<sup>th</sup> Street and Colfax Avenue. The preliminary findings of the Conditions Study identified 6 of the 11 blight factors as being present. As several factors were limited mostly to the EGOS site, an updated Study of the property bounded by Welton St., 13<sup>th</sup> Street, Glenarm Place and Colfax Ave. has been requested.

Stonebridge believes that the tax increment must be maximized for the redevelopment of the property to be successful. The EGOS property is currently tax-exempt meaning that the base property taxable valuation is zero. On August 25<sup>th</sup>, the property valuation will be re-certified to a non-zero amount as a result of the DPS sale to Stonebridge. Therefore, to preserve the ability to collect the maximum amount of tax increment, an Urban Renewal Area and Tax Increment Area must be established prior to August 25<sup>th</sup>.

### Next Steps

DURA staff has begun the process of drafting an Urban Redevelopment Plan to create a URA and establish a property tax increment area for the EGOS site without a specific project defined. A Cooperation Agreement with the City and Intergovernmental Agreements with Denver Public Schools and the Urban Drainage and Flood Control District (UDFCD) are also being drafted. DURA staff is aware that Stonebridge is in the process of working with the City and other stakeholders to determine the optimal development plan for the site. All parties understand that once the development plan is agreed upon, an amendment to the Urban Redevelopment Plan, along with new agreements with the other taxing entities, will be required to add an approved Project.

### UDFCD Agreement

To obtain City Council approval of the URA and tax increment area, DURA will need to evidence an agreement with UDFCD regarding the allocation of property tax increment. The attached Letter Agreement allows DURA to retain all incremental property taxes until an amended Letter Agreement is executed once a project has been identified.

Please don’t hesitate to contact me with any questions, comments or concerns.

## Emily Griffith Conditions Study Area



Original Study Area Boundary



Proposed Study Area Boundary





## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Ken MacKenzie, Executive Director  
2480 W. 26th Avenue, Suite 156B  
Denver, CO 80211-5304

Telephone 303-455-6277  
Fax 303-455-7880  
[www.udfcd.org](http://www.udfcd.org)

## EXHIBIT C

June 20, 2017

Phillip Caplan, Chair  
Tracy Huggins, Executive Director  
Denver Urban Renewal Authority  
1555 California Street, Suite 200  
Denver, CO 80202

Dear Ms. Huggins and Mr. Caplan:

This letter agreement ("Agreement") is entered into pursuant to Section 31-25-107(9.5), C.R.S. The Urban Drainage and Flood Control District ("District") understands that the Denver Urban Renewal Authority ("Authority") and the City and County of Denver ("Denver") intend to adopt the Emily Griffith Opportunity School Urban Redevelopment Plan (the "Urban Redevelopment Plan") and to create the Emily Griffith Opportunity School Property Tax Increment and Sales Tax Increment Area (the "Tax Increment Area").

The Urban Drainage and Flood Control District (the "District") is in receipt of the Urban Redevelopment Plan creating the Emily Griffith Opportunity School Urban Redevelopment Area as proposed to the City Council of Denver and, the proposed Ordinance establishing the Tax Increment Area and authorizing the use of property tax increment and sales tax increment for redevelopment of the Urban Redevelopment Area.

The District agrees that in accordance with C.R.S. § 31-25-107(9.5), that the District has received proper notice of the proposed Urban Redevelopment Plan and that the Authority and the District are entering into this agreement to address the estimated impacts of the Urban Redevelopment Plan on District services associated solely with the Urban Redevelopment Plan. The District has determined that there are no material impacts to District services caused by the proposed Urban Redevelopment Plan and the creation of the Tax Increment Area and therefore the tax increment derived from the District's mill levy shall be allocated to the Authority. The parties agree that this Agreement satisfies the requirements of C.R.S. § 31-25-107(9.5)(a).

The District further agrees that, as permitted under C.R.S. § 31-25-107(9.5)(b)(i), the District waives the requirements of (i) any future notice, except for substantial modifications or amendments to the Urban Redevelopment Plan, including the addition of a project or regarding the modification of the Tax Increment Area under the Urban Redevelopment Plan, (ii) any future filings with or by the District, (iii) any requirement for future consent by the District, except consent to any substantial modifications or amendments to the Urban Redevelopment Plan, including the addition of a project or regarding the modification of the Tax Increment Area under the Urban Redevelopment Plan and (iv) any enforcement right regarding the Urban Redevelopment Plan, or matters contemplated under

the Urban Redevelopment Plan, except that the District shall have the right to take any actions necessary to enforce this Agreement.

If the City and County of Denver and the Authority desire that the drainage and flood control facilities constructed as part of the Urban Redevelopment Plan be eligible for future District maintenance assistance, they shall comply with all terms and conditions of Amended Resolution No. 38, Series of 2011 as amended by Resolution 21, Series of 2016, including but not limited to Resolution No. 26, Series of 1983 of the District.

The consent of the District to the Urban Redevelopment Plan will expire and be of no force and effect unless the Plan is amended to add a Project by December 31, 2020.

If this letter correctly reflects our agreement, please sign below and return a fully-executed original to me.

Respectfully,

Ken MacKenzie  
Executive Director  
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

DENVER URBAN RENEWAL AUTHORITY

By: \_\_\_\_\_  
Mr. Phillip Caplan  
Chair

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

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 33, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Cherry Creek at the KOA Property, Town of Parker, Douglas County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the Town of Parker has enacted floodplain regulations; and

WHEREAS, the Town of Parker and the District cooperated in the preparation of “Cherry Creek Corridor – Reservoir to Scott Road Major Drainageway Planning Preliminary Design Report,” dated January 2004; which recommends improvements on Cherry Creek at the KOA Property; and

WHEREAS, the Town of Parker has requested District participation in the design and construction of improvements to the Cherry Creek at the KOA Property (Exhibit A); and

WHEREAS, the Town of Parker has estimated the initial project costs to be \$130,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$65,000 to at least be matched by the Town of Parker; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for design and construction of drainage and flood control improvements along Cherry Creek at the KOA Property; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Cherry Creek at the KOA Property were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the Town of Parker for the design and construction of drainage and flood control improvements on Cherry Creek at the KOA Property.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Cherry Creek at the KOA Property.
3. The District’s maximum contribution to the Cherry Creek at the KOA Property project, without prior approval of the Board, shall be \$65,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the Town of Parker.
4. Such approval for expenditure of District funds is contingent upon the Town of Parker agreeing to regulate and control any defined floodplain in the Cherry Creek at the KOA Property project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

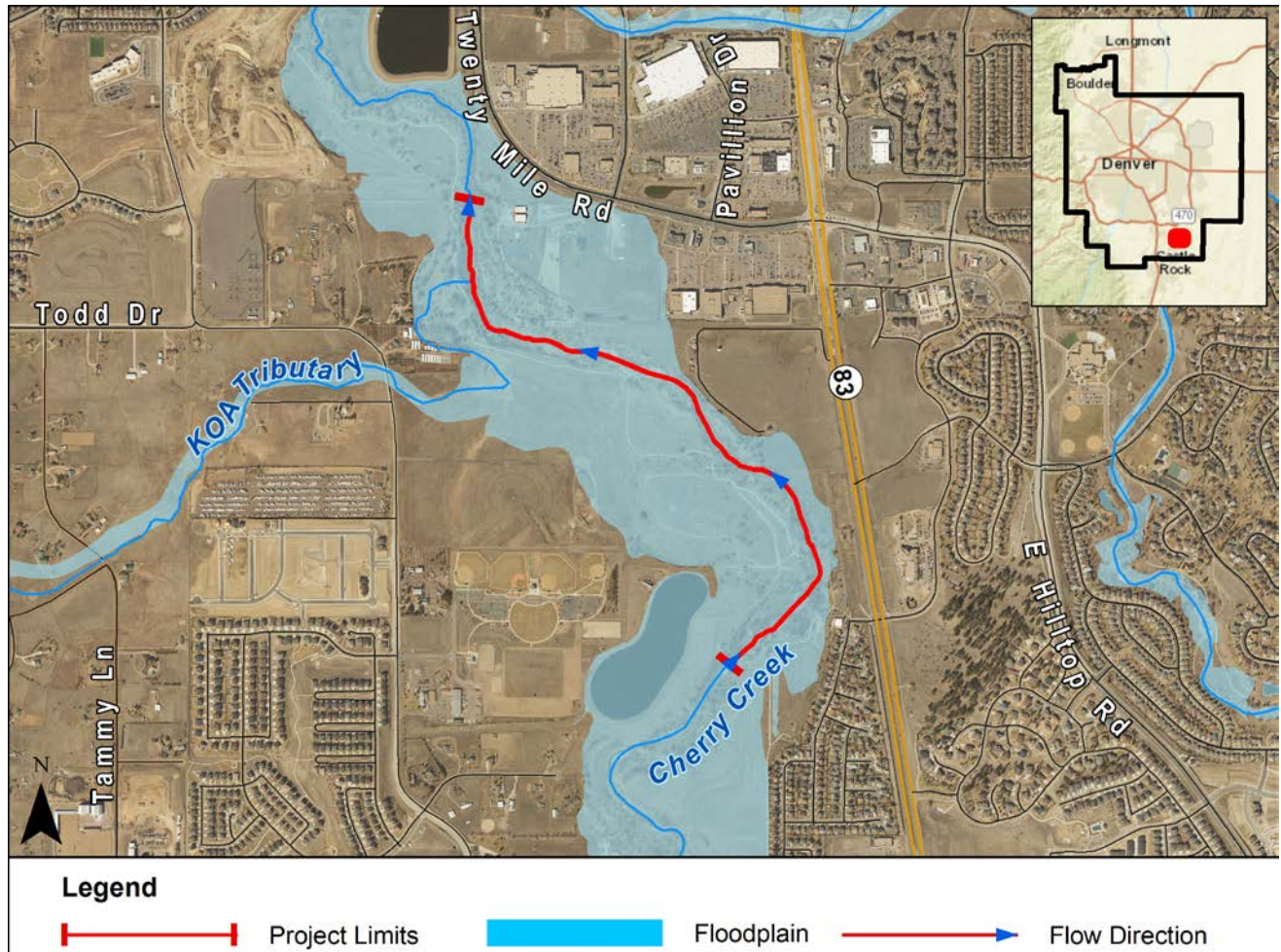


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 33, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Cherry Creek at the KOA Property, Town of Parker, Douglas County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 34, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Timbers Creek downstream of Fox Sparrow Road, Douglas County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Douglas County has enacted floodplain regulations; and

WHEREAS, Douglas County and the District cooperated in the preparation of “Kinney Creek and Fonder Draw Watersheds Outfall Systems Planning Conceptual Preliminary Design Report,” dated December 2004; which recommends improvements on Timbers Creek downstream of Fox Sparrow Road; and

WHEREAS, Douglas County and High Prairie Farms Metro District have requested District participation in the design and construction of improvements to Timbers Creek downstream of Fox Sparrow Road (Exhibit A); and

WHEREAS, Douglas County and High Prairie Farms Metro District have estimated the initial project costs to be \$150,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$50,000 to at least be matched by Douglas County and High Prairie Farms Metro District; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Timbers Creek downstream of Fox Sparrow Road; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Timbers Creek downstream of Fox Sparrow Road were included.

### NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with Douglas County and High Prairie Farms Metro District for the design and construction of drainage and flood control improvements on Timbers Creek downstream of Fox Sparrow Road.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Timbers Creek downstream of Fox Sparrow Road.
3. The District’s maximum contribution to the Timbers Creek downstream of Fox Sparrow Road project, without prior approval of the Board, shall be \$50,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Douglas County and High Prairie Farms Metro District.
4. Such approval for expenditure of District funds is contingent upon Douglas County agreeing to regulate and control any defined floodplain in the Timbers Creek downstream of Fox Sparrow Road project area in accordance with the National Flood Insurance Program Regulation as a minimum; Douglas County and the High Prairie Farms Metro District agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the

completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

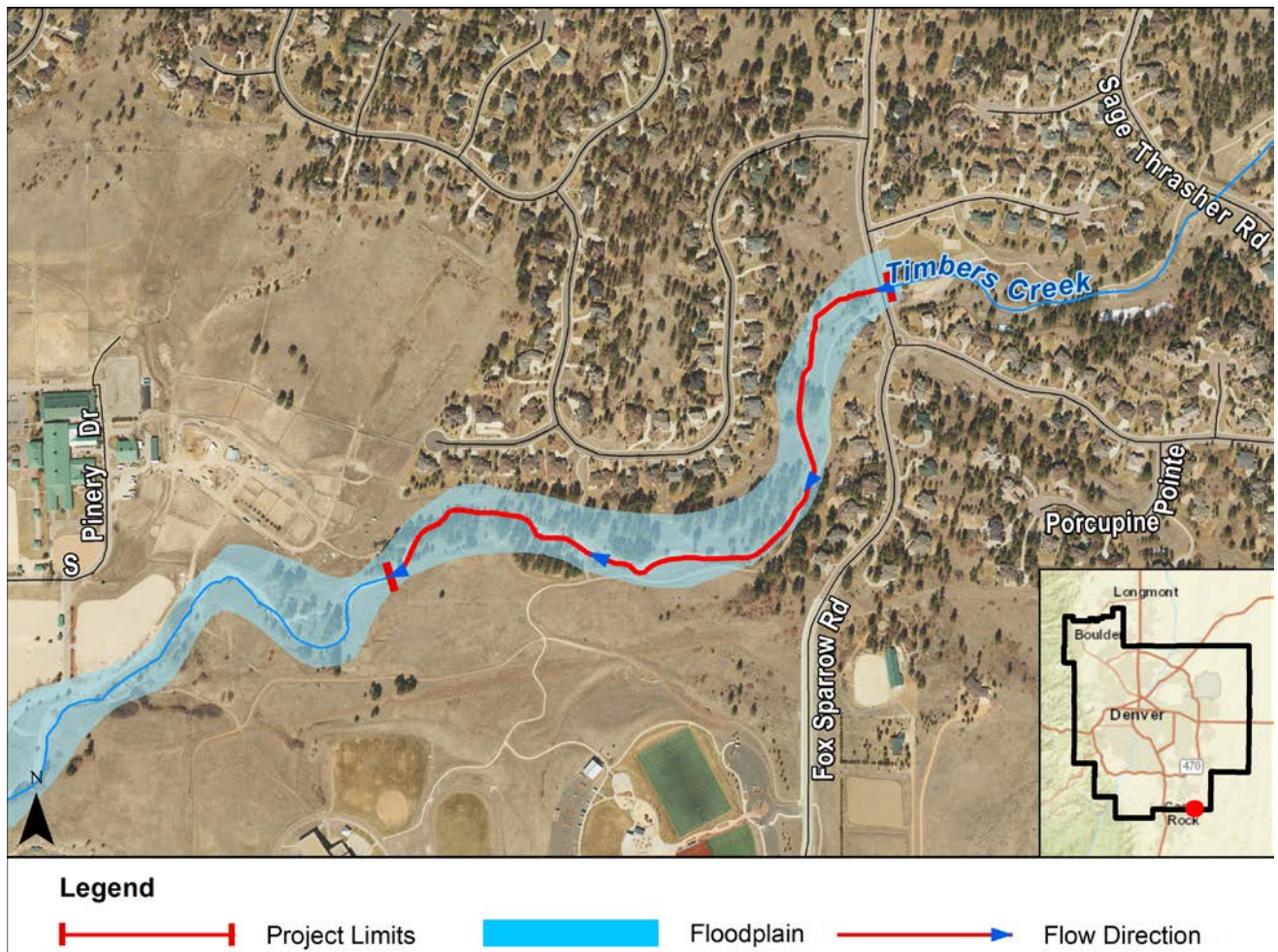
ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

RESOLUTION NO. 34, SERIES OF 2017  
(Authorization to Participate in Drainage and Flood Control Improvements  
on Timbers Creek downstream of Fox Sparrow Road, Douglas County)

**EXHIBIT A**





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 35, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Goldsmith Gulch West Tributary at Maplewood Avenue, City of Greenwood Village, Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Greenwood Village has enacted floodplain regulations; and

WHEREAS, the City of Greenwood Village, Arapahoe County, and the District cooperated in the preparation of "Upper Goldsmith Gulch Outfall Systems Planning" dated November, 2005; which recommends improvements on Goldsmith Gulch West Tributary at Maplewood Avenue; and

WHEREAS, the City of Greenwood Village has requested District participation in the design, acquisition of right-of-way, and construction of improvements to the Goldsmith Gulch West Tributary at Maplewood Avenue (Exhibit A); and

WHEREAS, the City of Greenwood Village has estimated the initial project costs to be \$50,000; and

WHEREAS, the District's participation being authorized by this resolution is \$0; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Goldsmith Gulch West Tributary at Maplewood Avenue; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Goldsmith Gulch West Tributary at Maplewood Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City of Greenwood Village for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Goldsmith Gulch West Tributary at Maplewood Avenue.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Goldsmith Gulch West Tributary at Maplewood Avenue.
3. The District's maximum contribution to the Goldsmith Gulch West Tributary at Maplewood Avenue project, without prior approval of the Board, shall be \$0.
4. Such approval for expenditure of District funds is contingent upon the City of Greenwood Village agreeing to regulate and control any defined floodplain in the Goldsmith Gulch West Tributary at Maplewood Avenue project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District's approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

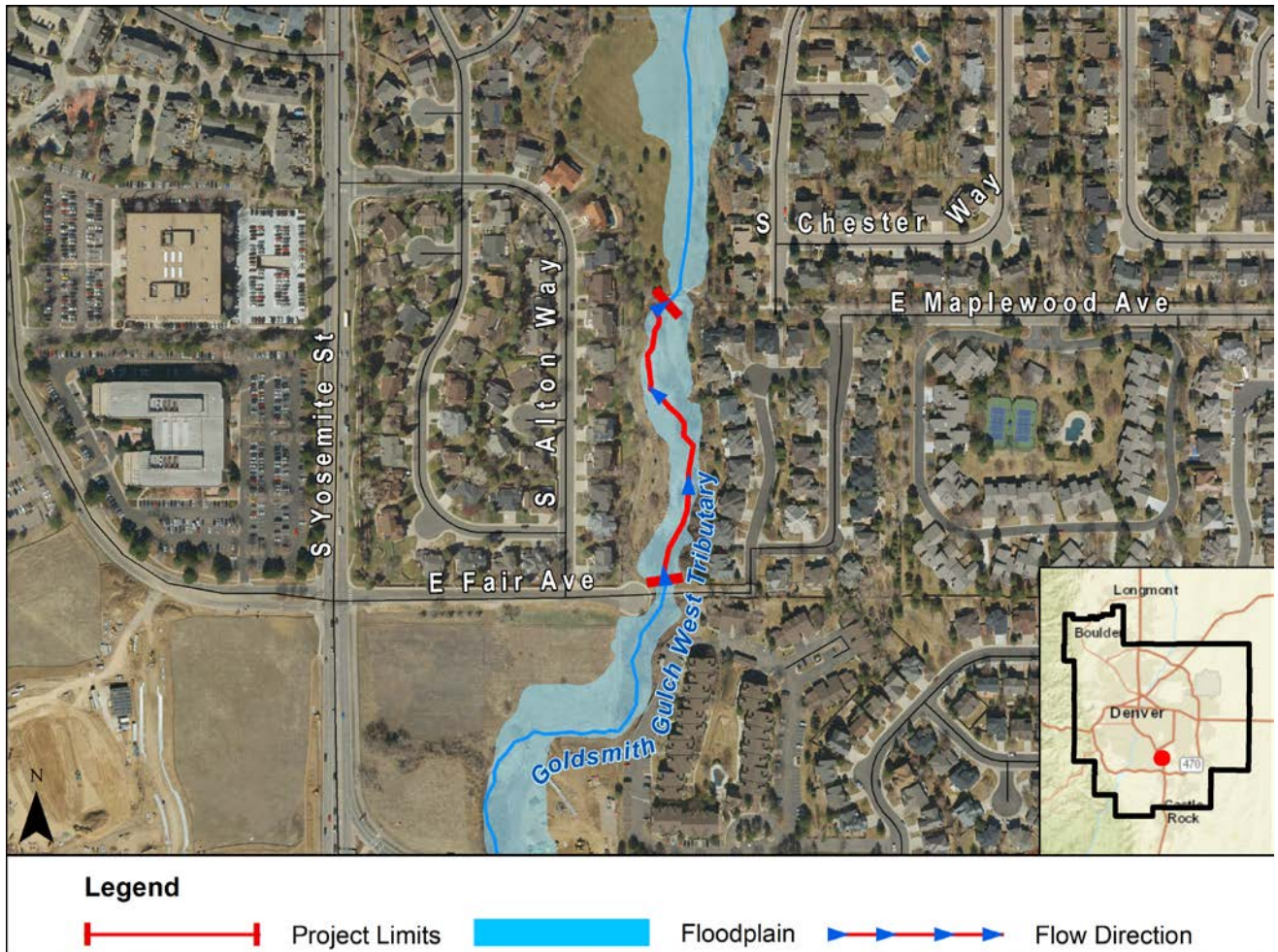


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 35, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Goldsmith Gulch West Tributary at Maplewood Avenue, City of Greenwood Village, Arapahoe County)

### EXHIBIT A







# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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## BOARD OF DIRECTORS MEETING

Date: Thursday, August 17, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

How the District Works – 12:45 – 1:00 pm

1. **Call to Order and Pledge of Allegiance – 1:00 pm**
2. **Introductions**
  - a. Visitors/Guests/Staff
3. **Roll Call – Determination of Quorum**
4. **Approval of June 15, 2017 Meeting Minutes** *(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)*
5. **Audit & Finance Committee Report (Mayor Beckman)**
6. **Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*
  - a. Review of Cash Disbursements
  - b. Auditor Selection and Retention Policy  
(Resolution No. 36, Series of 2017)
  - c. TABOR Emergency Fund Use  
(Resolution No. 37, Series of 2017)
  - d. Authorization to Establish a Development Services Enterprise  
(Resolution No. 38, Series of 2017)
  - e. Additional Authorization to Participate in Drainage and Flood Control Improvements on Fourmile Canyon Creek at 19th Street, City of Boulder, Boulder County  
(Resolution No. 39, Series of 2017)
  - f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street, City and County of Broomfield  
(Resolution No. 40, Series of 2017)
  - g. Additional Authorization to Participate in Drainage and Flood Control Improvements on Massey Draw at Deer Creek Golf Course, Jefferson County  
(Resolution No. 41, Series of 2017)
  - h. Authorization to Participate in Drainage and Flood Control Improvements on Lemon Gulch downstream of Crowfoot Valley Road, Town of Parker, Douglas County  
(Resolution No. 42, Series of 2017)
  - i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Happy Canyon Creek at Interstate 25, Douglas County  
(Resolution No. 43, Series of 2017)
  - j. Authorization to Participate in Drainage and Flood Control Improvements on Newlin Gulch between Interstate 25 and Rueter Hess Reservoir, City of Castle Pines, Douglas County  
(Resolution No. 44, Series of 2017)
  - k. Acceptance of Flood Hazard Area Delineation Report for Westerly Creek Upstream of Westerly Creek Dam  
(Resolution No. 45, Series of 2017)
  - l. Authorization for a Planning Study of Granby Ditch and Sable Ditch  
(Resolution No. 46, Series of 2017)

- m. Authorization for a Planning Study of Goldsmith Gulch  
(Resolution No. 47, Series of 2017)

**7. Vote on Approval of the Consent Agenda** *(Motion and roll call vote required.)*

**8. Reports/Discussion**

- a. Executive Director's Report

**9. Announcements**

- a. Next Regularly Scheduled Meeting: **Thursday, September 21, 2017**

**10. Adjournment**



**URBAN DRAINAGE AND FLOOD CONTROL DISTRICT  
BOARD OF DIRECTORS**

**June 15, 2017**

**MINUTES**

**Members Present:**

Bruce Beckman, Mayor, City of Littleton  
Joyce Downing, Mayor, City of Northglenn  
Deb Gardner, Commissioner, Boulder County  
Stacie Gilmore, Council Member, City/County of Denver  
Happy Haynes, Deputy Mayor, City/County of Denver  
Mark Hunter, Engineer  
Joyce Jay, Mayor, City of Wheat Ridge  
Paul Kashmann, Council Member, City/County/Denver  
Paul López, Council Member, City/County of Denver  
Adam Paul, Mayor, City of Lakewood  
Stephanie Piko, Mayor Pro Tem, City of Centennial  
Dave Sellards, Engineer  
Nancy Sharpe, Commissioner, Arapahoe County  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield  
Charles (Chaz) Tedesco, Commissioner, Adams County  
Heidi Williams, Mayor, City of Thornton

**Members Absent:**

Herb Atchison, Mayor, City of Westminster  
Bob Fifer, Mayor Pro Tem, City of Arvada  
Angela Lawson, Mayor Pro Tem, City of Aurora  
Libby Szabo, Commissioner, Jefferson County  
Lora Thomas, Commissioner, Douglas County  
Mary Young, Council Member, City of Boulder

**UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Julia Bailey	Project Engineer, Flood Warning & Information Services
Dave Bennetts	Program Manager, Stream Services
Richard Borchardt	Project Manager, Stream Services
Barbara Chongtoua	Project Manager, Stream Services
Amelia Deleon	Human Resources Manager
Morgan Lynch	Project Manager, Watershed Services
Holly Piza	Project Manager, Watershed Services
Brooke Seymour	Project Manager, Watershed Services
David Skuodas	Project Manager, Stream Services
Jason Stawski	Senior Construction Manager, Stream Services
Kevin Stewart	Program Manager, Flood Warning & Information Services

**Others Present:**

Ed Krisor, Legal Counsel  
Brad Robenstein, Douglas County

**How the Districts Works – Definitions**

Mrs. Barbara Chongtoua, Project Manager, Stream Services, conducted a presentation entitled, “Partnering with Land Developers” for this month’s How the District Works presentation.

Following Mrs. Congtoua’s presentation, Mayor Joyce Jay stated that city managers as well as developers could benefit from this presentation. Mr. MacKenzie informed the Board that the District is currently working on developing workshops catered towards city staff and developers. It was also recommended to include planners and homebuilders. Mr. MacKenzie will follow-up with the Board on this effort as more information becomes available.

1. **Call to Order and Pledge of Allegiance – 1:00 p.m.**  
Mayor Williams called the meeting to order at 1:00 p.m.
2. **Introductions**
  - **Visitors/Guests/Staff**  
Mr. MacKenzie introduced the following new student interns, both of which, are sophomores at the Colorado School of Mines:
    - Katherine Kersteins – assisting the Stream Services Program
    - Nicole Karasik – assisting both the Watershed and Stream Services Programs
  - **Awards/Recognitions**  
There were no awards to present at this month's meeting.
3. **Roll Call – Determination of Quorum**  
Roll was called and a quorum was declared present.
4. **Approval of April 20, 2017 Meeting Minutes**  
Mayor Williams asked if there were any corrections to the April 20, 2017 minutes. Hearing none, the minutes were approved as submitted.
5. **Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)
  - a. **Review of Cash Disbursements**  
Cash disbursement list, dated May and June 2017, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.
  - b. **Finance and Audit Committee**  
**(Resolution No. 30, Series of 2017)**  
Resolution No. 30 authorizes the establishment of a District Audit and Finance Committee. This committee would act in an advisory capacity to the Board; ensuring that the District's financial records and statements are fairly and appropriately presented and in accordance with Generally Accepted Accounting Principles.  
  
This standing committee shall be comprised of three board members and chaired by the Treasurer of the Board. The 2017 Audit & Finance Committee includes the following Board Members: Mayor Bruce Beckman (Committee Chair), Mayor Heidi Williams, Commissioner Deb Gardner, and Mr. David Sellards.  
  
Mr. MacKenzie proposed that the committee meet three times a year, as follows:
    - First Quarter: *Audit Results*. Audit results meeting prior to the Auditor's presentation to the Board.
    - Second Quarter: *Auditor Selection Meeting*. Meet with District staff to select or retain the auditor for the following year.
    - Third Quarter: *Annual Budget*. Meet with District Staff to review the annual budget prior to the board presentation.  
There being no further comments or questions, it was the consensus of the Board to place Resolution No. 30 on the Consent Agenda.
  - c. **Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Mile High Greyhound Park [MHGP] Urban Redevelopment Area**  
**(Resolution No. 31, Series of 2017)**  
In 2011, the Board adopted a resolution (Resolution No. 38, Series 2011) that sets a policy for requests by Governing Bodies and/or Urban Renewal Authorities to the District that it consent to the inclusion of agricultural land located in the District boundaries within an urban renewal area in compliance with the new 2010 requirements set by the General Assembly (31-25-107 C.R.S.). The Board policy also states that each request should come before the Board for review and discussion.

In 2016, this resolution was amended (Resolution No. 21, Series of 2016) to expand its policy to accept the use of property tax increment financing to include urban redevelopment areas.

The District received a written request from the Urban Renewal Authority of the City of Commerce City to accept the use of property tax increment financing (TIF) for the redevelopment of the property formerly known as the Mile High Greyhound Park (the “MHGP Urban Renewal Plan”). The 65-acre redevelopment area includes five legal parcels plus public rights-of way located within the former Mile High Greyhound Park property. The project will include commercial and residential uses, institutional use, and open space.

Mr. Mackenzie stated that the District is currently not collecting taxes on this property and by agreeing to this request, the District would not collect taxes for the next 26 years. The likely fiscal impact to UDFCD is a loss of \$168k over the life of the TIF (2019-2045).

Commissioner Tedesco added that while the loss of income is significant, this area is prone to constant flooding. Once this project is complete, it will result in some much-needed improvements.

Commissioner Sharpe posed the question of ongoing maintenance of these TIF developments. If UDFCD is not collecting revenue at the city’s request, what is the expectation of services provided by the District? As we continue to receive these requests, it could result in a huge loss for the District.

Mr. MacKenzie explained that in the agreement the District signs with the Urban Renewal Authority, it states that if they wish the site to be eligible for future District maintenance assistance, the project must be built in accordance with the Urban Storm Drainage Criteria Manual and approved by the District.

Mr. MacKenzie further explained that while our current MEP program accepts developer-built infrastructures into our maintained program so long as they meet our criteria and construct per design; to date, we have only serviced 3 % of those facilities. Therefore, the likelihood of us maintaining this facility is pretty slim.

Commissioner Tedesco added that if these developers are constructing to the District’s high standards, there should not be a lot of maintenance required for the site.

Commissioner Sharpe stated that this is more of a policy decision that needs to be made. If Commerce City were to request the District to conduct maintenance after the 25-year payback of the TIF, the District would have to look into whether or not it can adequately maintain all of the District eligible projects.

Councilwoman Gilmore stated that in the Montebello neighborhood, there is close to four miles of open channels that are sorely in need of maintenance.

Resolution No. 31 accepts the use of property tax increment financing for the proposed Mile High Greyhound Park [MHGP] Urban Renewal Area and authorizes the Executive Director to enter into agreement with the Urban Renewal Authority of the City of Commerce City to that effect.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 31 on the Consent Agenda.

**d. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Emily Griffith Opportunity School Urban Redevelopment Area (Resolution No. 32, Series of 2017)**

In 2011, the Board adopted a resolution (Resolution No. 38, Series 2011) that sets a policy for requests by Governing Bodies and/or Urban Renewal Authorities to the District that it consent to the inclusion of agricultural land located in the District boundaries within an urban renewal area in compliance with the new 2010 requirements set by the General Assembly (31-25-107 C.R.S.). The Board policy also states that each request should come before the Board for review and discussion.

In 2016, this resolution was amended (Resolution No. 21, Series of 2016) to expand its policy to accept the use of property tax increment financing to include urban redevelopment areas.

On May 26, 2017, The District received a written request from the Denver Urban Renewal Authority (DURA) to accept the use of property tax increment financing for the proposed Emily Griffith Opportunity School Urban Redevelopment Area. The western portion of the site has received historic designation by Denver, impacting the development potential of the entire site.

The City and County of Denver (CCD) sold the property to a developer under the condition that they would preserve the historic elements of the redevelopment site. In order to offset the additional costs of the preservation, DURA is requesting the use of property tax increment financing.

In the proposed agreement between the District and DURA, there is no specific project defined. The developer is currently working with DURA and other stakeholders to determine the optimal development plan for the site. Once the development plan is agreed upon, an amendment to the Urban Redevelopment Plan, along with new agreements with the other taxing entities, will be required to add an approved project. DURA must receive additional authorization from the District once a project is defined.

In its final state, the fiscal impact will be anywhere from \$400k to \$1.1 million over the life of the TIF (2018-2042).

Resolution No. 32 accepts the use of property tax increment financing for the proposed Emily Griffith Opportunity School Urban Redevelopment Area and authorizes the Executive Director to enter into agreement with DURA and CCD to that effect.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 32 on the Consent Agenda.

**e. Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek at the KOA Property, Town of Parker, Douglas County (Resolution No. 33, Series of 2017)**

This is a joint project with the Town of Parker. The Town of Parker desires to design and construct improvements along Cherry Creek at the KOA Property in accordance with the "Cherry Creek Corridor – Reservoir to Scott Road Major Drainageway Planning Preliminary Design Report," dated January 2004. The project includes improvements to Cherry Creek at the KOA Property. The Town of Parker already holds the necessary easements and right-of-way where the project will be carried out. The District is administering the design with Muller Engineering Company. The District and the Town of Parker desire to construct the improvements which will be managed by the District. Construction is anticipated in 2018.

The District and the Town of Parker have identified \$130,000 in initial project costs for the design and partial funding of construction with the District's participation being \$65,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 33 authorizes \$65,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the Town of Parker for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 33 on the Consent Agenda.

**f. Authorization to Participate in Drainage and Flood Control Improvements on Timbers Creek Downstream of Fox Sparrow Road, Douglas County (Resolution No. 34, Series of 2017)**

This is a joint project with Douglas County and High Prairie Farms Metro District (HPFMD). Douglas County and HPFMD desire to design and construct improvements along Timbers Creek downstream of Fox Sparrow Road in accordance with the "Kinney Creek and Fonder Draw Watersheds Outfall Systems Planning Conceptual Preliminary Design Report," dated December 2004. The project includes improvements to Timbers Creek downstream of Fox Sparrow Road.

Douglas County and HPFMD already hold the necessary easements and right-of-way where the project will be carried out. The District will be administering the design once a consulting engineering firm is selected. The District, Douglas County, and HPFMD desire to construct the improvements, which will be managed by the District. Construction is anticipated in 2019.

The District, Douglas County, and HPFMD have identified \$150,000 in initial project costs for the design and partial funding of construction with the District's participation being \$50,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 34 authorizes \$50,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Douglas County and HPFMD for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 34 on the Consent Agenda.

**g. Authorization to Participate in Drainage and Flood Control Improvements on Goldsmith Gulch West Tributary and Maplewood Avenue, City of Greenwood Village, Arapahoe County (Resolution No. 35, Series of 2017)**

This is a joint project with the City of Greenwood Village. The City of Greenwood Village desires to design, acquire right-of-way, and construct improvements along Goldsmith Gulch West Tributary at Maplewood Avenue in accordance with the Upper Goldsmith Gulch Outfall Systems Planning," dated November 2005. The project includes improvements to restore stream function and protect a surrounding park and adjacent homes.

The City of Greenwood Village already holds the necessary easements and right-of-way where the project will be carried out. The District will be administering the design once a consulting engineering firm is selected. The District and the City of Greenwood Village have identified \$50,000 in initial project costs for the design, right-of-way acquisition, and partial funding of construction with the District's participation being \$0 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 35 on the Consent Agenda.

**6. Vote on Approval of the Consent Agenda (*Motion and roll call vote required*)**

It was the consensus of the Board that Resolutions No. 30, 31, 32, 33, 34 and 35 Series of 2017, and Review of Cash Disbursements dated May and June 2017 be placed on the Consent Agenda.

Commissioner Sharpe stated while she has no problem approving the consent agenda, she would like to see the District develop a policy for how to handle maintenance on drainage improvements located on real property subject to TIFs that have a financial impact on the District.

Mayor Williams moved to adopt the Consent Agenda. Upon a roll call vote, the motion was passed unanimously.

**7. Reports/Discussion**

**a.** The Executive Director's report included the following discussion topics.

Debrucing

Mr. MacKenzie conducted a presentation regarding his investigation to date involving UDFCD debrucing. Under 32-11-217 (1a-1d) C.R.S. Financial Powers of the District, it states that the District has statutory authority to tax up to two and one-half mills.

A graphic depicting the history of mill levies actually collected under TABOR versus the amount the District could have collected through under its statutory limits was presented. History shows that the District has dropped its mill levy due to large fund balances that remained at the end of each year. Currently, the District collects 0.620 mill on all taxable property within the counties of Adams, Arapahoe, Denver, Douglas, and Jefferson and 0.559 mill on all taxable property in the County of Boulder and City and County of Broomfield.

After reviewing the District's history on capital improvement projects, trends show that not only are we are engaging in fewer projects with our local governments but also at lower percentages.

At the request of the Board, Mr. MacKenzie researched all the cities and towns within District boundaries that have conducted debrucing efforts. The results show the most successful efforts were ones with a clear purpose for debrucing.

Mr. MacKenzie is currently negotiating with a polling firm, FrederickPolls, LLC. to poll 1,200 residents within the District in an effort to gauge the temperature of the voters. Mr. MacKenzie anticipates we will have polling results in the next three to four months. Mayor Paul suggested this process should be hastened.

Mr. MacKenzie proposed that the District poll taxpayers on the following:

- Authorization to retain and spend the excess revenue that the District collects
- Authorization to go up to our statutory taxing authority of 1.0 mills or to a new limit of 1.5 mills

Commissioner Gardner recommended to poll on both 1.0 and 1.5 mills, explaining further that we may be surprised by the polling results.

**8. Announcements**

- a. Next Regularly Scheduled Meeting: Thursday, August 17, 2017**
- b. No July Board Meeting**

**9. Adjournment**

Mayor Williams adjourned the meeting at 2:00 p.m.



## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 36, SERIES OF 2017 (Auditor Selection and Retention Policy)

WHEREAS, the enabling legislation of the District (32-11-801 C.R.S.) requires that an annual independent audit be made pertaining to the financial affairs of the District as provided in Local Government Budget Law of Colorado, the Colorado Local Government Uniform Accounting Law and the Colorado Local Government Audit Law; and

WHEREAS, the Board has adopted a policy regarding auditor selection and retention (Resolution No. 62, of Series of 1986, Resolution No. 31, Series of 1987; and Resolution No. 50, Series of 2009) which resolutions have set the maximum retention period for a series of single-year contracts to be five years, three years, and six years, respectively; and

WHEREAS, the Government Finance Officers' Association (GFOA) recommends that governments enter into independent auditor contracts with multi-year retention options (a series of single-year contracts) of no less than five years in order to reduce audit costs, allow for greater continuity, and minimize disruption; and

WHEREAS, the Board created a standing Audit and Finance Committee (Resolution No. 30, Series of 2017); which is responsible for recommending the selection and retention of the District's annual independent auditor; and

WHEREAS, the Audit and Finance Committee recommends that the Board follow the GFOA's recommendation of entering into independent auditor contracts with multi-year retention options but to set the maximum retention period for a series of single-year contracts to be five years; and

WHEREAS, the Board wishes to seek competitive bids for auditing services on a basis of at least once every five years and to set forth policy by which the auditor will be selected and retained.

#### NOW, THEREFORE, BE IT RESOLVED THAT:

It is the policy of the Board to select and retain auditors on the following basis:

1. The District will not retain any single auditor for more than five consecutive years without seeking competitive bids, and may, without cause, select a new annual independent auditor instead of continuing with the current auditor at the end of any annual contract term.
2. When the Board wishes to select a new auditor, the Audit and Finance Committee will make a recommendation to the Board after requesting proposals and considering the proposed cost, experience of firm, references, personnel, commitment to maintain the continuity of its personnel year to year to perform the audit but also willingness to rotate out one or more audit team member each year to avoid complacency, and the capability to complete the audit by the March Board meeting as the basis for making its recommendation.
3. The current auditor will not be eligible to submit a proposal for a second consecutive five-year term.
4. The cost of the audit for the first year will be based on the not-to-exceed cost set forth in the selected firm's proposal. The not-to-exceed cost for succeeding years will be based on the first year cost adjusted for inflation. Fees for changes requested by the District or changes in the scope of work of the audit shall require the approval of the Board prior to the start of the audit.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 37, SERIES OF 2017 (TABOR Emergency Fund Use)

WHEREAS, Article X, Section 20 of the Colorado Constitution (a.k.a. the Taxpayer's Bill of Rights or "TABOR"), states:

*"To use for declared emergencies only, each district shall reserve for 1993 1% or more, for 1994 2% or more, and for all later years 3% or more of its fiscal year spending excluding bonded debt service. Unused reserves apply to the next year's reserve."*

Which constitutional requirement shall hereafter be referred to as the "TABOR Emergency Reserve;" and

WHEREAS, the District currently carries a 3% TABOR Emergency Reserve of approximately \$950,000; and

WHEREAS, Resolution No. 11, Series of 2007, adopted a Flood Disaster and Mitigation Plan, to assist local governments and disaster agencies during a flood and during a post-flood recovery period; and

WHEREAS, Resolution No. 54, Series of 1981, as amended by Resolution No. 55, Series of 1985 and Resolution No. 41, Series of 2013, established an Emergency Contingency Fund to be maintained at a level of \$1,000,000 with monies from the Maintenance Fund and established criteria for appropriating said monies during and after a declared flood emergency; and

WHEREAS, supporting two emergency funds is duplicative and unnecessary; and

WHEREAS, the Board of Directors now wishes to eliminate the Emergency Contingency Fund and affirm the TABOR Emergency Reserve as the District's only emergency fund.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 54, Series of 1981; Resolution No. 55, Series of 1985; and Resolution No. 41, Series of 2013 are hereby rescinded.
2. The District's Emergency Contingency Fund shall be eliminated on December 31, 2017 with the fund balance being returned to the Maintenance Fund.
3. Beginning January 1, 2018 and thereafter, the District shall maintain the TABOR Emergency Reserve at a funding level of \$1,000,000 or 3% of the District's fiscal year spending excluding bonded debt service, whichever is greater, as the District's only emergency fund.
4. Monies from the TABOR Emergency Reserve may only be appropriated for and spent on a declared flood emergency that has been declared by the Chair of the Board of Directors with concurrence of the majority of the Executive Committee.
5. The criteria originally established in support of Resolution No. 55, Series of 1985 for evaluating flood emergencies and for appropriating funds have been updated to current standards as contained in Exhibit A to this resolution. The criteria in Exhibit A shall hereafter be used to administer the TABOR Emergency Reserve.
6. After an emergency resulting in the expenditure of monies from the TABOR Emergency Reserve, said fund shall be fully replenished within a one-year period.
7. In order to fully replenish the TABOR Emergency Reserve within a one-year period while also maintaining an acceptable level of service, the District shall, as a budgeting goal, maintain a year-end fund balance across its four governmental funds of 7% of its fiscal year spending (currently approximately \$2,300,000). Funds from this balance may, at the discretion of the

Board of Directors, be transferred into the TABOR Emergency Reserve until the funding level set forth in Paragraph 3 above is reached.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## EXHIBIT A

### Criteria for Appropriating and Spending Funds from the TABOR Emergency Reserve (7/18/2017)

Resolution No. 37, Series of 2017 eliminated the UDFCD Emergency Contingency Fund and established the TABOR Emergency Reserve as the District's only emergency fund, to be maintained at a level of \$1,000,000 or 3% of the District's fiscal year spending excluding bonded debt service, whichever is greater. Funding for the TABOR Emergency Reserve comes pro rata from the District's four governmental funds, those being 1) the general fund, 2) the construction special revenue fund, 3) the maintenance special revenue fund, and 4) the South Platte River special revenue fund; in accordance with Article X, Section 20 of the Colorado Constitution.

Expenditures from the TABOR Emergency Reserve shall be made only with the approval of the Chair of the Board of Directors with concurrence of the majority of the Executive Committee, after the Chair has declared a flooding emergency in specific areas based on staff reconnaissance and recommendation. The purposes for which the monies may be used include the following:

- 1) Documenting flood damages and gathering flood information,
- 2) repairing damages to drainage facilities,
- 3) addressing flood-related problems on an emergency basis,
- 4) providing seed monies for Federal or state emergency program funding,
- 5) acquiring substantially damaged properties, and
- 6) other purposes as approved by the Board.

Monies used from the TABOR Emergency Reserve are not allocated on a county-by-county basis as are other service funds, but are used on an as needed basis to cope with flood related emergencies. Appropriation and expenditure of TABOR Emergency Reserve funds may only occur after the declaration of emergency described above has been issued. Each flood emergency will be documented by staff through descriptive text, photographs, and discussion on each emergency criterion listed below. Staff will prepare a recommendation as to the appropriate level of response and location(s) of the emergency flooding conditions for the Chair and Executive Committee based on these criteria:

1. Emergency declared or requested by other agency.
2. Commitment of local government resources for the emergency.
3. Local government floodplain regulation and drainageway management.
4. Facility ownership and District priority list.
5. Estimated cost of repairs.
6. Primary cause of damage.
7. Storm frequency.
8. Hazard level.
9. Type of facilities damaged.
10. Matching State or Federal funding (purpose no. 4 only).
11. Seeking State or Federal funding (purpose no. 4 only).
12. Substantially damaged properties - extent of damage (purpose no. 5 only).

#### **1. Emergency Declared or Requested by Other Agency**

All requests for emergency assistance should be channeled through the local governing body. If the State of Colorado or the local governing body has declared an emergency or disaster for the flood damaged

area or, if the local governing (city, town, county) has requested emergency aid on its own behalf it will give more weight to this criterion.

## **2. Commitment of Local Government Resources for the Emergency**

This criterion will be given more weight if the emergency is of such a nature that the local government has authorized resources to cope with the problem.

## **3. Local Government Floodplain Regulation and Drainageway Management**

Assistance funding may be reduced if the emergency is in part due to failure of a local government to properly regulate the associated floodplain or address known maintenance issues with the stream.

## **4. Facility Ownership and District Priority List**

The District is a publicly-funded body. The first priority for its funds is to correct problems and address emergencies on publicly-owned drainage facilities. The Board has established the following list of priorities to be considered in determining each year's maintenance work program, which will also be used for this flood emergency criterion:

- a) First priority: District-owned facilities.
- b) Second priority: Facilities owned by others but partly financed with District funds.
- c) Third priority: Facilities owned by others and constructed by others without District assistance.
- d) Fourth priority: Unimproved urban drainageways.
- e) Fifth priority: Unimproved rural drainageways.

## **5. Estimated Cost of Repairs**

Funding only one or a few costly projects versus many smaller projects will be considered, given the limited nature of the TABOR Emergency Reserve.

## **6. Primary Cause of Damage**

If the damage from the storm/flood under consideration was incremental (from many events over time) this criterion carries less weight. If the storm/flood was the sole cause of the damage this criterion carries more weight.

## **7. Storm Frequency**

Staff will estimate the frequency (2-year, 25-year, 100-year, etc.) of the storm event that caused the damage. The more severe the storm, the more weight will be given to this criterion.

## **8. Hazard Level**

The following list, from highest to lowest priority, is to be considered in weighting this criterion:

- a) First priority: Threat to human life.
- b) Second priority: Threat to public improvements.
- c) Third priority: Threat to private improvements.
- d) Fourth priority: Threat to unimproved land.

## **9. Type of Facilities Damaged**

For facilities that combine drainage with other uses such as transportation, recreation, or other utilities, District emergency funds would only be used for drainage or flood control aspects of the facilities.

**10. Matching State or Federal Funding (Purpose No. 4 Only)**

The weight of this criterion will be higher if funds can be used to meet Federal or state requirements for local share of cost sharing requirements. The District participation must be for drainage and flood control purposes only.

**11. Seeking State or Federal Funding (Purpose No. 4 Only)**

The weight of this criterion will be higher if funds can be used to conduct damage surveys and develop mitigation plans to be used in seeking Federal or state assistance.

**12. Substantially Damaged Properties - Extent of Damage (Purpose No. 5 Only)**

"Substantially" damaged properties must have structural damage equaling or exceeding 50% of the pre-damaged market value, or the property must be needed for a flood control improvement as set forth in an UDFCD-adopted master plan.





## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 38, SERIES OF 2017

(Authorization to Establish a Development Services Enterprise)

WHEREAS, 37-45.1-101 et seq. C.R.S. authorizes an entity created pursuant to C.R.S. Title 32 to establish a water activity enterprise; and

WHEREAS, the Urban Drainage and Flood Control District was created pursuant to 32-11-101 et seq. and is therefore entitled to create a water activity enterprise; and

WHEREAS, one of the permitted purposes of a water activity enterprise is the provision of storm water services; and

WHEREAS, a water activity enterprise may not receive ten percent or more of its annual revenues in grants from all Colorado State and local governments and may not levy a tax which is subject to TABOR (Section 20 (4) of Article X of the State of Colorado Constitution); and

WHEREAS, the Board has previously adopted a policy regarding maintenance eligibility of drainage and flood control facilities constructed by (or approved for construction by) local public bodies on or after March 1, 1980 (Resolution No. 67, Series of 1979 and Resolution No. 26, Series of 1983, hereafter referred to as the Maintenance Eligibility Program); and

WHEREAS, the majority of all master-planned regional drainage and flood control infrastructure within the District is designed and constructed by land developers under the Maintenance Eligibility Program, whereby regional drainage and flood control infrastructure may be provisionally accepted for perpetual maintenance by the District if it conforms to the minimum standards presented in the District's Urban Storm Drainage Criteria Manual and the requirements presented in District's Maintenance Eligibility Program Guidelines; and

WHEREAS, consultants and contractors hired by land developers are not always well qualified to design and construct regional drainage and flood control infrastructure; and

WHEREAS, the minimum standards presented in the District's Urban Storm Drainage Criteria Manual may not always represent the ideal infrastructure that the District would otherwise design and construct; and

WHEREAS, regional drainage and flood control infrastructure designed and constructed to the minimum standard may ultimately cost more to maintain and may not remain serviceable for as long as would regional drainage and flood control infrastructure designed and constructed to the higher standard of typical District-funded projects; and

WHEREAS, the District has a well-established design and construction program in place that utilizes locally-based specialized consultants and contractors to design and construct regional drainage and flood control infrastructure; and

WHEREAS, certain land developers and local governments within the District have expressed a desire to have the land developer pay the District to design and construct the regional drainage and flood control infrastructure required by local governments as a result of a development in lieu of having the land developer do so, which should ultimately result in a savings for the taxpayers of the District and the local governments within the boundaries of the District; and

WHEREAS, the Board desires to implement this new business model initially on a trial basis but must establish a water activity enterprise to proceed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The District hereby establishes a water activity enterprise of the District to be known as the Development Services Enterprise (DSE). The governing board of the DSE shall be the Board of Directors of the District and will operate pursuant to the water activity enterprise statute of the State of Colorado as contained in 37-45.1-101 et seq. The DSE shall not accept more than 9.99 percent of its annual revenues in grants from all Colorado State and local governments and shall not levy a tax which is subject to Section 20 (4) of Article X of the State of Colorado Constitution.
2. The DSE may collect initial fees from land developers that agree in writing to participate in this program and use said fees to hire consultants and construction contractors in conformance with the District's standard consultant and contractor selection guidelines in order to complete regional drainage and flood control infrastructure preliminary designs.
3. Based on the preliminary designs, the DSE may collect additional fees from land developers and use said fees to have the selected consultants and contractors complete final designs and construction cost estimates, including construction contingencies.
4. Based on the final designs and construction cost estimates, including construction contingencies, the DSE may collect additional fees from land developers, including refundable contingency fees, and use said fees to have the selected consultants and contractors construct regional drainage and flood control infrastructure.
5. District administrative costs may be included in DSE fees.
6. Unused contingency fees will be returned to each land developer following successful completion of the construction of improvements.
7. No projects will be considered for implementation under the DSE unless the District, the land developer, and all of the affected local governments agree in writing to proceed. The Executive Director is authorized to enter into these agreements.
8. The Board will authorize, by resolution, each project selected for implementation under the DSE.
9. The fees collected from each land developer will be recorded in a project-specific account in a separate DSE fund which shall be set apart from all other funds of the District. The District's consultant and contractor fees and any other related DSE expenses will be paid out of the project-specific account from this fund only, with revenues and expenditures for each project fully documented.
10. District staff will report to the Board of Directors' Audit and Finance Committee regularly on the efficacy of this new program to produce beneficial results to the District.
11. After considering staff's reports, the Audit and Finance Committee will, on an annual basis for five years, recommend to the Board of Directors as whether or not to continue with this program.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 39, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Fourmile Canyon Creek at 19th Street, City of Boulder, Boulder County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Boulder has enacted floodplain regulations; and

WHEREAS, the City of Boulder and the District cooperated in the preparation of "Fourmile Canyon Creek and Wonderland Creek Major Drainageway Planning Phase A Report Alternatives Analysis," dated May 2007; and

WHEREAS, the Board previously authorized \$987,500 for the Fourmile Canyon Creek at 19th Street project (Table 1); and

**Table 1**  
**Fourmile Canyon Creek at 19th Street**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
18	2012	\$150,000	\$150,000	Design, Right of Way Purchases
15	2013	\$150,000	\$150,000	Design, Right of Way Purchases
30	2016	\$687,500	\$687,500	Design, Right-of-Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$987,500</b>	<b>\$987,500</b>	

WHEREAS, the City of Boulder and the District now desire to construct improvements along Fourmile Canyon Creek at 19th Street (Exhibit A); and

WHEREAS, the City of Boulder now desires to extend the project limits to upstream of Violet Avenue; and

WHEREAS, the District's additional participation being authorized by this resolution is \$320,000 to at least be matched by the City of Boulder; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Fourmile Canyon Creek at 19th Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Fourmile Canyon Creek at 19th Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 18, Series of 2012, Paragraph 3, is further amended as follows:  
“The District's maximum contribution to the Fourmile Canyon Creek at 19th Street project without prior approval of the Board shall be ~~\$987,500~~ **\$1,307,500** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Boulder.”
2. All other conditions and authorizations remain as stated in Resolution No. 18, Series of 2012.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

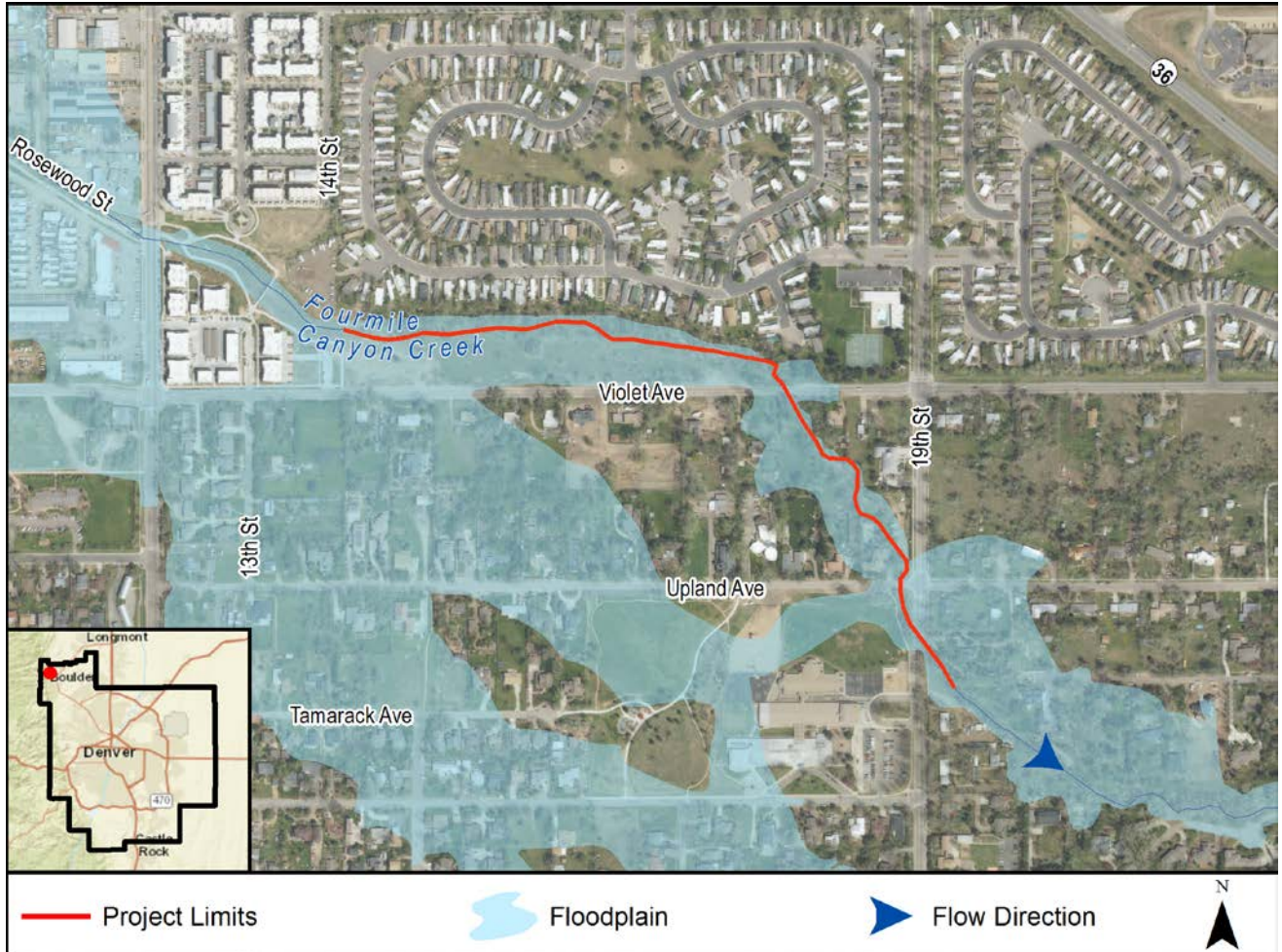
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 39, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Fourmile Canyon Creek at 19th Street, City of Boulder, Boulder County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 40, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street, City and County of Broomfield)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Broomfield has enacted floodplain regulations; and

WHEREAS, the City and County of Broomfield and the District cooperated in the preparation of “City Park and 3207 Drainageways Outfall Systems Planning Study,” dated June 2006; and

WHEREAS, the Board previously authorized \$260,000 for the Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street project (Table 1); and

**Table 1**  
**Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
45	2016	\$260,000	\$260,000	Design, Right-of-Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$260,000</b>	<b>\$260,000</b>	

WHEREAS, the City and County of Broomfield and the District now desire to construct improvements along Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$260,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for construction of drainage and flood control improvements along Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 45, Series of 2016 Paragraph 3, is further amended as follows:  
“The District’s maximum contribution to the Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street project without prior approval of the Board shall be ~~\$260,000~~ **\$520,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City and County of Broomfield.”
2. All other conditions and authorizations remain as stated in Resolution No. 45, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

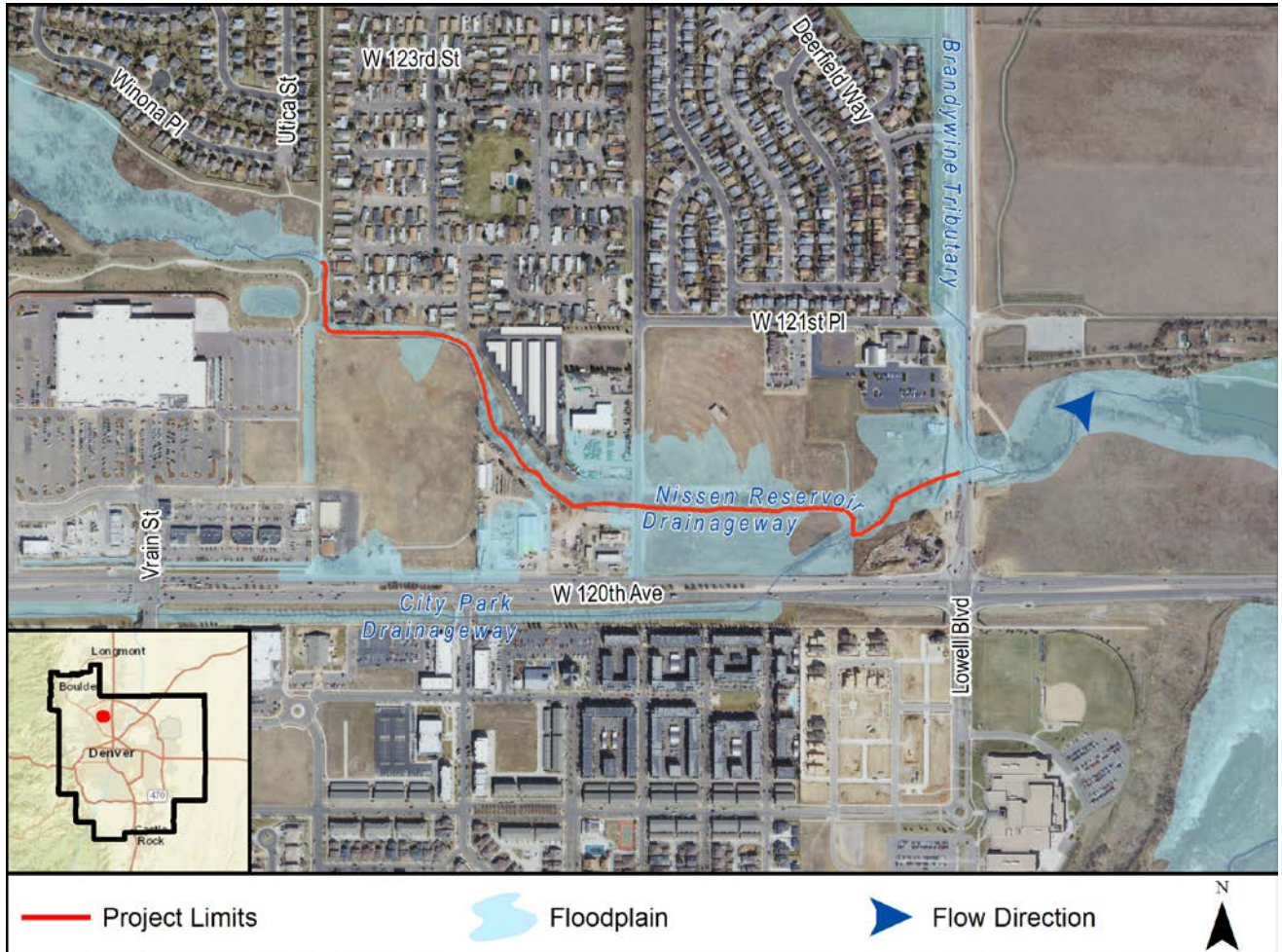
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 40, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street, City and County of Broomfield)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 41, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Massey Draw at Deer Creek Golf Course, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Jefferson County has enacted floodplain regulations; and

WHEREAS, Jefferson County and the District cooperated in the preparation of “Massey Draw and SJCD (South) Major Drainageway Planning Updated,” dated February 2006; and

WHEREAS, the Board previously authorized \$1,200,000 for the Massey Draw at Deer Creek Golf Course project (Table 1); and

**Table 1**  
**Massey Draw at Deer Creek Golf Course**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
073	2014	\$900,000	\$900,000	Design, Right-of-Way Purchases, and Construction Funding
076	2016	\$300,000	\$300,000	Construction Funding
<b>TOTAL</b>		<b>\$1,200,000</b>	<b>\$1,200,000</b>	

WHEREAS, Jefferson County and the District now desire to construct improvements along Massey Draw at Deer Creek Golf Course (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$100,000 to at least be matched by Jefferson County; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Massey Draw at Deer Creek Golf Course; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Massey Draw at Deer Creek Golf Course were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 73, Series of 2014, Paragraph 3, is further amended as follows:  
“The District’s maximum contribution to the Massey Draw at Deer Creek Golf project without prior approval of the Board shall be ~~\$1,200,000~~ **\$1,300,000** plus interest earned on monies deposited in the project fund, which contribution shall be by Jefferson County.”
2. All other conditions and authorizations remain as stated in Resolution No. 73, Series of 2014.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 41, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Massey Draw at Deer Creek Golf Course, Jefferson County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 42, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Lemon Gulch Downstream of Crowfoot Valley Road, Town of Parker, Douglas County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the Town of Parker has enacted floodplain regulations; and

WHEREAS, the Town of Parker and the District cooperated in the preparation of “Scott and Lemon Gulch Watersheds Outfall Systems Planning – Preliminary Design Report,” dated July 2006, which recommends improvements on Lemon Gulch downstream of Crowfoot Valley Road; and

WHEREAS, the Town of Parker has requested District participation in the design and construction of improvements to Lemon Gulch downstream of Crowfoot Valley Road (Exhibit A); and

WHEREAS, the Town of Parker has estimated the initial project costs to be \$264,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$50,000 to at least be matched by the Town of Parker; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for design and construction of drainage and flood control improvements along Lemon Gulch downstream of Crowfoot Valley Road; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Lemon Gulch downstream of Crowfoot Valley Road were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the Town of Parker for the design and construction of drainage and flood control improvements on Lemon Gulch downstream of Crowfoot Valley Road.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Lemon Gulch downstream of Crowfoot Valley Road.
3. The District’s maximum contribution to the Lemon Gulch downstream of Crowfoot Valley Road project, without prior approval of the Board, shall be \$50,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the Town of Parker.
4. Such approval for expenditure of District funds is contingent upon the Town of Parker agreeing to regulate and control any defined floodplain on the Lemon Gulch downstream of Crowfoot Valley Road project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 42, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Lemon Gulch Downstream of Crowfoot Valley Road, Town of Parker, Douglas County)

**EXHIBIT A**





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 43, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Happy Canyon Creek at Interstate 25, Douglas County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Douglas County has enacted floodplain regulations; and

WHEREAS, Douglas County and the District cooperated in the preparation of "Happy Canyon Creek Major Drainageway Plan," dated March 2014; and

WHEREAS, the Board previously authorized \$845,000 for the Happy Canyon Creek at Interstate 25 project (Table 1); and

**Table 1**  
**Happy Canyon Creek at Interstate 25**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
033	2013	\$225,000	\$225,000	Design, Right of Way Purchases, and Construction Funding
038	2015	\$140,000	\$140,000	Design, Right of Way Purchases, and Construction Funding
043	2016	\$385,000	\$385,000	Construction Funding
057	2016	\$ 95,000	\$595,829	Construction Funding
<b>TOTAL</b>		<b>\$845,000</b>	<b>\$1,345,829</b>	

WHEREAS, Douglas County and the District now desire to construct improvements along Happy Canyon Creek at Interstate 25 (Exhibit A); and

WHEREAS, the District's additional participation being authorized by this resolution is \$280,000 to at least be matched by Douglas County; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for construction of drainage and flood control improvements along Happy Canyon Creek at Interstate 25; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Happy Canyon Creek at Interstate 25 were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 33, Series of 2013, Paragraph 3, is further amended as follows:  
"The District's maximum contribution to the Happy Canyon Creek at Interstate 25 project without prior approval of the Board shall be ~~\$845,000~~ **\$1,125,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Douglas County."
2. All other conditions and authorizations remain as stated in Resolution No. 33, Series of 2013.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

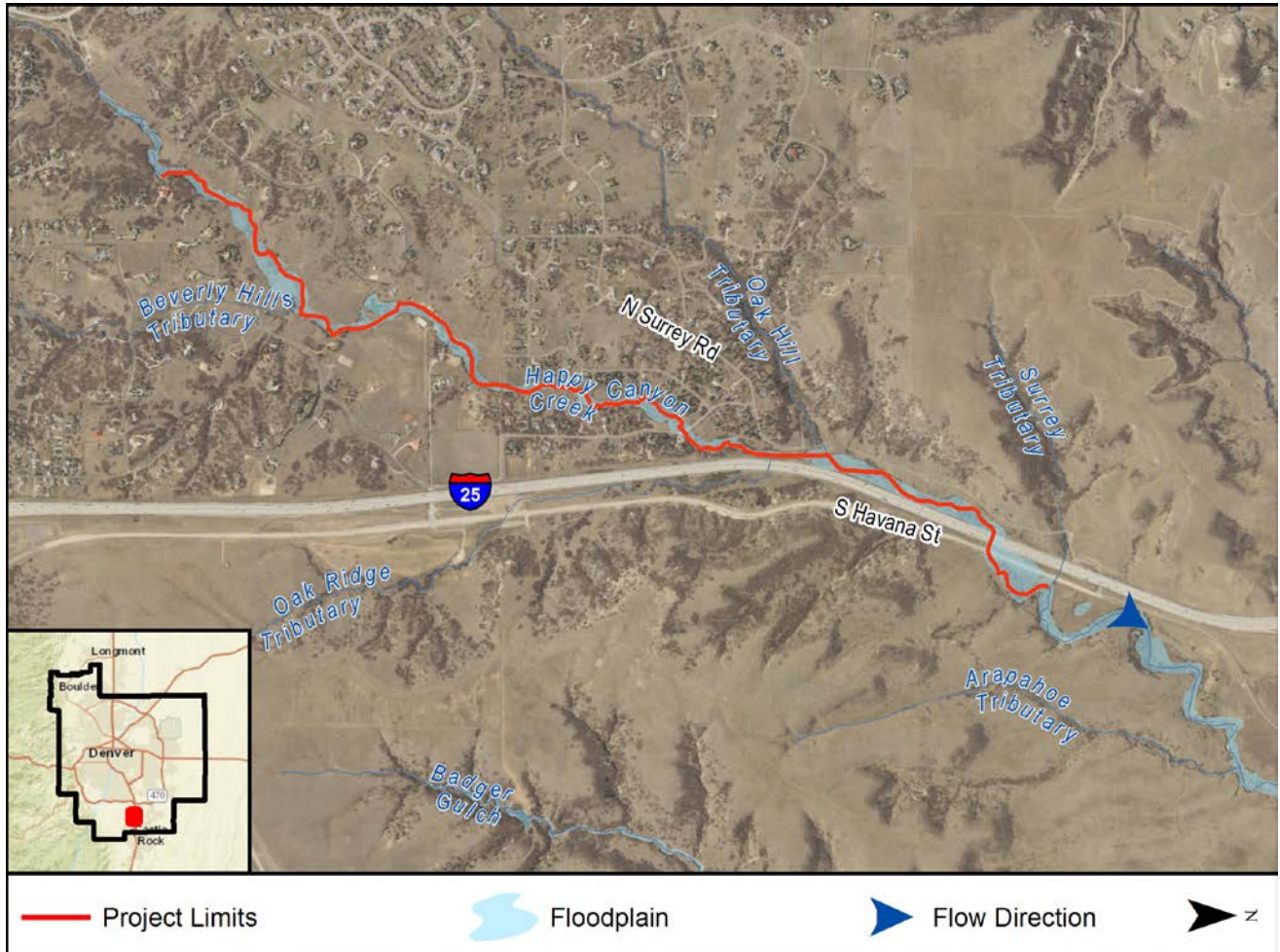


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 43, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Happy Canyon Creek at Interstate 25, Douglas County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 44, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Newlin Gulch between Interstate 25 and Rueter Hess Reservoir, City of Castle Pines, Douglas County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Castle Pines has enacted floodplain regulations; and

WHEREAS, Douglas County, the Town of Parker, and the District cooperated in the preparation of "Newlin and Baldwin Gulches and Basin 4600-09 Outfall Systems Planning – Preliminary Design Report," dated December 1994, which recommends improvements on Newlin Gulch between Interstate 25 and Rueter Hess Reservoir; and

WHEREAS, the City of Castle Pines has requested District participation in the design and construction of improvements to Newlin Gulch between Interstate 25 and Rueter Hess Reservoir (Exhibit A); and

WHEREAS, the City of Castle Pines has estimated the initial project costs to be \$413,785; and

WHEREAS, the District's participation being authorized by this resolution is \$-0; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Newlin Gulch between Interstate 25 and Rueter Hess Reservoir; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Newlin Gulch between Interstate 25 and Rueter Hess Reservoir were included.

### NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City of Castle Pines for the design and construction of drainage and flood control improvements on Newlin Gulch between Interstate 25 and Rueter Hess Reservoir.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Newlin Gulch between Interstate 25 and Rueter Hess Reservoir.
3. The District's maximum contribution to the Newlin Gulch between Interstate 25 and Rueter Hess Reservoir project, without prior approval of the Board, shall be \$-0-, which contribution shall be at least matched by the City of Castle Pines.
4. Such approval for expenditure of District funds is contingent upon the City of Castle Pines agreeing to regulate and control any defined floodplain in the Newlin Gulch between Interstate 25 and Rueter Hess Reservoir project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District's approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

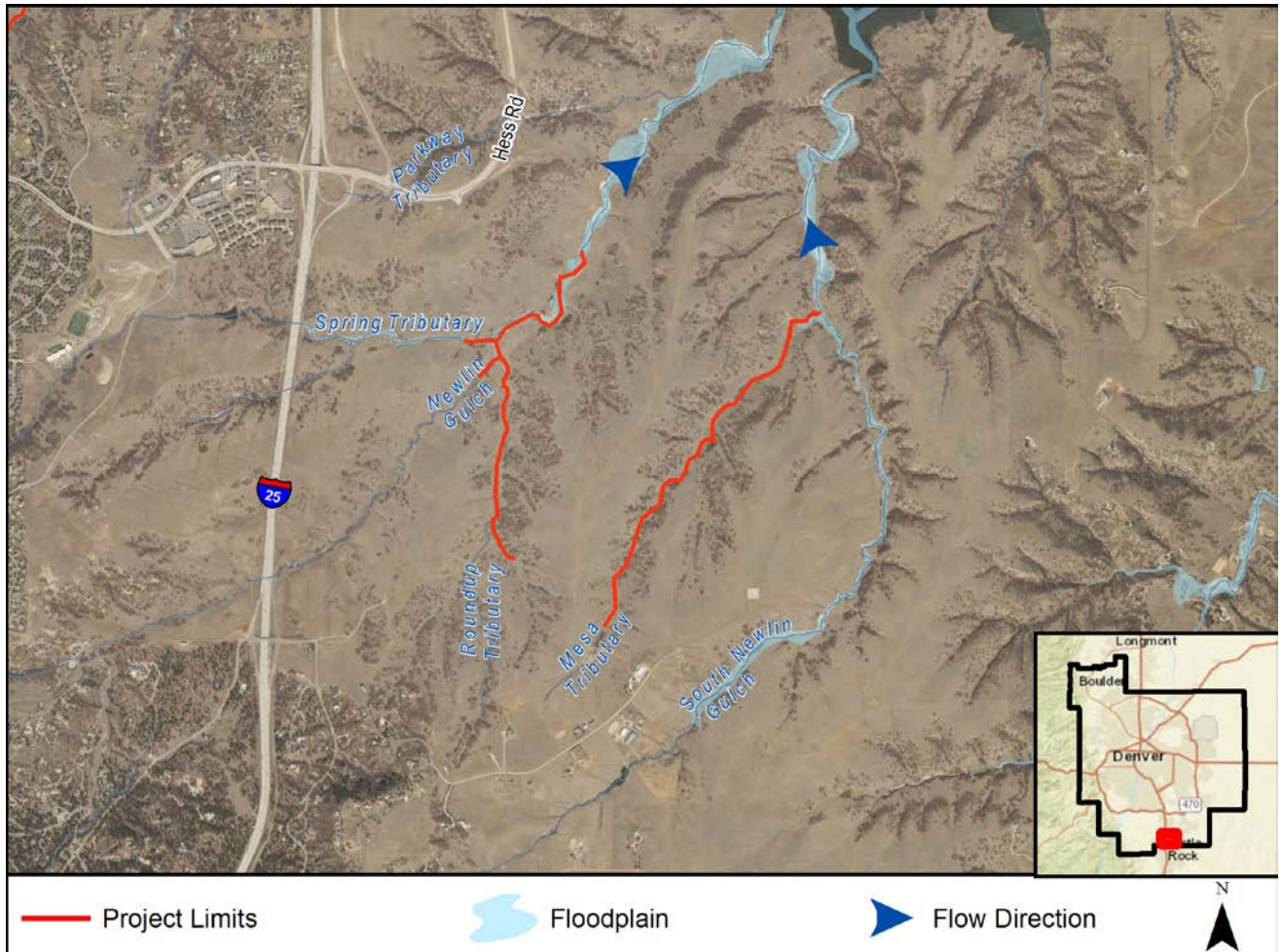
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 44, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Newlin Gulch between Interstate 25 and Rueter Hess Reservoir, City of Castle Pines, Douglas County)

### EXHIBIT A





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 45, SERIES OF 2017

(Acceptance of Flood Hazard Area Delineation Report for Westerly Creek Upstream of Westerly Creek Dam)

WHEREAS, the District cooperated with the City of Aurora and the City and County of Denver in the preparation of a flood hazard area delineation study for Westerly Creek upstream of the Westerly Creek Dam (Resolution No. 70, Series of 2012); and

WHEREAS, the Executive Director has executed an agreement with CH2M for master planning and flood hazard area delineation studies of Westerly Creek upstream of the Westerly Creek Dam; and

WHEREAS, CH2M has completed the study and submitted to the District the report titled "Flood Hazard Area Delineation Westerly Creek (Upstream of the Westerly Creek Dam Outlet)," dated April 2017; and

WHEREAS, the Board has previously indicated its desire that the results of such studies be provided to the local governments so as to assist such local governments in meeting the requirements of 24-65.1-101, et seq. C.R.S.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby accepts the report titled "Flood Hazard Area Delineation Westerly Creek (Upstream of the Westerly Creek Dam Outlet)," dated April 2017, and recommends its use as a guide in future planning related to the floodplains contained therein.
2. The Board of Directors of the Urban Drainage and Flood Control District recommends that the City of Aurora and the City and County of Denver adopt the report and regulate the 100-year floodplains defined in the report.
3. The Board of Directors of the Urban Drainage and Flood Control District submit the report for designation and approval by the Colorado Water Conservation Board as stated in 37-60-106(1)(c) C.R.S., as flood hazard areas, those areas described as being inundated by the 100-year flood.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 45, SERIES OF 2017

(Acceptance of Flood Hazard Area Delineation Report for Westerly Creek Upstream of Westerly Creek Dam )

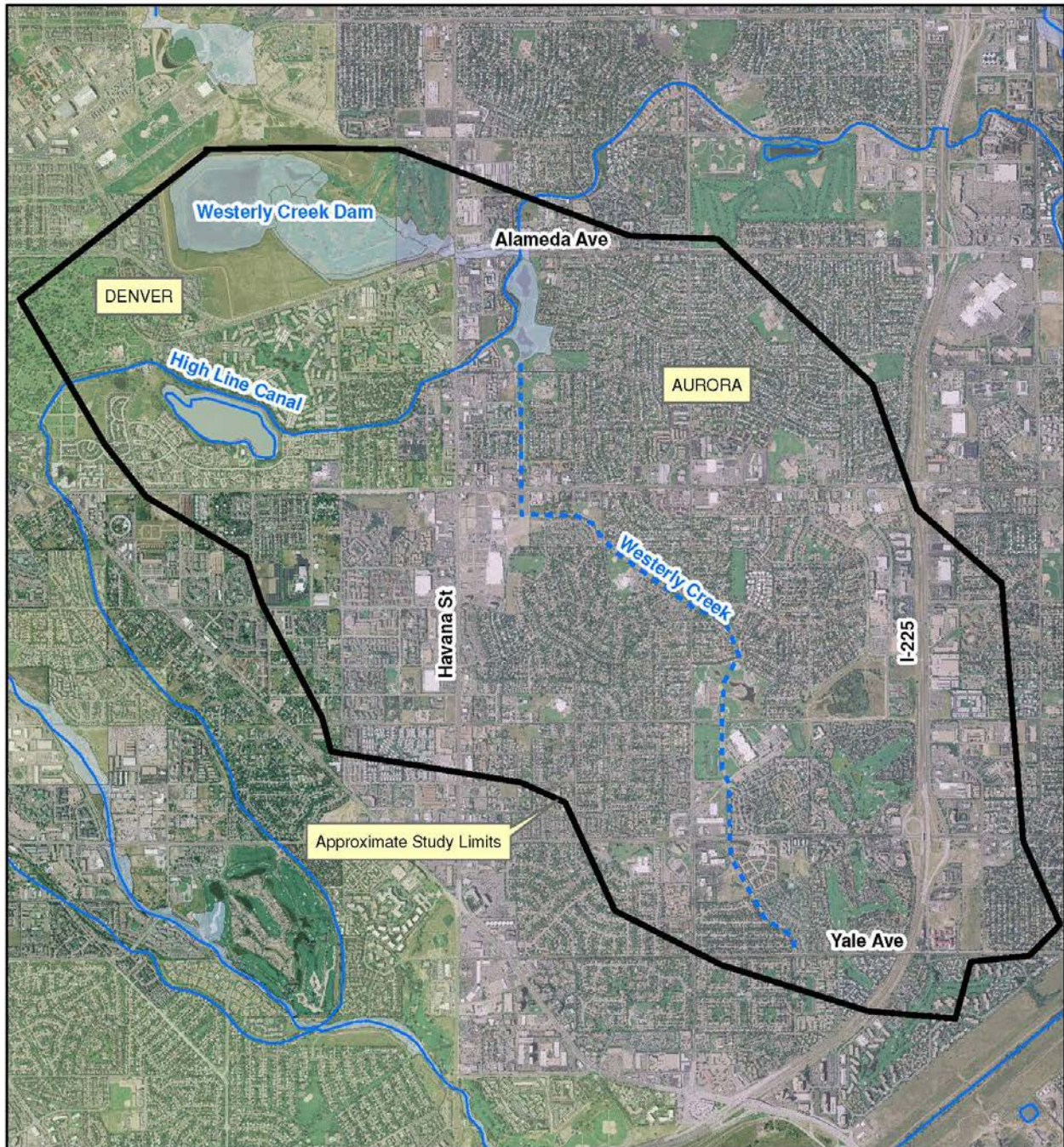
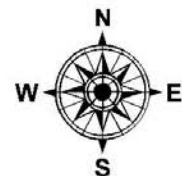


EXHIBIT A  
Westerly Creek U/S of Dam  
Flood Hazard Area Delineation  
April 2017



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 46, SERIES OF 2017

(Authorization for a Planning Study of Granby Ditch and Sable Ditch)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Aurora has enacted floodplain regulations; and

WHEREAS, the Board has previously established a Work Program for 2017 (Resolution No. 52, Series of 2016) which includes master planning; and

WHEREAS, the Board previously cooperated with the City of Aurora to prepare the “Major Drainageway Planning Granby and Sable Drainageways” report (Kiowa Engineering, 1991); and

WHEREAS, the City of Aurora has expressed a desire to participate in a study leading to a Major Drainageway Plan for Granby Ditch and Sable Ditch; and

WHEREAS, the Board wishes to cooperate with the City of Aurora in the identification of solutions to stormwater drainage and flood control management problems for Granby Ditch and Sable Ditch (Exhibit A); and

WHEREAS, the cost of engineering and mapping services for master planning is estimated to be \$200,000 and is expected to be divided among participating entities as follows:

	<u>Planning Study</u>
UDFCD	\$100,000
<u>Aurora</u>	<u>\$100,000</u>
TOTAL	\$200,000

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute an agreement with the City of Aurora to fund the required engineering and mapping services for the Sable Ditch and Granby Ditch planning study.
2. The Executive Director is authorized to procure any needed mapping and to execute a contract with a qualified engineer(s) for required engineering services.
3. The expenditures for the consulting and mapping services are estimated at \$200,000 and the District's share of total costs shall not exceed \$100,000 plus interest earned on monies deposited in the project fund which contribution for the planning portion of this project shall be matched by the City of Aurora.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 46, SERIES OF 2017

(Authorization for a Planning Study of Granby Ditch and Sable Ditch)

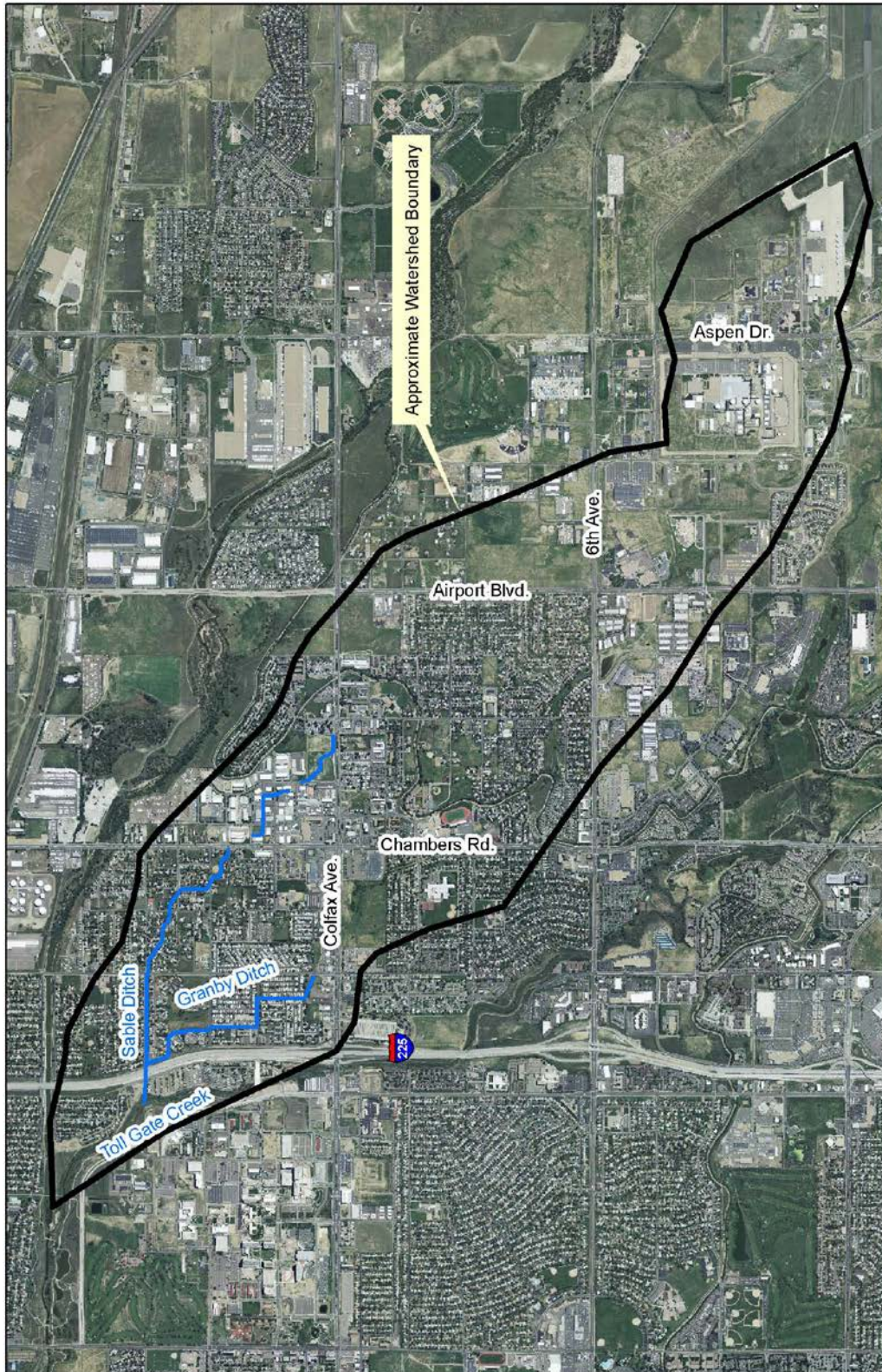
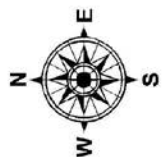


EXHIBIT A  
Granby Ditch and Sable Ditch OSP  
Approximate Study Limits  
July 2017





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 47, SERIES OF 2017 (Authorization for a Planning Study of Goldsmith Gulch)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Denver, the City of Greenwood Village and Arapahoe County have enacted floodplain regulations; and

WHEREAS, Arapahoe County has assigned and transferred to the Southeast Metro Stormwater Authority (SEMSWA) their rights and obligations for the Goldsmith Gulch planning study; and

WHEREAS, the Board has previously established a Work Program for 2017 (Resolution No. 52, Series of 2016) which includes master planning; and

WHEREAS, the Board previously cooperated with the City and County of Denver, the City of Greenwood Village, and Arapahoe County to prepare the “Goldsmith Gulch Major Drainageway Planning” report (Gingery, 1977) and later also cooperated with the City of Greenwood Village and Arapahoe County but not the City and County of Denver to prepare the “Upper Goldsmith Gulch Outfall Systems Planning Conceptual Design Report” (Moser, 2005); and

WHEREAS, the City and County of Denver, the City of Greenwood Village and SEMSWA have expressed a desire to participate in a study leading to a major drainageway plan and flood hazard area delineation for Goldsmith Gulch; and

WHEREAS, the Board wishes to cooperate with the City and County of Denver, the City of Greenwood Village and SEMSWA in the identification of solutions to stormwater drainage and flood control management problems for Goldsmith Gulch (Exhibit A); and

WHEREAS, the cost of engineering and mapping services for master planning is estimated to be \$250,000 and is expected to be divided among participating entities as follows:

	<u>Planning Study</u>	<u>FHAD</u>
UDFCD	\$100,000	\$50,000
Denver	\$71,000	-
Greenwood Village	\$20,000	-
<u>SEMSWA</u>	<u>\$9,000</u>	<u>-</u>
TOTAL	\$200,000	\$50,000

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute an agreement with the City and County of Denver, the City of Greenwood Village, and SEMSWA to fund the required engineering and mapping services for the Goldsmith Gulch planning study.
2. The Executive Director is authorized to procure any needed mapping and to execute a contract with a qualified engineer(s) for required engineering services.
3. The expenditures for the consulting and mapping services are estimated at \$250,000 and the District's share of total costs shall not exceed \$150,000 plus interest earned on monies deposited in the project fund which contribution for the planning portion of this project shall be matched by the City and County of Denver, the City of Greenwood Village, and SEMSWA.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 47, SERIES OF 2017  
(Authorization for a Planning Study of Goldsmith Gulch)

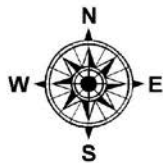
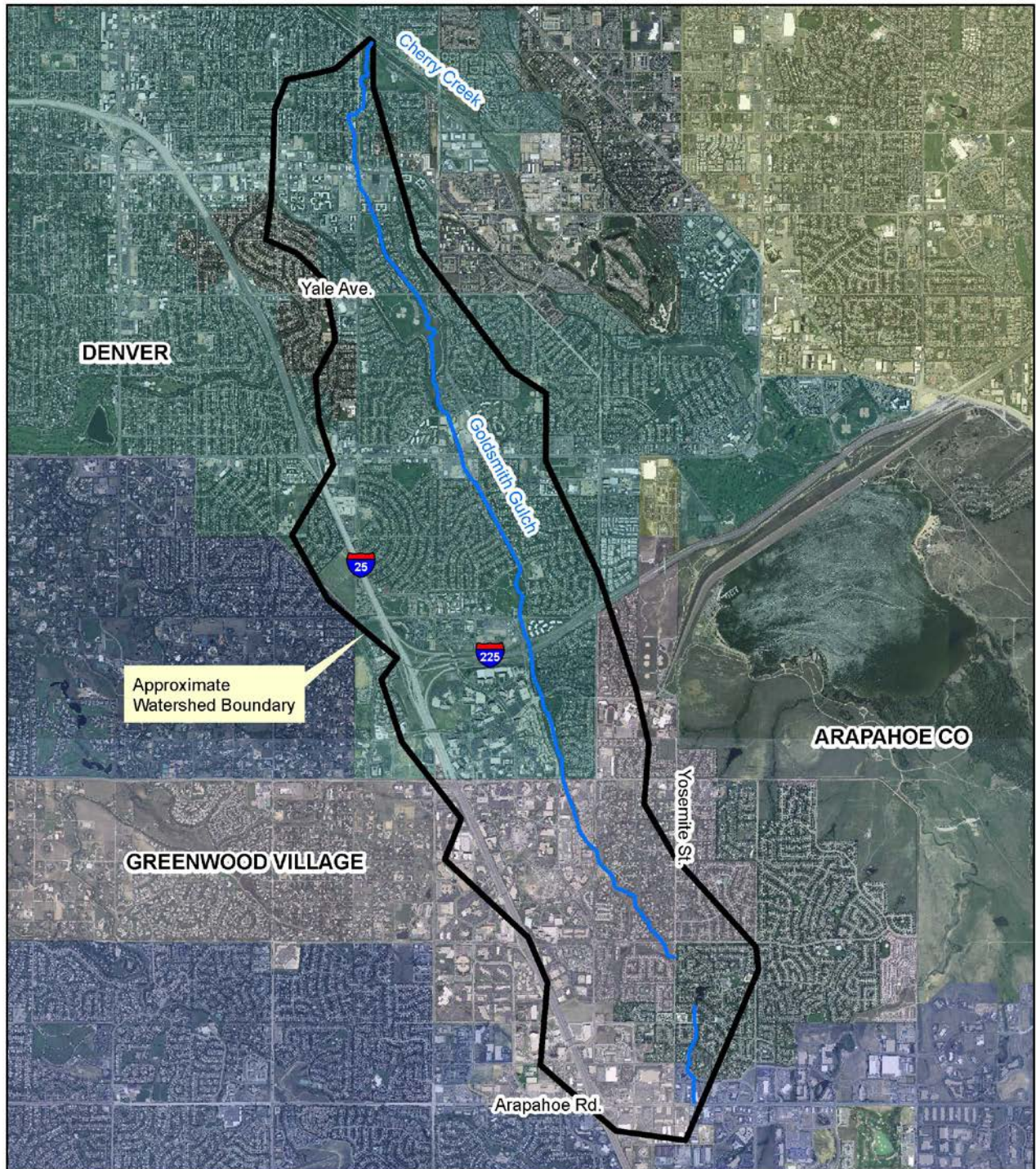


EXHIBIT A  
Goldsmith Gulch MDP & FHAD  
Approximate Study Limits  
July 2017



# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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## BOARD OF DIRECTORS MEETING

Date: Thursday, September 21, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

How the District Works – 12:45 – 1:00 pm

1. **Call to Order and Pledge of Allegiance – 1:00 pm**
2. **Introductions**
  - a. Visitors/Guests/Staff
3. **Roll Call – Determination of Quorum**
4. **Approval of August 17, 2017 Meeting Minutes** *(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)*
5. **Audit & Finance Committee Report (Mayor Beckman)**
6. **Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*
  - a. Review of Cash Disbursements
  - b. Approval of Independent Auditor for 2017, 2018, 2019, and 2020 Audits  
(Resolution No. 48, Series of 2017)
  - c. Flood Awareness Public Education/Outreach Campaign  
(Resolution No. 49, Series of 2017)
  - d. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed I-25 and Broadway Urban Redevelopment Area  
(Resolution No. 50, Series of 2017)
  - e. Additional Authorization to Participate in Drainage and Flood Control Improvements on Jackass Gulch at Long Avenue, City of Littleton, Arapahoe County,  
(Resolution No. 51, Series of 2017)
  - f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Van Bibber Creek at McIntyre Street, Jefferson County  
(Resolution No. 52, Series of 2017)
  - g. Additional Authorization to Participate in Drainage and Flood Control Improvements on Ralston Creek from Van Bibber Creek to Beech Street, City of Arvada, Jefferson County  
(Resolution No. 53, Series of 2017)
7. **Vote on Approval of the Consent Agenda** *(Motion and roll call vote required.)*
8. **Reports/Discussion**
  - a. 2018 Draft Budget
  - b. Staff Changes
  - c. De- Brucing Effort
9. **Announcements**
  - a. Next Regularly Scheduled Meeting: Thursday, October 19, 2017
10. **Adjournment**







**URBAN DRAINAGE AND FLOOD CONTROL DISTRICT  
BOARD OF DIRECTORS**

**August 17, 2017**

**MINUTES**

**Members Present:**

Herb Atchison, Mayor, City of Westminster  
Bruce Beckman, Mayor, City of Littleton  
Joyce Downing, Mayor, City of Northglenn  
Stacie Gilmore, Council Member, City/County of Denver  
Mark Hunter, Engineer  
Joyce Jay, Mayor, City of Wheat Ridge  
Paul Kashmann, Council Member, City/County/Denver  
Angela Lawson, Mayor Pro Tem, City of Aurora  
Stephanie Piko, Mayor Pro Tem, City of Centennial  
Dave Sellards, Engineer  
Nancy Sharpe, Commissioner, Arapahoe County  
Libby Szabo, Commissioner, Jefferson County  
Charles (Chaz) Tedesco, Commissioner, Adams County  
Heidi Williams, Mayor, City of Thornton  
Mary Young, Council Member, City of Boulder

**Members Absent:**

Bob Fifer, Mayor Pro Tem, City of Arvada  
Deb Gardner, Commissioner, Boulder County  
Happy Haynes, Deputy Mayor, City/County of Denver  
Paul López, Council Member, City/County of Denver  
Adam Paul, Mayor, City of Lakewood  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield

**UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Julia Bailey	Project Engineer, Flood Warning & Information Services
Dave Bennetts	Program Manager, Stream Services
Richard Borchardt	Project Manager, Stream Services
Darren Bradshaw	Senior Construction Manager, Stream Services
Barbara Chongtoua	Project Manager, Stream Services
Amelia Deleon	Human Resources Manager
Terri Fead	Project Manager, Watershed Services
Jeff Fisher	Senior Construction Manager, Stream Services
Madeline Kelley	Student Intern, Flood Warning & Information Services
Katie Kersteins	Student Intern, Stream Services
Bryan Kohlenberg	Project Manager, Stream Services
Doron Levary	Student Intern, Watershed Services
Morgan Lynch	Project Manager, Watershed Services
Teresa Patterson	Project Manager, Watershed Services
Holly Piza	Project Manager, Watershed Services
Terri Schafer	Accounting & Finance Manager
Brooke Seymour	Project Manager, Watershed Services
David Skuodas	Project Manager, Stream Services
Kevin Stewart	Program Manager, Flood Warning & Information Services
Shea Thomas	Program Manager, Watershed Services
Keira Trujillo	Student Intern, Stream Services
Joe Williams	Senior Construction Manager, Stream Services
Salomon Ybarra	Student Intern, Watershed Services



**Others Present:**

Ed Krisor, Legal Counsel  
Thomas Repp, Douglas County  
Kelly Neumann, Aurora Water

**How the Districts Works – Definitions**

Mr. Ken MacKenzie presented “The UDFCD Maintenance Eligibility Program” for this month’s How the District Works presentation.

**1. Call to Order and Pledge of Allegiance – 1:00 p.m.**

Mayor Williams called the meeting to order at 1:01 p.m.

**2. Introductions****• Visitors/Guests/Staff**

Mr. MacKenzie introduced a new student intern supporting our Flood Warning & Information Services Program:

Madeline Kelley – Graduate student with the University of Denver

Additional guests at this month’s board meeting included:

Thomas Repp, Stormwater Management Engineer, Douglas County

Kelly Neumann, Deputy Director of Planning and Engineering, Aurora Water

**3. Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

**4. Approval of June 15, 2017 Meeting Minutes**

Mayor Williams asked if there were any corrections to the June 15, 2017 minutes. Hearing none, the minutes were approved as submitted.

**5. Audit & Finance Committee Report (Mayor Beckman)**

Mayor Bruce Beckman, Chair of the UDFCD Audit & Finance Committee provided an update on the committee’s first meeting that took place on July 20. Highlights of the meeting included the following:

- Review of the audit control deficiencies identified by the auditors in the 2016 audit. District staff indicated that all of the deficiencies have either been corrected or in the process of being corrected.
- Review of the year-to-date budget versus actual Profit and Loss Statement. The District is on track to end the year well within the amounts budgeted for 2016.
- Reviewed the proposal to replace the Emergency Contingency Fund with the TABOR Emergency Reserve and to set a minimum year-end fund balance goal of 7%. The Committee discussed the pros and cons of this proposal and is recommending that Mr. MacKenzie move forward with implementing the proposed change. A resolution is being presented to the Board for vote at today’s meeting.
- The Committee discussed the history of the selection process for choosing an audit firm for the District. Currently, the firm chosen can be renewed for up to a total of six single-year contracts. The Committee agreed that this time frame was too long and that the process for selection and retention of the independent auditor for the District should be revised. A resolution is being presented for a vote by the Board.
- The Executive Director provided the Committee with the findings of the voter polling effort conducted by FredrickPolls. This poll was to gauge the likelihood of success of the District’s proposed de-Brucing effort. Mr. MacKenzie will be presenting the findings to the Board at today’s meeting.
- Terri Schafer, Manager of Finance and Accounting, reviewed the District’s investments and the progression of the investment philosophy. The investment returns have grown from approximately \$40,000 annually in 2014 to approximately \$750,000 annually.
- The next Audit & Finance Committee Meeting will take place on September 6th.

**6. Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*

**a. Review of Cash Disbursements**

Cash disbursement list, dated June, July, and August 2017, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.

**b. Auditor Selection and Retention Policy  
(Resolution No. 36, Series of 2017)**

The enabling legislature of the District requires that an annual independent audit be made pertaining to the financial affairs of the District. The Board has previously adopted a policy regarding auditor selection and retention (Resolution No. 50, Series of 2009), which set the maximum retention period for a series of single-year contracts to be six years.

Resolution No. 36 authorizes the District to not retain any single auditor for more than five consecutive years without seeking competitive bids, and may, without cause, select a new annual independent auditor instead of continuing with the current auditor at the end of any annual contract term.

The UDFCD Audit & Finance Committee support this policy change with a recommendation based on the following:

- Not-to-exceed cost, experience, references, and personnel
- Capability to complete the audit before the March Board Meeting
- Commitment to maintain the continuity of its leadership from year-to-year
- Willingness to rotate out one or more audit team members each year
- The current auditor will not be eligible to submit a proposal for a second consecutive five-year term
- The not-to-exceed cost for succeeding years will be based on the first year cost adjusted for inflation

The next Audit & Finance Committee meeting is scheduled for September 6 and will include interviews of the final auditing firms. At the September Board meeting, the committee will be making a recommendation to the Board.

Mayor Atchison questioned whether the statement regarding ‘commitment to maintaining the continuity of leadership from year-to-year’ would be enforceable and recommended finding different wording to reflect the goal behind this request.

Commissioner Tedesco was concerned about the clause to disqualify the current auditor from submitting a proposal for a second consecutive five-year term. Excluding a firm from an open bidding process concerned him from a legal standpoint.

Mr. MacKenzie pointed out that language in the current agreement that is signed by the selected auditor excludes them from the selection process at the end of their six-year eligibility period.

Mayor Williams also noted that the goal of this request is to ensure we don’t have complacency with the current auditor.

Mayor Downing expressed concurrence with the opinions of Commissioner Tedesco and Mayor Atchison.

It was agreed that this goal can still be accomplished without having to spell it out in the resolution or contract. It was agreed to remove any text in the resolution that pertained to disqualifying the current auditor from a second five-year term.

Resolution No. 36 was edited during the board meeting to reflect the concerns of the board and the changes made to the resolution were presented to the board, after which, it was the consensus of the Board to place Resolution No. 36 on the Consent Agenda.

**c. TABOR Emergency Fund Use  
(Resolution No. 37, Series of 2017)**

Under TABOR, the District has a constitutional requirement to reserve 3% or more of its fiscal year spending (excluding bonded debt service) for declared emergencies only (a.k.a TABOR Emergency Reserve). The District currently carries a 3% TABOR Emergency Reserve of approximately \$950,000. In addition to the TABOR Emergency Reserve, the District also maintains an Emergency Contingency Fund to be maintained at a level of \$1,000,000 with monies from the Maintenance Fund. These funds have established criteria for appropriating reserves during and after a declared flood emergency.

Resolution No. 37 identifies that maintaining two emergency funds is duplicative and unnecessary; therefore recommends the following:

- As of December 31, 2017, the Emergency Contingency Fund shall be eliminated
- Beginning January 1, 2018, the District shall maintain the TABOR Emergency Reserve as the District's only emergency fund, at a level of \$1,000,000 or 3% of the District's fiscal year spending, whichever is greater.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 37 on the Consent Agenda.

**d. Authorization to Establish a Development Services Enterprise  
(Resolution No. 38, Series of 2017)**

The majority of all master-planned regional drainage and flood control infrastructure within the District is designed and constructed by land developers under the District's Maintenance Eligibility Program. Infrastructure may be provisionally accepted for perpetual maintenance by the District if conforming to the minimum standards presented in the UDFCD Urban Storm Drainage Criteria Manual and the requirements contained in the District's Eligibility Program Guidelines.

The minimum standards presented in the District's Urban Storm Drainage Criteria Manual may not always represent the ideal infrastructure that the District would otherwise design and construct. Infrastructure designed to a minimum standard typically results in additional costs to UDFCD to maintain.

Resolution No. 38 authorizes the District to establish a new business model (a.k.a. Fee-in-Lieu Program), initially on a trial basis. This program would allow land developers to pay the District to design and construct the regional drainage and flood control infrastructure required by local governments as a result of a development in lieu of having the developer do so. With the Districts' well-established design and construction program in place, this model should ultimately result in better infrastructures with lower long-term maintenance costs to UDFCD.

In order for the District to accept money directly from a developer, with concurrence from the local government, a Development Services Enterprise (DSE) must be established. The DSE will protect both the local government and the District from TABOR revenue and spending limits associated with passing money from developers to the District.

This proposed 5-year pilot program will be evaluated annually by the Audit & Finance Committee, which will report back to the Board on its success rate. If the program proves to be successful, the District hopes to make it a permanent program.

Mr. MacKenzie pointed out that this is a voluntary program. The District has already identified interested developers and local governments that wish to participate.

Mayor Atchison inquired as to whether the District has considered revisiting the requirements of the Criteria Manual if meeting the minimum standards is resulting in poorly built infrastructures. Mayor Atchison expressed concern over not having a legal mechanism to enforce these requirements on the developers.

Mrs. Laura Kroeger, Assistant Program Manager, Stream Services, added that the District is in the process of updating its criteria; however, this is a slow process that involves coordination and careful vetting. In the interim, UDFCD is providing the development community with education. The 'Stream Academy' being one example of outreach/education.

Council Member Young asked how the administrative fee would be established. Mr. MacKenzie explained that the proposed fee structure is broken out into three parts: 1. Conceptual design, 2. Final design, and 3. Construction. An administrative fee would be added to the fee for each of the three phases, based on the estimated staffing commitment. Mr. MacKenzie also reiterated that since this is a pilot program, these details are in flux. Costs and/or process may change as UDFCD moves forward.

Mr. MacKenzie pointed out that in addition to the potential to build better structures, there are other benefits to having the District manage the design and construction of regional infrastructure. The District holds a general permit with the Corps of Engineers, allowing UDFCD to construct infrastructure in a shorter period of time than a developer. Developers sometimes cannot get a 404 permit to implement necessary infrastructure due to outdated Corps rules, whereas the District can.

Councilwoman Gilmore inquired about the implementation plan for this effort. How does the District plan to educate and make this program attractive to the development community?

Mrs. Thomas responded that there are two meetings already scheduled with Community Planning and Development Case Managers from local governments throughout the District scheduled to take place in the coming weeks to begin to implement this pilot program.

Councilwoman Gilmore stated that her district includes several locations of sub-par drainage; therefore, she is in support of an effort that would encourage the building of better infrastructure.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 38 on the Consent Agenda.

**e. Additional Authorization to Participate in Drainage and Flood Control Improvements on Fourmile Canyon Creek at 19<sup>th</sup> Street, City of Boulder, Boulder County (Resolution No. 39, Series of 2017)**

This is a joint project with the City of Boulder which was identified in the Fourmile and Wonderland Creek Master Drainage Plan (MDP), 2007. Merrick and Company is currently designing the project under contract with the City of Boulder.

The project includes four new bridges located at: 19<sup>th</sup> Street, Upland Avenue, Tamarack Avenue, and Violet Avenue. A pedestrian underpass will be constructed as part of the new bridges at Upland Avenue, 19<sup>th</sup> Street, and Violet Avenue. The Tamarack Avenue structure will provide a new emergency access to a cul-de-sac at the end of Tamarack Avenue to the east. Easement and right-of-way acquisition will be included in the project costs. The District and the City of Boulder desire to construct the improvements, which will be managed by the City of Boulder. Construction is anticipated in 2019.

The District and the City of Boulder have identified \$2,615,000 in total project costs with the District's participation being \$1,307,500. It is anticipated that additional funds may be required for this project in the future. Resolution No. 38 authorizes an additional \$320,000 of District funds to be matched by the City of Boulder for the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 39 on the Consent Agenda.

**f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Nissen Reservoir Drainageway, Lowell Boulevard to Tennyson Street, City and County of Broomfield (Resolution No. 40, Series of 2017)**

This is a joint project with the City and County of Broomfield, identified in the City Park and 3207 Outfall Systems Plan (OSP), 2006. The project includes channel improvements, drop structures and improvements to roadway crossings to safely convey the 100-year storm runoff. Easement and right-of-way acquisition will be included in the project costs. The District and the City and County of Broomfield have selected Icon Engineering to provide design services, which the District will manage. The District and the City and County of Broomfield desire to construct the improvements, which will be managed by the District. Construction is anticipated in 2019.

The District and the City and County of Broomfield have identified \$1,040,000 in total project costs with the District's participation being \$520,000. It is anticipated that additional funds may be required for this

project in the future since the estimated total project cost is \$2,500,000. Resolution No. 40 authorizes an additional \$260,000 of District funds to be matched by the City and County of Broomfield for the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 40 on the Consent Agenda.

**g. Additional Authorization to Participate in Drainage and Flood Control Improvements on Massey Draw at Deer Creek Golf Course, Jefferson County (Resolution No. 41, Series of 2017)**

This is a joint project with Jefferson County. Icon Engineering designed the project and Naranjo Civil Constructors is currently constructing the project, which includes two concrete box culvert crossings, channel improvements and three drop structures. The project will eliminate 100-year flooding of approximately 10 private residences adjacent to Deer Creek Golf Club and Massey Draw, many of which experienced flooding on June 27, 2004.

The District is managing the construction of the improvements and construction is anticipated to be complete in August 2017. The District and Jefferson County have now identified \$2,600,000 in total project costs with the District's participation being \$1,300,000. Resolution No. 41 authorizes an additional \$100,000 of District funds to be matched by Jefferson County for the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 41 on the Consent Agenda.

**h. Additional Authorization to Participate in Drainage and Flood Control Improvements on Lemon Gulch Downstream of Crowfoot Valley Road, Town of Parker, Douglas County (Resolution No. 42, Series of 2017)**

This is a joint project with the Town of Parker, identified in the Scott and Lemon Gulch OSP, 2006. The Town of Parker desires to design and construct improvements along Lemon Gulch downstream of Crowfoot Valley Road. The project includes improvements to Lemon Gulch downstream of Crowfoot Valley Road. Easement and right-of-way acquisition will be included in the project costs. The District is administering the design with Muller Engineering Company.

The District and the Town of Parker desire to construct the improvements which will be managed by the District. Construction is anticipated in 2018. The District and the Town of Parker have identified \$264,000 in initial project costs for the design with the District's participation being \$50,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future. Resolution No. 42 authorizes \$50,000 of District funds to be matched by the Town of Parker for the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 42 on the Consent Agenda.

**i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Happy Canyon Creek at Interstate 25, Douglas County (Resolution No. 43, Series of 2017)**

This is a joint project with Douglas County, identified in the Happy Canyon MDP, 2014. Muller Engineering designed the project under contract with the District. The drainage elements of the project include installation of channel bank and bed improvements. Easement and right-of-way acquisition is included in the project costs. The final design is now complete and the District is ready to construct the improvements which will be managed by the District. Construction is anticipated in 2018.

The District and Douglas County have identified \$2,470,829 in total project costs with the District's participation being \$1,125,000. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 43 authorizes an additional \$280,000 of District funds to be matched by Douglas County for the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 43 on the Consent Agenda.

**j. Authorization to Participate in Drainage and Flood Control Improvements on Newlin Gulch between Interstate 25 and Rueter Hess Reservoir, City of Castle Pines, Douglas County (Resolution No. 44, Series of 2017)**

This is a joint project with the City of Castle Pines, identified in the Newlin and Baldwin Gulches OSP, 1994. The City of Castle Pines desires to design and construct improvements along Newlin Gulch between Interstate 25 and the Rueter Hess Reservoir. This is a developer-funded project that the District will manage. The City of Castle Pines already holds the necessary easements and right-of-way where the project will be carried out. The District is administering the design with Muller Engineering.

The District and the City of Castle Pines have identified \$413,785.02 in initial project costs for the design with the District's participation being \$-0- in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 44 authorizes the Executive Director to enter into the necessary agreements to complete the design and construction of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 44 on the Consent Agenda.

The next three resolutions were presented by Mrs. Thomas, Program Manager for the Watershed Services Program. Mrs. Thomas wanted to emphasize the importance of updating master plans by identifying three key factors as they relate to resolutions No. 45 through 47.

1. Improvements in modeling technology
2. Outdated plan recommendations
3. Major changes in the watershed

**k. Acceptance of Flood Hazard Area Delineation Report for Westerly Creek Upstream of Westerly Creek Dam (Resolution No. 45, Series of 2017)**

Resolution No. 70, Series of 2012 authorized a major drainageway planning study and flood hazard area delineation (FHAD) for Westerly Creek upstream of the Westerly Creek Dam. The District partnered with the City of Aurora and the City and County of Denver to fund the studies. CH2M was selected to perform the study. Resolution No. 3, Series of 2015 accepted the major drainageway planning study. Westerly Creek is a left bank tributary to Sand Creek and drains a basin that is 8.75 square miles in area upstream of the Westerly Creek Dam.

Most of the major drainage infrastructure along Westerly Creek consists of underground pipes and engineered channel. Some of the culverts along the channel are undersized so in a 100-year storm event flows spill out of the channel and flow overland to the northwest. Due to the topography, these flows would not reconnect with the Westerly Creek channel until much further downstream, causing a flood risk to numerous structures.

There are approximately 200 insurable structures within the newly mapped Westerly Creek 100-year floodplain, which is much more than the number shown on the current FEMA maps. Most of the increase in number of structures is due to the flood risk from overland flow discovered through complex hydraulic modeling.

This resolution accepts the Flood Hazard Area Delineation study for Westerly Creek upstream of the Westerly Creek Dam and upon that acceptance, the study will be submitted to the Colorado Water Conservation Board for designation and approval. At that point, the City of Aurora and the City and County of Denver will be able regulate to the new floodplains.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 45 on the Consent Agenda.

**l. Authorization for a Planning Study of Granby Ditch and Sable Ditch (Resolution No. 46, Series of 2017)**

In 2015, the City of Aurora requested an update to the existing Granby Ditch and Sable Ditch OSP. The streams were last studied in 1991 and the analysis is out of date relative to the more recently completed study along the Toll Gate Creek mainstem. Additionally, the City of Aurora would like to better

understand the floodplain resulting from updated hydrology so that property owners are aware of their flood risk.

Previous UDFCD studies in the basin include:

- “*Major Drainageway Planning Granby and Sable Drainageways*” (Kiowa Engineering, 1991)

Many of the improvements along Sable Ditch that were recommended in the previous master plan have been implemented; however, the City of Aurora would like to better understand the outstanding need and use that information in their prioritization tool so they can plan for capital improvement projects (CIP).

The master planning costs are projected to be \$200,000 with the local sponsors contributing \$100,000. Resolution No. 46 authorizes the expenditure of the District’s share not to exceed \$100,000 plus interest earned in the project’s trust and agency account.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 46 on the Consent Agenda.

**m. Authorization for a Planning Study of Goldsmith Gulch  
(Resolution No. 47, Series of 2017)**

In 2012, the City and County of Denver requested an update to the existing Goldsmith Gulch Master Plan with the goal of addressing the flooding issues along the gulch (including Bible Park and Iliff Pond), overflows north of Iliff Avenue through private properties, the floodway down Monaco Parkway, and to verify the change in flow rates for Cherry Creek at the Goldsmith Gulch confluence. The City of Greenwood Village and the Southeast Metro Stormwater Authority (SEMSWA) both agreed to participate in the study financially.

Previous UDFCD studies in the basin include:

- “*Goldsmith Gulch Major Drainageway Planning*” (Gingery, 1977)
- “*Upper Goldsmith Gulch Outfall Systems Planning Conceptual Design Report*” (Moser, 2005)

Many of the improvements along Sable Ditch that were recommended in the previous master plan have been implemented; however, there are still areas of flood hazard that need to be addressed. In addition, much of the information used to determine the effective floodplain is out of date and a more accurate floodplain will assist local governments with regulation of redevelopment in the watershed.

The master planning costs are projected to be \$250,000 with the local sponsors contributing \$100,000. Resolution No. 47 authorizes the expenditure of the District’s share not to exceed \$150,000 plus interest earned in the project’s trust and agency account.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 47 on the Consent Agenda.

**7. Vote on Approval of the Consent Agenda (*Motion and roll call vote required*)**

Mayor Williams moved to adopt the Consent Agenda. Upon a roll call vote, the motion was passed unanimously.

**8. Reports/Discussion**

**a.** The Executive Director’s report included the following discussion topics.

**Draft Budget Presentation**

The draft 2018 budget will be presented to the Board at the September Board meeting. In advance of this meeting, the Audit & Finance Committee will meet to go over the details of the budget.

**2017- 2021 Planning, Flood Mapping, Capital Improvement Plan (CIP) and Maintenance Plan Requests**

Letters to our local government partners were distributed recently soliciting their input on work items they would like added to the 2018 work plans. Mr. Mackenzie added that most of our contacts are aware of our funding limitations, and historically have limited their requests accordingly. Unfortunately, this results in an inaccurate assessment of all our local partner needs.

With this year’s effort, the District is stressing the importance for local governments to include a complete list of their work items in order to help support our de-brucing effort. Responses are due back at the end of August.

### Denver Water High Line Canal

Last year, Mr. Paul Hindman informed the Board of a proposal made by the City and County of Denver and the City of Greenwood Village to request that the District provide maintenance services on the High Line Canal (HLC) through an access agreement with Denver Water. Issues around funding and liability were being explored with stakeholder groups at the time.

More recently, Denver Water has presented the District with a draft agreement between Denver Water, UDFCD, and Shea Homes. This agreement, which excludes Douglas County, would place most of the liability on the District.

After speaking with the Colorado Special Districts Property and Liability Pool about this matter, they suggested an alternative option to create a Special District consisting of all the communities that enjoy the benefits of the HLC, to help manage the liability and maintenance.

The District is involved with the HLC Working Group and Mr. MacKenzie will be attending their next meeting scheduled for October 18, to discuss this further.

### De-Brucing Effort: Voter Telephone Survey Results

Mr. MacKenzie provided the Board with a presentation on the polling results of FrederickPolls, LLC who polled 1,200 residents within the seven-county District service area, in an effort to gage voter support of a potential de-brucing effort. Highlights of the polling results include the following:

<b>Polling Question</b>	<b>Poller Results</b>
How important is it to the quality of life in your area to have open space areas, trails, and bike paths	94 % Important 70 % very important
In your opinion, what is the likelihood that the Denver Metro Area will experience a major flood within the next five years?	31% likely
What is your overall opinion of the level of property taxes you pay given the level of service provided	52% satisfied 42% unsatisfied
Have you ever heard of the Urban Drainage and Flood Control District	27% yes (of the 27% 56% have an unformed opinion)
Once informed of UDFCD's mission and accomplishments, what is your opinion of the UDFCD?	72% favorable reaction
<u>UDFCD BALLOT VOTE #1:</u> UDFCD is currently funded by a property tax homeowners pay equal to about 37 cents per month, which is less than five dollars per year for every 100 thousand dollars of home value.  Would you vote YES or NO to increase the property tax paid to UDFCD to a total of about 60 cents per month, which is just over seven dollars per year for every 100 thousand dollars of home value so they can perform more maintenance on their current projects and continue to add new flood control, open space and trail projects?	62% - yes 30% - no
<u>UDFCD BALLOT VOTE #2:</u> And knowing that more money means the ability to do more projects, would you vote YES or NO to increase the property tax paid to UDFCD to a total of about one dollar per month, which is about twelve dollars per year for every 100 thousand dollars of home value so they can perform more maintenance on their current projects and continue to add new flood control, open space and trail projects?	46% - yes 45% - no

### Summary of Findings

1. Mood factor of voters is positive. Quality of life and open space/recreation opportunities are important
2. UDFCD is unknown
3. Reaction to UDFCD's mission and accomplishments is strong
4. Ballot issues – modest is better
  - a. 62% Yes for increase to \$7 per year per \$100k
  - b. Only 46% Yes for increase to \$12 per year per \$100k

At the end of Mr. MacKenzie's presentation, the following discussion took place.

Commissioner Szabo requested to see the polling numbers broken down by jurisdiction. Mr. MacKenzie will have the polling report sent to the entire Board of Directors.



Commissioner Tedesco inquired as to the cost of next steps and how we propose to fund them. Mr. MacKenzie stated that the polling results clearly identify a need for educational outreach. The cost of this effort is approximately \$800,000, which the District would need to fund. A few board members mentioned \$800,000 might not be enough considering the number of citizens we need to reach.

There was some discussion about asking local governments to contribute monetarily or in-kind to the educational campaign. Any actual political campaign would have to be led and funded by others.

At the request of the Board, Mr. MacKenzie will draft a resolution for the September meeting to authorize and fund the educational outreach effort.

**9. Announcements**

**a. Next Regularly Scheduled Meeting: Thursday, September 21, 2017**

**10. Adjournment**

Mayor Williams adjourned the meeting at 2:41 p.m.

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 48, SERIES OF 2017

(Approval of Independent Auditor for 2017, 2018, 2019, and 2020 Audits)

WHEREAS, the enabling legislation of the District (32-11-801 of C.R.S.) requires that an annual independent audit be made pertaining to the financial affairs of the District as provided in the Local Government Budget Law of Colorado, the Colorado Local Government Uniform Accounting Law, and the Colorado Local Government Audit Law; and

WHEREAS, the Board directed that proposals be requested from auditing firms to conduct the District's audit for years 2017 - 2020; and

WHEREAS, the Board created an Audit and Finance Standing Committee (Resolution No. 30, Series of 2017) which includes, among its responsibilities, reviewing auditor's proposals and qualifications, and recommending an auditor to the Board; and

WHEREAS, the Audit and Finance Committee has completed its review of the received proposals, interviewed prospective auditors, and recommends to the Board that the firm of Eide Bailly, LLP perform the 2017 – 2020 annual audits.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board authorizes the Executive Director to enter into renewable annual contracts subject to satisfactory performance with Eide Bailly, LLP, with respect to the examination of the District's financial statements at a fee not to exceed \$24,250 for 2017 and 2018, and \$25,700 for 2019 and 2020, without prior approval of the Board.
2. The Board also authorizes the Executive Director to enter into contracts with Eide Bailly, LLP, for assistance in obtaining the GFOA Certificate of Achievement for Excellence in Financial Reporting at a fee not to exceed \$4,500 each year, without prior approval of the Board.
3. If required, the Board further authorizes Eide Bailly, LLP, to audit and issue separate financial reports as a result of the requirements of the single audit act for federal grants at a fee not to exceed \$10,000 for 2017 and 2018, and \$12,000 for 2019 and 2020, without prior approval of the Board.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 49, SERIES OF 2017  
(Flood Awareness Public Education/Outreach Campaign)

WHEREAS, the District retained the services of Frederick Polls, LLC, to survey 1,200 residents within the District in an effort to gauge the opinion of the voters regarding the value the District provides for the property tax they pay; and

WHEREAS, this survey was conducted in July 2017 via telephone; and

WHEREAS, the survey determined that only 27% of respondents were aware of the District's existence, and of those 27%, less than half were able to form an opinion of the District's value; and

WHEREAS, an increase in public awareness of flood safety, flood preparedness, and of the services provided by the District is in the best interests of both the District and the District's constituents; and

WHEREAS, a flood safety, flood preparedness, and District services public awareness campaign in 2018 is estimated to cost \$500,000; and

WHEREAS, the Board of Directors desires to fund such a campaign in 2018.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is directed to budget \$500,000 and other resources as appropriate in 2018 toward a flood safety, flood preparedness, and District services public awareness campaign.
2. The Executive Director shall update the Board on the progress of this campaign at each Board Meeting in 2018.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 50, SERIES OF 2017

(Authorization to Agree In Writing to Accept the Use of Property Tax Increment Financing for the Proposed I-25 and Broadway Urban Redevelopment Area)

WHEREAS, the Board of Directors of the Urban Drainage and Flood Control District (the District) amended Resolution No. 38, Series of 2011 with Resolution No. 21, Series of 2016 to expand its policy in regard to its agreement to accept the use of property tax increment financing to included urban redevelopment areas; and

WHEREAS, the District understands that the Denver Urban Renewal Authority (DURA) and the City and County of Denver (Denver) intend to adopt the I-25 and Broadway Urban Redevelopment Plan and to create the I25 and Broadway Property Tax Increment and Sales Tax Increment Area; and

WHEREAS, the I-25 and Broadway Urban Redevelopment Plan approves the redevelopment of substantial portions of the former Gates site (the BSP Project); and

WHEREAS, the DURA and Denver have made a written request of the District to accept the use of property tax increment financing for the I-25 and Broadway Urban Redevelopment Area (Exhibit A); and

WHEREAS, a legal description outlining the location of redevelopment area is attached hereto as Exhibit "B"; and

WHEREAS, DURA has fully complied with all requirements of the District that are contained in Amended Resolution No. 38, Series 2011; and

WHEREAS, no extraordinary circumstances have been brought to the attention of the Board of Directors of the Urban Drainage and Flood Control District by a Board Member that would prevent the District agreeing in writing to accept the use of property tax increment financing for the proposed I-25 and Broadway Redevelopment Area; and

WHEREAS, the District has prepared a letter to DURA setting forth the terms of the District's agreement to accept the use of property tax increment financing for the I-25 and Broadway Redevelopment Area, which letter is attached hereto as Exhibit "C"; and

WHEREAS, the attached Exhibit "C" letter, in order for the District's approval to be binding, requires the acknowledgement and agreement of DURA.

#### NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby agrees to accept the use of property tax increment financing for the proposed I-25 and Broadway Redevelopment Area.
2. The Executive Director of the Urban Drainage and Flood Control District is authorized to execute the attached Exhibit "C" letter and forward it to Mr. Phillip Caplan, Chair, Denver Urban Renewal Authority.
3. The agreement of the District contained in the attached Exhibit "C" letter will become effective upon the District's receipt of a copy of the letter bearing the signature of Mr. Phillip Caplan, Chair, Denver Urban Renewal Authority acknowledging and agreeing to the terms of the letter.

4. The agreement of the District contained in the attached Exhibit “C” letter will expire by its own terms if the BSP Project is not commenced by December 31, 2018.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



August 22, 2017

Urban Drainage and Flood Control District  
2480 W. 26<sup>th</sup> Avenue, Suite 156B  
Denver, Colorado 80211-5304

Attn: Ken MacKenzie, Executive Director

Dear Mr. MacKenzie:

The Denver Urban Renewal Authority (“DURA”) is currently working with the City and County of Denver to approve an Urban Redevelopment Plan (Plan) to support the redevelopment of the former Gates Rubber Factory site generally bounded by I-25, Broadway, West Mississippi Avenue and South Santa Fe Drive. The Ordinance being presented to City Council would repeal the existing Cherokee Gates Urban Redevelopment Plan, approve the I-25 and Broadway Urban Redevelopment Plan, creating the Broadway and I-25 Urban Redevelopment Area, establish a sales and property tax increment area on a portion of the Area and approve the redevelopment of substantial portions of the former Gates site (the "BSP Project").

Under Colorado Revised Statutes C.R.S. 31-25-101 (Urban Renewal Law), DURA is required to notify the Urban Drainage and Flood Control District (“UDFCD”) on the establishment of any tax increment areas and enter into an agreement regarding the use of property tax increment.

Pursuant to C.R.S. 31-25-107(9.5)(a), before any urban renewal plan utilizing property tax increment may be approved by the Denver City Council, the governing boards of each other public body whose property tax revenues would be allocated through the use of tax increment financing must be notified. Following this notification, representatives of DURA and UDFC will meet to negotiate an agreement governing the types and limits of tax revenues to be allocated to the Project. The agreement must address, without limitation, estimated impacts of the Project on UDFC services associated solely with the urban renewal plan.

Therefore, please accept this letter as notification of our intent to request the Denver City Council to approve the I-25 and Broadway Urban Redevelopment Plan and to establish a sales and property tax increment area.



Urban Drainage and Flood Control District

August 22, 2017

Page Two

DURA has provided UDFCD with the proposed development plan for the BSP Project which would support vertical development on the site of approximately 2,600 apartment units, 848,000 square feet of office, 52,000 square feet of co-work space, 109,000 square feet of retail and 18,000 square feet of civic space. UDFCD has evaluated the impact of this scale of development on their ability to deliver services and have determined the BSP Project will have minimal impact on their ability to provide services. Accordingly, DURA has prepared the attached Letter Agreement ("Agreement") between DURA and UDFCD in a form similar to that entered into between the parties previously for your review. The Agreement would, among other matters, allow for the incremental property taxes derived from the UDFCD mill levy to be paid to DURA consistent with prior practices. Additionally, we have included a provision that would terminate your consent to the allocation of property tax increment if the BSP Project is not commenced by December 31, 2018.

Thank you for your assistance as we work to implement the statutory requirements and please do not hesitate to contact me for any additional information you may require.

Sincerely,

Tracy Huggins  
Executive Director

## EXHIBIT B

**LEGAL DESCRIPTION OF I-25 AND BROADWAY  
URBAN REDEVELOPMENT AREA**



1601 Blake Street, Suite 200  
Denver, Colorado 80202  
Phone: 303-572-0200  
Fax: 303-572-0202  
[www.matrixdesigngroup.com](http://www.matrixdesigngroup.com)

A PARCEL OF LAND LOCATED IN THE WEST ONE-HALF OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 15; MONUMENTED ON THE NORTH END BY A FOUND ORIGINAL NOTCHED STONE WITH DIVOT ON TOP IN A RANGE BOX AND ON THE SOUTH END BY A FOUND 3-1/4" BRASS CAP IN RANGE BOX WITH MOSTLY ILLEGIBLE STAMPING AND "LS 19611" AND IS ASSUMED TO BEAR NORTH 00°44'36" WEST, 2647.74 FEET;

**BEGINNING** AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 15;

THENCE NORTH 89°55'49" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 15, A DISTANCE OF 1,262.22 FEET TO THE INTERSECTION OF SAID SOUTH LINE AND THE CENTERLINE OF THE PRESENT 100' WIDE RIGHT-OF-WAY OF SOUTH SANTE FE DRIVE AND A 1,893.49 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS NORTH 77°21'06" WEST;

THENCE NORTHERLY ALONG SAID CENTERLINE AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 21°15'20", AN ARC DISTANCE OF 702.45 FEET;

THENCE NORTH 89°28'03" WEST, A DISTANCE OF 304.61 FEET TO A POINT ON THE WEST LINE OF THE PRESENT SOUTH PLATTE RIVER DRIVE RIGHT-OF-WAY AND THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL 7" IN SPECIAL WARRANTY DEED RECORDED ON SEPTEMBER 15, 2014 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER UNDER RECEPTION NUMBER 2014111794;

THENCE NORTH 89°55'51" WEST, ALONG THE SOUTH LINE OF SAID "PARCEL 7", A DISTANCE OF 273.50 FEET;

THENCE NORTH 00°30'50" WEST, ALONG THE WEST LINE OF SAID "PARCEL 7", A DISTANCE OF 656.35 FEET;

THENCE SOUTH 89°58'12" EAST, A DISTANCE OF 353.96 FEET TO THE PREVIOUSLY MENTIONED CENTERLINE OF THE PRESENT SOUTH SANTE FE DRIVE AND A 1,882.73 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 60°08'46" WEST;

THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°54'30", AN ARC DISTANCE OF 95.57 FEET;

THENCE NORTH 32°45'00" WEST, A DISTANCE OF 571.09 FEET;

THENCE NORTH 00°28'22" WEST, A DISTANCE OF 101.21 FEET TO A POINT ON THE EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS I-25 ORDINANCE NO. 3, SERIES 1962;

THENCE ALONG SAID EAST LINE THE FOLLOWING 4 COURSES:

1. THENCE NORTH 00°44'33" WEST, A DISTANCE OF 96.32 FEET;
2. THENCE SOUTH 89°49'48" WEST, A DISTANCE OF 10.60 FEET;
3. THENCE NORTH 00°14'09" WEST, A DISTANCE OF 0.33 FEET;

4. THENCE NORTH 21°30'21" WEST, A DISTANCE OF 294.47 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL 4A" IN THE PREVIOUSLY MENTIONED SPECIAL WARRANTY DEED RECORDED ON SEPTEMBER 15, 2014 IN SAID RECORDS UNDER RECEPTION NUMBER 2014111794;

THENCE ALONG SAID EXTERIOR BOUNDARY THE FOLLOWING 9 COURSES:

1. THENCE NORTH 06°51'16" EAST, A DISTANCE OF 75.63 FEET;
2. THENCE NORTH 37°59'29" EAST, A DISTANCE OF 31.96 FEET;
3. THENCE NORTH 71°38'52" EAST, A DISTANCE OF 81.77 FEET;
4. THENCE SOUTH 79°44'48" EAST, A DISTANCE OF 174.83 FEET;
5. THENCE SOUTH 00°32'55" EAST, A DISTANCE OF 50.00 FEET;
6. THENCE NORTH 89°06'52" EAST, A DISTANCE OF 161.99 FEET;
7. THENCE SOUTH 00°32'58" EAST, A DISTANCE OF 25.00 FEET;
8. THENCE NORTH 89°06'52" EAST, A DISTANCE OF 8.00 FEET;
9. THENCE CONTINUE EASTERLY ALONG SAID LINE, A DISTANCE OF 125.00 FEET TO THE WEST LINE OF SOUTH CHEROKEE STREET RIGHT-OF-WAY;

THENCE NORTH 84°22'02" EAST, A DISTANCE OF 29.19 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL 3A" IN SAID SPECIAL WARRANTY DEED;

THENCE SOUTH 78°08'56" EAST, ALONG THE NORTH LINE OF SAID "PARCEL 3A", A DISTANCE OF 253.75 FEET TO THE WEST LINE OF THE PRESENT RAILROAD RIGHT-OF-WAY;

THENCE NORTH 09°26'45" WEST, ALONG SAID WEST LINE, A DISTANCE OF 283.23 FEET TO THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 15;

THENCE NORTH 89°59'00" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 451.65 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL NO. TK 5155-00-006 REV. 3" IN QUITCLAIM DEED RECORDED ON NOVEMBER 8, 1993 IN SAID RECORDS UNDER RECEPTION NUMBER 9300155214;

THENCE NORTH 00°40'48" WEST, ALONG THE EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL NO. TK 5152-00-005 REV. 2" IN SAID QUITCLAIM DEED, A DISTANCE OF 145.76 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL B1" IN WARRANTY DEED RECORDED ON OCTOBER 6, 2004 IN SAID RECORDS UNDER RECEPTION NUMBER 2004209816;

THENCE SOUTH 30°11'14" EAST, ALONG SAID WEST LINE, A DISTANCE OF 168.59 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL C1" IN WARRANTY DEED RECORDED ON OCTOBER 6, 2004 IN SAID RECORDS UNDER RECEPTION NUMBER 2004209815;

THENCE SOUTH 30°11'14" EAST, ALONG SAID WEST LINE, A DISTANCE OF 266.04 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN WARRANTY DEED RECORDED ON AUGUST 27, 1996 IN SAID RECORDS UNDER RECEPTION NUMBER 9600119282;

THENCE ALONG SAID WEST LINE, THE FOLLOWING 2 COURSES:

1. THENCE SOUTH 10°33'50" EAST, A DISTANCE OF 74.52 FEET;
2. THENCE SOUTH 54°10'04" EAST, A DISTANCE OF 171.98 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SPECIAL WARRANTY DEED RECORDED ON MARCH 15, 2002 IN SAID RECORDS UNDER RECEPTION NUMBER 2002051332; SAID POINT ALSO BEING ON THE EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED ON JULY 31, 1957 IN SAID RECORDS IN BOOK 8058 AT PAGE 157;

THENCE SOUTH 39°35'16" EAST, ALONG SAID COMMON LINE, A DISTANCE OF 384.76 FEET TO A POINT ON THE WEST LINE OF THE PRESENT SOUTH BROADWAY RIGHT-OF-WAY;

THENCE CONTINUE SOUTH 39°39'31" EAST, A DISTANCE OF 79.46 FEET TO A POINT ON THE PREVIOUSLY MENTIONED EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 15;

THENCE SOUTH 00°44'36" EAST, ALONG SAID EAST LINE, A DISTANCE OF 1,885.92 FEET TO THE **POINT OF BEGINNING.**

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 3,911,507 SQUARE FEET OR (89.79584 ACRES), MORE OR LESS AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.



JUSTIN A. CONNER, PLS 38421  
PREPARED FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC.  
2435 RESEARCH PKWY, SUITE 300  
COLORADO SPRINGS, CO 80920  
PH. (719)575-0100





## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Ken MacKenzie, Executive Director  
2480 W. 26th Avenue, Suite 156B  
Denver, CO 80211-5304

Telephone 303-455-6277  
Fax 303-455-7880  
[www.udfcd.org](http://www.udfcd.org)

### EXHIBIT C

September 21, 2017

Phillip Caplan, Chair  
Tracy Huggins, Executive Director  
Denver Urban Renewal Authority  
1555 California Street, Suite 200  
Denver, CO 80202

Dear Ms. Huggins and Mr. Caplan:

This letter agreement ("Agreement") is entered into pursuant to Section 31-25-107(9.5), C.R.S. The Urban Drainage and Flood Control District ("District") understands that the Denver Urban Renewal Authority ("Authority") and the City and County of Denver ("Denver") intend to adopt the I-25 and Broadway Urban Redevelopment Plan (the "Urban Redevelopment Plan") and to create the I-25 and Broadway Property Tax Increment and Sales Tax Increment Area (the "Tax Increment Area"). The Urban Redevelopment Plan approves the redevelopment of substantial portions of the former Gates site (the "BSP Project").

The Urban Drainage and Flood Control District (the "District") is in receipt of the Urban Redevelopment Plan creating the I-25 and Broadway Urban Redevelopment Area (the "Urban Redevelopment Area") as proposed to the City Council of Denver and, the proposed Ordinance establishing the Tax Increment Area and authorizing the use of property tax increment and sales tax increment for redevelopment of the Urban Redevelopment Area.

The District agrees that in accordance with C.R.S. § 31-25-107(9.5), that the District has received proper notice of the proposed Urban Redevelopment Plan and that the Authority and the District are entering into this agreement to address the estimated impacts of the Urban Redevelopment Plan on District services associated solely with the Urban Redevelopment Plan. The District has determined that there are no material impacts to District services caused by the proposed Urban Redevelopment Plan and the creation of the Tax Increment Area and therefore the tax increment derived from the District's mill levy shall be allocated to the Authority. The parties agree that this Agreement satisfies the requirements of C.R.S. § 31-25-107(9.5)(a).

The District further agrees that, as permitted under C.R.S. § 31-25-107(9.5)(b)(i), the District waives the requirements of (i) any future notice, except for substantial modifications or amendments to the Urban Redevelopment Plan, including the addition of a project, addition of another tax increment area or regarding the modification of the Tax Increment Area under the Urban Redevelopment Plan, (ii) any future filings with or by the District, (iii) any requirement for future consent by the District, except consent to any substantial modifications or amendments to the Urban Redevelopment Plan, including the addition of a project, addition of another tax increment area or regarding the modification of the Tax Increment Area under the Urban Redevelopment Plan and (iv) any enforcement right regarding the Urban Redevelopment Plan, or matters contemplated under the Urban Redevelopment Plan, except that the District shall have the right to take any actions necessary to enforce this Agreement.

If the City and County of Denver and the Authority desire that any new regional drainage and flood control facilities necessitated by or constructed as part of the Urban Redevelopment Plan be eligible for future District maintenance assistance, they shall comply with all terms and conditions of Amended Resolution No. 38, Series of 2011 as amended by Resolution 21, Series of 2016, including but not limited to Resolution No. 26, Series of 1983 of the District. The Authority shall compensate District at the rate of \$150 per hour for any time District staff spends after the date of this Agreement reviewing plans, design drawings, and/or construction activities necessary to determine the eligibility of any regional drainage and flood control facilities necessitated by or constructed as part of the Urban Redevelopment Plan into District's maintenance eligibility program. The Authority shall cause the Broadway Station Metropolitan Districts (the Metropolitan Districts") to agree that no regional drainage and flood control facilities will be accepted into the District's maintenance eligibility program until Property Tax increment is no longer collected in the Property Tax Increment Area. At that time, District staff will inspect said facilities and the Authority shall cause the Metropolitan Districts to repair any noted defects at the Metropolitan District's sole cost and expense before District will offer final acceptance of facilities into District's maintenance eligibility program.

The consent of the District to the Urban Redevelopment Plan will expire and be of no force and effect unless the BSP Project is commenced by December 31, 2018.

If this letter correctly reflects our agreement, please sign below and return a fully-executed original to me.

Respectfully,

Ken MacKenzie  
Executive Director  
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

DENVER URBAN RENEWAL AUTHORITY

By: \_\_\_\_\_

Phillip Caplan  
Chair

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

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 51, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Jackass Gulch at Long Avenue, City of Littleton, Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Littleton has enacted floodplain regulations; and

WHEREAS, the City of Littleton and the District cooperated in the preparation of "Lower Dad Clark Gulch and DFA 0068 Outfall Systems Plan," dated February 1991; and

WHEREAS, the Board previously authorized \$225,000 for the Jackass Gulch at Long Avenue project (Table 1); and

**Table 1**  
**Jackass Gulch at Long Avenue**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
22	2014	\$225,000	\$225,000	Design
<b>TOTAL</b>		<b>\$225,000</b>	<b>\$225,000</b>	

WHEREAS, the City of Littleton and the District now desire to construct improvements along Jackass Gulch at Long Avenue (Exhibit A); and

WHEREAS, the District's additional participation being authorized by this resolution is \$200,000 to at least be matched by the City of Littleton; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, which includes funds for construction of drainage and flood control improvements along Jackass Gulch at Long Avenue; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Jackass Gulch at Long Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 22, Series of 2014, Paragraph 3, is amended as follows:  
"The District's maximum contribution to the Jackass Gulch at Long Avenue project without prior approval of the Board shall be ~~\$225,000~~ **\$425,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Littleton."
2. All other conditions and authorizations remain as stated in Resolution No. 22, Series of 2014.



(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

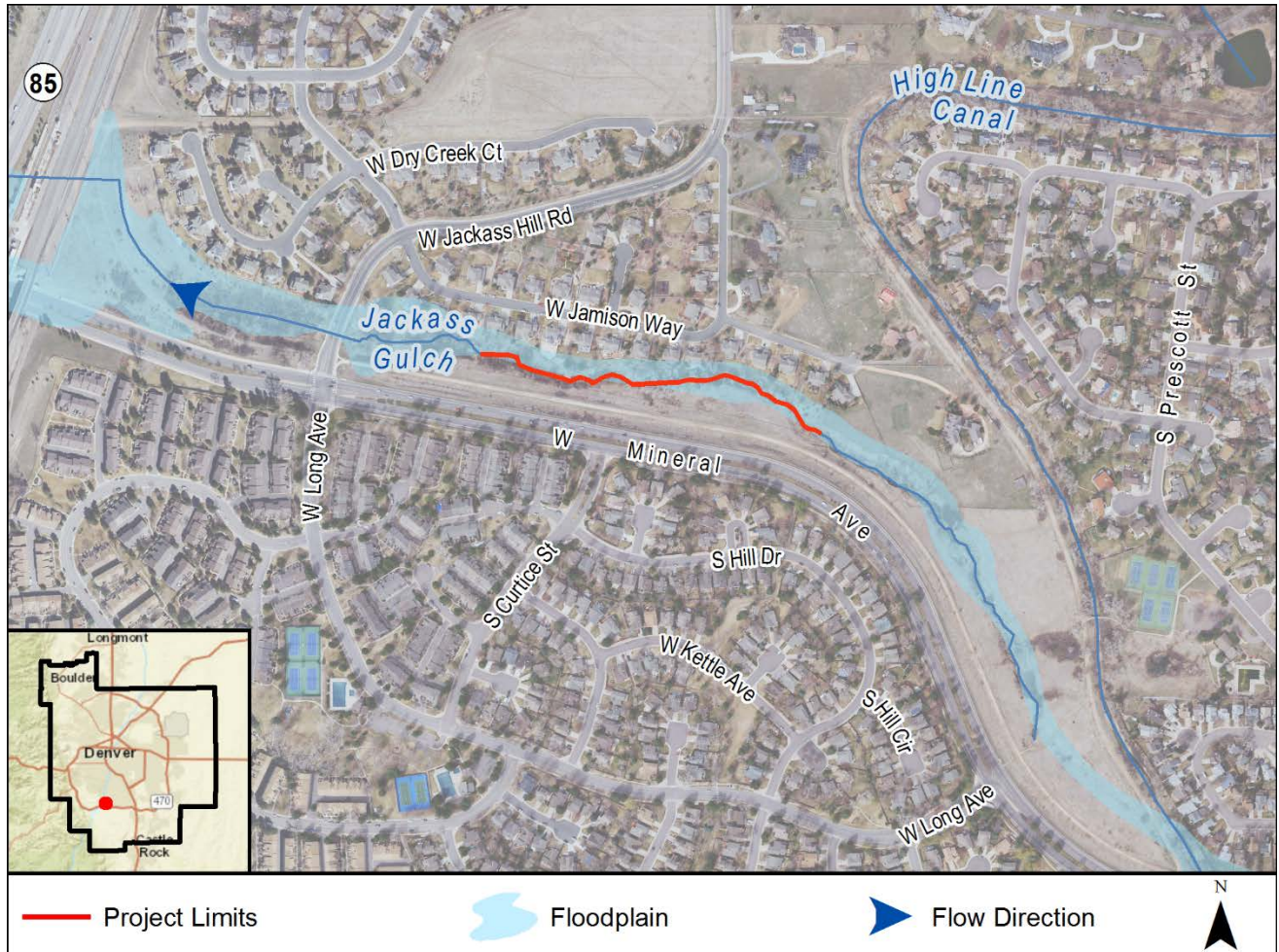
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 51, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Jackass Gulch at Long Avenue, City of Littleton, Arapahoe County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 52, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Van Bibber Creek at McIntyre Street, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Jefferson County has enacted floodplain regulations; and

WHEREAS, Jefferson County and the District cooperated in the preparation of “Major Drainageway Planning – Van Bibber Creek,” dated March 1977; and

WHEREAS, the Board previously authorized \$258,000 for the Van Bibber Creek at McIntyre Street project (Table 1); and

**Table 1**  
**Van Bibber Creek at McIntyre Street**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
25	2016	\$175,000	\$175,000	Final Design Funding
07	2017	\$83,000	\$83,000	Right of Way Acquisition Funding
<b>TOTAL</b>		<b>\$258,000</b>	<b>\$258,000</b>	

WHEREAS, Jefferson County and the District now desire to construct improvements along Van Bibber Creek at McIntyre Street (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$190,000 to at least be matched by Jefferson County; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, which includes funds for construction of drainage and flood control improvements along Van Bibber Creek at McIntyre Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Van Bibber Creek at McIntyre Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 25, Series of 2016, Paragraph 3, is further amended as follows:  
“The District's maximum contribution to the Van Bibber Creek at McIntyre Street project without prior approval of the Board shall be ~~\$258,000~~ **\$448,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Jefferson County.”
2. All other conditions and authorizations remain as stated in Resolution No. 25, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

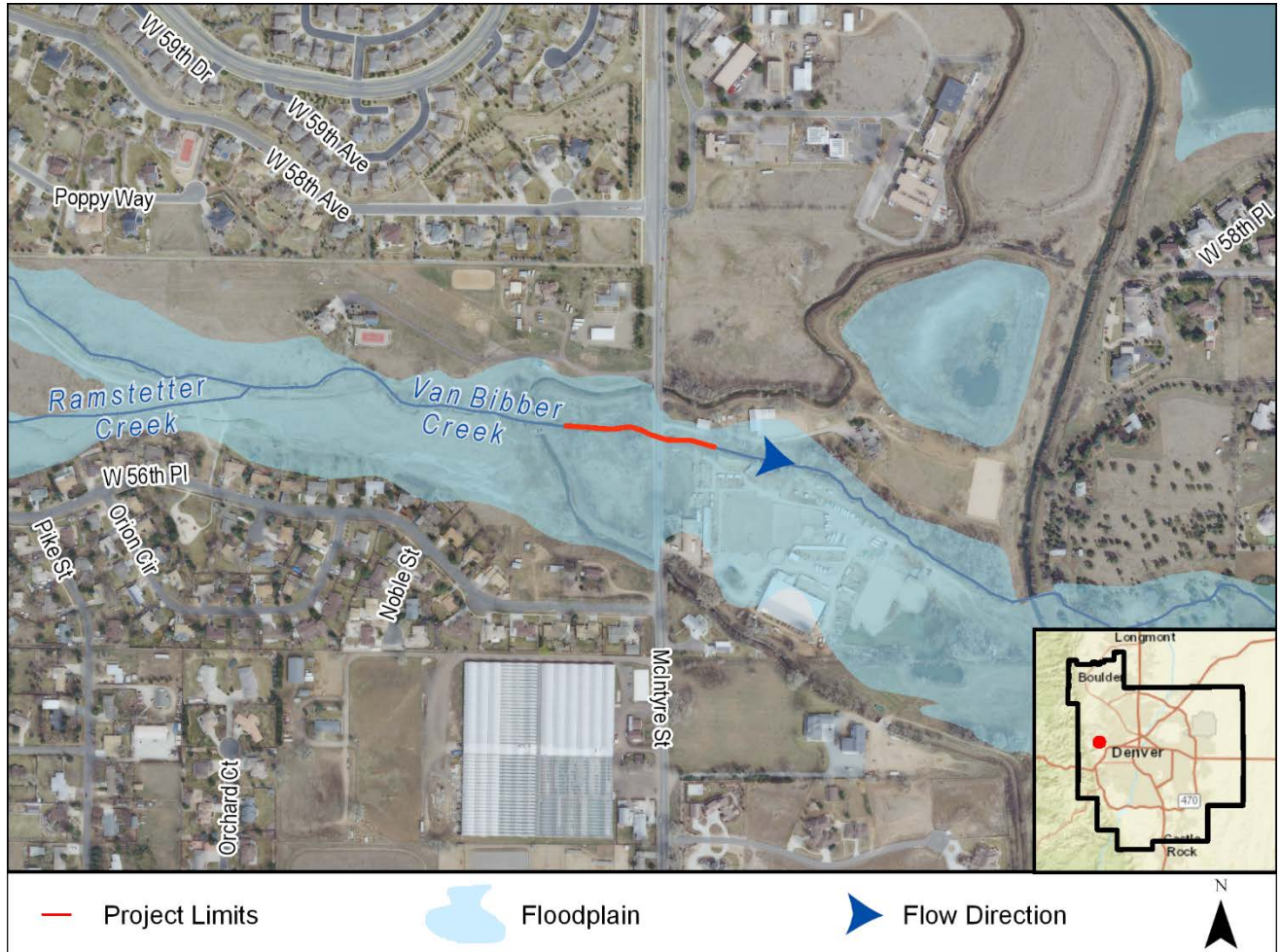


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 52, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Van Bibber Creek at McIntyre Street, Jefferson County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 53, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Ralston Creek from Van Bibber Creek to Beech Street, City of Arvada, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Arvada has enacted floodplain regulations; and

WHEREAS, the City of Arvada and the District cooperated in the preparation of “Major Drainageway Planning – Lower Ralston / Van Bibber and Leyden Creek,” dated February 1986; and

WHEREAS, the Board previously authorized \$250,000 for funding of a U.S. Army Corps of Engineers' Section 205 – Feasibility Study for Ralston Creek from Van Bibber Creek to Beech Street (Table 1); and

**Table 1**  
**Ralston Creek from Van Bibber Creek to Beech Street**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
42	2015	\$250,000	\$250,000	U.S. Army Corp of Engineers' Feasibility Study
<b>TOTAL</b>		<b>\$250,000</b>	<b>\$250,000</b>	

WHEREAS, the City of Arvada and the District now desire to further fund the U.S. Army Corp of Engineers' Feasibility Study along Ralston Creek from Van Bibber Creek to Beech Street (Exhibit A); and

WHEREAS, the District's additional participation being authorized by this resolution is \$90,000 to at least be matched by the City of Arvada; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Ralston Creek from Van Bibber Creek to Beech Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Ralston Creek from Van Bibber Creek to Beech Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 42, Series of 2015, Paragraph 3, is amended as follows:  
“The District's maximum contribution to the Ralston Creek from Van Bibber Creek to Beech Street project without prior approval of the Board shall be ~~\$250,000~~ **\$340,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Arvada.”
2. All other conditions and authorizations remain as stated in Resolution No. 42, Series of 2015.



(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

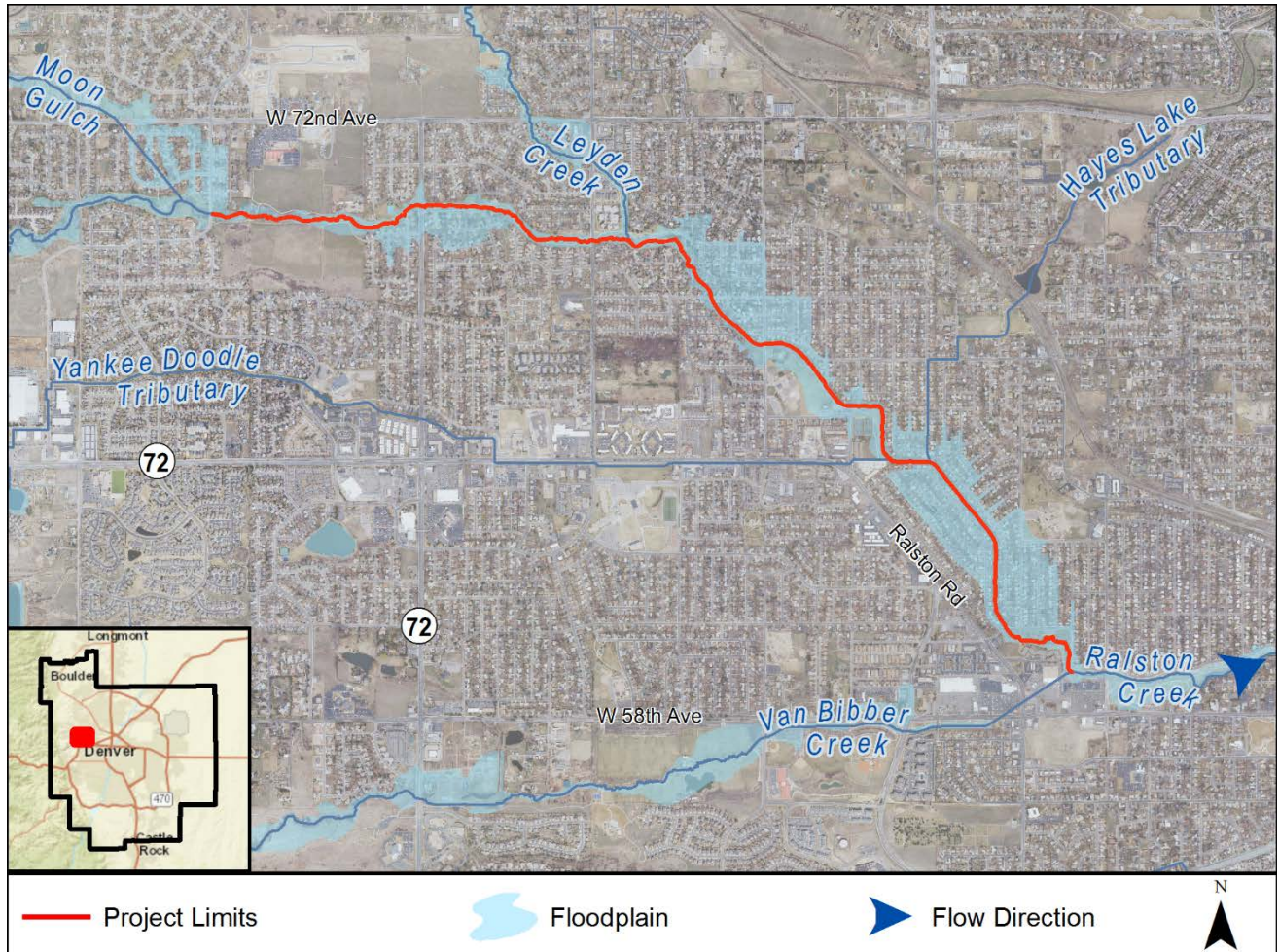
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 53, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Ralston Creek from Van Bibber Creek to Beech Street, City of Arvada, Jefferson County)

### EXHIBIT A





# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## REVISED

### BOARD OF DIRECTORS MEETING

Date: Thursday, October 19, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

How the District Works – 12:45 – 1:00 pm

1. **Call to Order and Pledge of Allegiance – 1:00 pm**
2. **Introductions**
  - a. Visitors/Guests/Staff
  - b. Awards/Recognitions
3. **Roll Call – Determination of Quorum**
4. **Approval of September 21, 2017 Meeting Minutes** *(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)*
5. **Audit & Finance Committee Report (Beckman)**
6. **Public Hearing**
  - a. 2018 Budget
7. **Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*
  - a. Review of Cash Disbursements
  - b. Certification of Tax Levy  
(Resolution No. 54, Series of 2017)
  - c. Adoption of 2018 Budget  
(Resolution No. 55, Series of 2017)
  - d. Appropriation of Funds for 2018  
(Resolution No. 56, Series of 2017)
  - e. Acceptance of Flood Hazard Area Delineation Report Update for Rangeview Gulch  
(Resolution No. 57, Series of 2017)
  - f. Authorization to Participate in Drainage and Flood Control Improvements on Dad Clark Gulch Downstream of Wild Iris Run, Highlands Ranch Metro District, Douglas County  
(Resolution No. 58, Series of 2017)
8. **Vote on Approval of the Consent Agenda** (Motion and roll call vote required)
9. **Reports/Discussions**
  - a. Staff Changes
  - b. Draft Capital Improvement Plans (CIP) and Work Plans
  - c. Public Education Campaign
10. **Executive Session**
  - a. Legal Advice on Little Dry Creek – Notice of Claim  
(Pursuant to 24-6-402(4)(b) C.R.S.)
  - b. Executive Committee Report of Director’s Annual Review  
(Pursuant to 24-6-402(4)(f)(1) C.R.S.)

**11. Announcements (November Meeting Date Change)**

- a. Next Regularly Scheduled Meeting: **Thursday, November 9, 2017 at 12:30pm**

**12. Adjournment**



## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT BOARD OF DIRECTORS

September 21, 2017

### MINUTES

#### **Members Present:**

Herb Atchison, Mayor, City of Westminster  
Bruce Beckman, Mayor, City of Littleton  
Joyce Downing, Mayor, City of Northglenn  
Bob Fifer, Mayor Pro Tem, City of Arvada  
Deb Gardner, Commissioner, Boulder County  
Stacie Gilmore, Council Member, City/County of Denver  
Happy Haynes, Deputy Mayor, City/County of Denver  
Joyce Jay, Mayor, City of Wheat Ridge  
Paul Kashmann, Council Member, City/County/Denver  
Angela Lawson, Mayor Pro Tem, City of Aurora  
Paul López, Council Member, City/County of Denver  
Stephanie Piko, Mayor Pro Tem, City of Centennial  
Dave Sellards, Engineer  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield  
Libby Szabo, Commissioner, Jefferson County  
Charles (Chaz) Tedesco, Commissioner, Adams County  
Heidi Williams, Mayor, City of Thornton  
Mary Young, Council Member, City of Boulder

#### **Members Absent:**

Mark Hunter, Engineer  
Adam Paul, Mayor, City of Lakewood  
Nancy Sharpe, Commissioner, Arapahoe County

#### **UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Dave Bennetts	Program Manager, Stream Services
Anabel Acevedo	Receptionist
Barbara Chongtoua	Project Manager, Stream Services
Amelia Deleon	Human Resources Manager
Bryan Kohlenberg	Project Manager, Stream Services
Laura Kroeger	Program Manager, Stream Services
Holly Piza	Project Manager, Watershed Services
Terri Schafer	Accounting & Finance Manager
Richard Spann	Student Intern, Stream Services

#### **Others Present:**

Ed Krisor, Legal Counsel  
Anna Sparks, Engineer Manager, Adams County

#### **How the Districts Works**

In lieu of the typical How the District Works presentation, Mr. Ken MacKenzie played the *Politics Unplugged* interview that he and Mayor Heidi Williams recorded for Channel 7 News on Sunday, September 17, 2017.

- 1. Call to Order and Pledge of Allegiance – 1:00 p.m.**  
Mayor Williams called the meeting to order at 1:00 p.m.

2. **Introductions**

• **Visitors/Guests/Staff**

Mr. MacKenzie introduced the following guest:

- Anna Sparks, Engineering Manager for Adams County.

Mr. MacKenzie introduced the following new employee:

- Richard Spann, Student Intern supporting Adams and Boulder Counties with our Stream Services Program

Mr. MacKenzie also wanted to recognize a staff member, Mrs. Holly Piza, for being the keynote speaker at the Sustainable Stormwater Symposium in Portland, Oregon presented jointly by the American Society of Civil Engineers (ASCE) and the American Public Works Association (APWA). Mrs. Piza is recognized as a Stormwater Quality expert both locally and nationally.

3. **Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

4. **Approval of August 17, 2017 Meeting Minutes**

Mayor Williams asked if there were any corrections to the August 17, 2017 minutes. Hearing none, the minutes were approved as submitted.

5. **Audit & Finance Committee Report (Mayor Beckman)**

Since the August 17<sup>th</sup> Board Meeting, the Audit & Finance Committee has met on two occasions. Mayor Bruce Beckman, Chair of the UDFCD Audit & Finance Committee provided an update on both of these meetings. Highlights included the following:

September 6th Meeting

The Request for Proposals (RFP) to select an auditing firm for the District was distributed on August 03, 2017. The District received two proposals: Swanhorst & Company and Eide Bailly, LLP. Both firms were interviewed by the Audit & Finance Committee on September 6th. After deliberating, the committee unanimously agreed to recommend Eide Bailly, LLP, as the next independent auditor for the District. The Committee directed Mr. Ken MacKenzie to prepare a resolution for the Board's consideration at today's meeting.

September 18th Meeting

Mr. MacKenzie presented the draft 2018 budget to the Audit & Finance Committee. The committee accepted the draft budget with minor recommended changes that Mr. MacKenzie has since addressed. The draft budget will be presented to the Board of Directors as a discussion item during today's agenda.

6. **Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)

a. **Review of Cash Disbursements**

Cash disbursement list, dated August and September 2017, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.

b. **Approval of Independent Auditor for 2017, 2018, 2019, and 2020 Audits (Resolution No. 48, Series of 2017)**

As discussed under the Audit & Finance Committee update, an RFP to solicit interest in auditing services for 2017 through 2020, was distributed on August 03, 2017. After reviewing the proposals and conducting interviews, the Audit & Finance Committee recommend that Eide Bailly, LLP be selected as the firm of choice.

Resolution No. 48 authorizes the District to enter into renewable annual contracts subject to satisfactory performance with Eide Bailly, LLP. Auditing services will include:

1. Auditing services for 2017 through 2020
2. Assistance with the GFOA Certificate of Achievement for Excellence in Financial Reporting
3. Auditing and Issuing separate financial reports for a Federal Grant (if required).

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 48 on the Consent Agenda.

**c. Flood Awareness Public Education/Outreach Campaign  
(Resolution No. 49, Series of 2017)**

At the September Board Meeting, Mr. MacKenzie provided an update to the Board on the results of the polling efforts conducted by Frederick Polls, LLC. 1,200 residents within the seven-county District service area were surveyed in an effort to gauge their support of a potential property tax increase for the District. From the results of the survey, it was also apparent that a public education campaign would be beneficial to educate the population on the flood safety and on the value that the District provides to its communities.

Resolution No. 49 authorizes the Executive Director to budget \$500,000 towards a flood safety, flood preparedness, and District services public awareness campaign.

Deputy Mayor Haynes asked if there would be a follow-up survey after the educational campaign has ended, in order to gauge the effectiveness of the campaign. Mr. MacKenzie agreed that a follow-up survey would be a good idea to provide the Board with the confidence to move forward with any potential ballot initiative.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 49 on the Consent Agenda.

**d. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed I-25 and Broadway Urban Redevelopment Area  
(Resolution No. 50, Series of 2017)**

In 2011, the Board adopted a resolution (Resolution No. 38, Series 2011) that sets a policy for requests by Governing Bodies and/or Urban Renewal Authorities to the District that it consent to the inclusion of agricultural land located in the District boundaries within an urban renewal area in compliance with the new 2010 requirements set by the General Assembly (31-25-107 C.R.S.). The Board policy also states that each request should come before the Board for review and discussion.

In 2016, this resolution was amended (Resolution No. 21, Series of 2016) to expand its policy to accept the use of property tax increment financing to include urban redevelopment areas.

The District received a written request from the Denver Urban Renewal Authority (DURA) to accept the use of property tax increment financing (TIF) for the I-25 and Broadway Urban Redevelopment Area (former Gates Rubber Factory site).

As a result of previous Board concerns over UDFCD costs and staff time associated with the maintenance eligibility of regional drainage infrastructure constructed in conjunction with urban renewal projects, the following language will be standard in all TIF agreements:

- The Authority shall compensate UDFCD \$150 per hour for any time UDFCD staff spends reviewing design and construction for future maintenance eligibility program (MEP).
- No facilities will be accepted into the UDFCD's maintenance eligibility program until the TIF expires.
- The Metro District shall repair any defects before UDFCD will accept facilities into the MEP.

Mr. MacKenzie also pointed out that no facilities will be accepted into our MEP until the TIF expires. At that time, UDFCD will inspect the facility to ensure it meets our requirements.

Mayor Pro Tem Piko inquired as to who enforces the maintenance during the life of the TIF. Mr. MacKenzie stated that as part of an urban renewal project, a Metro District is created. One of the roles of the Metro District is the responsibility of constructing and maintaining the drainage improvements. The city will ensure that the Metro District will comply with our criteria.

Resolution No. 50 accepts the use of property tax increment financing for the proposed I-25 and Broadway Urban Redevelopment Area and authorizes the Executive Director to enter into an agreement with the DURA to that effect.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 50 on the Consent Agenda.



**e. Additional Authorization to Participate in Drainage and Flood Control Improvements on Jackass Gulch at Long Avenue, City of Littleton, Arapahoe County (Resolution No. 51, Series of 2017)**

This is a joint project with the City of Littleton. Merrick and Company designed the project under contract with the District. The drainage elements of the project include stream restoration, bank protection, and drop structures.

The City of Littleton already holds the necessary easements and right-of-way where the project will be carried out. The final design is now complete and the District and the City of Littleton desire to construct the improvements which will be managed by the District. Construction is anticipated in 2017-2018.

The District and the City of Littleton have identified \$850,000 in total project costs with the District's participation being \$425,000. The previous authorization (Resolution No. 22, Series of 2014) totaled \$225,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 51 authorizes an additional \$200,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Littleton for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 51 on the Consent Agenda.

**f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Van Bibber Creek at McIntyre Street, Jefferson County (Resolution No. 52, Series of 2017)**

This is a joint project with Jefferson County. Jefferson County desires to construct improvements along Van Bibber Creek at the McIntyre Street crossing in Jefferson County. Currently, the crossing consists of a 60-inch corrugated metal pipe, significantly undersized for the 100-year storm event. Flows frequently overtop McIntyre Street as they did during the September 2013 floods. During the flood, vehicular travel was hazardous for an extended period. In addition, the entrance of the pipe collapsed and the street was severely damaged. The County would like to reconstruct the crossing and roadway approaches with a roadway bridge and incorporate a recreation trail crossing

Jefferson County has contracted with Muller Engineering to provide the design of the roadway and drainageway elements of the project. The District will share in funding the drainageway elements only. Jefferson County will administer the construction with oversight of the drainageway elements of the project provided by the District. Construction is anticipated in 2018-2019. Easement and right-of-way acquisition is included in the project costs.

The District and Jefferson County have identified \$896,000 for the design and partial construction funding of the drainageway elements, with the District's participation being an additional \$190,000 in 2017 funds. The previous authorizations (Resolution No. 25, Series of 2016 and Resolution No. 07, Series of 2017) totaled \$258,000 to fund design and to partially fund construction. It is anticipated that additional funds for construction will be needed in the future.

Resolution No. 52 authorizes \$190,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Jefferson County for the design, acquisition of right-of-way, and construction of the drainageway elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 52 on the Consent Agenda.

**g. Authorization to Participate in Drainage and Flood Control Improvements on Ralston Creek from Van Bibber Creek to Beech Street, City of Arvada, Jefferson County (Resolution No. 53, Series of 2017)**

This is a joint project with the City of Arvada and the US Army Corps of Engineers (Corps). As part of an earlier study of this reach, the Corps identified flood risk to 926 properties in the floodway/floodplain valued at over \$220,000,000 and an additional 955 properties within the 500-year floodplain valued at over \$225,000,000. In addition to life and property, the transportation system and utilities are at risk of flood damage.



A feasibility study under the authority of the Section 205 - Continuing Authority Program provides the opportunity to investigate alternatives to address these flood risks along this reach of Ralston Creek. The goal of this study will be to recommend a viable project to proceed to design and construction. The Corps hired HDR Engineering to provide the study which is anticipated to be completed late in 2018.

The District, the City of Arvada, and the Corps have now identified \$680,000 in non-federal sponsor total study costs for the Section 205 feasibility study with the District's participation being an additional \$90,000 in 2017 funds.

Resolution No. 53 authorizes \$90,000 of District funds from the Special Revenue Fund - Construction to at least be matched by City of Arvada for funding the non-federal sponsor share of a US Army Corps of Engineers' Section 205 – Feasibility Study for Ralston Creek from Van Bibber Creek to Beech Street in the City of Arvada. The previous authorization (Resolution No. 42, Series of 2015) totaled \$250,000 to fund the non-federal sponsor total study costs for the Section 205 feasibility study.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 53 on the Consent Agenda.

**7. Vote on Approval of the Consent Agenda** (*Motion and roll call vote required*)

Mayor Williams moved to adopt the Consent Agenda. Upon a roll call vote, the motion was passed unanimously.

**8. Reports/Discussion**

**a.** The Executive Director's report included the following discussion topics.

Draft Budget Presentation

As Mayor Beckman pointed out earlier, a detailed presentation of the draft 2018 Budget was presented to the Audit & Finance Committee on September 18th. Mr. MacKenzie provided the Board with a condensed version of that presentation which included a general outline of the financial model, TABOR calculations, assessed valuations, and TABOR refunds.

Mayor Pro Tem Piko inquired as to whether we had (or will) conduct an awareness campaign regarding the change in how we manage our restoration work. Mr. MacKenzie clarified to the Board that Mayor Pro Tem Piko was referring to the District's Routine Maintenance Program. The old philosophy was to mow and weed the waterways to a pristine landscape. We've come to learn that this process has no hydraulic benefit and actually causes environmental degradation to our waterways. Our current methodology of selective weed control allowing native grasses and shrubs to thrive, is a much healthier approach to creating a more natural waterway and healthier streams. Mr. MacKenzie added that additional outreach will be necessary in the future.

Councilwoman Gilmore requested more information on how the reduction in construction and maintenance spending in 2018 will affect the local governments. Mr. MacKenzie will follow-up with Councilwoman Gilmore on this request.

The draft 2018 Budget will be distributed to the Board via email, should any board member wish to take a more in-depth review. Mr. MacKenzie asked the Board to direct any questions concerning the budget to him before the next board meeting. The Board will be approving the Final 2018 Budget at the October Board Meeting.

Public Awareness Campaign

Mr. Dave Bennetts provided the Board with an update on the District's public education campaign.

Highlights include the following:

- Outreach efforts to date include the Channel 7 Interview, *Politics Unplugged*, and an article in the Denver Post.
- Steve Welchert, our Political Consultant, has met with District staff to explain the outreach effort, including their role in running a successful campaign. A fact sheet was developed for staff use to help with consistent messaging. Mr. Welchert is currently fine-tuning the fact sheet and Mr. Bennetts will share the document with the Board at the next meeting.
- Items in progress: Website enhancements, digital media awareness, direct mail campaign, and tele-town halls.

Errors and Omissions Insurance for Board Members

Mayor Beckman asked Mr. MacKenzie to look into our insurance coverage to ensure that we are meeting the statutory limits for errors and omissions. Mr. MacKenzie confirmed that UDFCD maintains Errors and Omissions Insurance coverage for all employees including Board Members. The coverage is \$350k per incident, which is the statutory limit set by the Colorado Governmental Immunity Act.

**9. Announcements**

**a. Next Regularly Scheduled Meeting: Thursday, October 19, 2017**

Executive Director Annual Review

Mr. MacKenzie announced that his contract as Executive Director for UDFCD will expire next month. The Executive Committee will be meeting before the October Board Meeting to review his performance. As part of that process, Board Members will be sent a survey to solicit their feedback on his performance.

**10. Adjournment**

Mayor Williams adjourned the meeting at 2:37 p.m.

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 54, SERIES OF 2017 (Certification of Tax Levy)

WHEREAS, authority for the Board of Directors to levy and cause to be collected taxes on and against all taxable property within the District by certifying to the body having authority to levy taxes within each county wherein the District has any territory, the rate so fixed with directions that such body having authority to levy taxes shall levy such taxes upon the assessed valuation of all taxable property within the District in addition to such other taxes as may be levied by such body as contained in 32-11-217(1)(c)(I) and (I.5) C.R.S.; and

WHEREAS, the net assessed valuation of all taxable property subject to taxation for the year of 2017 for all territories within the District and the individual totals for each county wherein the District has territory are as follows:

County	Assessed Valuation
Adams	\$ 6,219,043,050
Arapahoe	\$ 10,183,441,258
Boulder	\$ 5,886,736,746
Broomfield	\$ 1,329,845,983
Denver	\$ 16,437,055,896
Douglas	\$ 4,875,050,294
Jefferson	\$ 8,471,639,582
<b>Main Mill Levy Service Area Total</b>	<b>\$ 53,402,812,809</b>
<b>South Platte River Mill Levy Service Area Total (excludes Boulder and Broomfield Counties)</b>	<b>\$ 46,186,230,080</b>

WHEREAS, authority for the Board of Directors to levy a rate not in excess of 1.0 mill for those portions of Adams, Arapahoe, Denver, Douglas, and Jefferson counties lying within the District is contained in 32-11-217(1)(c)(I) and 32-11-217(1)(c)(I.5) C.R.S., with the further provision that one-tenth of a mill shall be used for engineering and operations of the District; four-tenths of a mill shall be used for capital construction; four-tenths of a mill shall be used for maintenance and preservation of floodways and floodplains; and one-tenth of a mill shall be used for the maintenance of and improvements on that portion of the South Platte River and its tributaries, which lie within the District; and

WHEREAS, authority for the Board of Directors to levy a rate not in excess of nine-tenths of a mill for that portion of Boulder County and the City and County of Broomfield lying within the District is contained in 32-11-217(1)(c)(I) C.R.S., with the further provision that one-tenth of a mill shall be used for engineering and operations of the District, four-tenths of a mill shall be used for capital construction, and four-tenths of a mill shall be used for maintenance and preservation of floodways and floodplains.

### IN ADDITION:

WHEREAS, the District for the fiscal year 2018 (2017 taxes collected in 2018 hereinafter referred to as “fiscal year 2018”) has determined to levy 0.780 mill on all taxable property within the District in the counties of Adams, Arapahoe, Denver, Douglas, and Jefferson and levy 0.696 mill on all taxable property within the District in the County of Boulder and the City and County of Broomfield; and

WHEREAS, such levies will cause the revenues to the District for the fiscal year 2018 to exceed the limitations set forth in Section 20 of Article X of the Constitution of Colorado (The Taxpayers Bill of Rights) TABOR by approximately \$11,965,801; and

WHEREAS, the District has determined to comply with TABOR in regard to fiscal year 2018 by a temporary mill levy reduction in advance of the receipt of revenues in 2018 of 0.223 mill on all taxable property within the District in the counties of Adams, Arapahoe, Denver, Douglas, and Jefferson and by a temporary mill levy reduction in advance of the receipt of revenues in 2018 of 0.196 mill on all taxable property within the District in the County of Boulder and the City and County of Broomfield; and

WHEREAS, such temporary mill levy rate reductions in advance of the receipt of revenues in fiscal year 2018 will lower the receipt of revenues by the District to an amount that will not exceed the limitations set forth in TABOR.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors of the District does hereby adopt the following:

SECTION 1: In Adams, Arapahoe, Denver, Douglas, and Jefferson Counties the levy of taxes by the District shall be set at the net rate of 0.557 mill (see Exhibit A) on and against all taxable property within the District subject to taxation for the year 2018 after deducting the temporary mill levy reduction referred to above.

SECTION 2: In Boulder County and the City and County of Broomfield the levy of taxes by the District shall be set at the net rate of 0.500 mill (see Exhibit B) on and against all taxable property within the District subject to taxation for the year 2018 after deducting the temporary mill levy reduction referred to above.

SECTION 3: These levies shall be certified to the body having authority to levy taxes within each county wherein the District has any territory, to wit: the City Council of the City and County of Denver, the City Council of the City and County of Broomfield and the separate Boards of County Commissioners of Adams, Arapahoe, Boulder, Douglas, and Jefferson Counties.

SECTION 4: The person whom the Board of Directors authorizes to receive the funds collected by the separate counties within the District shall be the Executive Director.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 54, SERIES OF 2017  
(Certification of Tax Levy)

**Exhibit A**

**2018 Mill levy for Adams, Arapahoe, Denver, Douglas, and Jefferson Counties:**

UDFCD Mill Levy	Gross Mill Levy	Temporary Mill Levy Reduction	Net Mill Levy
Main Mill Levy	0.696	0.196	0.500
South Platte River Mill Levy	0.084	0.027	0.057
<b>TOTAL</b>	<b>0.780</b>	<b>0.223</b>	<b>0.557</b>

**Net Mill Levy is 0.557 Mill**

**Exhibit B**

**2018 Mill levy for Boulder and Broomfield Counties:**

UDFCD Mill Levy	Gross Mill Levy	Temporary Mill Levy Reduction	Net Mill Levy
Main Mill Levy	0.696	0.196	0.500
South Platte River Mill Levy	0.000	0.000	0.000
<b>TOTAL</b>	<b>0.696</b>	<b>0.196</b>	<b>0.500</b>

**Net Mill Levy is 0.500 Mill**



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 55, SERIES OF 2017 (Adoption of 2018 Budget)

WHEREAS, budgets for the following funds have been considered by the Board of Directors of the Urban Drainage and Flood Control District:

- I. General Fund
- II. Special Revenue Fund - Construction
- III. Special Revenue Fund - Maintenance
- IV. Special Revenue Fund - South Platte River
- V. Development Services Enterprise

WHEREAS, the Board of Directors of the Urban Drainage and Flood Control District considers all unreserved fund balances as of January 1, 2018 and December 31, 2018 to be “reserves” for future operations or capital replacement as defined in Section 20 of Article X of the Constitution of the State of Colorado; and

WHEREAS, the District scheduled a public hearing for October 19, 2017 and published notice of same; and

WHEREAS, said hearing has been held as provided by law.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors of the Urban Drainage and Flood Control District approves and adopts the following budgets for Fiscal (Calendar) Year 2018 as hereinafter set forth.

### I. GENERAL FUND

#### A. FUND BALANCE: 1/1/2017

- Restricted - TABOR Emergency Reserve	100,000
- Reserve for Future Operations	179,919

#### B. REVENUE:

- Taxes	4,115,823
- Investment Interest	7,000
- Seminars and Conferences	35,000
- Miscellaneous Income	-
- Project Participation Funds Returned	5,000
- Project Participation Interest Returned	2,500
- Transfers from Other Funds	-

Total Revenue	4,165,323
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C. TOTAL FUNDS AVAILABLE:	4,345,242
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D. EXPENDITURES:

- Salaries and Services	634,935
- Operating Costs	1,741,869
- Local Expenses and Travel	63,000
- Treasurer's Fees	40,438
- Other	-
- Transfers to TABOR Emergency Reserve	-
- Transfer to Other Funds	-
- Floodplain Management Activities	435,000
- Information Services and Flood Warning	285,000
- Drainage Master Plans	630,000
- Special Projects	415,000
Total Expenditures	4,245,241

E. FUND BALANCE: 12/31/2017

- Restricted - TABOR Emergency Reserve	100,000
- Reserve for Future Operations	100,000

**II. SPECIAL REVENUE FUND: CONSTRUCTION**

A. FUND BALANCE: 1/1/2017

- Restricted - TABOR Emergency Reserve	400,000
- Reserve for Future Operations	1,078,093

B. REVENUE:

- Taxes	12,226,292
- Investment Interest	15,000
- Miscellaneous Income	-
- Project Participation Funds Returned	90,000
- Project Participation Interest Returned	30,000
- Transfers from Other Funds	-
Total Revenues	12,361,292

C. TOTAL FUNDS AVAILABLE: 13,439,384

D. EXPENDITURES:

- Salaries and Services	1,857,426
- Operating Costs	472,700



- Local Expenses and Travel	40,000
- Treasurer's Fees	161,751
- Other	-
- Transfers to TABOR Emergency Reserve	-
- Transfer to Other Funds	-
- Construction Projects	10,477,500
- Flood Warning Equipment Construction	30,000
Total Expenditures	<u>13,039,377</u>

E. FUND BALANCE: 12/31/2017

- Restricted - TABOR Emergency Reserve	400,000
- Reserve for Future Operations	400,007

### III. SPECIAL REVENUE FUND: MAINTENANCE

A. FUND BALANCE: 1/1/2017

- Restricted - TABOR Emergency Reserve	400,000
- Reserve for Future Operations	301,311

B. REVENUES:

- Taxes	12,511,292
- Investment Interest	45,000
- Miscellaneous Income	1,000
- Project Participation Funds Returned	5,000
- Project Participation Interest Returned	1,000
- Transfers from Other Funds	-
Total Revenues	<u>12,563,292</u>

C. TOTAL FUNDS AVAILABLE: 12,864,603

D. EXPENDITURES:

- Salaries and Services	2,202,896
- Operating Costs	472,900
- Local Expenses and Travel	46,000
- Treasurer's Fees	161,751
- Other	-
- Transfers to TABOR Emergency Reserve	-
- Transfer to Other Funds	-

- Stream Management Projects	8,950,970
- Flood Warning Equipment Maintenance	630,000
Total Expenditures	<u>12,464,517</u>

E. FUND BALANCE: 12/31/2017

- Restricted - TABOR Emergency Reserve	400,000
- Reserve for Future Operations	400,085

**IV. SPECIAL REVENUE FUND: SOUTH PLATTE RIVER**

A. FUND BALANCE: 1/1/2017

- Restricted - TABOR Emergency Reserve	100,000
- Reserve for Future Operations	407,164

B. REVENUE:

- Taxes	2,707,615
- Investment Interest	6,500
- Miscellaneous Income	-
- Project Participation Funds Returned	-
- Project Participation Interest Returned	-
- Transfers from Other Funds	-
Total Revenues	<u>2,714,115</u>

C. TOTAL FUNDS AVAILABLE: 3,121,279

D. EXPENDITURES:

- Salaries and Services	511,097
- Operating Costs	193,100
- Local Expenses and Travel	11,840
- Treasurer's Fees	35,883
- Other	-
- Transfers to TABOR Emergency Reserve	-
- Transfer to Other Funds	-
- Maintenance and Construction Service	2,269,300
Total Expenditures	<u>3,021,219</u>

E. FUND BALANCE: 12/31/2017

- Restricted - TABOR Emergency Reserve	100,000
- Reserve for Future Operations	100,059

**V. DEVELOPMENT SERVICES ENTERPRISE**

A. FUND BALANCE: 1/1/2017

- Reserved for Future Operations	-
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B. REVENUE:

- Voluntary Contributions from Land Developers	30,300,000
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C. TOTAL FUNDS AVAILABLE:	30,300,000
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D. EXPENDITURES:

- Design and Construction of Necessary Regional Drainage Improvements	30,300,000
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E. FUND BALANCE: 12/31/2017

- Reserve for Future Operation	-
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(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 56, SERIES OF 2017 (Appropriation of Funds for 2018)

WHEREAS, the Board has duly adopted a budget for the fiscal (calendar) year of 2018 based on 2017 property tax revenues received in 2018 (hereinafter referred to as “fiscal year 2018”) as provided by law; and

WHEREAS, the Statutes of the State of Colorado require that a resolution appropriating 2017 property tax revenue funds for use in fiscal (calendar) year 2018 be adopted prior to making expenditures; and

WHEREAS, the Board of Directors of the Urban Drainage and Flood Control District considers all unreserved fund balances as of January 1, 2018 and December 31, 2018 to be “reserves” for future operations or capital replacement as defined in Section 20 of Article X of the Constitution of the State of Colorado.

NOW, THEREFORE, BE IT RESOLVED THAT:

The following sums of money are hereby appropriated as of this date, October 19, 2017, to the uses and purposes hereinafter indicated for the operation of the Urban Drainage and Flood Control District during the Fiscal (calendar) Year 2018.

### **I. GENERAL FUND**

#### EXPENDITURES:

- Salaries and Services	634,935
- Operating Costs	1,741,869
- Local Expenses and Travel	63,000
- Treasurer's Fees	40,438
- Other	-
- Transfers to TABOR Emergency Reserve	-
- Transfer to Other Funds	-
- Floodplain Management Activities	435,000
- Information Services and Flood Warning	285,000
- Drainage Master Plans	630,000
- Special Projects	415,000
Total Expenditures	4,245,241

### **II. SPECIAL REVENUE FUND: CONSTRUCTION**

#### EXPENDITURES:

- Salaries and Services	1,857,426
- Operating Costs	472,700
- Local Expenses and Travel	40,000
- Treasurer's Fees	161,751
- Other	-

- Transfers to TABOR Emergency Reserve	-
- Transfer to Other Funds	-
- Construction Projects	10,477,500
- Flood Warning Equipment Construction	30,000
Total Expenditures	13,039,377

### III. SPECIAL REVENUE FUND: MAINTENANCE

#### EXPENDITURES:

- Salaries and Services	2,202,896
- Operating Costs	472,900
- Local Expenses and Travel	46,000
- Treasurer's Fees	161,751
- Other	-
- Transfers to TABOR Emergency Reserve	-
- Transfer to Other Funds	-
- Stream Management Projects	8,950,970
- Flood Warning Equipment Maintenance	630,000
Total Expenditures	12,464,517

### IV. SPECIAL REVENUE FUND: SOUTH PLATTE RIVER

#### EXPENDITURES:

- Salaries and Services	511,097
- Operating Costs	193,100
- Local Expenses and Travel	11,840
- Treasurer's Fees	35,883
- Other	-
- Transfers to TABOR Emergency Reserve	-
- Transfer to Other Funds	-
- Maintenance and Construction Service	2,269,300
Total Expenditures	3,021,219

### V. DEVELOPMENT SERVICES ENTERPRISE

#### EXPENDITURES:

- Design and Construction of Regional Drainage Improvements	30,300,000
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(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 57, SERIES OF 2017

(Acceptance of Flood Hazard Area Delineation Report Update for Rangeview Gulch)

WHEREAS, the Board has previously established a Work Program for 2017 (Resolution No. 52, Series of 2016) which included master planning and the delineation of flood hazard areas; and

WHEREAS, the Board has previously authorized the Executive Director to expend funds from the Flood Hazard Area Delineation budget for the completion of flood hazard area delineation studies (Resolution No. 66, Series of 2013); and

WHEREAS, the Executive Director has executed an agreement with Ayres Associates for a flood hazard area delineation study update of Rangeview Gulch downstream of Turtle Lake; and

WHEREAS, a report "Flood Hazard Area Delineation Update for Rangeview Gulch Between South Platte River and Turtle Lake," dated January 2017, has been completed by Ayres Associates; and

WHEREAS, the Board has previously indicated its desire that the results of such studies be provided to the local governments so as to assist such local governments in meeting the requirements of 24-65.1-101, et seq. C.R.S.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby accepts the report titled "Flood Hazard Area Delineation Update for Rangeview Gulch Between South Platte River and Turtle Lake," dated January 2017, and recommends its use as a guide in future planning related to the floodplains contained therein.
2. The Board of Directors of the Urban Drainage and Flood Control District recommends that the City of Littleton adopt the report and regulate the 100-year floodplain defined in the report.
3. The Board of Directors of the Urban Drainage and Flood Control District submit the report for designation and approval by the Colorado Water Conservation Board as stated in 37-60-106(1)(c) C.R.S., as flood hazard areas, those areas described as being inundated by the 100-year flood.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

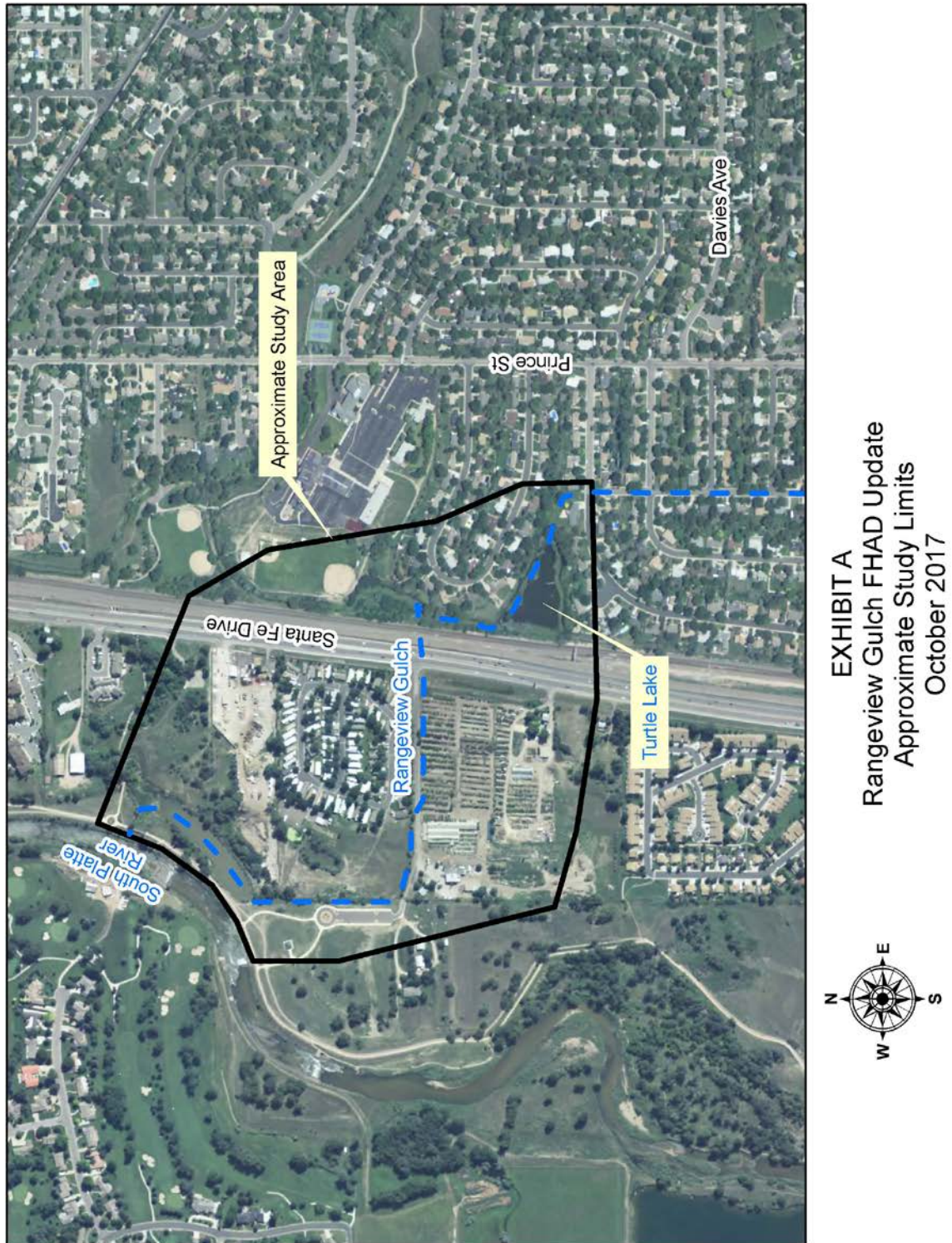
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Secretary

\_\_\_\_\_  
Chairperson

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 57, SERIES OF 2017

(Acceptance of Flood Hazard Area Delineation Report Update for Rangeview Gulch)



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 58, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Dad Clark Gulch Downstream of Wild Iris Run, Highlands Ranch Metro District, Douglas County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973), expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Douglas County has enacted floodplain regulations; and

WHEREAS, the City of Littleton and the District cooperated in the preparation of "Master Plan of Drainage, Dad Clark Gulch," dated 1980 which recommends improvements on Dad Clark Gulch downstream of Wild Iris Run; and

WHEREAS, the Highlands Ranch Metro District has requested District participation in the design and construction of improvements to Dad Clark Gulch downstream of Wild Iris Run (Exhibit A); and

WHEREAS, the Highlands Ranch Metro District has estimated the initial project costs to be \$145,000; and

WHEREAS, the District's participation being authorized by this resolution is \$72,500 to at least be matched by the Highlands Ranch Metro District; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund—Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017 in which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Dad Clark Gulch downstream of Wild Iris Run; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Dad Clark Gulch downstream of Wild Iris Run were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the Highlands Ranch Metro District for the design and construction of drainage and flood control improvements on Dad Clark Gulch downstream of Wild Iris Run.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Dad Clark Gulch downstream of Wild Iris Run.
3. The District's maximum contribution to the Dad Clark Gulch downstream of Wild Iris Run project, without prior approval of the Board, shall be \$72,500 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the Highlands Ranch Metro District.
4. Such approval for expenditure of District funds is contingent upon Douglas County agreeing to regulate and control any defined floodplain in Dad Clark Gulch, within Douglas County jurisdiction, in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District's approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 58, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Dad Clark Gulch Downstream of Wild Iris Run, Highlands Ranch Metro District, Douglas County)

### EXHIBIT A





# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## REVISED

### BOARD OF DIRECTORS MEETING

Date: Thursday November 9, 2017

Time: 12:30 pm

Catered Lunch – 11:45 am

How the District Works – 12:15 – 12:30 pm

1. **Call to Order and Pledge of Allegiance – 12:30 pm**
2. **Introductions**
  - a. Visitors/Guests/Staff
  - b. Awards/Recognitions
3. **Roll Call – Determination of Quorum**
4. **Approval of October 19, 2017 Meeting Minutes** (*If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”*)
5. **Public Hearing**
  - a. Presentation of Proposed 2017 – 2021 Five-Year Capital Improvement Plan
6. **Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)
  - a. Review of Cash Disbursements
  - b. Adoption of 2018 Work Program and Authorization of Expenditures (Resolution No. 59, Series of 2017)
  - c. Adoption of Five-Year Capital Improvement Plan (CIP) 2017 – 2021 (Resolution No. 60, Series of 2017)
  - d. Additional Authorization to Participate in Drainage and Flood Control Improvements on Big Dry Creek [ADCO] upstream of Sheridan Boulevard, City of Westminster, Jefferson County (Resolution No. 61, Series of 2017)
  - e. Additional Authorization to Participate in Drainage and Flood Control Improvements on the South and Middle Branches of Hylands Creek upstream of 104th Avenue, City of Westminster, Jefferson County (Resolution No. 62, Series of 2017)
  - f. Authorization to Participate in Drainage and Flood Control Improvements on Greenwood Gulch at Quincy Avenue, City of Cherry Hills Village, Arapahoe County (Resolution No. 63, Series of 2017)
  - g. Acceptance of Quincy Creek, Shop Creek, and Meadowood Creek Planning Study (Resolution No. 64, Series of 2017)
  - h. Authorization to Lobby the Colorado State Legislature to Make Necessary Statutory Changes (Resolution No. 65, Series of 2017)
7. **Vote on Approval of the Consent Agenda** (*Motion and roll call vote required*)
8. **Other Business**
  - a. Call for Volunteers: Nominating Committee for 2018 Officers
  - b. Call for Volunteers: 2018 Legislative Committee
9. **Announcements**
  - a. Next Regularly Scheduled Meeting: **Thursday, December 21, 2017**
10. **Adjournment**





**URBAN DRAINAGE AND FLOOD CONTROL DISTRICT  
BOARD OF DIRECTORS**

**October 19, 2017**

**MINUTES**

**Members Present:**

Herb Atchison, Mayor, City of Westminster  
Bruce Beckman, Mayor, City of Littleton  
Joyce Downing, Mayor, City of Northglenn  
Deb Gardner, Commissioner, Boulder County  
Stacie Gilmore, Council Member, City/County of Denver  
Mark Hunter, Engineer  
Joyce Jay, Mayor, City of Wheat Ridge  
Paul Kashmann, Council Member, City/County/Denver  
Paul López, Council Member, City/County of Denver  
Adam Paul, Mayor, City of Lakewood  
Stephanie Piko, Mayor Pro Tem, City of Centennial  
Dave Sellards, Engineer  
Nancy Sharpe, Commissioner, Arapahoe County  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield  
Libby Szabo, Commissioner, Jefferson County  
Charles (Chaz) Tedesco, Commissioner, Adams County  
Heidi Williams, Mayor, City of Thornton  
Mary Young, Council Member, City of Boulder

**Members Absent:**

Bob Fifer, Mayor Pro Tem, City of Arvada  
Happy Haynes, Deputy Mayor, City/County of Denver  
Angela Lawson, Mayor Pro Tem, City of Aurora

**UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Julia Bailey	Project Engineer, Operations and Development
Dave Bennetts	Program Manager, Operations and Development
Richard Borchardt	Project Manager, Stream Services
Barbara Chongtoua	Project Manager, Stream Services
Amelia Deleon	Human Resources Manager
Terri Fead	Project Manager, Watershed Services
Laura Kroeger	Program Manager, Stream Services
Morgan Lynch	Project Manager, Watershed Services
Kelsey Mehan	Receptionist
Teresa Patterson	Project Manager, Watershed Services
Holly Piza	Project Manager, Operations and Development
Terri Schafer	Accounting & Finance Manager
Brooke Seymour	Project Manager, Watershed Services
David Skuodas	Project Manager, Stream Services
Jason Stawski	Senior Construction Manager, Stream Services
Kevin Stewart	Program Manager, Flood Warning & Information Services
Shea Thomas	Program Manager, Watershed Services

**Others Present:**

Ed Krisor, Legal Counsel  
Steve Welchert, Public Affairs Consultant  
Anna Sparks, Engineer Manager, Adams County



## **How the District Works – Confluence Park, Little Dry Creek and Lafayette-Louisville Drainage Improvements Projects**

In lieu of the typical How the District Works presentation, the following projects were highlighted:

- Confluence Park (Grand Opening) – presented by Mr. David Bennetts
- Little Dry Creek and Lafayette-Louisville – presented by Mr. David Skuodas

Mr. MacKenzie mentioned that both the Little Dry Creek and the Lafayette-Louisville Drainage Improvement projects were award winners at the Colorado Association of Stormwater and Floodplain Management (CASFM) conference this past September. Mr. MacKenzie congratulated Mr. Skuodas and thanked our local government partners for their support in helping us achieve award-winning projects.

Mr. MacKenzie also recognized the following employees for their contributions to CASFM leadership:

- Mrs. Shea Thomas, CASFM Chair (2 years). Prior to serving as Chair, Shea has served in several other CASFM committee roles over the past 9 years
- Mrs. Holly Piza, CASFM Chair, Water Quality Committee (8 years)

While both have stepped down from these roles, they will continue to support CASFM and the future leaders of the association.

**1. Call to Order and Pledge of Allegiance – 1:00 p.m.**  
Mayor Williams called the meeting to order at 1:05 p.m.

**2. Introductions**

**a. Visitors/Guests/Staff**

Mr. MacKenzie introduced the following guests:

- Mr. Steve Welchert, UDFCD Public Affairs Consultant
- Ms. Anna Sparks, Engineering Manager, Adams County

**b. Awards/Recognitions**

This agenda item was addressed following the How The District Works presentation.

**3. Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

**4. Approval of September 21, 2017 Meeting Minutes**

Mayor Williams asked if there were any corrections to the September 21, 2017 minutes. Hearing none, the minutes were approved as submitted.

**5. Audit & Finance Committee Report (Beckman)**

The Audit & Finance Committee met on Monday, October 16, 2017. Mayor Bruce Beckman, Chair of the UDFCD Audit & Finance Committee, provided an update of the meeting. Highlights included the following:

- Mr. MacKenzie presented the Final 2018 Budget and highlighted the changes from the draft budget that had been presented at the September 2017 Board Meeting.
- The committee recommended a few minor changes to the presentation and suggested a few areas that Mr. MacKenzie should highlight in his presentation to the Board.
- The committee recommends the final budget to the Board.
- Mr. MacKenzie will present the Final 2018 Budget to the Board later on the agenda. He will also present three resolutions for the Board's approval. The resolution to certify the mill levy; the resolution to adopt the budget; and the resolution to appropriate the expenditures.

**6. Public Hearing**

**a. 2018 Budget**

Mayor Williams opened the public hearing at 1:12 pm.

The Final Budget was distributed to the Board of Directors via email on October 12, 2017. Mr. MacKenzie presented the Final 2018 Budget, focusing on significant changes from the 2017 Budget. Changes included:

- Total revenues increase \$1,385,022
- Total expenditures increase \$402,211
- Year-end fund balance increases \$944,331 to \$1,000,152
- TABOR Emergency Reserve increases \$30,316, ends 2017 & 2018 at \$1M

- Office and Operating Costs increase \$1.78M to cover public awareness campaign (\$600K), potential ballot issue (\$900K), new servers (\$100K), rent & improvements (\$130K), other (\$50K)
- Payroll increases \$258K to cover new positions and employment costs
- Benefits increase \$189K
- Add \$107K contingency in “Contract Services” for additional unknown costs associated with public awareness campaign and potential ballot issue
- Construction expenditures decrease \$1,340,000
- Maintenance expenditures decrease \$372,160

Three resolutions were introduced in the budget discussion. Resolution No. 54 certifies the levy, Resolution No. 55 adopts the 2018 Budget, and Resolution No. 56 appropriates the funds.

Mayor Williams requested comments or questions from the Board and public. There being none, the public hearing was closed at 1:28 pm.

**7. Consent Agenda** *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*

**a. Review of Cash Disbursements**

Cash disbursement list, dated September and October 2017, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.

**b. Certification of Tax Levy**

**(Resolution No. 54, Series of 2017)**

Resolution No. 54, Certification of Tax Levy, was discussed during the Public Hearing portion of the meeting. There being no further comments or questions, it was the consensus of the Board to place Resolution No. 54 on the Consent Agenda.

**c. Adoption of 2018 Budget**

**(Resolution No. 55, Series of 2017)**

Resolution No. 55, Adoption of 2018 Budget, was discussed during the Public Hearing portion of the meeting. There being no further comments or questions, it was the consensus of the Board to place Resolution No. 55 on the Consent Agenda.

**d. Appropriation of Funds for 2018**

**(Resolution No. 56, Series of 2017)**

Resolution No. 56, Appropriation of Funds for 2018, was discussed during the Public Hearing portion of the meeting. There being no further comments or questions, it was the consensus of the Board to place Resolution No. 56 on the Consent Agenda.

**e. Acceptance of Flood Hazard Area Delineation Report Update for Rangeview Gulch**

**(Resolution No. 57, Series of 2017)**

Resolution No. 66 of 2013 authorized the expenditure of funds for Flood Hazard Area Delineation studies for 2014. In 2014, the City of Littleton requested an update to the floodplain delineation between Turtle Lake and the South Platte River. The District partnered with the City of Littleton to fund the study and Ayres Associates was selected to perform the study.

Rangeview Gulch is a right bank tributary to the South Platte River. The study area is entirely within the City of Littleton. The floodplain was previously delineated in the “Lower Dad Clark Gulch and DFA 0068 Flood Hazard Area Delineation” report (Centennial, 1990).

Since the previous study, the railroad configuration was modified with the addition of the RTD light rail line. In addition, CDOT constructed concrete barriers in the median of Santa Fe Drive which impede flow once the roadway is overtopped. The update utilized current mapping and ground survey to accurately represent existing conditions on the ground.

The results of the study show a wider floodplain downstream of Santa Fe Drive due to the modifications to the railroad and the addition of the barriers in the roadway.

This resolution accepts the “Flood Hazard Area Delineation Update for Rangeview Gulch Between South Platte River and Turtle Lake” study and upon that acceptance the study will be submitted to the Colorado Water Conservation Board for designation and approval. At that point, the City of Littleton will be able regulate to the new floodplain.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 57 on the Consent Agenda.

**f. Authorization to Participate in Drainage and Flood Control Improvements on Dad Clark Gulch Downstream of Wild Iris Run, Highlands Ranch Metro District, Douglas County (Resolution No. 58, Series of 2017)**

This is a joint project with the Highlands Ranch Metro District (HRMD). HRMD desires to design and construct improvements along Dad Clark Gulch downstream of Wild Iris Run in accordance with the "Master Plan of Drainage, Dad Clark Gulch," dated 1980. The project includes improvements to channel bank and bed stabilization.

HRMD already holds the necessary easements and right-of-way where the project will be carried out. The District will be administering the design once a consulting engineering firm is selected. The District and HRMD desire to construct the improvements which will be managed by the District. Construction is anticipated in 2019.

The District and HRMD have identified \$145,000 in initial project costs for the design and partial funding of construction with the District's participation being \$72,500 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 58 authorizes \$72,500 of District funds from the Special Revenue Fund - Construction to at least be matched by the HRMD for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 58 on the Consent Agenda.

**8. Vote on Approval of the Consent Agenda (*Motion and roll call vote required*)**

With the exception of Commissioner Nancy Sharpe, it was the consensus of the Board that Resolutions 54, 55, 56, 57, and 58, Series of 2017, and review of cash disbursements dated September and October 2017 be placed on the Consent Agenda. Mayor Williams moved to adopt the Consent Agenda. Upon a roll call vote, the motion passed with one “No” vote on Resolutions No. 55 and No. 56.

Commissioner Sharpe voted “No” on Resolutions No. 55 (adoption of the budget) and No. 56 (appropriation of funds) due to the fact that both resolutions authorize funds for a potential de-brucing effort in 2018. Commissioner Sharpe voted “Yes” on Resolutions No. 54, 57, and 58, Series of 2017, and review of cash disbursements dated September and October 2017.

**9. Reports/Discussions**

**a. Staff Changes**

Mr. MacKenzie announced a few changes to the District organizational structure, including:

- Introduction of a New Program: Operations and Development. Managed by Mr. David Bennetts, this program will provide critical support to the Executive Director with long and short-term goals such as the public education campaign and the potential de-brucing effort. Mr. Bennetts will also provide oversight on District work products and system operations. Program staff include:
  - Holly Piza, who currently oversees research efforts to advance stormwater practices and manages the development of our criteria manual and other guidance documents.
  - Julia Bailey, the District’s resident GIS and data management expert
- Promotion of Mrs. Laura Kroeger to Program Manager of the Stream Services Program
- The District is currently seeking to hire a Project Manager and will be hiring up to two Construction Managers at the beginning of 2018.

**b. Draft Capital Improvement Plans (CIP) and Work Plans Discussion**

Mrs. Laura Kroeger gave a brief update on the Draft Capital Improvement Plans (CIP) and Work Plans that will be brought to the Board for adoption at the November Board Meeting. Requests for stream

management and capital improvement projects were sent to local governments in August and comments are being incorporated into the CIPs to the best extent possible.

In addition to the request letters, the District has worked closely with local governments to incorporate priority projects and accommodate as many needs as possible. Once all comments are incorporated, these documents will be finalized and presented for Board approval at next month's board meeting.

**c. Public Education Campaign**

Mr. Bennetts provided the board with a brief update on the public education effort and the potential de-brucing campaign, including:

- The development of the approach, timeline, and schedule for a ballot initiative.
- Refinement of campaign costs
- District website updates

Mr. Bennetts introduced Mr. Welchert who gave the Board a brief history of his accomplishments as a political strategist followed by a presentation on possible solutions to the challenges the District would be facing with de-brucing the District. A handout was also distributed for this discussion.

Mayor Paul stated that it would be beneficial to have a District representative present at a Study Session for each of the local governments; especially with new councilmembers being seated.

Commissioner Tedesco stated that while consistent messaging is good, more specialized messaging is critical. For example, "Why do we have both UDFCD and SEMSWA?"

Mayor Pro Tem Piko pointed out that the handout mentions we are 'losing' revenue and recommended that the wording be modified to state that we are not collecting.

Councilwoman Gilmore recommended that the District promote the trails and parks amenities to show that the work we do not only improves our quality of life, but also improves wildlife habitat.

Based on the discussion that took place during the Board meeting, Mr. Welchert will refine the handout and an updated copy will be distributed to the Board.

**10. Executive Session**

**a. Legal Advice on Little Dry Creek – Notice of Claim  
(Pursuant to 24-6-402(4)(b) C.R.S.)**

It was moved by Mayor Williams to go into Executive Session at 2:08 pm for Mr. Ed Krisor, Legal Counsel, to provide the Board with legal advice on the Notice of Claim regarding the Little Dry Creek project. The Executive Session concluded at 2:12 pm.

**b. Executive Committee Report of Director's Annual Review  
(Pursuant to 24-6-402(4)(f)(1) C.R.S)**

It was moved by Mayor Williams to go into Executive Session at 2:12 pm to review the findings of the Executive Director's Annual Review Committee. The Executive Session concluded at 2:25 pm. Following the session, the Board accepted the committee's recommendations regarding the Executive Director's yearly compensation.

**11. Announcements (November Meeting Date Change)**

- a. Next Regularly Scheduled Meeting: **Thursday, November 09, 2017 at 12:30pm**

**12. Adjournment**

Mayor Williams adjourned the meeting at 2:27 p.m.



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 59, SERIES OF 2017

(Adoption of 2018 Work Program and Authorization of Expenditures)

WHEREAS, the 2018 Budget anticipated a work plan emphasizing the planning, design, and construction of solutions to major drainage problems in the District; and

WHEREAS, the 2018 Budget anticipated a work plan emphasizing maintenance and preservation of major drainageways in the District; and

WHEREAS, the 2018 Budget anticipated a work plan recognizing the value of preventive and remedial master planning on developed and undeveloped floodplains; and

WHEREAS, the 2018 Budget anticipated a work plan recognizing the need for floodplain management activities; and

WHEREAS, the 2018 Budget anticipated a work plan recognizing the need for information services and local flood warning enhancements; and

WHEREAS, the 2018 Budget anticipated a work plan emphasizing the planning, design, and construction of solutions to flood control problems along the South Platte River and the maintenance of existing facilities on the River; and

WHEREAS, the 2018 Budget anticipated a work plan which includes District assistance to Denver, Lakewood, Aurora, and other local governments in complying with and applying for National Pollutant Discharge Elimination System (NPDES) storm sewer system permits and refining stormwater best management practices (BMP) technology for this semi-arid region; and

WHEREAS, the Board has considered the damage potential, local participation, the work already done by local governments, Corps of Engineers, and others, and the feasibility of defining and accomplishing solutions to drainage and flood control problems in 2018.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following 2018 Work Programs are hereby adopted:

### **A. Stream Services**

Continue the design, construction, and maintenance activities which includes work to be accomplished under the following funds:

- I. South Platte River Fund – Construction and Maintenance Services \$2,269,300
  - a. Construct and maintain public drainage facilities along the South Platte River pursuant to the accepted South Platte River Work Plan.
  - b. Implement flood control, maintenance access, river stabilization improvements, and other measures along the South Platte River in cooperation with public and private local sponsors.
  - c. Maintain and continue development of information related to facilities, right-of-way, and geomorphology that is beneficial for the management of the South Platte River and for understanding its behavior.
- II. Maintenance Fund – Maintenance Services \$8,950,970
  - a. Maintain public drainage facilities along drainageways in accordance with the Maintenance Work Plan.
  - b. Continue floodplain and floodway preservation efforts.

- c. Cooperate with local jurisdictions in the preparation of the Maintenance Work Plan.

## **B. Watershed Services**

Continue floodplain management activities which includes work to be accomplished under the following funds:

- I. General Fund – Floodplain Management Services \$435,444
  - a. Continue assisting local entities in preparing, adopting, and administering floodplain regulations, and implement District regulations in those local jurisdictions that do not adopt and enforce floodplain regulations.
  - b. Delineate flood hazard areas.
  - c. Coordinate Federal Emergency Management Agency (FEMA) efforts within the District.
  - d. Review drainage and flood control proposals for proposed development affecting major drainageways upon request from local entities.
  - e. Continue the notification of floodplain occupants of flood hazards.
  - f. Continue the District's program of determining maintenance eligibility of drainage and flood control facilities constructed by others.
  - g. Continue the District's program to bring non-flood control reservoirs into compliance with District policy.
  - h. Continue development of the Cooperating Technical Partner (CTP) Program with FEMA.
  - i. Assist local governments and developers in the implementation of drainage and flood control master plans.

## **C. Operations and Development Services**

Continue operations and development activities which includes work to be accomplished under the following funds:

- I. General Fund – Special Projects \$515,000
  - a. Continue efforts to improve methodologies for planning and design of drainage and flood control facilities, stormwater best management practices and delineation of floodplains in the Denver region, and disseminate information developed to public from these efforts.
  - b. Continue development and updating of the District's Urban Storm Drainage Criteria Manual and continue administration of manual.
  - c. Provide coordination and assistance to local governments in the Denver metro area in their efforts to prepare NPDES permit applications and to comply with issued municipal NPDES stormwater discharge permits.
  - d. Continue projects to establish methods and agreements for financing and implementing regional drainage and flood control facilities.
  - e. Develop, compile, publish, and distribute appropriate information and data to assist local jurisdictions in drainage and flood control efforts including continuation of publication of Flood Hazard News and sponsoring of seminars.
  - f. Continue educational and information dissemination efforts to public officials, consulting firms, and the general public related to stormwater and flood management issues.
  - g. Continue development of District's data and records management and GIS capability.

**D. Flood Warning and Information Services**

Continue information services and flood warning activities which includes work to be accomplished under the following funds:

- I. General Fund – Flood Warning Projects \$285,000
  - a. Continue development of District’s early flood warning system.
  - b. Continue flood damage documentation protocol.
  - c. Continue contracting with a qualified meteorology firm to provide meteorological services to local governments for the 2018 flood season meteorologist.
  - d. Continue development of data and communications network.
  - e. Continue ALERT communication system maintenance.
  
- II. Construction Fund – Alert 2 Implementation \$30,000
  - a. Construct new ALERT gauging equipment to supplement the District’s existing ALERT stream and rainfall gauging network.
  
- III. Maintenance Fund – Flood Monitoring Services \$630,000
  - a. Continue to support a rainfall/runoff data collection program including cooperative efforts with the U.S. Geology Survey (USGS) and others, and provide data analysis as appropriate.
  - b. Continue other data collection and flood documentation activities.
  - c. Assist local governments in developing, updating, exercising, and maintaining flood detection networks and flood warning plans.
  - d. Continue to provide meteorological services to supplement National Weather Service (NWS) watches and warnings and work with NWS to improve flood warning capabilities.
  - e. Review and revise, as necessary, the Standard Operating Procedure (SOP) for implementation of the District’s Flood Disaster and Mitigation Plan.
  - f. Continue assisting local governments with developing self-help programs.
  - g. Maintain and enhance District information technology systems and related services.

- 2. The Executive Director is authorized to negotiate and execute necessary agreements to administer the District’s 2018 Work Program.
- 3. The costs of these services shall not exceed those amounts listed above for each service category for calendar year 2018.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 60, SERIES OF 2017

(Adoption of Five-Year Capital Improvement Plan [CIP]: 2017 – 2021)

WHEREAS, by Resolution No. 11, Series of 1973, the Board of Directors adopted a capital improvements expenditure policy; and

WHEREAS, by Title 32-11-214, C.R.S., it is stated:

- "(1) The District, acting by and through the board, may acquire, improve, equip, relocate, maintain, and operate the facilities, any project, or any part thereof, for the benefit of the district and the inhabitants thereof, after the board has made such preliminary studies and otherwise taken such action as it determines to be necessary or desirable as preliminaries thereto."
- "(2) When a comprehensive program for the acquisition of facilities for the district satisfactory to the board is available, such program shall be tentatively adopted. The program need only describe the proposed facilities in general terms and not in detail."
- "(3) A public hearing on the proposed program shall be scheduled, and notice of the hearing shall be given by publication. After the hearing and any adjournments thereof which may be ordered, the board may either require changes to be made in the program as the board shall consider desirable, or the board may approve the program as prepared."; and

WHEREAS, by Resolution No. 53, Series of 2016, the Board set forth projects that were adopted as a part of the comprehensive program for the years 2016 through 2020; and

WHEREAS, the Board desires to revise the comprehensive five-year capital improvement plan on an annual basis; and

WHEREAS, by Resolution No. 11, Series of 1973, key policies set by the Board to guide the selection of projects were considered in determining the 2017 – 2021 CIP; and

WHEREAS, the Board of Directors, adopted a budget for 2018 (Resolution No. 55, Series of 2017) which includes \$10,477,500 for CIP improvements within the District; and

WHEREAS, a public hearing on the proposed plan was held on November 9, 2017 pursuant to published notice, and testimony was taken and data provided describing the comprehensive program in general terms to the satisfaction of the Board.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The improvements described herein are necessary for the health, comfort, safety, convenience, and welfare of all the people in the State and are of special benefit to the inhabitants of the District and the property therein.
2. The list of projects is adopted as a part of the comprehensive five-year program for the years 2017 through 2021 for the implementation of projects. Such projects are described in general, and not in detail, and individual projects and authorizations therefore shall be approved by the Board on a project-by-project basis.
3. Individual projects on the CIP may be added, removed, or moved from one year to another in the CIP based on requests from the local governments and shifting priorities.
4. The following guidelines will be followed as the CIP is administered; or projects on the CIP are added, deleted, or moved from one year to another in the CIP:
  - a. Proposed improvements requested by local government.
  - b. Proposed projects must be master planned.
  - c. Local governments must provide at least a 50 percent match to District funds.
  - d. Local governments must agree to maintain the facilities.

- e. The District shall allocate funds such that revenues from counties will be spent for improvements within those counties over a five-year time period.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 61, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Big Dry Creek [ADCO], Upstream of Sheridan Boulevard,  
City of Westminster, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Westminster has enacted floodplain regulations; and

WHEREAS, the City of Westminster and the District cooperated in the preparation of “Big Dry Creek Major Drainageway Plan,” dated March 2012; and

WHEREAS, the Board previously authorized \$50,000 for the Big Dry Creek (ADCO), upstream of Sheridan Boulevard Project (Table 1); and

**Table 1**  
**Big Dry Creek (ADCO), Upstream of Sheridan Boulevard**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
75	2016	\$50,000	\$50,000	Design
<b>TOTAL</b>		<b>\$50,000</b>		

WHEREAS, the City of Westminster and the District now desire to construct improvements along Big Dry Creek (ADCO), upstream of Sheridan Boulevard (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$125,000 to at least be matched by the City of Westminster; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, which includes funds for construction of drainage and flood control improvements along Big Dry Creek (ADCO), upstream of Sheridan Boulevard; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Big Dry Creek (ADCO), upstream of Sheridan Boulevard were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 75, Series of 2016, Paragraph 3, is amended as follows:  
“The District’s maximum contribution to the Big Dry Creek (ADCO), upstream of Sheridan Boulevard project without prior approval of the Board shall be ~~\$50,000~~ **\$175,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Westminster.”
2. All other conditions and authorizations remain as stated in Resolution No. 75, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

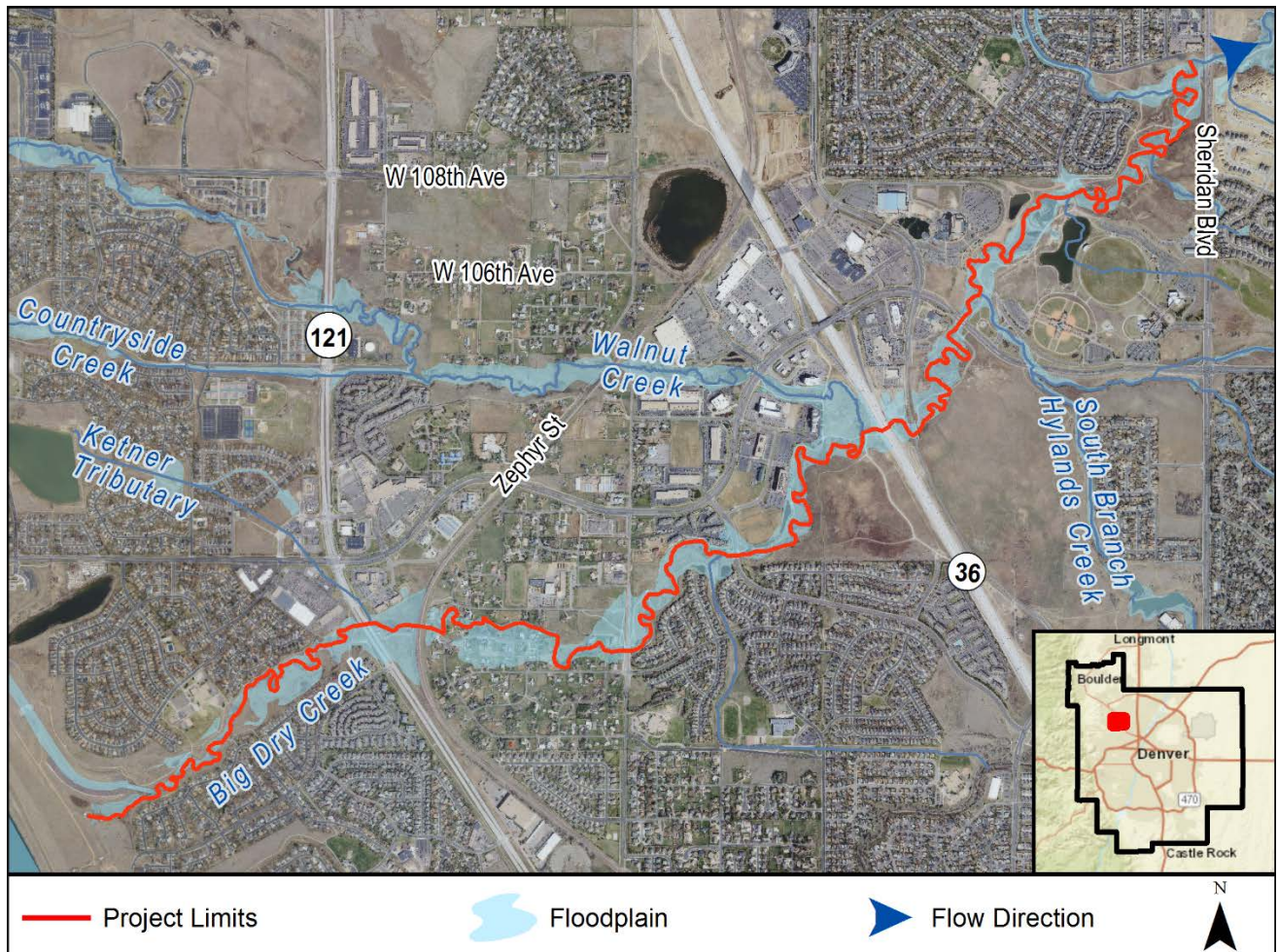
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 61, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Big Dry Creek (ADCO), Upstream of Sheridan Boulevard  
City of Westminster, Jefferson County

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 62, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on the South and Middle Branches of Hylands Creek, Upstream of 104<sup>th</sup> Avenue,  
City of Westminster, Jefferson County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Westminster has enacted floodplain regulations; and

WHEREAS, the City of Westminster and the District cooperated in the preparation of “Big Dry Creek (ADCO) and Tributaries, Outfall Systems Plan,” dated January 1989; and

WHEREAS, the Board previously authorized \$200,000 for the South and Middle Branches of Hylands Creek, upstream of 104<sup>th</sup> Avenue Project (Table 1); and

**Table 1**  
**South and Middle Branches of Hylands Creek, Upstream of 104<sup>th</sup> Avenue**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
77	2016	\$200,000	\$200,000	Design, Right-of-Way Purchases, and Construction Funding
<b>TOTAL</b>		<b>\$200,000</b>		

WHEREAS, the City of Westminster and the District now desire to construct improvements along the South and Middle Branches of Hylands Creek, upstream of 104<sup>th</sup> Avenue (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$378,000 to at least be matched by the City of Westminster; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, which includes funds for construction of drainage and flood control improvements along the South and Middle Branches of Hylands Creek, upstream of 104<sup>th</sup> Avenue; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along the South and Middle Branches of Hylands Creek, upstream of 104<sup>th</sup> Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 77, Series of 2016, Paragraph 3, is amended as follows:  
“The District's maximum contribution to the South and Middle Branches of Hylands Creek, upstream of 14<sup>th</sup> Avenue project without prior approval of the Board shall be ~~\$200,000~~ **\$578,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Westminster.”
2. All other conditions and authorizations remain as stated in Resolution No. 77, Series of 2016.



(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

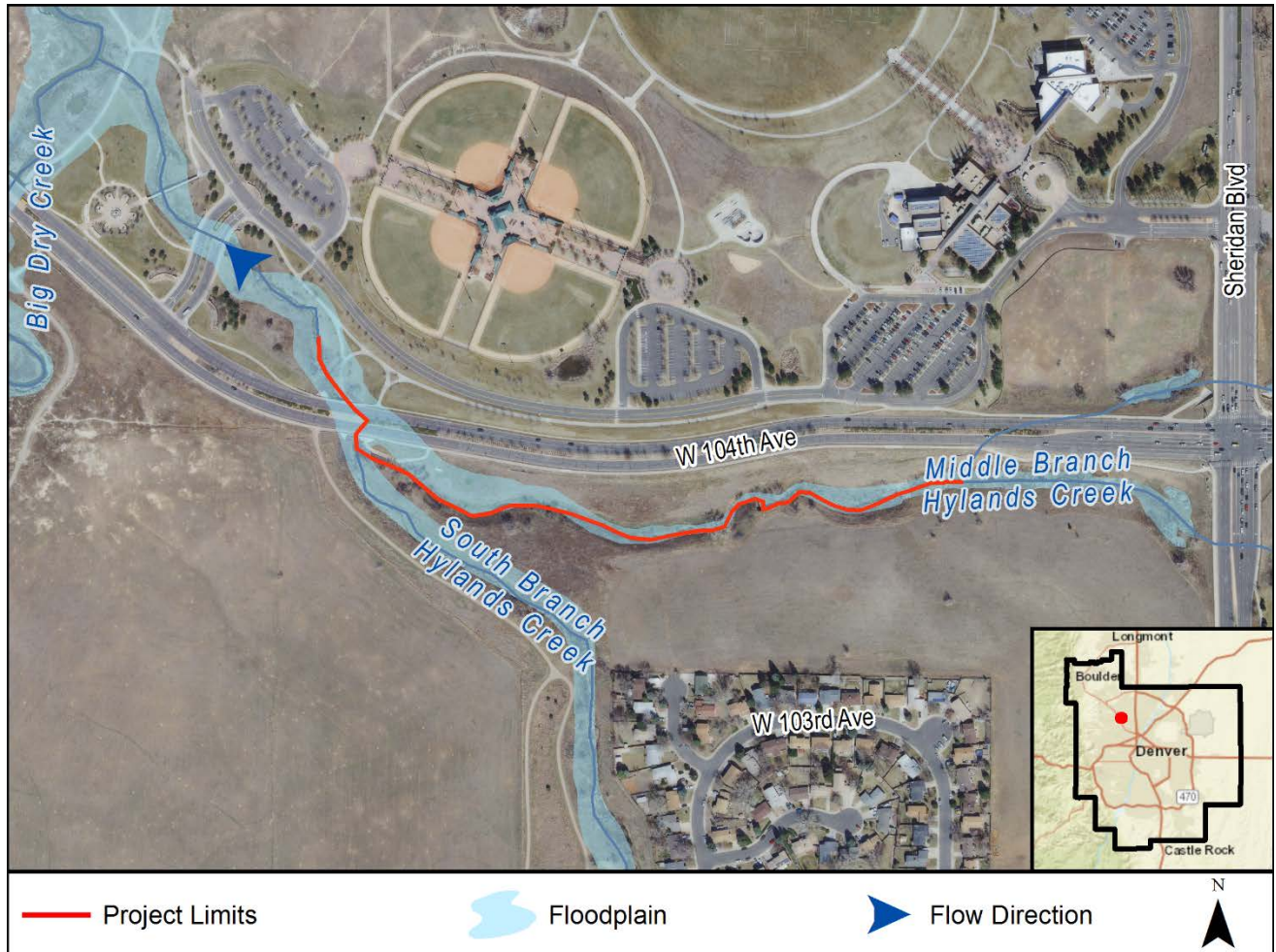
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Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 62, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on the South and Middle Branches of Hylands Creek, Upstream of 104<sup>th</sup> Avenue,  
City of Westminster, Jefferson County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 63, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Greenwood Gulch at Quincy Avenue, City of Cherry Hills Village, Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Cherry Hills Village has enacted floodplain regulations; and

WHEREAS, Arapahoe County, Greenwood Village, Cherry Hills Village, Centennial, South Suburban Park and Recreation District, and the District cooperated in the preparation of “Little Dry Creek (Arapco) Watershed Downstream Portions Major Drainageway Planning,” dated August 2004; which recommends improvements on Greenwood Gulch at Quincy Avenue; and

WHEREAS, the City of Cherry Hills Village has requested District participation in the design, acquisition of right-of-way, and construction of improvements to Greenwood Gulch at Quincy Avenue (Exhibit A); and

WHEREAS, the City of Cherry Hills Village has estimated the initial project costs to be \$200,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$100,000 to at least be matched by (Cherry Hills Village); and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Greenwood Gulch at Quincy Avenue; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Greenwood Gulch at Quincy Avenue were included.

### NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City of Cherry Hills Village for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Greenwood Gulch at Quincy Avenue.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Greenwood Gulch at Quincy Avenue.
3. The District’s maximum contribution to the Greenwood Gulch at Quincy Avenue project, without prior approval of the Board, shall be \$100,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Cherry Hills Village.
4. Such approval for expenditure of District funds is contingent upon the City of Cherry Hills Village agreeing to regulate and control any defined floodplain in the Greenwood Gulch at Quincy Avenue project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

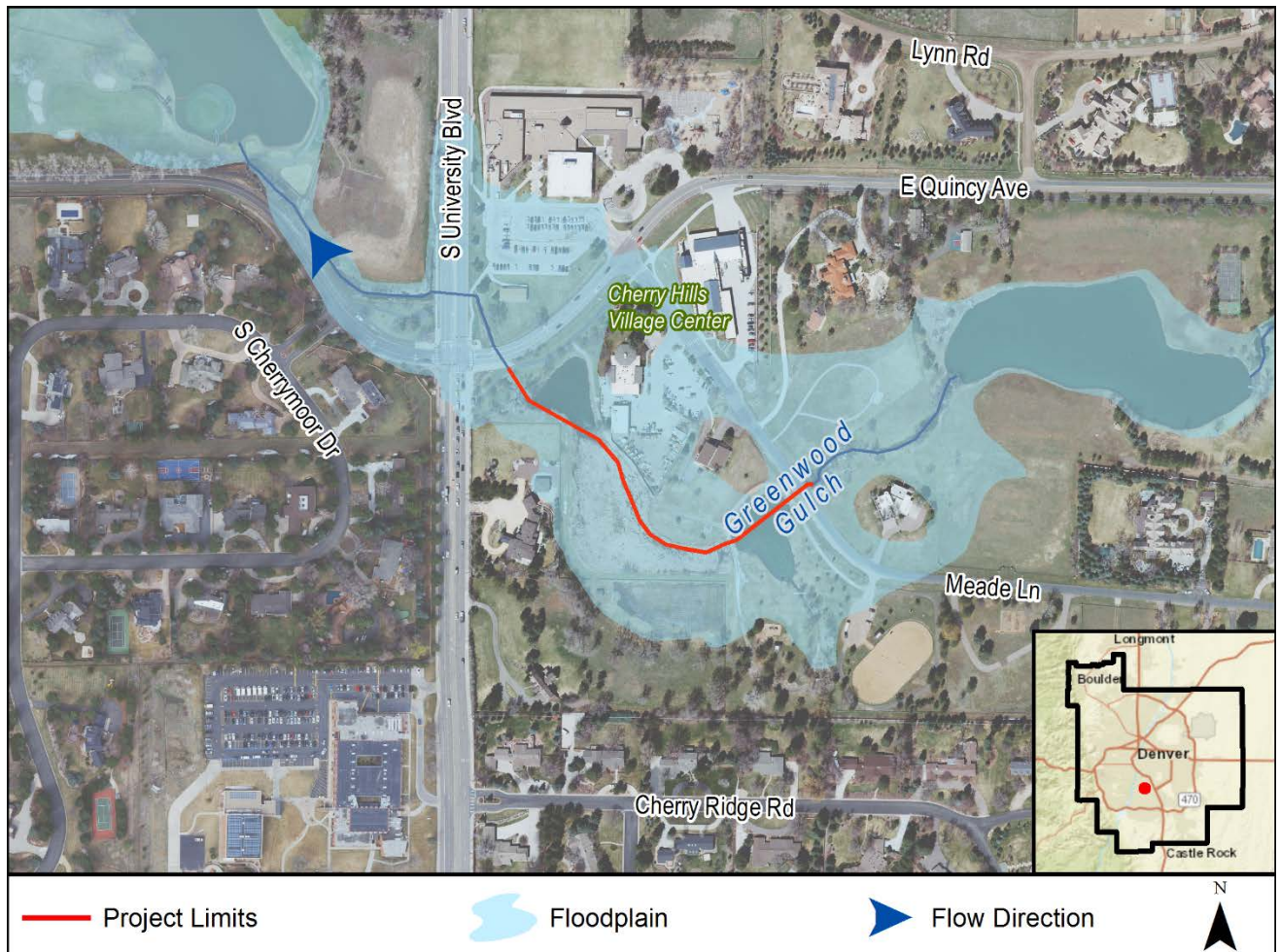
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Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 63, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Greenwood Gulch at Quincy Avenue, City of Cherry Hills Village, Arapahoe County)

### EXHIBIT A







THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 64, SERIES OF 2017

(Acceptance of Quincy Creek, Shop Creek, and Meadowood Creek Planning Study)

WHEREAS, the District cooperated with the City of Aurora in the preparation of an outfall systems planning study for Quincy Creek, Shop Creek, and Meadowood Creek (Resolution 63, Series of 2015); and

WHEREAS, the Executive Director executed an agreement for engineering services with the consulting firm Michael Baker International, Inc. to conduct studies and prepare a major drainageway planning report for Quincy Creek, Shop Creek, and Meadowood Creek; and

WHEREAS, Michael Baker International, Inc. has completed the study and submitted to the District the report titled "Quincy Creek, Shop Creek, and Meadowood Creek Outfall Systems Plan," dated October 2017.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors of the Urban Drainage and Flood Control District hereby accepts the report titled "Quincy Creek, Shop Creek, and Meadowood Creek Outfall Systems Plan," dated October 2017, and recommends that all drainage, flood control and stormwater management infrastructure and practices recommended in the report be used to guide future drainage and flood control planning, land development, and design and construction of all such infrastructure within jurisdiction covered by said plan.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 64, SERIES OF 2017

(Acceptance of Quincy Creek, Shop Creek, and Meadowood Creek Planning Study)

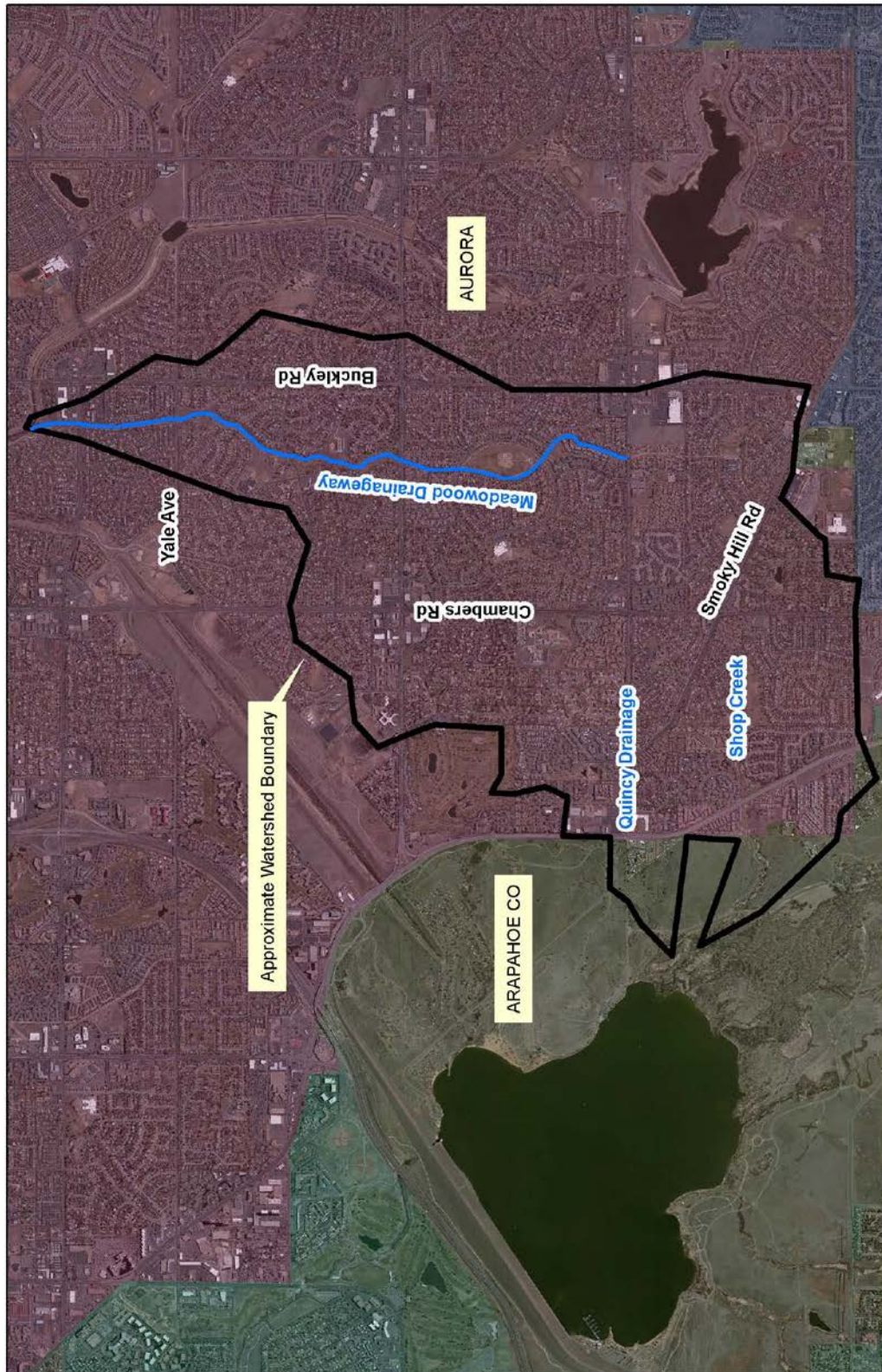


EXHIBIT A  
Quincy Drainage, Shop Creek, Meadowood Drainage OSP  
Approximate Study Limits  
November 2015

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 65, SERIES OF 2017

(Authorization to Lobby the Colorado State Legislature to Make Necessary Statutory Changes)

WHEREAS, the Urban Drainage and Flood Control District Act contains election language in 32-11-104; 32-11-401; 32-11-402, and 32-11-704 C.R.S.; and

WHEREAS, these election provisions are outdated and statutory changes are necessary to update the District's laws in order to enable a TABOR election, should the Board decide to go forward with a TABOR-related ballot measure in 2018 or later; and

WHEREAS, the Board desires to lobby the Colorado State Legislature for changes to the District's election provisions in order to bring them into compliance with the way in which elections are currently conducted in Colorado.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to enter into agreements with law firms, lobbyists, and others as necessary to lobby the Colorado State Legislature for changes to the District's election provisions necessary to bring them into compliance with current election practices in Colorado.
2. The District's maximum expenditure for this effort, without additional approval of the Board, shall be \$50,000.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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## BOARD OF DIRECTORS MEETING

Date: Thursday, December 21, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

How the District Works – 12:45 – 1:00 pm

### 1. Call to Order and Pledge of Allegiance – 1:00 pm

### 2. Introductions

- a. Swearing in of New Board Members:
  - i. Mayor Randy Ahrens (Broomfield)
  - ii. Mayor Pro Tem Marsha Berzins (Aurora)
  - iii. Mayor Pro Tem John Marriott (Arvada)
- b. Visitors/Guests/Staff
- c. Awards/Recognitions
  - i. 2017 Perfect Attendance – Board Members

### 3. Roll Call – Determination of Quorum

### 4. Approval of November 9, 2017 Meeting Minutes *(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)*

### 5. Consent Agenda *(Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.)*

- a. Review of Cash Disbursements
- b. Legislative Committee  
(Resolution No. 66, Series of 2017)
- c. Additional Authorization to Participate in Drainage and Flood Control Improvements on North Outfall at Midland Street, City of Brighton, Adams County  
(Resolution No. 67, Series of 2017)
- d. Authorization to Participate in Drainage and Flood Control Improvements on Greenwood Gulch at Holly Street, City of Greenwood Village, Arapahoe County  
(Resolution No. 68, Series of 2017)
- e. Additional Authorization to Participate in Drainage and Flood Control Improvements on Jackass Gulch at Long Avenue, City of Littleton, Arapahoe County  
(Resolution No. 69, Series of 2017)
- f. Additional Authorization to Participate in Drainage and Flood Control Improvements on West Cook Creek Downstream of Lincoln Avenue, City of Lone Tree, Douglas County  
(Resolution No. 70, Series of 2017)
- g. Additional Authorization to Participate in Drainage and Flood Control Improvements on Sanderson Gulch from Lipan Street to the South Platte River, City and County of Denver  
(Resolution No. 71, Series of 2017)
- h. Authorization for a Planning Study of Irondale Gulch Upstream of Rocky Mountain Arsenal  
(Resolution No. 72, Series of 2017)
- i. Authorization for a Planning Study of Cherry Creek Tributaries Upstream of Reservoir  
(Resolution No. 73, Series of 2017)
- j. Authorization for a Planning Study of Brantner Gulch  
(Resolution No. 74, Series of 2017)

### 6. Vote on Approval of the Consent Agenda *(Motion and roll call vote required)*

## **7. Reports/Discussions**

- a. Executive Director's Report
- b. Public Education Campaign

## **8. Other Business**

- a. Nominating Committee – Recommendation of 2018 Officers

## **9. Announcements**

- a. Next Regularly Scheduled Meeting: **Thursday, February 1, 2018**
- b. The Board does not meet in January.

## **10. Adjournment**

***Merry Christmas and Happy New Year!***







## URBAN DRAINAGE AND FLOOD CONTROL DISTRICT BOARD OF DIRECTORS

November 9, 2017

### MINUTES

#### **Members Present:**

Herb Atchison, Mayor, City of Westminster  
Bruce Beckman, Mayor, City of Littleton  
Joyce Downing, Mayor, City of Northglenn  
Bob Fifer, Mayor Pro Tem, City of Arvada  
Deb Gardner, Commissioner, Boulder County  
Stacie Gilmore, Council Member, City/County of Denver  
Mark Hunter, Engineer  
Joyce Jay, Mayor, City of Wheat Ridge  
Angela Lawson, Mayor Pro Tem, City of Aurora  
Paul López, Council Member, City/County of Denver  
Adam Paul, Mayor, City of Lakewood  
Stephanie Piko, Mayor Pro Tem, City of Centennial  
Dave Sellards, Engineer  
Nancy Sharpe, Commissioner, Arapahoe County  
Greg Stokes, Mayor Pro Tem, City/County of Broomfield  
Libby Szabo, Commissioner, Jefferson County  
Charles (Chaz) Tedesco, Commissioner, Adams County  
Lora Thomas, Commissioner, Douglas County  
Heidi Williams, Mayor, City of Thornton  
Mary Young, Council Member, City of Boulder

#### **Members Absent:**

Happy Haynes, Deputy Mayor, City/County of Denver  
Paul Kashmann, Council Member, City/County/Denver

#### **UDFCD Staff Present:**

Ken MacKenzie	Executive Director
Julia Bailey	Project Engineer, Operations and Development Services
Dave Bennetts	Program Manager, Operations and Development Services
Richard Borchardt	Project Manager, Stream Services
Barbara Chongtouna	Project Manager, Stream Services
Amelia Deleon	Human Resources Manager
Terri Fead	Project Manager, Watershed Services
Laura Kroeger	Program Manager, Stream Services
Morgan Lynch	Project Manager, Watershed Services
Teresa Patterson	Project Manager, Watershed Services
Terri Schafer	Accounting & Finance Manager
Brooke Seymour	Project Manager, Watershed Services
David Skuodas	Project Manager, Stream Services
Kevin Stewart	Program Manager, Flood Warning & Information Services
Shea Thomas	Program Manager, Watershed Services

#### **Others Present:**

Ed Krisor, Legal Counsel  
Steve Welchert, Public Affairs Consultant  
Anna Sparks, Engineer Manager, Adams County  
Jim Thorsen, City Manager, City of Cherry Hills Village

#### **How the District Works**

Mrs. Shea Thomas, Program Manager of the Watershed Services Program presented "The Watershed Approach to Stream Management" for this month's How the District Works presentation.

**1. Call to Order and Pledge of Allegiance – 12:30 p.m.**

Mayor Williams called the meeting to order at 12:27 p.m.

**2. Introductions**

**a. Visitors/Guests/Staff**

Mr. MacKenzie introduced the following guests:

- Mr. Steve Welchert, UDFCD Public Affairs Consultant
- Jim Thorsen, City Manager, City of Cherry Hills Village
- Anna Sparks, Engineer Manager, Adams County

**b. Awards/Recognitions**

Mr. MacKenzie recognized the following Board Members that would be leaving the UDFCD Board of Directors in November:

- Mayor Joyce Downing
- Mayor Bruce Beckman
- Mayor Pro Tem Greg Stokes
- Mayor Pro Tem Bob Fifer
- Mayor Joyce Jay

As an expression of the District's appreciation for their service, each board member received a UDFCD Challenge Coin and a gift basket. Mayor Williams also thanked the Board Members for their service.

**3. Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

**4. Approval of October 19, 2017 Meeting Minutes**

Mayor Williams asked if there were any corrections to the October 19, 2017 minutes. Hearing none, the minutes were approved as submitted.

**5. Public Hearing**

**a. Presentation of Proposed 2017 – 2021 Five-Year Capital Improvement Plan**

Mayor Williams opened the public hearing at 12:34 pm.

This is the final presentation of the Five-Year Capital Improvement Plan (CIP). The CIP was sent to local governments in October asking for comments to be returned to the District. Comments and requests were received from most of the local governments and they have been incorporated into the CIP to the extent possible. Not all requests can be accommodated because there are more requests than there are funds available. A summary of the 2017 – 2021 Five-Year CIP was emailed to the Board prior to the Board Meeting.

Although the District welcomes CIP requests throughout the year, opportunities to change the Five-Year CIP are limited once it is adopted in November. There is a strong demand for District participation, so it is difficult to add a new project unless another project can be omitted or postponed.

The Five-Year CIP has some built-in flexibility in the funding levels because matching funds from local governments tend to change throughout the year for these large CIP projects. The final Five-Year CIP is presented at the November meeting for adoption pursuant to a public hearing. Authorization for all individual CIP project expenditures will be brought before the Board during 2018.

Mayor Williams requested comments or questions from the Board and public. The following questions were asked by Board members:

**Questions:**

Commissioner Thomas asked if the projected totals of the Five-Year CIP (particularly 2019-2021) would change if the District decides to ask the electors in November 2018 to approve an increase and retention of revenue from the total mill levies? Mrs. Laura Kroeger confirmed that they would indeed increase, if the District received that elector approval. She further clarified that as the District's budgets currently stand, we have significant shortfalls with the funds the District is projected to receive without that increase.

Mr. Ken MacKenzie explained that due to the ballot proposal being considered, the District will need to prepare two budgets and two Five-Year CIPs for 2019. Once a ballot initiative is voted on, the appropriate resolutions would be chosen.

Mr. MacKenzie further explained that while the Board typically adopts the mill levy and budget at the October meeting, next year we would delay these agenda items until after the election. The deadline for certifying the mill levy is December 15.

Mayor Williams requested any further comments or questions from the Board and public. There being none, the public hearing was closed at 12:41 pm.

Informational Item: Master Planning Program 5-Year Strategic Plan (2017-2021)

Every year, the District sends a request letter to all the communities we serve to solicit master planning needs for the next five years. The District matches up to 50% of all master planning studies. Unlike the CIP, the strategic plan is not brought to the Board for approval; rather, each individual master plan will come up for authorization through a resolution. When a request for a master plan is received, The District will typically contact the other affected local governments to see if there is interest in participating in the study. A concerted effort is made to try and fit the needs of the communities to the amount of funding as best as the District can.

**6. Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)

**a. Review of Cash Disbursements**

Cash disbursement list, dated October and November 2017, had been distributed to the Board for review. There being no further comments or questions, it was the consensus of the Board to include approval of the Cash Disbursements on the Consent Agenda.

**b. Adoption of 2018 Work Program and Authorization of Expenditures  
(Resolution No. 59, Series of 2017)**

In previous years, the Board was asked to adopt several resolutions that captured annual funding requests from different programs. This year, all annual requests have been combined into one resolution.

Construction and Maintenance Services - \$2,269,300

- Vegetation and debris management
- Sediment removal
- Restoration projects
- Capital improvement projects

Maintenance (Stream Management) - \$8,950,970

- Vegetation and debris management
- Sediment removal
- Restoration projects

Floodplain Management - \$435,444

- Flood Hazard Area Delineation (FHAD)
- Maintenance Eligibility Program (MEP)
- Coordinate with Federal Emergency Management Agency (FEMA)

Special Projects - \$515,000

- Drainage Criteria & Standards Development
- MS4 Permit support
- Stormwater management research
- Data and records management

Flood Warning Projects - \$285,000

- ALERT communication system maintenance
- UDFCD early flood warning system
- Meteorological support – 2018 flood season
- Data and communications

ALERT 2 Implementation - \$30,000

- New ALERT gauging equipment

Flood Monitoring Services - \$630,000

- Rainfall/runoff data collection program
- Local government support: flood detection networks and flood warning plans
- Meteorological services to supplement National Weather Service watches and warnings
- Standard Operating Procedure – UDFCD Flood Disaster Mitigation Plan

Resolution No. 59 adopts the work plan for 2018 and authorizes the Executive Director to negotiate and execute necessary agreements to administer the plan. The 2018 Work Plan serves as a guide and, based on changing needs, projects may be added or removed.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 59 on the Consent Agenda.

**c. Adoption of Five-Year Capital Improvement Plan (CIP) 2017 – 2021  
(Resolution No. 60, Series of 2017)**

Resolution No. 60, Adoption of the Five-Year CIP 2017 - 2021, was discussed during the Public Hearing portion of the meeting.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 60 on the Consent Agenda.

**d. Additional Authorization to Participate in Drainage and Flood Control Improvements on Big Dry Creek (ADCO) upstream of Sheridan Boulevard, City of Westminster, Jefferson County  
(Resolution No. 61, Series of 2017)**

This is a joint project with the City of Westminster. The City of Westminster and the District desire to design, acquire right-of-way, and construct improvements along Big Dry Creek (ADCO), upstream of Sheridan Boulevard, in accordance with the "Big Dry Creek Major Drainageway Plan," dated March 2012. The project includes improvements to stabilize the highly eroding banks and bed of Big Dry Creek upstream of Sheridan (Jeffco/ADCO boundary) to Standley Lake, as funds permit. Design will include identifying the needs of each reach in accordance with the MDP and prioritizing the improvements for construction phasing based on available funding and best value. Easement and right-of-way acquisition will be included in the project costs.

The District will be administering the design once a consulting engineering firm is selected. The District and the City of Westminster desire to construct the improvements, which will be managed by the District. Construction is anticipated in 2019. The District and the City of Westminster have identified an additional \$250,000 in total project costs for the design, acquisition of right-of-way, and construction, with the District's participation being \$125,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 61 authorizes \$125,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Westminster.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 61 on the Consent Agenda.

**e. Additional Authorization to Participate in Drainage and Flood Control Improvements on the South and Middle Branches of Hylands Creek upstream of 104th Avenue, City of Westminster, Jefferson County  
(Resolution No. 62, Series of 2017)**

This is a joint project with the City of Westminster. The City of Westminster and the District desire to design, acquire right-of-way, and construct improvements along South and Middle Branches of Hylands Creek, Upstream of 104th Avenue, in accordance with the "Big Dry Creek (ADCO) and Tributaries, Outfall Systems Plan," dated January 1989. The project includes 100-year channel improvements to stabilize the eroding banks and bed, protect utilities, and improve the pedestrian/maintenance access at 104th Avenue on the South and Middle Branches of Hylands Creek, upstream of 104th Avenue. Prior to construction, stream improvement reaches will be prioritized to allow for phased construction based on



available funding and best value. Easement and right-of-way acquisition will be included in the project costs.

The District will be administering the design once a consulting engineering firm is selected. The District and the City of Westminster desire to construct the improvements, which will be managed by the District. Construction is anticipated to begin in 2019. The District and the City of Westminster have identified an additional \$756,000 in total project costs for the design, acquisition of right-of-way, and construction, with the District's participation being \$378,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 62 authorizes \$378,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Westminster.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 62 on the Consent Agenda.

**f. Authorization to Participate in Drainage and Flood Control Improvements on Greenwood Gulch at Quincy Avenue, City of Cherry Hills Village, Arapahoe County (Resolution No. 63, Series of 2017)**

This is a joint project with the City of Cherry Hills Village. The City of Cherry Hills Village desires to design, acquire right-of-way, and construct improvements along Greenwood Gulch at Quincy Avenue in accordance with the "Little Dry Creek (Arapco) Watershed Downstream Portions Major Drainageway Planning," dated August 2004. The project includes improvements to reduce flood risks to Cherry Hills Municipal Center, protect utilities, create recreational amenities, and provide water access. The City of Cherry Hills Village already holds the necessary easements and right-of-way where the project will be carried out.

The City of Cherry Hills Village will be administering the design with RESPEC Engineering Company. The District and the City of Cherry Hills Village desire to construct the improvements, which will be managed by the City of Cherry Hills Village. Construction is anticipated in 2019. The District and the City of Cherry Hills Village have identified \$200,000 in initial project costs for the design, right-of-way acquisition, and partial funding of construction with the District's participation being \$100,000 in 2017 funds. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 63 authorizes \$100,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Cherry Hills Village.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 63 on the Consent Agenda.

**g. Acceptance of Quincy Creek, Shop Creek, and Meadowood Creek Planning Study (Resolution No. 64, Series of 2017)**

Resolution No. 63, Series of 2015 authorized an outfall systems planning study for drainage issues along Quincy Drainage (renamed Quincy Creek), Shop Creek, and Meadowood Drainageway (renamed Meadowood Creek). The District partnered with the City of Aurora to fund the study. Michael Baker International, Inc. was selected to perform the study. Quincy Creek and Shop Creek are tributaries to the Cherry Creek Reservoir draining an area that is approximately 2 square miles. Meadowood Creek is tributary to West Toll Gate Creek and drains an area that is approximately 2.6 square miles.

The goals of the study were to provide conveyance of the 100-year flood event to minimize flood risk to structures currently in the floodplain, reduce the maintenance needs along the open channel, and identify opportunities for water quality treatment. Recommended improvements include new box culverts at: South Parker Road, East Iliff Avenue, East Yale Avenue, East Dartmouth Avenue, East Radcliff Place, East Rice Place and East Stanford Place

The total cost of improvements recommended in the study is over \$2.9 million. Resolution No. 64 accepts the report and recommends the improvements and practices in the report be used as a guide in future public works projects and in land development activities.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 64 on the Consent Agenda.

**h. Authorization to Lobby the Colorado State Legislature to Make Necessary Statutory Changes (Resolution No. 65, Series of 2017)**

The election language in the UDFCD Act (32-11-104, 32-11-401, 32-11-402, and 32-11-704 C.R.S.) is in need of updating, should the District move forward with a TABOR-related ballot measure in the future.

Resolution No. 65 authorizes the District to enter into agreements with law firms, lobbyists, and others to lobby the Colorado State Legislature for changes to the District's election provisions in order to bring them into compliance with the way in which elections are currently conducted. Changes include:

- Clean-up of definitions
- Clarify that District elections may be held independently at a Special Election
- Provide a formula for determining reasonable election costs related to a special election in a manner currently used by the Scientific & Cultural Facilities District (SCFD)
- Delete outdated provisions
- Clarify provisions relating to annexation elections of the District
- Include a safety clause relating to the timing of when the bill will go into effect

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 65 on the Consent Agenda.

**7. Vote on Approval of the Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)

It was the consensus of the Board that Resolutions No. 59, 60, 61, 62, 63, 64, and 65, Series of 2017, and Cash Disbursements dated October and November 2017 be placed on the Consent Agenda. Mayor Williams moved to adopt the Consent Agenda. Upon a roll call vote, the motion was passed unanimously.

**8. Other Business**

**a. Call for Volunteers: Nominating Committee for 2018 Officers**

Mayor Williams requested volunteers to serve on the Nominating Committee for the 2018 Executive Committee. The following board members volunteered their services:

1. Mayor Herb Atchison
2. Council Member Paul Lopez
3. Commissioner Nancy Sharpe

At the December Board meeting, the Nominating Committee will announce their recommendations and the Board will then vote on the recommendations. Mayor Williams also requested that any Board member looking to serve on the Executive Committee should inform Ms. Amelia Deleon or anyone on the Nominating Committee.

**b. Call for Volunteers: 2018 Legislative Committee**

Mr. MacKenzie requested volunteers to serve on the Board's Legislative Committee. Mr. MacKenzie explained that this committee meets when new bills that affect the District are introduced. The following Board members volunteered to serve on the 2018 Legislative Committee:

1. Commissioner Libby Szabo
2. Mayor Heidi Williams
3. Commissioner Lora Thomas
4. Mayor Adam Paul
5. Council Member Paul Lopez
6. Commissioner Chaz Tedesco
7. Mayor Pro Tem Angela Lawson

**9. Announcements**

- a. Next Regularly Scheduled Meeting: Thursday, December 21, 2017 at 1:00 pm**

**10. Adjournment**

Mayor Williams adjourned the meeting at 1:12 p.m.

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 66, SERIES OF 2017 (Legislative Committee)

WHEREAS, Section 32-11-220(1)(l), C.R.S., provides that: “The district also has the following powers: To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this article, which specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of this article;”; and

WHEREAS, from time to time state and federal legislation is proposed and being acted upon which would affect the operations of the District; and

WHEREAS, each year, a Legislative Committee is established by the Board of Directors for the following calendar year.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. There is hereby established in the place and stead of any previous Legislative Committee (Committee) a Committee composed of board members Commissioner Libby Szabo, Mayor Heidi Williams, Commissioner Lora Thomas, Mayor Adam Paul, Council Member Paul Lopez, Commissioner Charles (Chaz) Tedesco, and Mr. Dave Sellards selected by the Board of Directors (Board) from the members of the board.
2. The Legislative Committee shall review and evaluate from time to time, on behalf of the Board, pending state and federal legislation which would affect the operations of the District. Actions of the Legislative Committee shall include, but not be limited to; review and evaluate pending legislation, both state and federal; direct the District’s lobbyists and /or Executive Director to advocate, oppose or monitor individual bills; and to receive updates and advice on activities at the city and county level which are applicable to the District.
3. The Committee shall report to the Board at the next regularly scheduled Board meeting any actions taken by the Committee along with a summary of any bills or activities that may affect the District.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 67, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on North Outfall at Midland Street, City of Brighton, Adams County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Brighton has enacted floodplain regulations; and

WHEREAS, the City of Brighton and the District cooperated in the preparation of "Brighton Watershed Tributary to South Platte River Outfall Systems Planning," dated December 2006; and

WHEREAS, the Board previously authorized \$1,105,000 for the North Outfall at Midland Street Project (Table 1); and

**Table 1**  
**North Outfall at Midland Street**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
4	2006	\$0	\$1,400,000	Authorization for District Participation in Project
25	2008	\$400,000	\$200,000	Design, Right-of-Way Purchases, and Construction Funding
44	2010	\$200,000	\$85,000	Construction Funding
25	2011	\$125,000	\$46,000	Construction Funding
11	2014	\$150,000	\$0	Construction Funding
11	2015	\$100,000	\$0	Construction Funding
24	2017	\$130,000	\$0	Construction Funding
<b>TOTAL</b>		<b>\$1,105,000</b>	<b>\$1,731,000</b>	

WHEREAS, the City of Brighton and the District now desire to construct improvements along North Outfall at Midland Street (Exhibit A); and

WHEREAS, the City of Brighton has estimated the additional drainage project costs to be \$2,525,000 resulting in a revised total drainage project cost of \$5,361,000 (\$1,630,000 District; \$3,731,000 City of Brighton); and

WHEREAS, the District's additional participation being authorized by this resolution is \$525,000; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018 which includes funds for construction of drainage and flood control improvements along North Outfall at Midland Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along North Outfall at Midland Street were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 4, Series of 2006, Paragraph 3, is further amended as follows:  
“The District's maximum contribution to the North Outfall at Midland Street project without prior approval of the Board shall be ~~\$1,105,000~~ **\$1,630,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Brighton.”
2. All other conditions and authorizations remain as stated in Resolution No. 4, Series of 2006.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 67, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on North Outfall at Midland Street, City of Brighton, Adams County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 68, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Greenwood Gulch at Holly Street, City of Greenwood Village, Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Greenwood Village has enacted floodplain regulations; and

WHEREAS, Arapahoe County, the City of Greenwood Village, the City of Cherry Hills Village, the City of Centennial, the South Suburban Park and Recreation District, and the District cooperated in the preparation of “Little Dry Creek (Arapco) Watershed Downstream Portions Major Drainageway Planning,” dated August 2004; which recommends improvements on Greenwood Gulch at Holly Street; and

WHEREAS, the City of Greenwood Village has requested District participation in the design, acquisition of right-of-way, and construction of improvements to the Greenwood Gulch at Holly Street (Exhibit A); and

WHEREAS, the City of Greenwood Village has estimated the initial project costs to be \$750,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$375,000 to at least be matched by the City of Greenwood Village; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund–Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018, which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Greenwood Gulch at Holly Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along Greenwood Gulch at Holly Street were included.

### NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City of Greenwood Village for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Greenwood Gulch at Holly Street.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Greenwood Gulch at Holly Street.
3. The District’s maximum contribution to the Greenwood Gulch at Holly Street project, without prior approval of the Board, shall be \$375,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Greenwood Village.
4. Such approval for expenditure of District funds is contingent upon the City of Greenwood Village agreeing to regulate and control any defined floodplain in the Greenwood Gulch at Holly Street project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

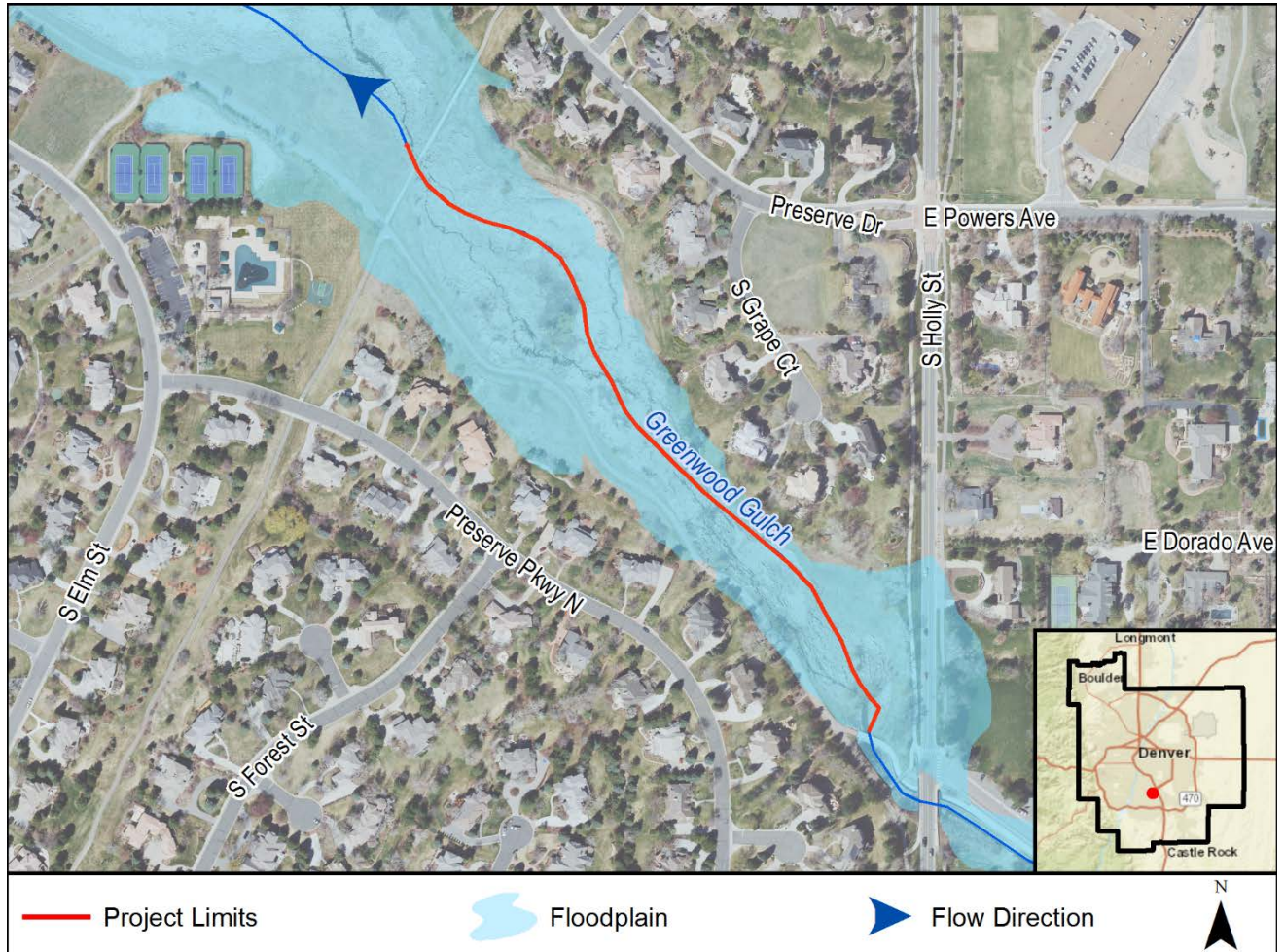
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Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 68, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements  
on Greenwood Gulch at Holly Street, City of Greenwood Village, Arapahoe County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 69, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Jackass Gulch at Long Avenue, City of Littleton, Arapahoe County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Littleton has enacted floodplain regulations; and

WHEREAS, the City of Littleton and the District cooperated in the preparation of "Lower Dad Clark Gulch and DFA 0068 Outfall Systems Planning," dated February 1991; and

WHEREAS, the Board previously authorized \$425,000 for the Jackass Gulch at Long Avenue Project (Table 1); and

**Table 1**  
**Jackass Gulch at Long Avenue**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
22	2014	\$225,000	\$225,000	Design
51	2017	\$200,000	\$200,000	Construction
<b>TOTAL</b>		<b>\$425,000</b>	<b>\$425,000</b>	

WHEREAS, the City of Littleton and the District now desire to construct improvements along Jackass Gulch at Long Avenue (Exhibit A); and

WHEREAS, the District's additional participation being authorized by this resolution is \$225,000 to at least be matched by the City of Littleton; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018 which includes funds for construction of drainage and flood control improvements along Jackass Gulch at Long Avenue; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along Jackass Gulch at Long Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 22, Series of 2014, Paragraph 3, is amended as follows:  
"The District's maximum contribution to the Jackass Gulch at Long Avenue project without prior approval of the Board shall be ~~\$425,000~~ **\$650,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Littleton."
2. All other conditions and authorizations remain as stated in Resolution No. 22, Series of 2014.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

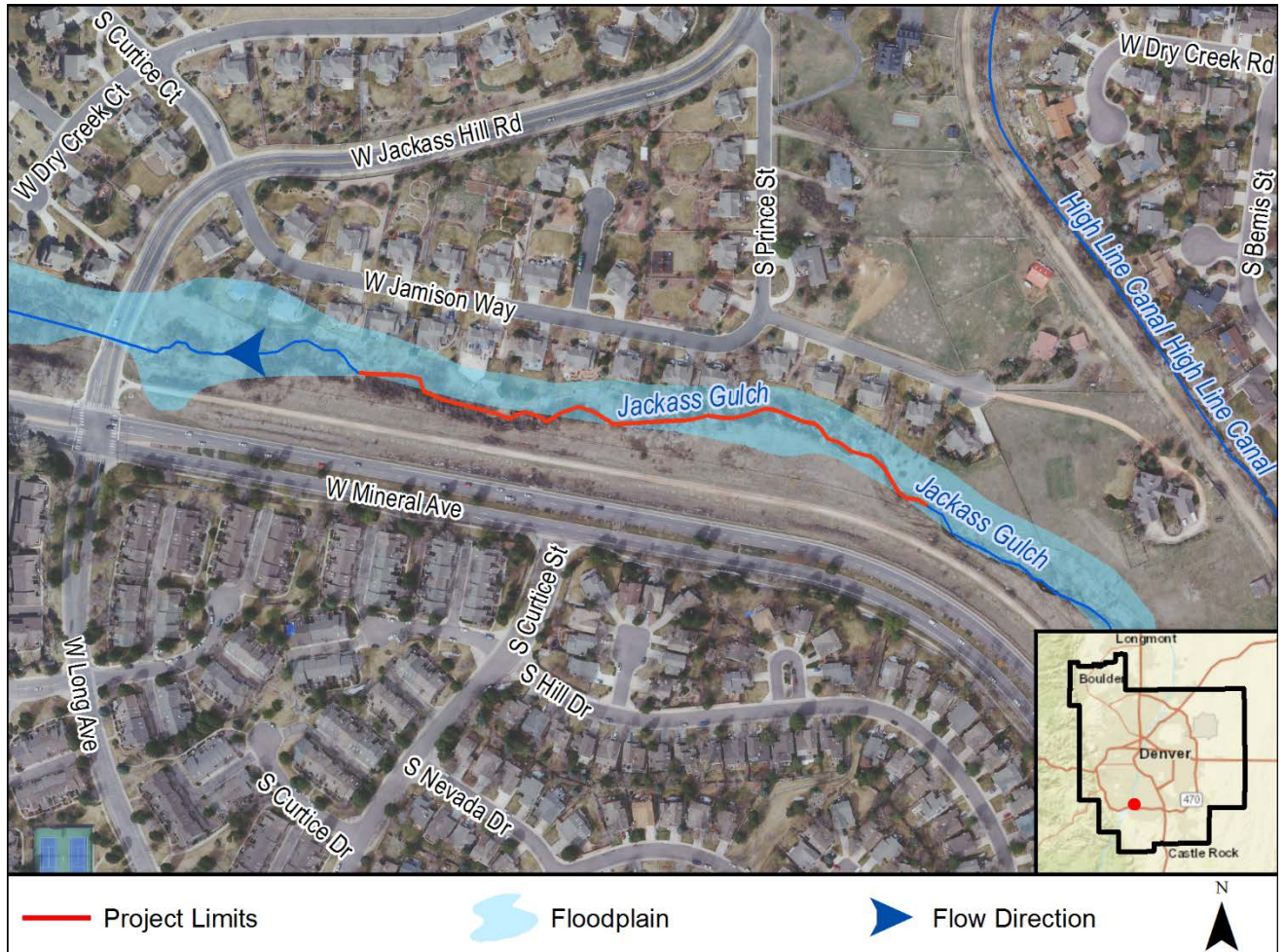


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 69, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Jackass Gulch at Long Avenue, City of Littleton, Arapahoe County)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 70, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on West Cook Creek Downstream of Lincoln Avenue, City of Lone Tree, Douglas County)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City of Lone Tree has enacted floodplain regulations; and

WHEREAS, the City of Lone Tree and the District cooperated in the preparation of "Willow Creek, Little Dry Creek, and Greenwood Gulch Outfall Systems Planning Study," dated February 2010; and

WHEREAS, the Board previously authorized \$100,000 for the West Cook Creek downstream of Lincoln Avenue Project (Table 1); and

**Table 1**  
**West Cook Creek downstream of Lincoln Avenue**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
32	2016	\$100,000	\$100,000	Final Design
<b>TOTAL</b>		<b>\$100,000</b>	<b>\$100,000</b>	

WHEREAS, the City of Lone Tree and the District now desire to construct improvements along West Cook Creek downstream of Lincoln Avenue (Exhibit A); and

WHEREAS, the District's additional participation being authorized by this resolution is \$200,000 to at least be matched by the City of Lone Tree; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018 which includes funds for construction of drainage and flood control improvements along West Cook Creek downstream of Lincoln Avenue; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along West Cook Creek downstream of Lincoln Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 32, Series of 2016, Paragraph 3, is amended as follows:  
"The District's maximum contribution to the West Cook Creek downstream of Lincoln Avenue project without prior approval of the Board shall be ~~\$100,000~~ **\$300,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Lone Tree."
2. All other conditions and authorizations remain as stated in Resolution No. 32, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

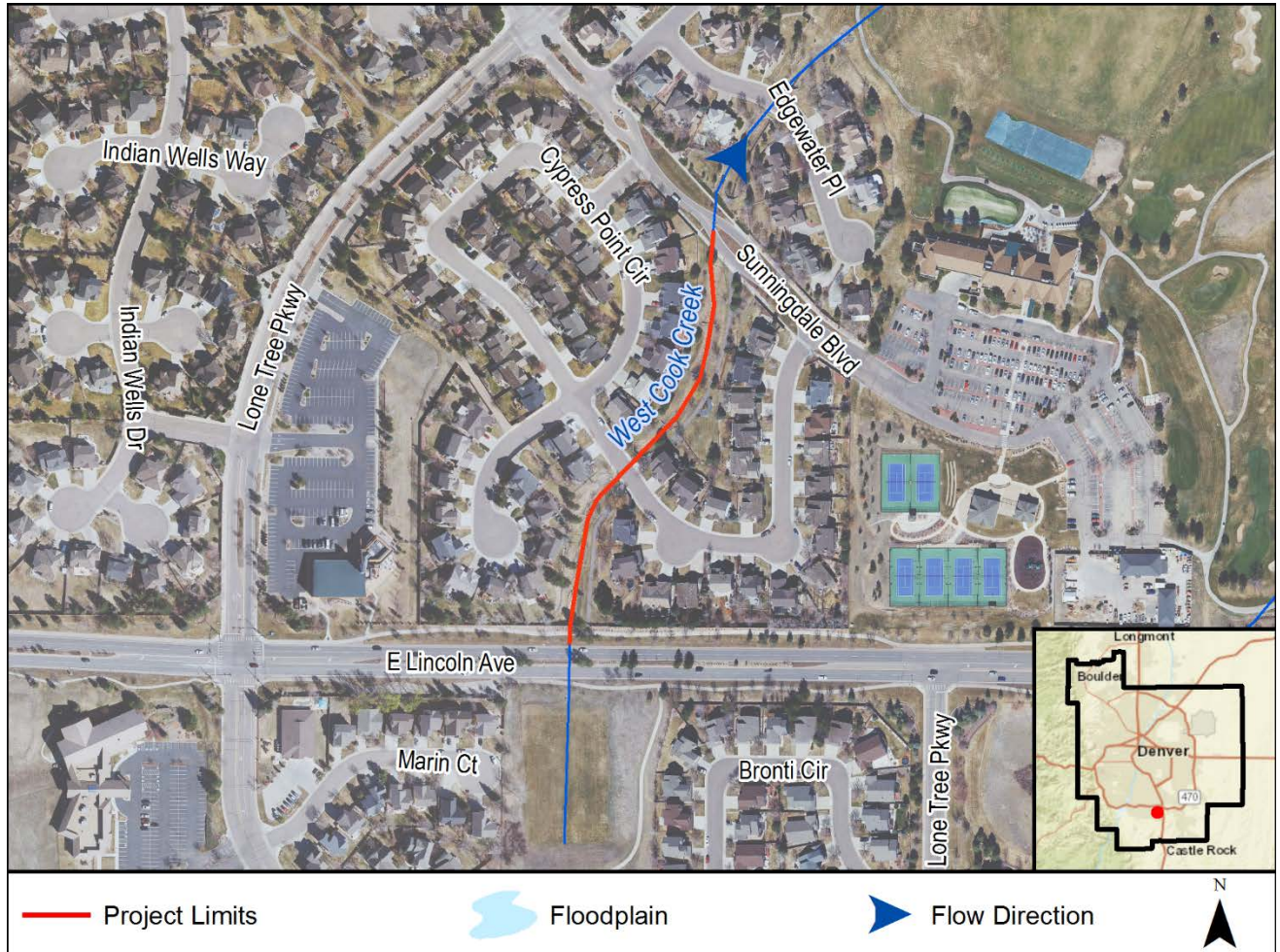
\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 70, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on West Cook Creek Downstream of Lincoln Avenue, City of Lone Tree, Douglas County)

### EXHIBIT A





# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 71, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Sanderson Gulch from Lipan Street to the South Platte River, City and County of Denver)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Denver has enacted floodplain regulations; and

WHEREAS, the City and County of Denver and the District cooperated in the preparation of "Sanderson Gulch Master Drainageway Plan," dated September 2013; and

WHEREAS, the Board previously authorized \$1,800,000 for the Sanderson Gulch from Lipan Street to the South Platte River Project (Table 1); and

**Table 1**  
**Sanderson Gulch from Lipan Street to the South Platte River**  
**Previous Authorizations**

Resolution No.	Series of	District Authorization	Local Share	Work Elements
12	2016	\$800,000	\$800,000	Design and Construction Funding
19	2017	\$1,000,000	\$7,400,000	Construction Funding
<b>TOTAL</b>		<b>\$1,800,000</b>	<b>\$8,200,000</b>	

WHEREAS, the City and County of Denver and the District now desire to construct improvements along Sanderson Gulch from Lipan Street to the South Platte River (Exhibit A); and

WHEREAS, the District's additional participation being authorized by this resolution is \$830,000, which sum includes \$500,000 of District funds to be transferred from the recently-completed River North Outfall project (Resolution No. 26, Series of 2014) to this project; and

WHEREAS, District funds will be at least matched by the City and County of Denver; and

WHEREAS, it is anticipated that additional funds may be required for this project in the future; and

WHEREAS, the District has adopted a Special Revenue Fund-Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018, subsequent to public hearing, which includes funds for construction of drainage and flood control improvements along Sanderson Gulch from Lipan Street to the South Platte River; and

WHEREAS, the District has adopted, at a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along Sanderson Gulch from Lipan Street to the South Platte River were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 12, Series of 2016, Paragraph 3, is further amended as follows:  
"The District's maximum contribution to the Sanderson Gulch from Lipan Street to the South Platte River project without prior approval of the Board shall be ~~\$1,800,000~~ **\$2,630,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by City and County of Denver."

2. All other conditions and authorizations remain as stated in Resolution No. 12, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

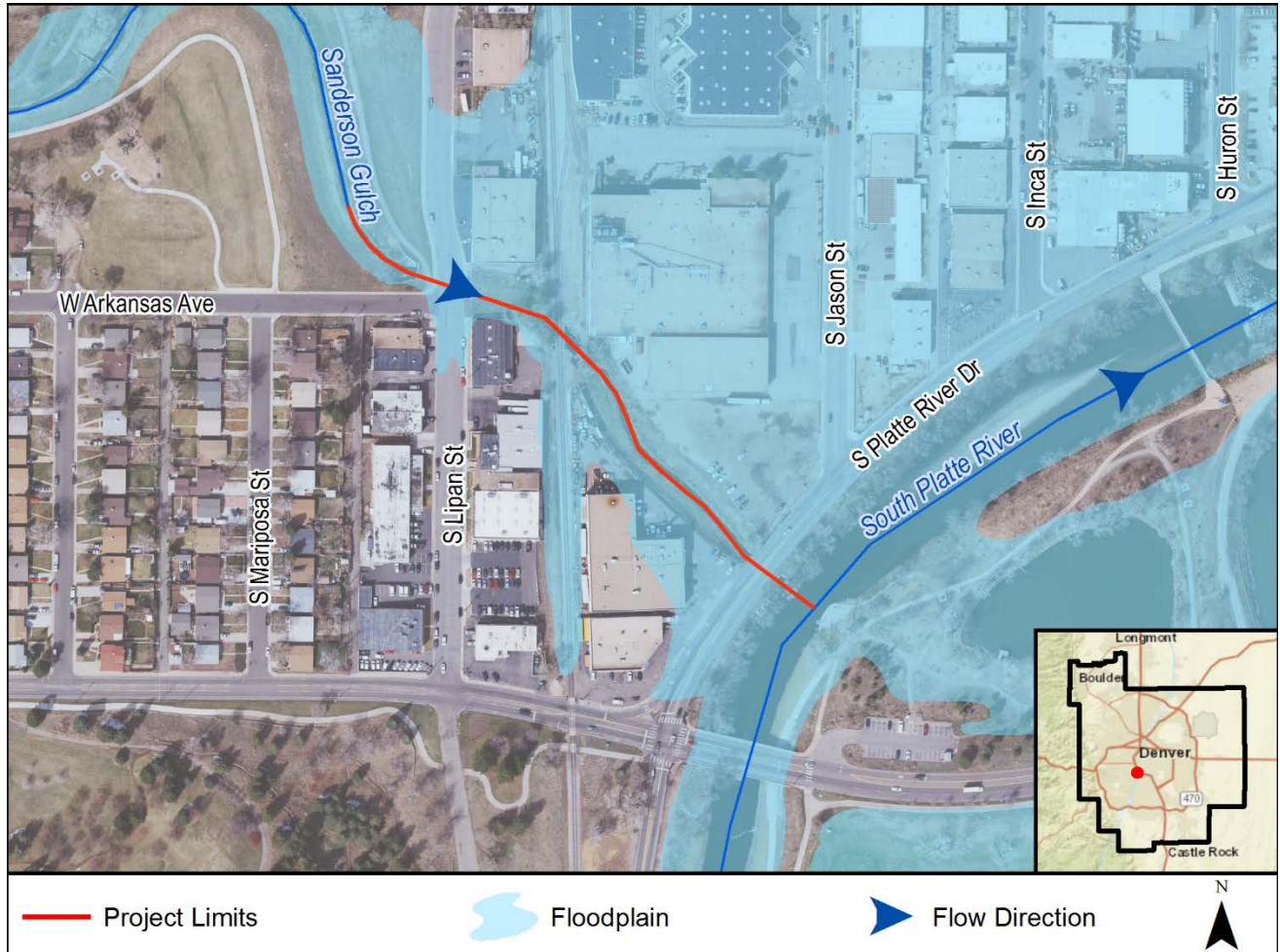


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 71, SERIES OF 2017

(Additional Authorization to Participate in Drainage and Flood Control Improvements  
on Sanderson Gulch from Lipan Street to the South Platte River, City and County of Denver)

### EXHIBIT A







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 72, SERIES OF 2017

(Authorization for a Planning Study of Irondale Gulch Upstream of Rocky Mountain Arsenal)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, the City and County of Denver and the City of Aurora have enacted floodplain regulations; and

WHEREAS, the Board has previously established a Work Program for 2018 (Resolution No. 59, Series of 2017) which includes master planning; and

WHEREAS, the Board previously cooperated with the City and County of Denver and the City of Aurora to prepare the “Irondale Gulch and DFA 0055 Stormwater Outfall Systems Plan” report (Wright Water Engineers, 1990); and

WHEREAS, the City and County of Denver and the City of Aurora have expressed a desire to participate in a study leading to an Outfall Systems Plan and a Flood Hazard Area Delineation (FHAD) for Irondale Gulch and tributaries upstream of the Rocky Mountain Arsenal; and

WHEREAS, the Board wishes to cooperate with the City and County of Denver and the City of Aurora in the identification of solutions to stormwater drainage and flood control management problems for Irondale Gulch and tributaries (Exhibit A); and

WHEREAS, the cost of engineering and mapping services for master planning is estimated to be \$160,000 and is expected to be divided among participating entities as follows:

	<u>Planning Study</u>
UDFCD	\$80,000
Denver	\$68,000
<u>Aurora</u>	<u>\$12,000</u>
TOTAL	\$160,000

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute an agreement with the City and County of Denver and the City of Aurora to fund the required engineering and mapping services for the Irondale Gulch planning study.
2. The Executive Director is authorized to procure any needed mapping and to execute a contract with a qualified engineer(s) for required engineering services.
3. The expenditures for the consulting and mapping services are estimated at \$160,000 and the District's share of total costs shall not exceed \$80,000 plus interest earned on monies deposited in the project fund which contribution for the planning portion of this project shall be matched by the City and County of Denver and the City of Aurora.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 72, SERIES OF 2017

(Authorization for a Planning Study of Irondale Gulch Upstream of Rocky Mountain Arsenal)

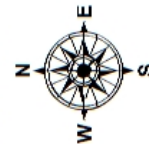
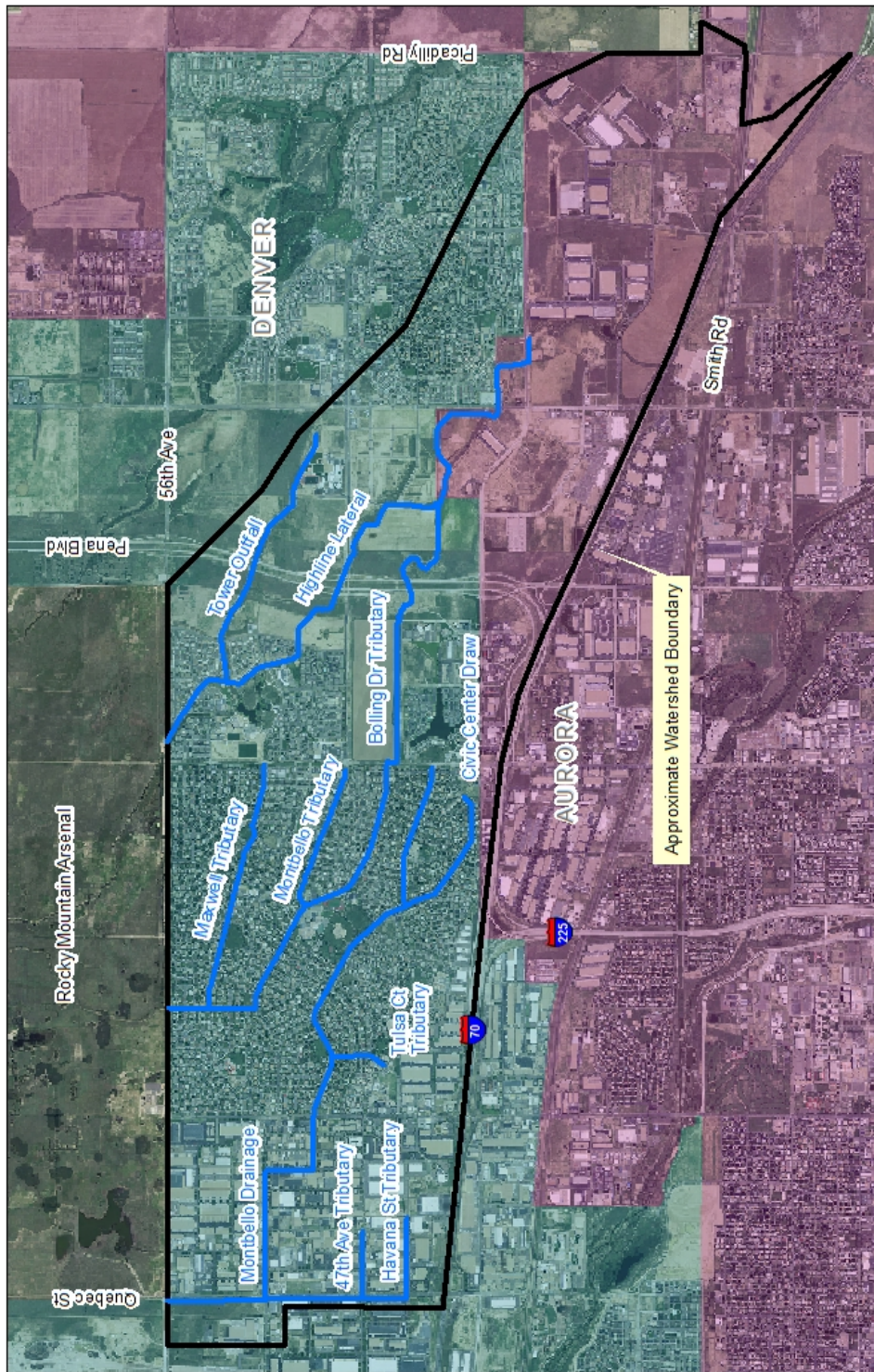


EXHIBIT A  
Irondale Gulch (u/s of RMA) OSP  
Approximate Study Limits  
December 2017



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 73, SERIES OF 2017

(Authorization for a Planning Study of Cherry Creek Tributaries Upstream of Reservoir)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Arapahoe County, the City of Centennial, and the City of Aurora have enacted floodplain regulations; and

WHEREAS, Arapahoe County and the City of Centennial have assigned and transferred to Southeast Metro Stormwater Authority (SEMSWA) their rights and obligations for the Cherry Creek Tributaries planning study; and

WHEREAS, the Board has previously established a Work Program for 2018 (Resolution No. 59, Series of 2017) which includes master planning; and

WHEREAS, the Board previously cooperated with Arapahoe County and the City of Aurora to prepare the "Cherry Creek Corridor Reservoir to County Line Outfall Systems" report (WRC Engineering, 1999); and

WHEREAS, SEMSWA and the City of Aurora have expressed a desire to participate in a study leading to a Major Drainageway Plan and a Flood Hazard Area Delineation (FHAD) for the tributaries to Cherry Creek within the study area; and

WHEREAS, the Board wishes to cooperate with SEMSWA and the City of Aurora in the identification of solutions to stormwater drainage and flood control management problems for the Cherry Creek tributaries (Exhibit A); and

WHEREAS, the cost of engineering and mapping services for master planning is estimated to be \$190,000 and is expected to be divided among participating entities as follows:

	<u>Planning Study</u>	<u>FHAD</u>
UDFCD	\$75,000	\$40,000
SEMSWA	\$60,000	\$0
<u>Aurora</u>	<u>\$15,000</u>	<u>\$0</u>
TOTAL	\$150,000	\$40,000

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute an agreement with the Southeast Metro Stormwater Authority (SEMSWA) and the City of Aurora to fund the required engineering and mapping services for the Cherry Creek Tributaries planning study.
2. The Executive Director is authorized to procure any needed mapping and to execute a contract with a qualified engineer(s) for required engineering services.
3. The expenditures for the consulting and mapping services are estimated at \$190,000 and the District's share of total costs shall not exceed \$115,000 plus interest earned on monies deposited in the project fund which contribution for the planning portion of this project shall be matched by Arapahoe County and the City of Aurora.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

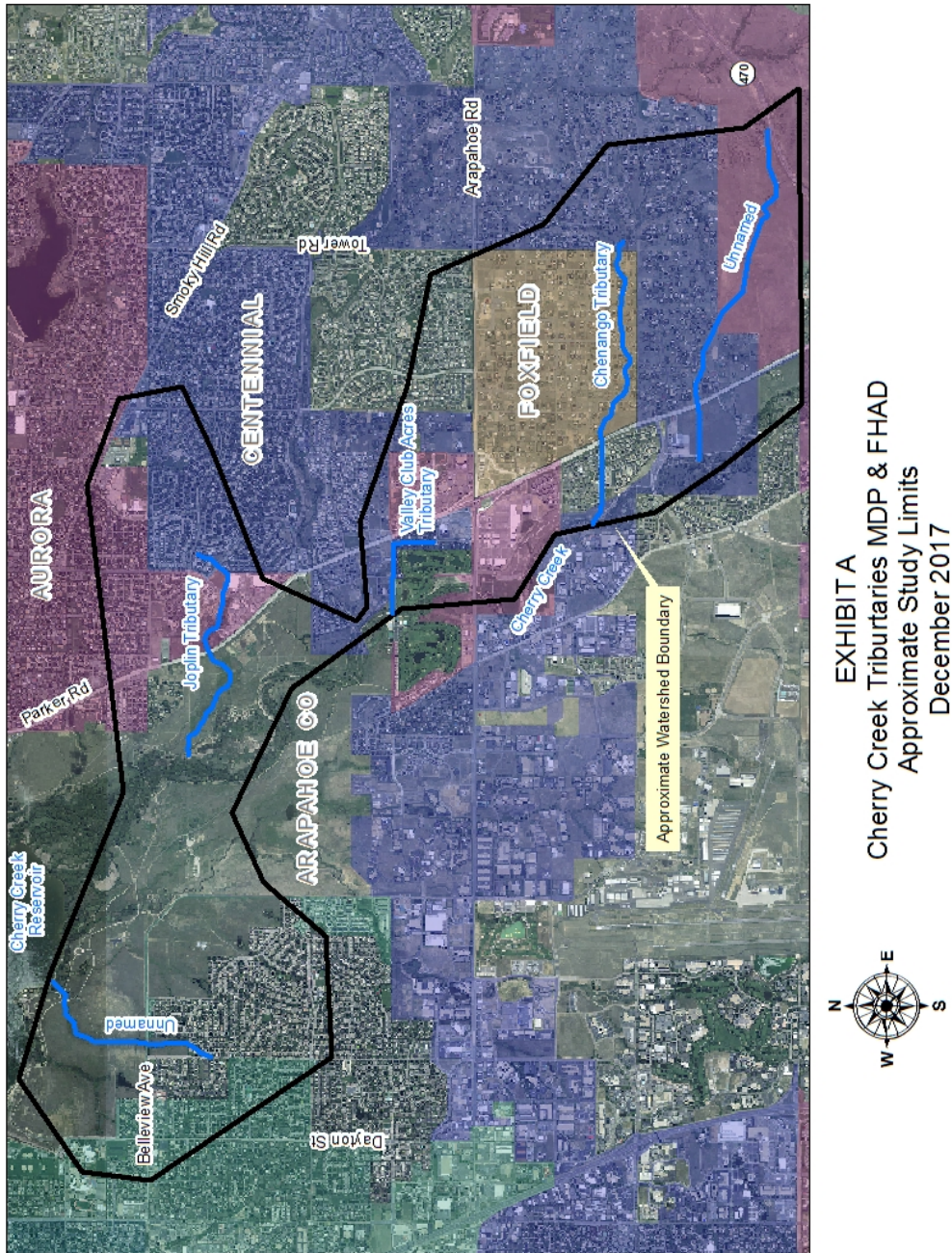
\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 73, SERIES OF 2017

(Authorization for a Planning Study of Cherry Creek Tributaries Upstream of Reservoir)







# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 74, SERIES OF 2017 (Authorization for a Planning Study of Brantner Gulch)

WHEREAS, the District in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, Adams County, the City of Thornton, and the City of Northglenn have enacted floodplain regulations; and

WHEREAS, the Board has previously established a Work Program for 2018 (Resolution No. 59, Series of 2017) which includes master planning; and

WHEREAS, the Board previously cooperated with Adams County and the City of Thornton to prepare the “Brantner Gulch Major Drainageway Planning,” report (Sellards & Grigg, 1983), and later to prepare the “Lower Brantner Gulch Major Drainageway Planning Update,” report (Love & Associates, 2005); and

WHEREAS, Adams County, the City of Thornton, and the City of Northglenn have expressed a desire to participate in a study leading to a Major Drainageway Plan and a Flood Hazard Area Delineation (FHAD) for Brantner Gulch and tributaries; and

WHEREAS, the Board wishes to cooperate with Adams County, the City of Thornton, and the City of Northglenn in the identification of solutions to stormwater drainage and flood control management problems for Brantner Gulch and tributaries (Exhibit A); and

WHEREAS, the cost of engineering and mapping services for master planning is estimated to be \$260,000 and is expected to be divided among participating entities as follows:

	<u>Planning Study</u>	<u>FHAD</u>
UDFCD	\$100,000	\$60,000
Thornton	\$80,000	\$0
Adams County	\$15,000	\$0
<u>Northglenn</u>	<u>\$5,000</u>	<u>\$0</u>
TOTAL	\$200,000	\$60,000

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute an agreement with Adams County, the City of Thornton, and the City of Northglenn to fund the required engineering and mapping services for the Brantner Gulch planning study.
2. The Executive Director is authorized to procure any needed mapping and to execute a contract with a qualified engineer(s) for required engineering services.
3. The expenditures for the consulting and mapping services are estimated at \$260,000 and the District’s share of total costs shall not exceed \$160,000 plus interest earned on monies deposited in the project fund which contribution for the planning portion of this project shall be matched by Adams County, the City of Thornton, and the City of Northglenn.

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

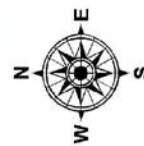
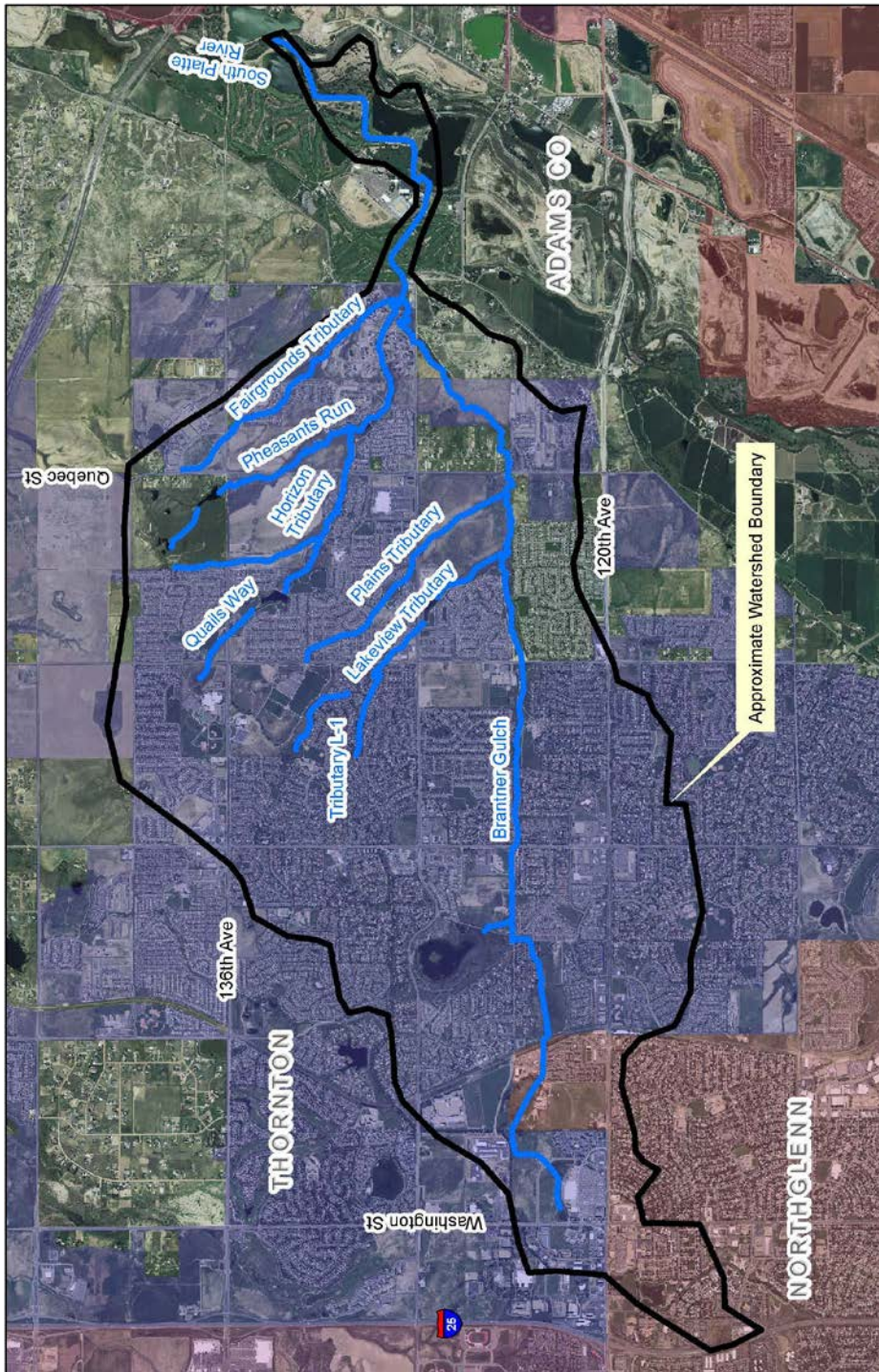
ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 74, SERIES OF 2017  
(Authorization for a Planning Study of Brantner Gulch)



**EXHIBIT A**  
Brantner Gulch & Tributaries MDP & FHAD  
Approximate Study Limits  
December 2017

