

[This Hybrid Meeting Held in Person and via Zoom: CLICK HERE TO ATTEND](#)

- 1. Call to Order and Pledge of Allegiance – 12:30 pm**
- 2. Introductions**
 - a. Visitors/Guests
- 3. Roll Call – Determination of Quorum**
- 4. Approval of October 21, 2021 Meeting Minutes**
(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)
- 5. Committee Reports**
 - a. Executive Committee
 - b. Nominating Committee (Recommendation for 2022 Officers and Board-Appointed Engineer Director)
- 6. Presentation Agenda**
(Each resolution will, after introduction and presentation from District staff, be placed on the Consent Agenda unless a request is made by a Board Member for action upon the resolution separately)
 - a. Recognition of the Contributions of Margaret Corkery
(Resolution No. 86, Series of 2021)
 - b. Legislative Committee
(Resolution No. 87, Series of 2021)
 - c. Policy Regarding Preservation of Floodways and Floodplains and the Purchase of Land for Future Improvements
(Resolution No. 88, Series of 2021)
 - d. Authorization to Participate in Drainage and Flood Control Improvements on Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve, City of Brighton, Adams County
(Resolution No. 89, Series of 2021)
 - e. Authorization to Participate in Drainage and Flood Control Improvements on Murphy Creek Downstream of Orchard Road, City of Aurora, Arapahoe County
(Resolution No. 90, Series of 2021)
 - f. Acceptance of First Creek Upstream of I-70 Planning Study
(Resolution No. 91, Series of 2021)
 - g. Acceptance of Flood Hazard Area Delineation Report for Cherry Creek Minor Tributaries in Arapahoe County
(Resolution No. 92, Series of 2021)
 - h. Acceptance of Flood Hazard Area Delineation Report for Clear Creek
(Resolution No. 93, Series of 2021)
 - i. Authorization to Purchase the Property at 14055 West 68th Avenue, City of Arvada, Jefferson County
(Resolution No. 94, Series of 2021)

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 of a specific resolution for a presentation by District staff or discussion)

- a. Review of Cash Disbursements
- b. Additional Authorization to participate in Drainage and Flood Control Improvements on Niver Creek Tributary M from Thornton Parkway to Huron Street, City of Thornton, Adams County
(Resolution No. 95, Series of 2021)
- c. Additional Authorization to participate in Drainage and Flood Control Improvements on Sand Creek – Baranmor Ditch at Zion Street and Billings Street, City of Aurora, Adams County
(Resolution No. 96, Series of 2021)
- d. Additional Authorization to participate in Drainage and Flood Control Improvements on South Englewood Basin, City of Englewood, Arapahoe County
(Resolution No. 97, Series of 2021)

8. Vote on Approval of the Consent Agenda

(Motion and roll call vote required)

9. Reports/Discussions

- a. Executive Director's Report (No report this meeting due to time constraints)

10. Executive Session – Personnel Matter – Interview of Candidates for the Executive Director [24-6-402(4)(f)(I) and (3.5) C.R.S.]

- a. Appointment of New Executive Director
(Resolution No. 98, Series of 2021)
(Pursuant to 24-6-402(4)(f)(1) CRS)

11. Announcements

- a. Next Meeting: **Thursday, January 20, 2022**

12. Adjournment





MILE HIGH FLOOD DISTRICT

BOARD OF DIRECTORS MEETING

Meeting Minutes
October 21, 2021

This Meeting Was Held via Hybrid In-Person and Video Conference

Board Members Present:

Lynn Baca	Commissioner, Adams County
Françoise Bergan	Mayor Pro Tem, City of Aurora (<i>virtual attendee</i>)
Guyleen Castriotta	Mayor, City/County of Broomfield
Jolon Clark	Council Member, City/County of Denver
Stacie Gilmore	Council President, City/County of Denver (<i>virtual attendee</i>)
Mark Hunter	Engineer
Matt Jones	Commissioner, Boulder County (<i>virtual attendee</i>)
Paul Kashmann	Council Member, City/County of Denver (<i>virtual attendee</i>)
Tracy Kraft-Tharp	Commissioner, Jefferson County
Jan Kulmann	Mayor, City of Thornton (<i>virtual attendee</i>)
Meredith Leighty	Mayor, City of Northglenn
Adam Paul	Mayor, City of Lakewood
Stephanie Piko	Mayor, City of Centennial (<i>virtual attendee</i>)
Murphy Robinson	Deputy Mayor, City/County of Denver
Anita Seitz	Mayor, City of Westminster (<i>virtual attendee</i>)
Dave Sellards	Engineer
Bud Starker	Mayor, City of Wheat Ridge (<i>virtual attendee</i>)
Ashley Stolzmann	Mayor, City of Louisville
Lora Thomas	Commissioner, Douglas County
Jerry Valdes	Mayor, City of Littleton (<i>virtual attendee</i>)
Marc Williams	Mayor, City of Arvada

Board Members Absent:

Junie Joseph	Mayor Pro Tem, City of Boulder
Nancy Sharpe	Commissioner, Arapahoe County

MHFD Staff Present:

Ken MacKenzie	Executive Director
Jeff Battiste	Staff Engineer
Kurt Bauer	Watershed Manager
David Bennetts	Government Relations Manager
Bao Chongtoua	Engineering Services Manager
Margaret Corkery	Senior Administrative Assistant
David Crooks	Student Intern
Sara DeGroot	Project Manager
Amelia Deleon	Human Resources Director
Katie Evers	GIS Administrator
Colin Haggerty	Watershed Manager
Dan Hill	Watershed Manager
Laura Hinds	Project Engineer
Hung-Teng Ho	Hydraulic Modeler
Bryan Kohlenberg	Watershed Manager
Chad Kudym	IT Director
Morgan Lynch	Watershed Manager
Kelsey Mehan	Office Coordinator
Charlie Pajares	Project Engineer
Ellie Paulsen	Administrative Assistant

Teresa Patterson	Watershed Manager
Holly Piza	Engineering Services Manager
Drew Roberts	Staff Engineer
Wanda Salazar	Accountant
Terri Schafer	Finance Director
Derrick Schauer	Network Administrator
Mark Schutte	Project Engineer
Brooke Seymour	Engineering Services Manager
Dave Skuodas	Watershed Manager
Jason Stawski	Senior Construction Manager
Stacey Thompson	Floodplain Manager
Jon Villines	Watershed Manager
Jim Watt	Watershed Manager
Joe Williams	Senior Construction Manager
Jackson Winterrowd	Student Intern
Brik Zivkovich	Staff Engineer

Others Present:

Jim Kaiser	City of Thornton
Ed Krisor	Legal Counsel
David Rausch	Adams County
Melanie Walter	City of Westminster

How the District Works:

Mrs. Bao Chongtoua, Engineering Services Manager, gave a presentation on the MHFD Maintenance Eligibility Program.

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

Mayor Adam Paul called the meeting to order at 1:00 pm.

2. Introductions

a. Visitors/Guests

Mr. Ken MacKenzie introduced Melanie Walter with the City of Westminster and Mike Anderson, retired employee from the City and County of Denver. Mr. MacKenzie also stated that Mr. Anderson is interested in the Professional Engineer Board Director appointment that will need to be filled in January 2022 when Mr. Dave Sellards term expires.

b. Awards/ Recognitions

I. Bao Chongtoua – Professional Manager of the Year – Water Resources

Mrs. Chongtoua was awarded the Water Resources Manager of the Year by the American Public Works Association for Colorado. Mr. MacKenzie congratulated Mrs. Chongtoua on her achievement.

II. Merit Award for 2021 Colorado Chapter of American Society of Landscape Architects – River Run

Mrs. Laura Kroeger, Mr. Steve Materkowski, and Ms. Mary Powell were acknowledged for their work on the River Run project in Sheridan, Colorado which won the Merit Award for 2021 Colorado Chapter of American Society of Landscape Architects. Mr. MacKenzie congratulated them on their achievement.

3. Roll Call – Determination of Quorum

Roll was called and a quorum was declared present.

4. Approval of August 19, 2021 Meeting Minutes

(If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)

Mayor Paul asked if there were any corrections to the August 19, 2021 minutes. Hearing none, the minutes were approved as submitted.

5. Committee Reports

a. Executive Committee

The Executive Committee met on Wednesday, September 29 at 2 pm to discuss Mr. MacKenzie's annual performance review. Committee members in attendance were: Mayor Paul, Mayor Bud Starker, Mayor Stephanie Piko, and Mr. Sellards.

Mayor Paul advised there would be more discussion from the Executive Committee during the Executive Session.

b. Audit & Finance Committee

Commissioner Lora Thomas provided an update on the Audit & Finance Committee meeting which took place on Thursday, October 7, at 11 am to discuss the proposed 2022 Budget. Committee members in attendance were: Commissioner Thomas, Mayor Piko, Mayor Ashley Stolzmann, Council Member Jolon Clark, Mr. Sellards, in addition to Mr. MacKenzie, Finance Director Mrs. Terri Shafer, and Engineering Director Mrs. Kroeger. Commissioner Thomas thanked Mayor Stolzmann and Council Member Clark for their great questions and contributions to the discussion.

Mr. MacKenzie provided an extensive presentation of the 2022 Budget, and, based on the questions and comments posed from the committee, agreed to make one suggested change, eliminating a proposed \$200K fund transfer between governmental funds. The Audit & Finance Committee recommends the adoption of the 2022 Budget to the Board of Directors.

6. Public Hearing

a. 2022 Budget

Mayor Paul opened the Public Hearing at 1:09 pm. The final budget was presented to the Audit & Finance Committee on Thursday, October 7, and sent via email to the Board on Monday October 18, 2021. Mr. MacKenzie provided an overview of the final 2022 Budget to the Board, with emphasis on revenue sources, budgeted property tax, and payroll/benefits with the need for additional staff in 2022.

The overview of the 2022 Budget identified changes in the revenue and expenditures. Three resolutions were highlighted in the budget discussion: Resolution No. 75 certifies the tax levy, Resolution No. 76 adopts the 2022 budget, and Resolution No. 77 appropriates the funds.

Mayor Paul asked if there were any questions or comments from the Board and public. There being none, the Public Hearing was closed at 1:31 pm.

b. 2021-2025 Five-Year Capital Improvement Plan

Mayor Paul opened the Public Hearing at 1:31 pm. Mr. MacKenzie presented the 2021-2025 Five-Year Capital Improvement Plan (CIP). All CIP projects must meet the following requirements:

- I. Requested by local governments
- II. Included in the Master Planning Document
- III. 50% funding match from local government
- IV. Project is maintained by local government
- V. Revenues from county spent in same county over the five-year period

Mr. MacKenzie explained that 30 out of the District's 40 local government partners submitted requests this year to be included in the CIP, and that the CIP expenditures are pro-rata to county revenue.

Two resolutions were highlighted in the Five-Year CIP discussion. Resolution No. 78 adopts the 2021 work plan and authorization of expenditures and Resolution No. 79 adopts the Five-Year CIP 2021-2025.

Mayor Paul asked if there were any questions or comments from the Board and public. There being none, the Public Hearing was closed at 1:36 pm.

c. Adoption of Floodplain Maps – Plum Creek, East Plum Creek, West Plum Creek, Sulphur Gulch, and Third Creek (Upper)

Mayor Paul opened the Public Hearing at 1:36 pm. Mrs. Brooke Seymour gave a presentation about the adoption of the floodplain maps from three studies.

The District’s enabling legislation allows the District to regulate floodplains and the Board has adopted a floodplain regulation. The District does not generally take on an enforcement role, relying on the local governments to administer and enforce their local floodplain management regulations. The District’s floodplain regulation is kept up to date by adopting our new flood hazard area delineation studies (FHADs) from time to time following a public hearing. There are three recent studies for consideration for adoption:

- “Flood Hazard Area Delineation of Plum Creek, East Plum Creek, and West Plum Creek,” (Douglas County)
- “Flood Hazard Area Delineation of Sulphur Gulch,” (Town of Parker, Douglas County)
- “Flood Hazard Area Delineation of Third Creek (Upper),” (City of Commerce City, City of Brighton, City of Aurora, and Adams County)

The above studies were designated and approved by the Colorado Water Conservation Board (CWCB) in May 2021, July 2021, and September 2021, respectively. The FHAD reports are in digital format and available on our website. The information in the new maps supersedes any previously adopted floodplain information.

Resolution No. 83 adopts the maps, profiles and floodway tables contained in the FHAD reports listed in the resolution.

Mayor Paul asked if there were any questions or comments from the Board and public. There being none, the Public Hearing was closed at 1:40 pm.

7. Presentation Agenda

(Each resolution will, after introduction and presentation from District staff, be placed on the Consent Agenda unless a request is made by a Board Member for action upon the resolution separately.)

a. Certification of Tax Levy

(Resolution No. 75, Series of 2021)

Resolution No. 75, 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. 75 on the Consent Agenda.

b. Adoption of 2022 Budget

(Resolution No. 76, Series of 2021)

Resolution No. 76, Adoption of 2022 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. 76 on the Consent Agenda.

c. Appropriation of Funds for 2022

(Resolution No. 77, Series of 2021)

Resolution No. 77, Appropriation of Funds, 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. 77 on the Consent Agenda.

**d. Adoption of 2022 Work Program and Authorization of Expenditures
(Resolution No. 78, Series of 2021)**

Resolution No. 78, Adoption of 2022 Work Program and Authorization of Expenditures, 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. 78 on the Consent Agenda.

**e. Adoption of Five-Year Capital Improvement Plan (CIP) 2021-2025
(Resolution No. 79, Series of 2021)**

Resolution No. 79, Adoption of Five-Year Capital Improvement Plan (CIP) 2021-2025, 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. 79 on the Consent Agenda.

**f. Modifications to Bylaws and Rules of Procedure
(Resolution 80, Series of 2021)**

The District's Bylaws were updated to reflect the following:

- I. Proposed change to Board Officer Term limited: Extend limits to two 1-year terms in succession in the same office
- II. Proposed change to Nominating Committee Structure: Remove requirement for outgoing Chair to serve on this committee. Nominating committee members are disqualified from being nominated
- III. Other house-keeping changes include updating the Annual Meeting reference and the Secretary duties.

A redlines draft of the bylaws resolution was emailed to the Board on August 10 for review and comments and also a topic at the August 19 Board Meeting.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 80 on the Consent Agenda.

**g. Authorization to Lobby the Colorado State Legislature to Modify 32-11-204 CRS:
Regular Appointments
(Resolution No. 81, Series of 2021)**

This resolution authorizes the Executive Director to lobby the Colorado State Legislature for changes to the District's director makeup provisions to add a governor-appointed Douglas County director who is an executive officer of a municipality with a population of one hundred thousand or less and meets all other requirements detailed in Title 32, Article 11 of the Colorado Revised Statutes.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 81 on the Consent Agenda.

**h. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the
Proposed Fox Park Urban Redevelopment Area
(Resolution No. 82, Series of 2021)**

In 2020, the Board adopted a resolution (Resolution No. 55, Series 2020) that revised the District's policy for requests by Local Governing Bodies and/or Urban Renewal Authorities asking the District to allow the tax increment derived from the District's mill levy to instead be allocated to the requesting Governing Bodies and/or Urban Renewal Authorities. Resolution No. 55, Series 2020 requires the Executive Director to allocate the reduced revenue associated with the tax increment to only those counties in which the revenue is being diverted; and additionally affirms that, barring extraordinary circumstances brought to the attention of the Board by a Director of the District, the Board shall approve the Requesting Entity's request.

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 Fox Park Urban Redevelopment Plan. The proposed development includes construction of various infrastructure improvements that will increase public access to the area. In addition to the regional structure improvements, the proposed project would include:

- I. Approximately 235 affordable residential apartment units
- II. Approximately 3,126 market rate residential apartments units
- III. Approximately 2.27 million square feet of commercial, restaurant and retail space
- IV. Two hotels providing approximately 420 keys

The fiscal impact to the District resulting from this resolution is a property tax revenue reduction of approximately \$6,617,755 (under the current revenue projections) over the 25-year term of the property TIF.

Resolution No. 82 accepts the use of property TIF for the Fox Park Urban Redevelopment Plan and authorizes the Executive Director to enter into an agreement with DURA to that effect.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 82 on the Consent Agenda.

**i. Adoption of Floodplain Maps for Plum Creek, East Plum Creek, West Plum Creek, Sulphur Gulch, and Third Creek (Upper)
(Resolution No. 83, Series of 2021)**

Resolution No. 83, Adoption of Floodplain Maps for Plum Creek, East Plum Creek, West Plum Creek, Sulphur Gulch, and Third Creek (Upper), 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. 83 on the Consent Agenda.

8. Consent Agenda

Mr. MacKenzie briefly described each of the following agenda items on the Consent Agenda and asked the Board if they had any questions regarding any of the items. There were no further comments or questions.

a. Review of Cash Disbursements

The Cash Disbursement list, dated August, September, and October 2021, has been distributed to the Board for review.

**b. Additional Authorization to Participate in Drainage and Flood Control Improvements on Coal Creek from 2nd Avenue to McCaslin Boulevard, Town of Superior, Boulder County
(Resolution No. 84, Series of 2021)**

**c. Additional Authorization to Participate in Drainage and Flood Control Improvements on South Boulder Creek Upstream of US Highway 36, City of Boulder, Boulder County
(Resolution No. 85, Series of 2021)**

9. Vote on Approval of the Consent Agenda

(Motion and roll call vote required)

Deputy Mayor Murphy Robinson moved and Mayor Anita Seitz seconded the motion to adopt the Consent Agenda. Upon a roll call vote, the motion was passed unanimously.

10. Other Business

a. Call for Volunteers: Nominating Committee for 2022 Officers

Ms. Amelia Deleon, Human Resources Director, sent an email to the Board asking for volunteers for the 2022 Nominating Committee. A table was presented illustrating the requirements for the committee make-up. During the discussion the following committee members volunteered to serve:

- I. Deputy Mayor Robinson
- II. Commissioner Lynn Baca
- III. Mayor Marc Williams
- IV. Mayor Meredith Leighty

V. Mr. Dave Sellards

Mayor Ashley Stolzmann brought up a point of discussion that it would be beneficial to have guiding principles in place when selecting a slate of candidates, considering geographic distribution within the region as well as factors including diversity, equity, and inclusion.

b. Call for Volunteers: 2022 Legislative Committee

Mr. MacKenzie solicited volunteers for the 2022 Legislative Committee. In 2022, the District will go to the legislature on behalf of Douglas County. Mayor Paul suggested we have a member from Douglas County representative on the 2022 Committee. The following Committee members were selected:

- I. Commissioner Matt Jones
- II. Mayor Bud Starker
- III. Commissioner Lora Thomas
- IV. Council Member Jolon Clark

11. Reports/Discussions

a. Executive Director's Report

Budget Summary

Mr. MacKenzie provided the Board with an update on the District's budget to date, which included a chart depicting total expenditures versus actual budget as of September 30, 2021. Mr. MacKenzie noted that the District has collected about \$79.98M of the budgeted \$113M in revenue, with \$26M in projected developer fees and corresponding expenditures not expected to materialize in 2021. The District has earned \$445,141 on investments so far this year in money market accounts, government pools, treasury and agency notes, and certificates of deposit.

Floodplain Property Purchase

Mr. MacKenzie presented two properties along Lena Gulch that the District has considered for purchase through the Property Acquisition Fund. However, the District is at a disadvantage competing with large land developers who can act quickly with greater access to funds. Both Lena Gulch properties were located in unincorporated Jefferson County, in Westblade Park on Mount Vernon Road. Mr. MacKenzie informed they are nearly all within the floodplain. The first parcel shown, the Axtell Property, was sold to another buyer, however, the District is still negotiating with the owner of the second parcel, the Denney Parcel.

Mr. MacKenzie presented a third property in Arvada on Ralston Creek that the District is currently interested in and working towards purchasing. It is currently in the process of appraisal. The owner has agreed to sell to the District for \$400,000. The City of Arvada has agreed to contribute \$100,000 towards the sale, making the cost for the District, through the Floodplain Preservation Reserve, \$300,000. Mr. MacKenzie would like Board permission to enter into a contract immediately, which will only be binding upon board approval through resolution. Draft Resolution No. 88, Series of 2021 will amend the Floodplain Preservation Policy to allow the Executive Director to enter into future contracts with property owners with the contingency that the contract will be binding only upon Board approval.

Mayor Stolzmann asked if the Acquisition Fund was distributed evenly by county. Mr. MacKenzie explained that over the life of the program there will be equity shown on a county-by-county pro rata basis. Because it is so new, it will take more than 10 years to show equity. If after 20 years there are disparities, these will be addressed. It was also noted that there is not a 50% match requirement from the local government when using these funds. Mayor Paul asked if there were any objections in moving forward with this effort, there being none, Mr. MacKenzie will act on the Arvada property and bring the proposed resolution to the Board in November.

Local Government Satisfaction Survey

Mr. MacKenzie provided the Board with an update on the annual Local Government Satisfaction Survey. Mr. MacKenzie shared a brief overview of survey results with the Board, indicating generally the same level of satisfaction with District services as in the past two years with areas of needed improvement being timeliness in completing planning studies, flood mapping studies, and development reviews. Mr.

MacKenzie suggested that the survey should not be anonymous in the future in order to reach out to those who had concerns that needed to be addressed.

Future Base of Operations Update

Mr. MacKenzie provided an update on the future base of operations for the District and showed the latest properties that have been considered. While the District continues to look for properties along the central I-25 corridor, better values can be found outside this target area.

12. Executive Session

Mayor Williams, at 2:29 pm, moved to go into Executive Session to discuss the following matters:

- i. Executive Committee Report of Executive Director's Annual Review
(Pursuant to 24-6-402(4)(f)(1) CRS)
- ii. Update on Search for New Executive Director

The motion was seconded by Mayor Guyleen Castriotta and the motion passed unanimously. The Executive Session was closed at 3:30 pm.

13. Announcements

- a. Next Meeting: Thursday, November 18, 2021.

14. Adjournment

Mayor Paul adjourned the meeting at 3:30 pm.

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 86, SERIES OF 2021
(Recognition of the Contributions of Margaret Corkery)

WHEREAS, the Urban Drainage and Flood Control District d/b/a/ Mile High Flood District was established by the Colorado General Assembly in 1969; and

WHEREAS, Margaret Corkery was hired as a Senior Administrative Assistant on October 30, 2000; and

WHEREAS, Margaret has provided outstanding support, leadership, and guidance to District employees and the stormwater community; and

WHEREAS, the Board recognizes that in Margaret's 21 years with the District, she has worked for four executive directors, two supervisors, trained over 100 employees, and last but not least, has been the most reliable source of information on all things District-related; and

WHEREAS, Margaret has trained over 100 employees in District-wide processes and efforts and never once made anyone feel like it was the 100th time that she'd answered that question; and

WHEREAS, Margaret has demonstrated an attitude of professionalism, helpfulness, thoroughness, and tosses in a little fun here and there; and

WHEREAS, Margaret has never skipped a beat keeping up with new technology while also retaining unmatched skill and expertise with a multitude of 'vintage' equipment including the typewriter, microfilm reader, Dictaphone, carbon paper, rolodex, computer punch cards, and floppy disks; and

WHEREAS, Margaret has exercised great patience and flexibility during her 21 years by enduring 10 office remodels, 32 revisions to the MHFD agreement template, untold revisions to the Criteria Manual; she's produced countless meticulous flowcharts, yearly changes to routine stream management, and 21 years of hand-holding consultants and contractors through the prequalification process; and

WHEREAS, Margaret has been an integral member for the design, construction, and maintenance service team, having drafted over 5,600 contracts and agreements and administered "like a million" construction partial payments; and

WHEREAS, during Margaret's time at the District, she has visited over 10 countries and is known as the District's unofficial globetrotter and travel influencer; and

WHEREAS, Margaret has helped foster a positive and productive work environment overall, and has been an invaluable asset to the District; and

WHEREAS, Margaret Corkery will retire from the District in January 2022.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District d/b/a Mile High Flood District hereby recognizes the contributions of the Senior Administrative Assistant, Margaret Corkery, and expresses its profound appreciation for her support and commitment for the last 21 years of service.
2. Further, the Board recognizes that the contributions of Margaret Corkery were vital to the success and growth of the District.
3. Further, the Board wishes Margaret Corkery the best of luck in retirement and only having to train one person, her husband, Pat.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 87, SERIES OF 2021
(Legislative Committee)

WHEREAS, Section 32-11-220(1)(I), CRS, 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 Mayor Bud Starker, Commissioner Matt Jones, Commissioner Lora Thomas, and Council Member Jolon Clark 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.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 88, SERIES OF 2021
(Policy Regarding Preservation of Floodways and Floodplains
and the Purchase of Land for Future Improvements)

WHEREAS, the Colorado General Assembly authorized the District to levy up to four-tenths (0.4) mill for the maintenance and preservation of floodplains and floodways within the District; and

WHEREAS, acquisition is needed in some cases to effect the maintenance and preservation of floodplains and floodways and also to reserve land for future drainage and flood mitigation improvements; and

WHEREAS, funds have been budgeted on an annual basis for the purpose of floodplain and floodway preservation through acquisition; and

WHEREAS, many properties have been acquired by the District for the purpose of preservation and for future drainage and flood mitigation improvements; and

WHEREAS, it is anticipated that the need for the capability to acquire floodplain and floodway lands for maintenance and preservation purposes and to reserve land for future drainage and flood mitigation improvements will continue; and

WHEREAS, the District established a Policy Regarding Preservation of Floodways and Floodplains and the Purchase of Land for Future Improvements which also established a Property Acquisition Fund Reserve (Resolution No. 67, Series of 2019); and

WHEREAS, the Board desires to continue to set aside a restricted fund balance for this use that is approximately 3% of the District's annual revenue (anticipated to be approximately \$2,050,000 in 2022), while simultaneously reducing the District's annual unrestricted fund reserve balance goal from 6% to 3% so as to maintain a balance across both reserves of approximately 6%; and

WHEREAS, the Board additionally desires to repeal Resolution No. 67, Series of 2019, replacing it with this Resolution No. 88, Series of 2021; and

WHEREAS, in the heated periods of the District's cyclical real estate market, purchase and sale contracts are entered into and the sale is closed in unusually short periods of time which puts the District at a disadvantage in acquiring properties that are listed for sale.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors hereby repeals Resolution No. 67, Series of 2019 and adopts the following policy relating to the preservation of floodplains and floodways, the acquisition of land needed for future drainage and flood mitigation improvements, and the funding of these efforts:

1. Each proposed property acquisition must be approved by the Board of Directors by resolution.
2. Land acquisitions shall be funded from a Property Acquisition Fund Reserve, a restricted fund balance in the Special Revenue – Maintenance Fund.
3. The Executive Director shall administer the Property Acquisition Fund Reserve with the goal of expenditures in each county being pro rata to the District's revenue share from that county over the history of the program, but not annually. The Executive Director shall report on the progress of balancing the expenditures pro rata to each county to the Board on an annual basis.
4. After the program has been in effect for ten years, the Executive Director shall, for any County not receiving approximately their pro rata share of expenditures, and upon request, transfer whatever monies necessary to restore pro rata equity from the Reserve into the District's Maintenance Program for that County.

5. Each time a property acquisition is brought before the Board of Directors for approval, the Executive Director shall inform the Board of the cumulative totals of revenues and expenditures for each county.
6. If it becomes apparent that certain counties are not benefitting from the Property Acquisition Fund Reserve, the Executive Director shall compensate by refunding monies from the Reserve into those counties' maintenance budgets and shall report that action to the Board of Directors
7. The Property Acquisition Fund Reserve shall have a budgetary goal of 3% of the District's annual revenues. When depleted through the purchase of property, the Property Acquisition Fund Reserve shall be replenished with monies from the Special Revenue – Maintenance Fund, but it shall not be required that the Property Acquisition Fund Reserve be fully replenished in a single fiscal year.
8. If deemed necessary, the Property Acquisition Fund Reserve may additionally be used to replenish the TABOR Emergency Reserve following a TABOR Emergency declared in accordance with Resolution No. 37, Series of 2017.
9. Monies in the Property Acquisition Fund Reserve shall count toward the District's goal of a 6% combined restricted and unrestricted reserve fund balance across all four governmental funds, excluding the TABOR Emergency Reserve.
10. Property Acquisition funds may be used for the following purposes only when other existing methods of preserving the floodplain or floodway, such as floodplain regulations, subdivision regulations, public land dedication requirements, etc., have been exhausted:
 - a. As a last resort to prevent unsafe development from occurring in floodplains and floodways;
 - b. To preserve right-of-way for future drainage and flood mitigation improvements identified in master plans when the right-of-way is in danger of being developed, which could greatly increase future acquisition and/or construction costs;
 - c. To prevent unsafe development downstream of detention facilities;
 - d. To purchase severely damaged properties after flooding as a part of a planned recovery effort;
 - e. To preserve channel and floodplain storage when called for in a master plan;
 - f. When available for purchase from a willing seller, to acquire property and remove structures from the floodplain or floodway when called for in a master plan or final design;
 - g. To obtain right-of-way necessary to perform maintenance of floodplains and floodways;
 - h. To preserve flood routing capabilities of inadvertent detention facilities when agreement for such preservation has been made between the District and the affected local governments;
 - i. To purchase properties in imminent danger of flood or flood-related damage; and
 - j. Other similar purposes where preservation is in the best interests of the goals and objectives of the District.
11. When the Property Acquisition Fund Reserve is used to preserve right-of-way for a future flood mitigation project listed in the current five-year capital improvement program, that project may be required to reimburse the Property Acquisition Fund Reserve when the project commences, subject to a decision by the Board.
12. The Property Acquisition Fund Reserve may also be used to acquire undeveloped floodplains in order to preserve them in their natural state. For such acquisitions, the District may contribute funds in an amount up to the lesser cost of 100% of the delineated floodplain portion of the property, or 50% of the entire property.
13. Property acquired for purposes other than future construction right-of-way shall be utilized in a manner beneficial to the public and consistent with the flood hazard. Such uses include recreation and open space. The District will attempt to work with appropriate agencies, such as parks and recreation departments and districts to provide for beneficial utilization of the acquisitions.
14. The District will work with each local government to:
 - a. Identify properties for acquisition,
 - b. determine market value,
 - c. perform environmental assessments where applicable, and
 - d. negotiate conditions of sale.
15. The local government having jurisdiction shall own any property acquired under this policy either in fee or non-revocable easement and shall be responsible for same.

16. For each property to be acquired under this policy, the District will enter into an agreement with the local government having jurisdiction to ensure that the property shall not be used for any purpose that will diminish or preclude its use for drainage and flood mitigation purposes, and to ensure that the local government having jurisdiction shall not dispose of or change the use of the property without approval of the District.
17. The Executive Director is authorized to negotiate the purchase of properties that meet those criteria detailed in this policy when funds are available in the current budget and it is believed that the purchase price is not greater than the fair market value of the property. This authorization is limited to entering into a contract with the property owner with the contingency that the contract will be binding on the District only after Board approval.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 89, SERIES OF 2021
(Authorization to Participate in Drainage and Flood Control Improvements
on Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve,
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 the South Platte River Outfall Systems Planning Preliminary Design Report," dated December 2006; which recommends improvements for the Baseline Outfall from 19th Avenue to the Preserve; and

WHEREAS, the City of Brighton has requested District participation in the design, acquisition of right-of-way, and construction of improvements to the Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve (Exhibit A); and

WHEREAS, the City of Brighton has estimated the initial project costs to be \$3,500,000; and

WHEREAS, the District's participation being authorized by this resolution is \$750,000 to be at least matched by the City of Brighton; 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. 76, Series of 2021) for calendar year 2022, which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements for the Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 79, Series of 2021) which includes funds for the improvements to the Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director of the Urban Drainage and Flood Control District d/b/a Mile High Flood District is authorized to execute the necessary agreements with the City of Brighton for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on the Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve.
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 the Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve.
3. The District's maximum contribution to the Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve, without prior approval of the Board, shall be \$750,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Brighton.
4. Such approval for expenditure of District funds is contingent upon the City of Brighton agreeing to regulate and control any defined floodplain in the Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve 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.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

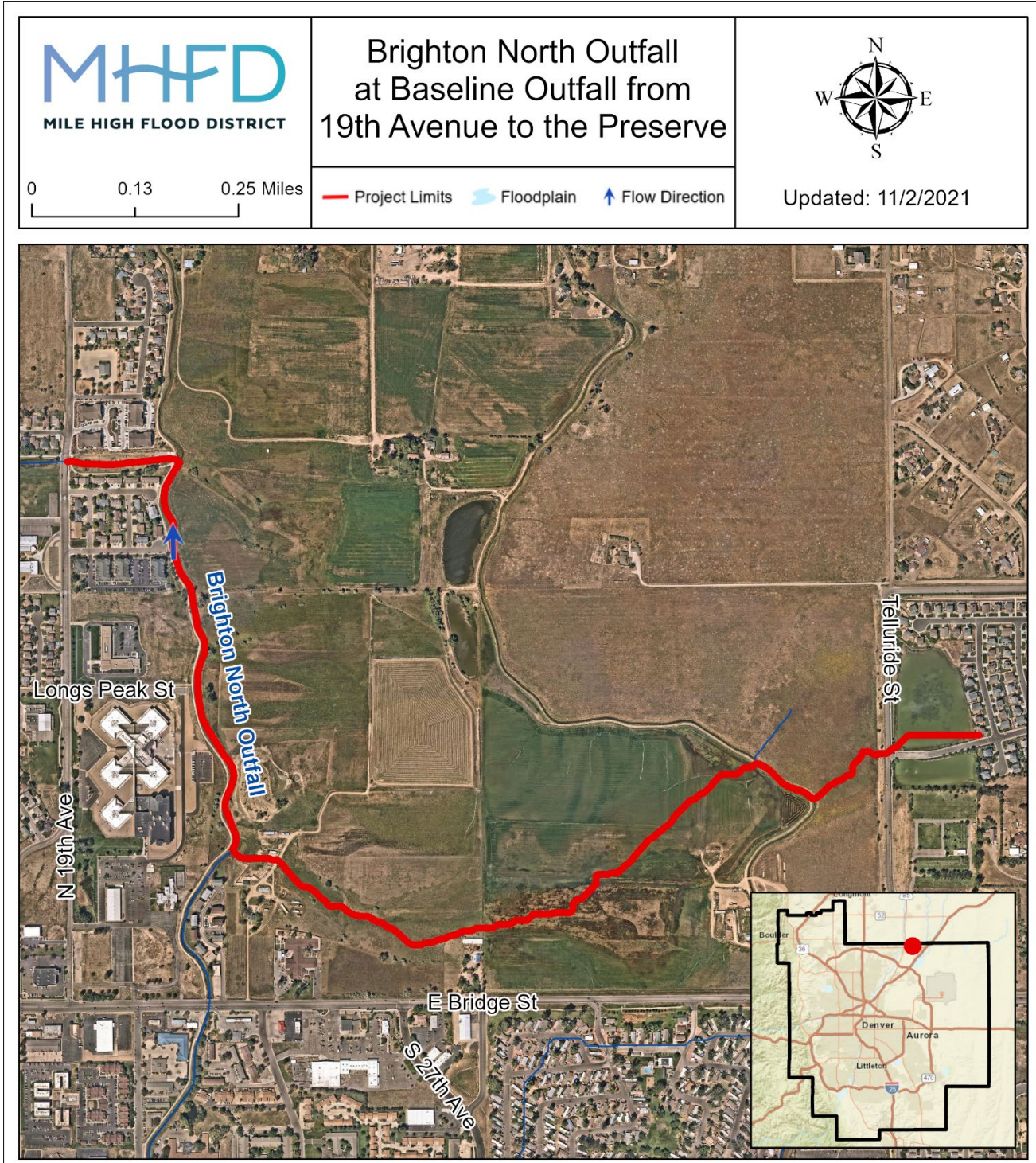
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 89, SERIES OF 2021
(Additional Authorization to Participate in Drainage and Flood Control Improvements
on Brighton North Outfall at Baseline Outfall from 19th Avenue to the Preserve,
City of Brighton, Adams County)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 90, SERIES OF 2021
(Authorization to Participate in Drainage and Flood Control Improvements
on Murphy Creek Downstream of Orchard Road, 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 "Murphy Creek and Tributaries Watersheds Outfall Systems Planning, Phase B," dated October 2008; which recommends improvements on Murphy Creek downstream of Orchard Road; and

WHEREAS, the City of Aurora and Pronghorn Valley Metropolitan District have requested that the District manage the design and construction of improvements required by the City of Aurora as a result of a development in lieu of Pronghorn Valley Metropolitan District designing and constructing those improvements along Murphy Creek Downstream of Orchard Road (Exhibit A); and

WHEREAS, preliminary project costs are estimated to be \$47,917; and

WHEREAS, the District established a water activity enterprise known as the Development Services Enterprise (DSE) (Resolution No. 38, Series of 2017) which allows the District to collect design, construction, and administration fees from Pronghorn Valley Metropolitan District to manage the design and construction of drainage and flood control improvements along Murphy Creek downstream of Orchard Road; and

WHEREAS, expenditures in 2021 from the DSE have been budgeted (Resolution No. 64, Series of 2020).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director of the Urban Drainage and Flood Control District d/b/a Mile High Flood District is authorized to execute the necessary agreements with Pronghorn Valley Metropolitan District for the design and construction of drainage and flood control improvements on Murphy Creek downstream of Orchard Road.
2. The District is authorized to collect from Pronghorn Valley Metropolitan District sufficient fees to cover the cost of the preliminary design, the final design, and construction of the improvements, plus the District's administrative fee and to deposit those fees in a project-specific account in a separate Development Services Enterprise (DSE) fund which shall be set apart from all other funds of the District
3. 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 Murphy Creek downstream of Orchard Road.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

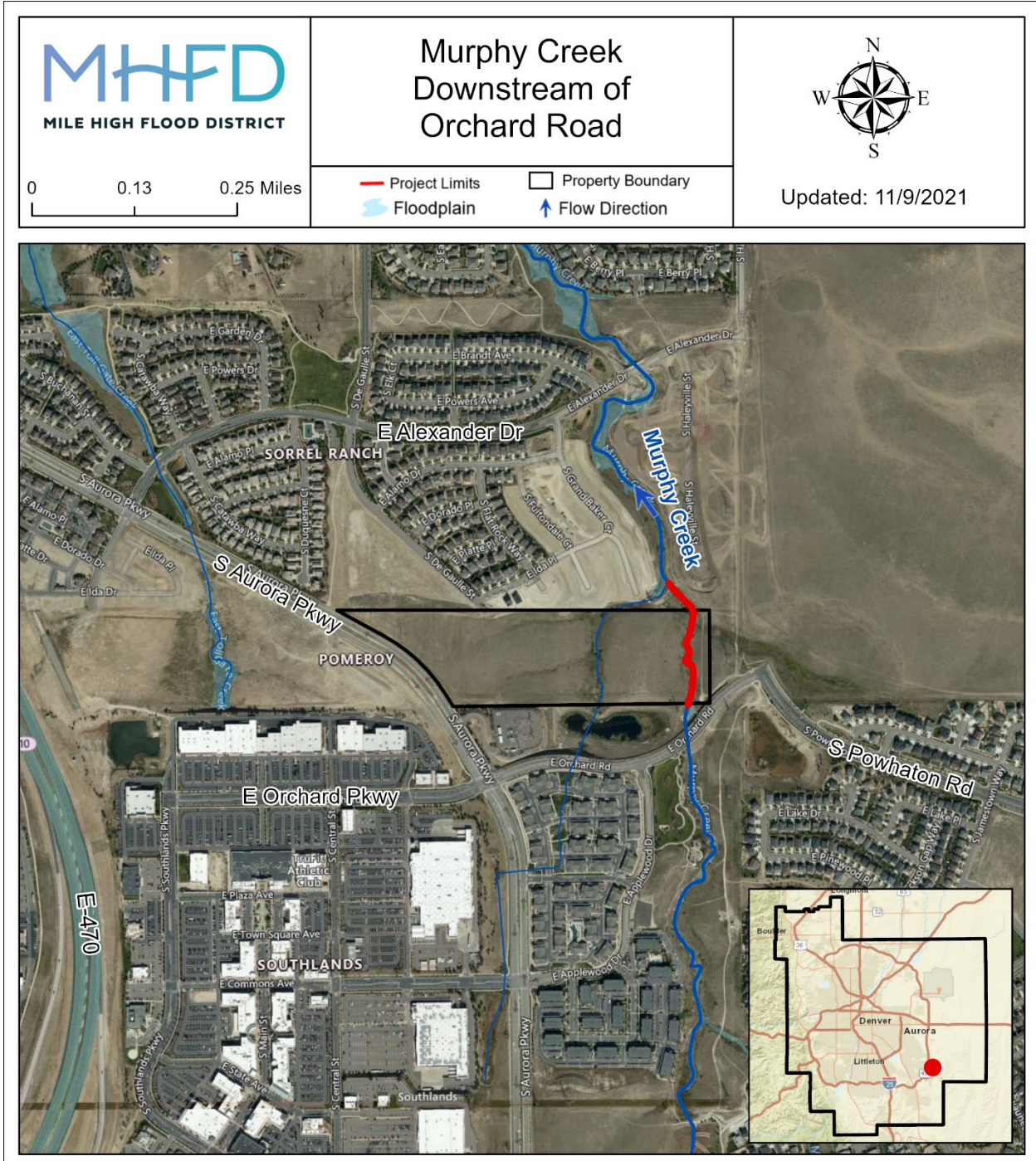
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 90, SERIES OF 2021
(Authorization to Participate in Drainage and Flood Control Improvements
on Murphy Creek Downstream of Orchard Road, City of Aurora, Arapahoe County)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 91, SERIES OF 2021
(Acceptance of First Creek Upstream of I-70 Planning Study)

WHEREAS, the District cooperated with the City of Aurora and the Southeast Metro Stormwater Authority (SEMSWA) in the preparation of a major drainageway planning study for First Creek upstream of I-70 (Resolution No. 29, Series of 2015) (Exhibit A); and

WHEREAS, the City of Centennial and Arapahoe County have assigned and transferred to SEMSWA their rights and obligations for the First Creek planning study project; and

WHEREAS, the Executive Director executed an agreement for engineering services with the consulting firm Merrick & Company, Inc. to conduct studies and prepare a major drainageway planning report for First Creek upstream of I-70; and

WHEREAS, Merrick & Company, Inc. has completed the study and submitted to the District the report titled "First Creek Tributaries (Upstream of I-70) Major Drainageway Plan Conceptual Design Report," dated October 2021.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District d/b/a Mile High Flood District hereby accepts the report titled "First Creek Tributaries (Upstream of I-70) Major Drainageway Plan Conceptual Design Report," dated October 2021, 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.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

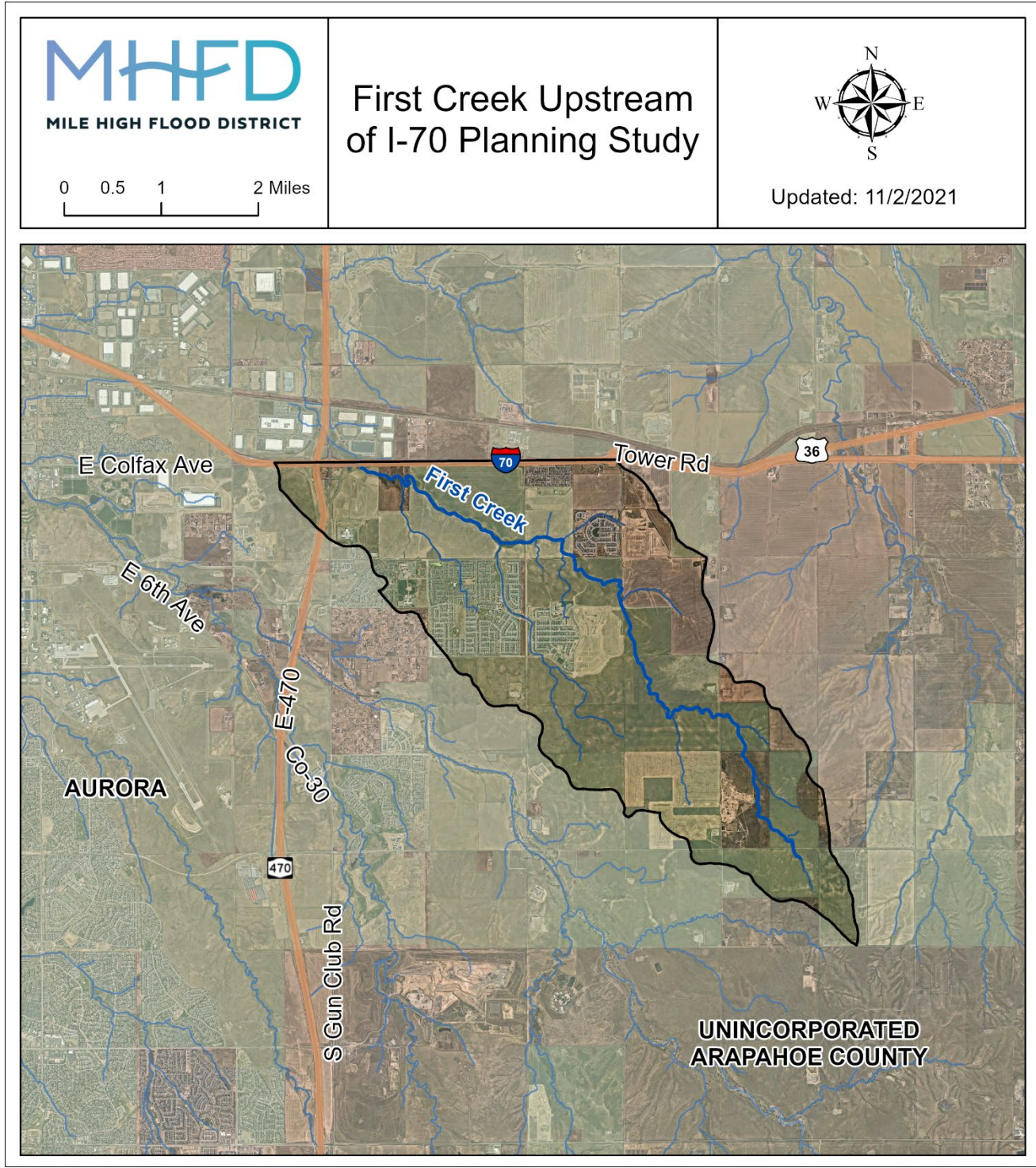
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 91, SERIES OF 2021
(Acceptance of First Creek upstream of I-70 Planning Study)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 92, SERIES OF 2021
(Acceptance of Flood Hazard Area Delineation Report for
Cherry Creek Minor Tributaries in Arapahoe County)

WHEREAS, the District cooperated with the Southeast Metro Stormwater Authority (SEMSWA) and the City of Aurora in the preparation of a flood hazard area delineation (FHAD) report for Cherry Creek Minor Tributaries in Arapahoe County (formerly Cherry Creek Tributaries upstream of Reservoir) (Resolution No. 73, Series of 2017); and

WHEREAS, the City of Centennial and Arapahoe County have assigned and transferred to SEMSWA their rights and obligations for the FHAD report for Cherry Creek Minor Tributaries in Arapahoe County project; and

WHEREAS, the Executive Director executed an agreement for engineering services with the consulting firm Dewberry Engineers, Inc. to conduct studies and prepare a FHAD study for Cherry Creek Minor Tributaries in Arapahoe County; and

WHEREAS, Dewberry Engineers, Inc. has completed the study and submitted to the District the report titled "Flood Hazard Area Delineation Cherry Creek Minor Tributaries in Arapahoe County," dated October 2021; 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. CRS.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District d/b/a Mile High Flood District hereby accepts the report titled "Flood Hazard Area Delineation Cherry Creek Minor Tributaries in Arapahoe County," dated October 2021, and recommends its use as a guide in future planning related to the floodplains contained therein.
2. The Board of Directors of the Mile High Flood District recommends that the Southeast Metro Stormwater Authority (SEMSWA) and the City of Aurora adopt the report and regulate the 100-year floodplains defined in the report.
3. The Board of Directors of the Mile High Flood District submit the report for designation and approval by the Colorado Water Conservation Board as stated in 37-60-106(1)(c) CRS, as flood hazard areas, those areas described as being inundated by the 100-year flood.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

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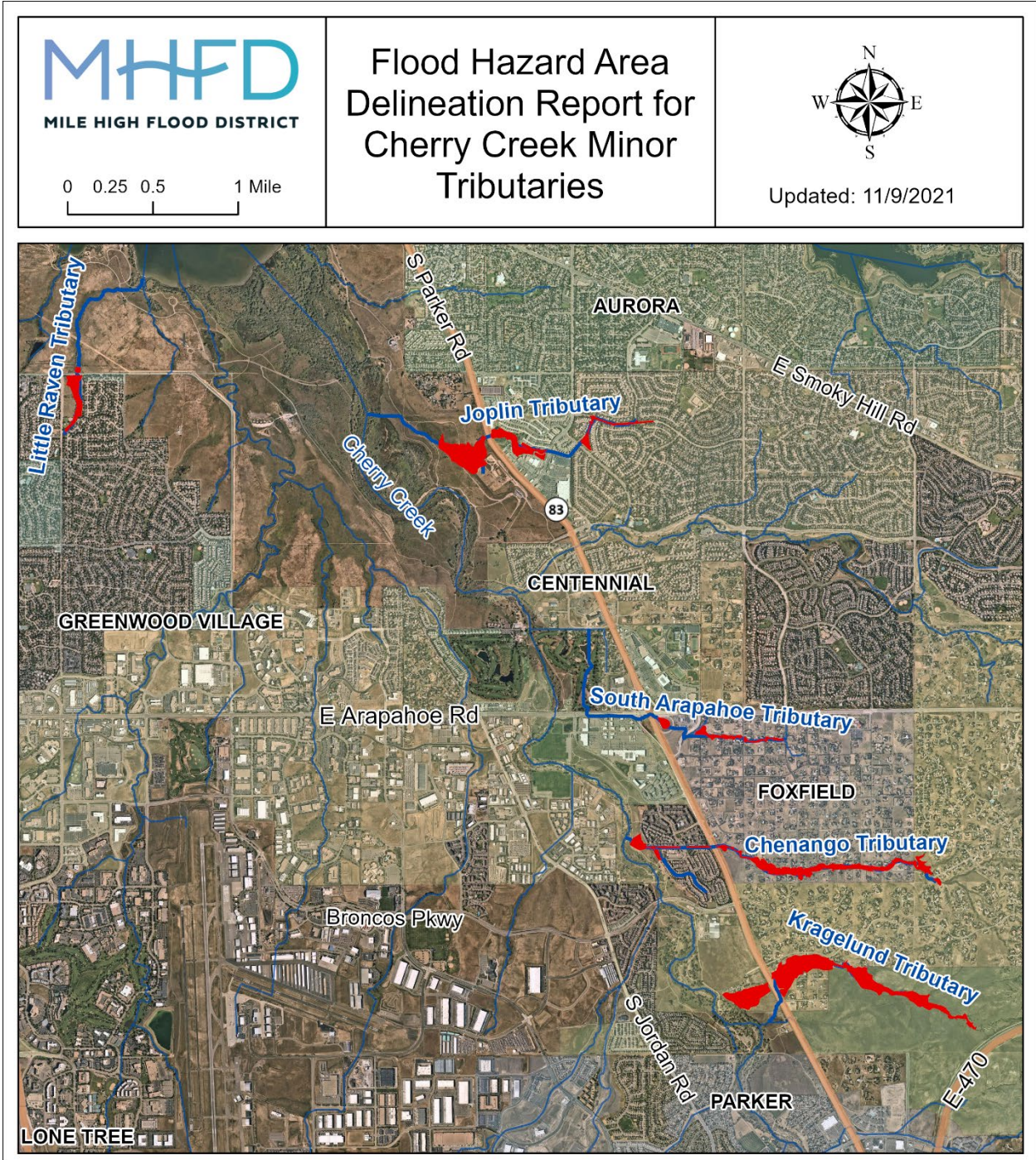
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 92, SERIES OF 2021
(Acceptance of Flood Hazard Area Delineation Report for
Cherry Creek Minor Tributaries in Arapahoe County)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 93, SERIES OF 2021
(Acceptance of Flood Hazard Area Delineation Report for Clear Creek)

WHEREAS, the District cooperated with the City of Golden, the City of Wheat Ridge, the City of Arvada, the City and County of Denver, Jefferson County, and Adams County in the preparation of a flood hazard area delineation report for Clear Creek (Resolution No. 75, Series of 2015); and

WHEREAS, the Executive Director executed an agreement for engineering services with the consulting firm ICON Engineering to conduct studies and prepare a flood hazard area delineation study for Clear Creek; and

WHEREAS, ICON Engineering has completed the study and submitted to the District the report titled "Flood Hazard Area Delineation Clear Creek," dated November 2021; 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. CRS.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District d/b/a Mile High Flood District hereby accepts the report titled "Flood Hazard Area Delineation Clear Creek," dated November 2021, and recommends its use as a guide in future planning related to the floodplains contained therein.
2. The Board of Directors of the Mile High Flood District recommends that the City of Golden, the City of Wheat Ridge, the City of Arvada, the City and County of Denver, Jefferson County, and Adams County adopt the report and regulate the 100-year floodplains defined in the report.
3. The Board of Directors of the Mile High Flood District submit the report for designation and approval by the Colorado Water Conservation Board as stated in 37-60-106(1)(c) CRS as flood hazard areas, those areas described as being inundated by the 100-year flood.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

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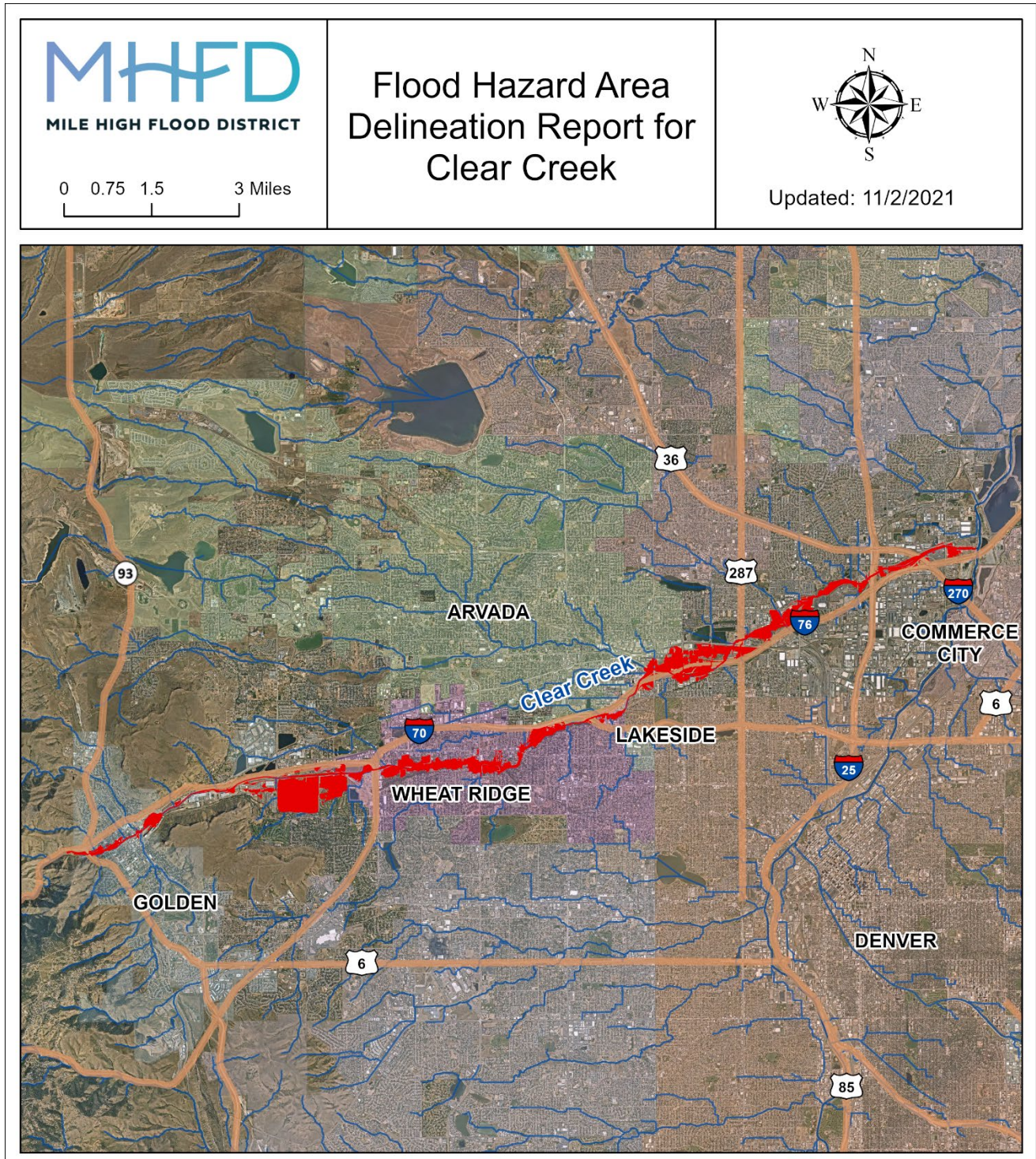
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 93, SERIES OF 2021
(Acceptance of Flood Hazard Area Delineation Report for Clear Creek)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 94, SERIES OF 2021

(Authorization to Purchase the Property at 14055 West 68th Avenue, 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 a joint planning study "Ralston/Leyden Creek Major Drainageway Plan," dated September 1977; which identified the floodplain on Ralston Creek; and

WHEREAS, the property located at 14055 West 68th Avenue was identified to be within the floodplain of Ralston Creek; and

WHEREAS, the District and the City of Arvada have determined through an appraisal that the fair market value of said property is \$400,000; and

WHEREAS, the District has now negotiated the purchase of the property for a purchase price of \$400,000 for said property, which has been memorialized by way of a Contract To Buy And Sell Real Estate with the property owner as full and final payment contingent on Board approval; and

WHEREAS, the City of Arvada has requested the District participate for \$300,000 in 2021 for this purchase; and

WHEREAS, the City of Arvada has identified \$100,000 in 2021 for this purchase, which they will be conveyed to the District through an Intergovernmental Agreement (IGA); and

WHEREAS, the District's policy regarding preservation of floodways and floodplains and the purchase of land for future improvements (Resolution No. 67, Series of 2019) authorizes the District's participation in the acquisition of undeveloped floodplains to prevent unsafe development and for future improvements; and

WHEREAS, the Board of Directors adopted a budget for 2021 (Resolution No. 64, Series of 2020) which includes \$2,000,000 for floodplain preservation within the District.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director of the Urban Drainage and Flood Control District d/b/a Mile High Flood District is authorized to finalize the agreement with Skibland Estates LLC for the purchase of the property at 14055 West 68th Avenue for an amount not to exceed \$400,000 and to complete the purchase of the property at 14055 West 68th Avenue.
2. If additional funds are needed in the future for this purchase, the Executive Director will bring the request for additional funds to the Board for approval.
3. Upon closing on the purchase of the property, the Board authorizes the Executive Director to complete the District's conveyance of the title to the property to the City of Arvada.
4. The deed from the District to the City of Arvada regarding the property at 14055 West 68th Avenue, the City of Arvada shall restrict its future use to that of regional detention, preserved floodplain, and open space or parks only.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

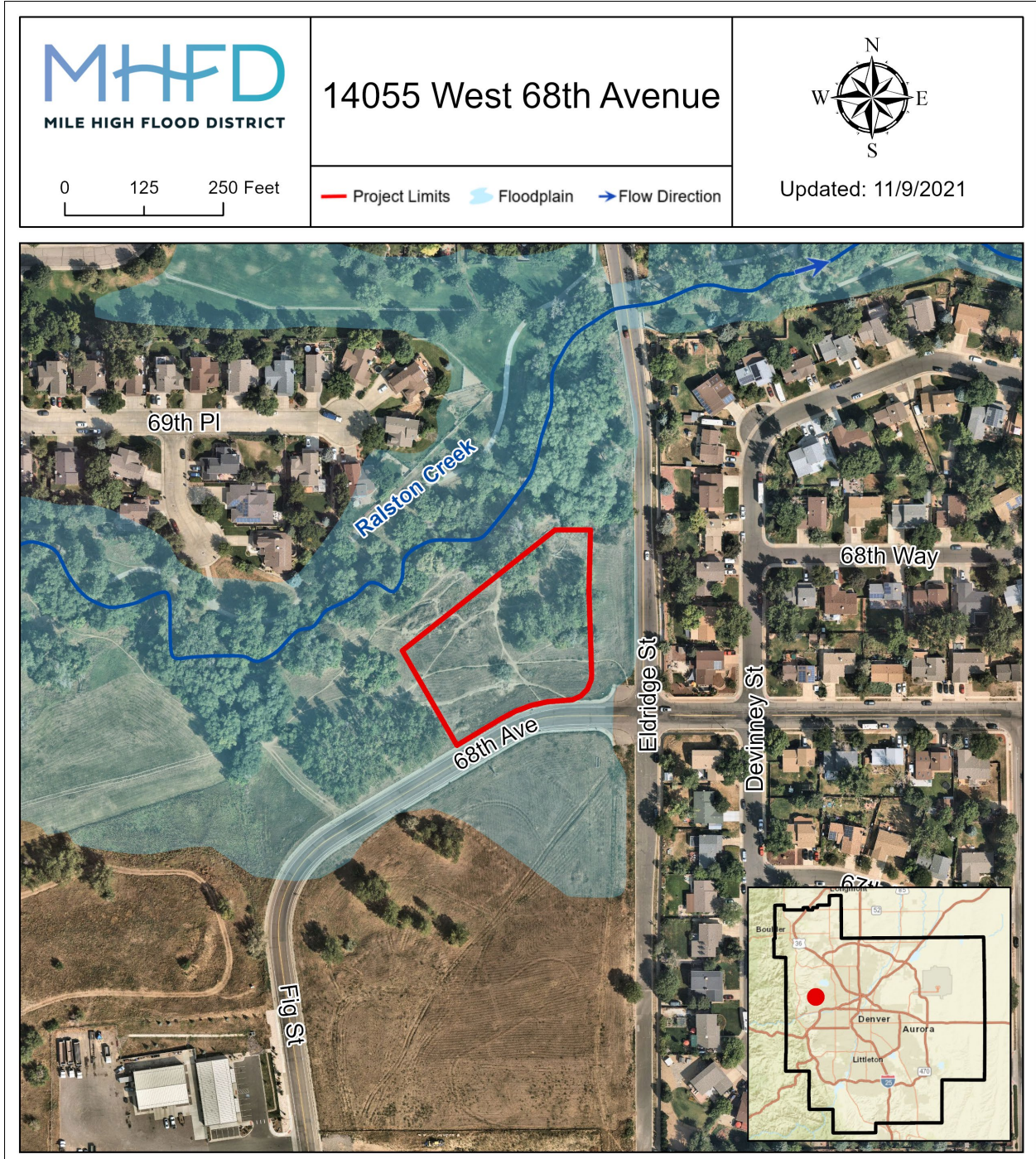
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 94, SERIES OF 2021
(Authorization to Purchase the Property at 14055 West 68th Avenue, City of Arvada, Jefferson County)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 95, SERIES OF 2021
(Additional Authorization to Participate in Drainage and Flood Control Improvements
on Niver Creek Tributary M from Thornton Parkway to Huron Street, 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 “Niver Creek and Tributaries Major Drainageway Plan,” dated December 2016 which recommends improvements on Niver Creek Tributary M from Thornton Parkway to Huron Street; and

WHEREAS, the Board previously authorized and agreements encumbered \$1,575,000 for the Niver Creek Tributary M from Thornton Parkway to Huron Street project (Table 1); and

**Table 1
Niver Creek Tributary M from Thornton Parkway to Huron Street
Previous Authorizations**

Resolution No.	Series of	District Share	Local Share	Work Elements
42	2020	\$500,000	\$500,000	Design, right-of-way acquisition, partial construction
21	2021	\$700,000	\$2,000,000	Design, right-of-way acquisition, partial construction
73	2021	\$375,000	\$300,000	Remaining construction
TOTAL		\$1,575,000	\$2,800,000	

WHEREAS, the City of Thornton and the District now desire to construct improvements along Niver Creek Tributary M from Thornton Parkway to Huron Street (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$300,000 to be at least matched by the City of Thornton; 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. 76, Series of 2021) for calendar year 2022 which includes funds for construction of drainage and flood control improvements along Niver Creek Tributary M from Thornton Parkway to Huron Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 79, Series of 2021) which includes funds for the improvements along Niver Creek Tributary M from Thornton Parkway to Huron Street.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 42, Series of 2020 Paragraph 3, is further amended as follows:
“The District's maximum contribution to the Niver Creek Tributary M from Thornton Parkway to Huron Street project without prior approval of the Board shall be ~~\$1,575,000~~ **\$1,875,000** 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. 42, Series of 2020.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

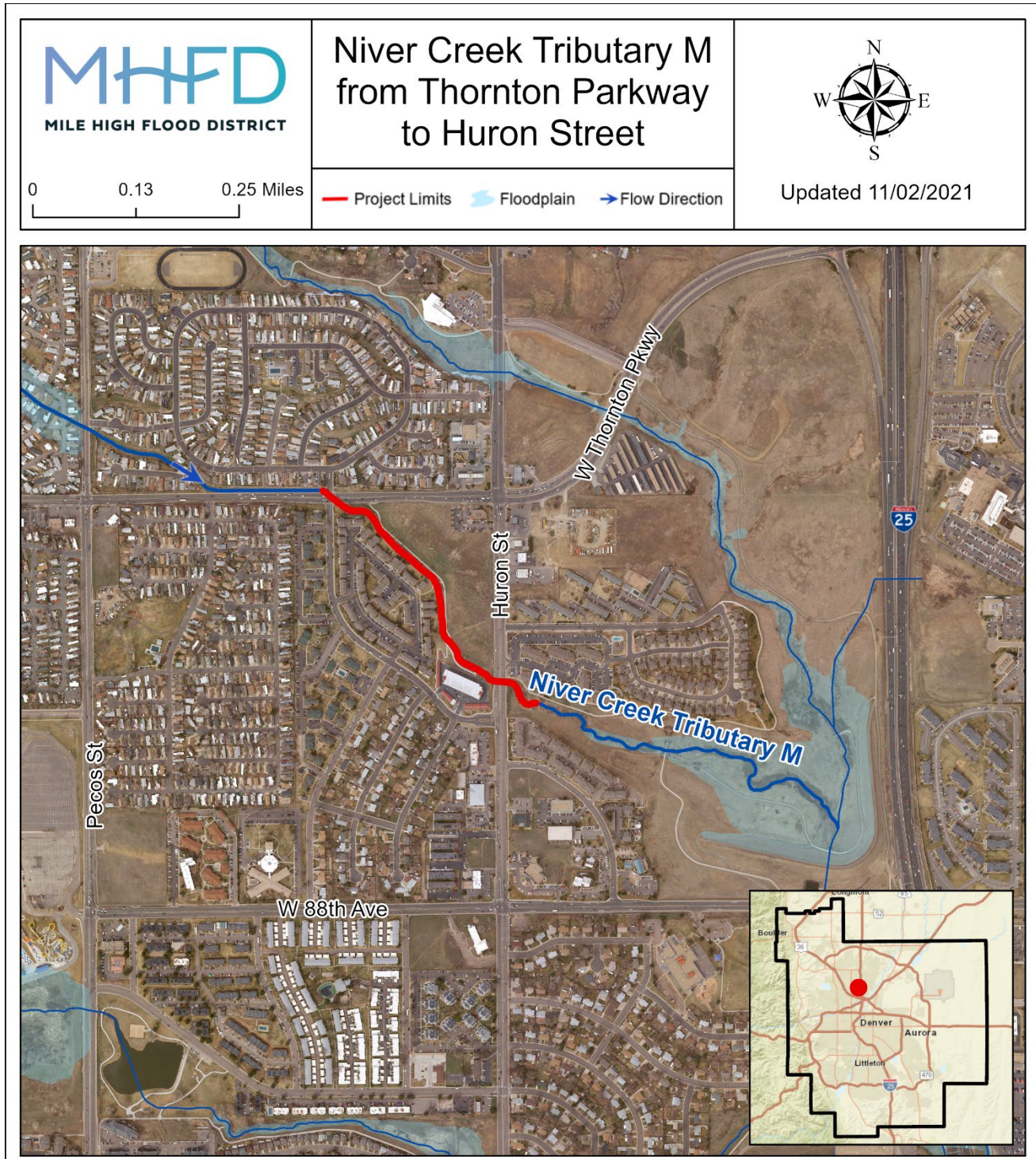
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 95, SERIES OF 2021
(Additional Authorization to Participate in Drainage and Flood Control Improvements
on Niver Creek Tributary M from Thornton Parkway to Huron Street, City of Thornton, Adams County)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 96, SERIES OF 2021
(Additional Authorization to Participate in Drainage and Flood Control Improvements
on Sand Creek – Baranmor Ditch at Zion Street and Billings Street, City of Aurora, 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 Aurora has enacted floodplain regulations; and

WHEREAS, the City of Aurora and the District cooperated in the preparation of “Sand Creek Colfax to Yale Major Drainageway Plan,” dated August 2013; and

WHEREAS, the Board previously authorized and agreements encumbered \$100,000 for the Sand Creek – Baranmor Ditch at Zion Street and Billings Street project (Table 1); and

Table 1
(Sand Creek – Baranmor Ditch at Zion Street and Billings Street)
Previous Authorizations

Resolution No.	Series of	District Share	Local Share	Work Elements
22	2019	\$100,000	\$100,000	Final Design
TOTAL		\$100,000		

WHEREAS, the City of Aurora and the District now desire to construct improvements along Sand Creek at Baranmor Ditch at Zion Street and Billings Street (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$150,000 to be at least matched by the City of Aurora; 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. 76, Series of 2021) for calendar year 2022 which includes funds for construction of drainage and flood control improvements along Sand Creek - Baranmor Ditch at Zion Street and Billings Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 79, Series of 2021) which includes funds for the improvements along Sand Creek – Baranmor Ditch at Zion Street and Billings Street.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 22, Series of 2019, Paragraph 3, is amended as follows:
“The District's maximum contribution to the Sand Creek - Baranmor Ditch at Zion Street and Billings Street project without prior approval of the Board shall be ~~\$100,000~~ **\$250,000** 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. 22, Series of 2019.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

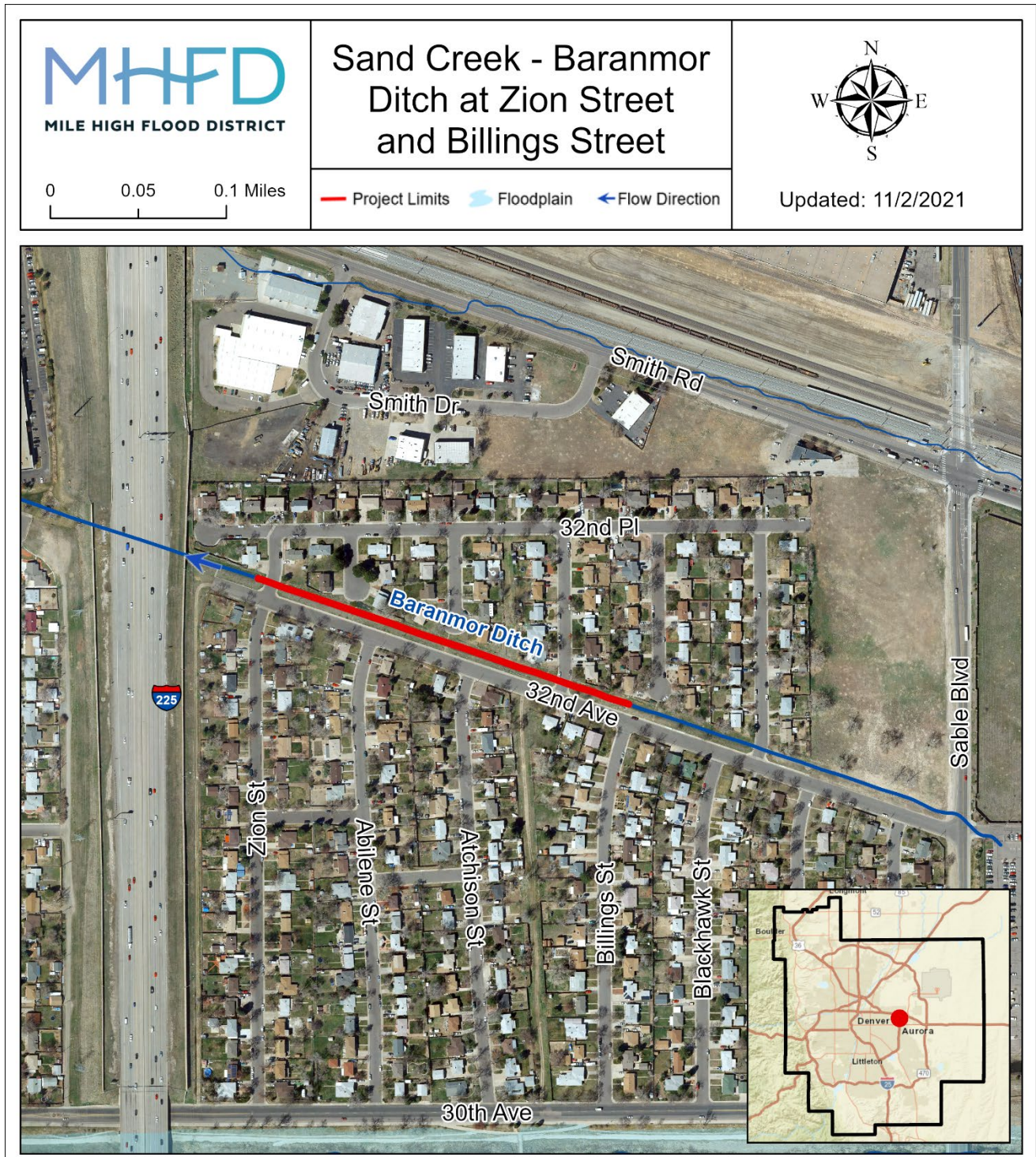
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 96, SERIES OF 2021
(Additional Authorization to Participate in Drainage and Flood Control Improvements
on Sand Creek – Baranmor Ditch at Zion Street and Billings Street, City of Aurora, Adams County)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 97, SERIES OF 2021
(Additional Authorization to Participate in Drainage and Flood Control Improvements
on South Englewood Basin, City of Englewood, 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 Englewood has enacted floodplain regulations; and

WHEREAS, the City of Englewood and the District are cooperating in the ongoing preparation of “City of Englewood Major Drainageway Plan,” which recommends improvements on South Englewood Basin; and

WHEREAS, the Board previously authorized and agreements encumbered \$725,000 for the South Englewood Basin project (Table 1); and

**Table 1
South Englewood Basin
Previous Authorizations**

Resolution No.	Series of	District Share	Local Share	Work Elements
69	2021	\$725,000	\$725,000	Design and Construction
TOTAL		\$725,000	\$725,000	

WHEREAS, the City of Englewood and the District now desire to construct improvements along South Englewood Basin (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is \$100,000 to be at least matched by the City of Englewood; 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. 64, Series of 2020) for calendar year 2021 which includes funds for construction of drainage and flood control improvements along South Englewood Basin; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 67, Series of 2020) which includes funds for the improvements along South Englewood Basin.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 69, Series of 2021, Paragraph 3, is amended as follows:
“The District’s maximum contribution to the South Englewood Basin project without prior approval of the Board shall be ~~\$725,000~~ **\$825,000** plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Englewood.”
2. All other conditions and authorizations remain as stated in Resolution No. 69, Series of 2021.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

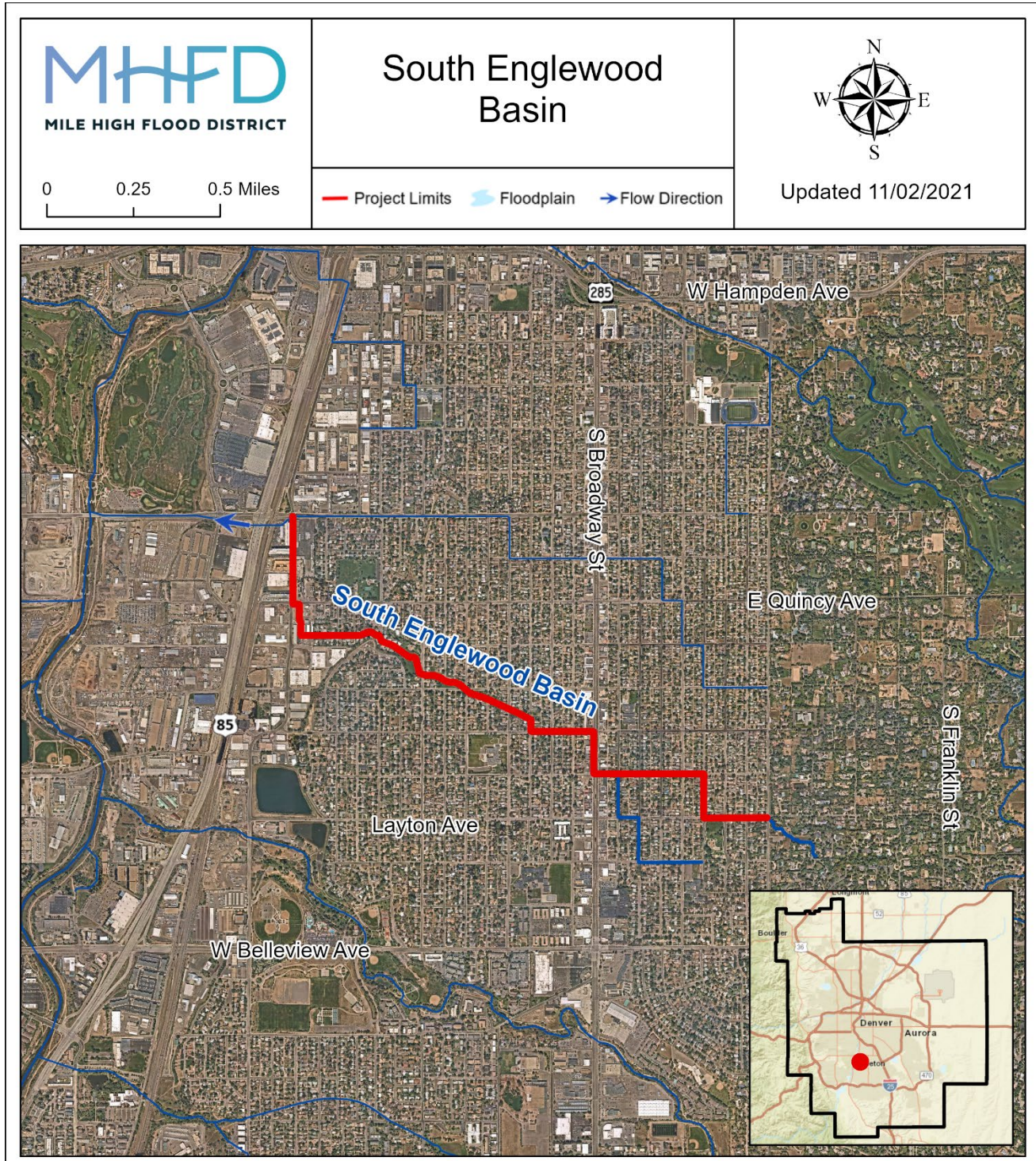
Secretary

Chairperson

URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 97, SERIES OF 2021
(Additional Authorization to Participate in Drainage and Flood Control Improvements
on South Englewood Basin, City of Englewood, Arapahoe County)

EXHIBIT A



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
d/b/a
MILE HIGH FLOOD DISTRICT

RESOLUTION NO. 98, SERIES OF 2021
(Appointment of New Executive Director)

DRAFT RESOLUTION TO BE UPDATED AFTER 11/11/2021 EXECUTIVE COMMITTEE INTERVIEWS

WHEREAS, Kenneth MacKenzie will be retiring as Executive Director of the Urban Drainage and Flood Control District effective in the early months of 2022; and

WHEREAS, the Board appointed an Executive Search Committee consisting of the Executive Committee to assist in the search for a new Executive Director; and

WHEREAS, the Board authorized the hiring of a firm to provide search support and to assist the District in the hiring of a new Executive Director; and

WHEREAS, the Executive Search Committee selected CPS HR Consulting as the firm of choice for assisting in the search and filling of the Executive Director position; and

WHEREAS, the Executive Search Committee worked with CPS HR Consulting to establish job search goals for the new Executive Director including a job profile, deadline for applications, requirements for applicants, selection procedures and a time frame for the hiring process; and

WHEREAS, in addition to the District website, the Executive Director's position was advertised on the following websites: Colorado Association of Stormwater and Floodplain Managers (CASFM), American Society of Civil Engineers (ASCE), American Public Works Association (APWA) – Colorado Chapter; Ads on LinkedIn and Andrew Hudson's Job List, and CPS HR Consulting website; and

WHEREAS, as a result of the advertisements, numerous applications were received and considered by CPS HR Consulting who recommended further consideration by the Executive Search Committee of four (4) applicants; and

WHEREAS, the Executive Search Committee reviewed the applications and selected four (4) candidates; one external applicants and three internal applicants, to be interviewed by the Committee; and

WHEREAS, after in-depth interviews of the four (4) applicants on November 11, 2021, it was the consensus of the Executive Search Committee to recommend _____ (X) finalists for Board consideration; and

WHEREAS, at the November 18, 2021 Board Meeting, the Board decided to interview the XX finalists at the November board meeting; and

WHEREAS, after the interviews conducted by Board of Directors on November 18, 2021, it was the unanimous consensus of the Board (including the Executive Search Committee) that the best applicant for the position of the Executive Director is INSERT NAME; and

WHEREAS, public notice of the finalists for the position of Executive Director was posted for fourteen days (November 04, 2021 through November 17, 2021) pursuant to 24-6-402(3.5) CRS; and

WHEREAS, the Board authorizes the Executive Committee, due to their involvement in the search for a new Executive Director, to negotiate the final details with INSERT NAME in regard to salary and benefits in his/her new position as Executive Director, within parameters established by the Board.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. INSERT NAME be offered employment as the new Executive Director of the District, effective Thursday, October 13, 2016. Such employment will be at will.
2. The Executive Committee is authorized to negotiate the financial details of INSERT NAME employment within the parameters established by the Board and to report back to the Board at its November 2016 monthly meeting, the results of the negotiations with INSERT NAME.

URBAN DRAINAGE AND FLOOD CONTROL
DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

Date: _____

ATTEST:

Secretary

Chairperson

DRAFT