



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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 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
TOTAL		\$987,500	\$987,500	

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

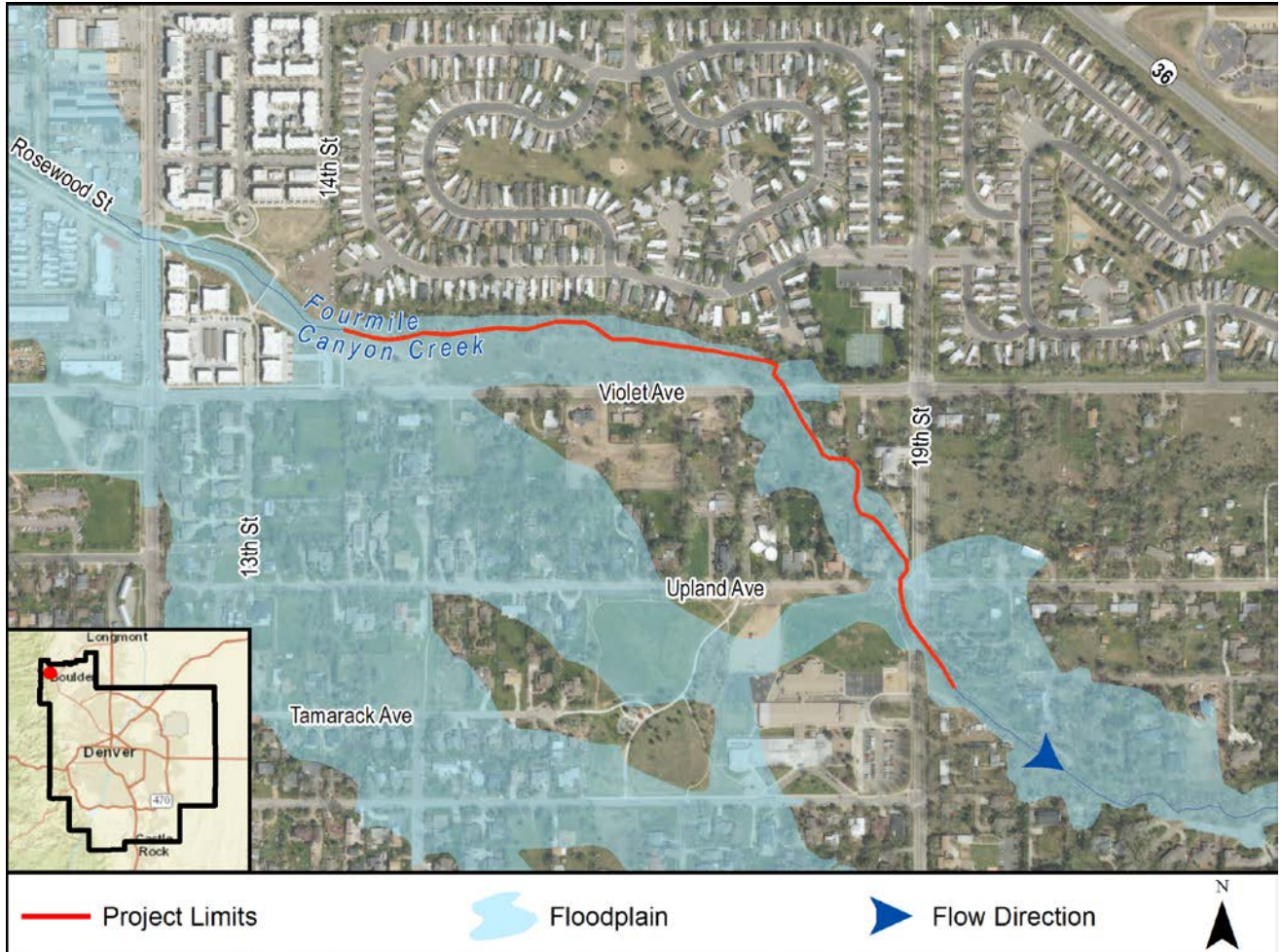
Chairperson

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
TOTAL		\$260,000	\$260,000	

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

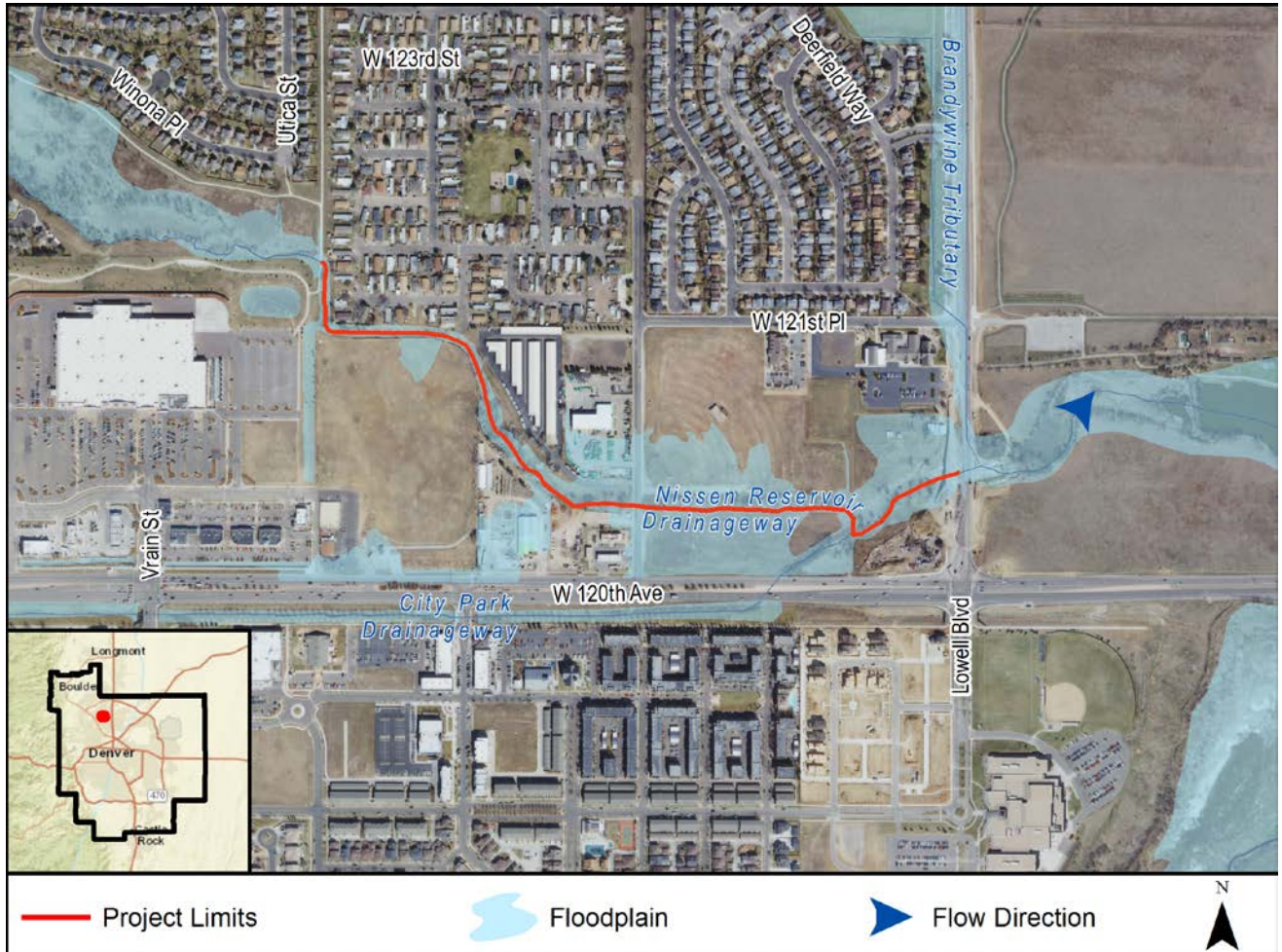
Chairperson

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
TOTAL		\$1,200,000	\$1,200,000	

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

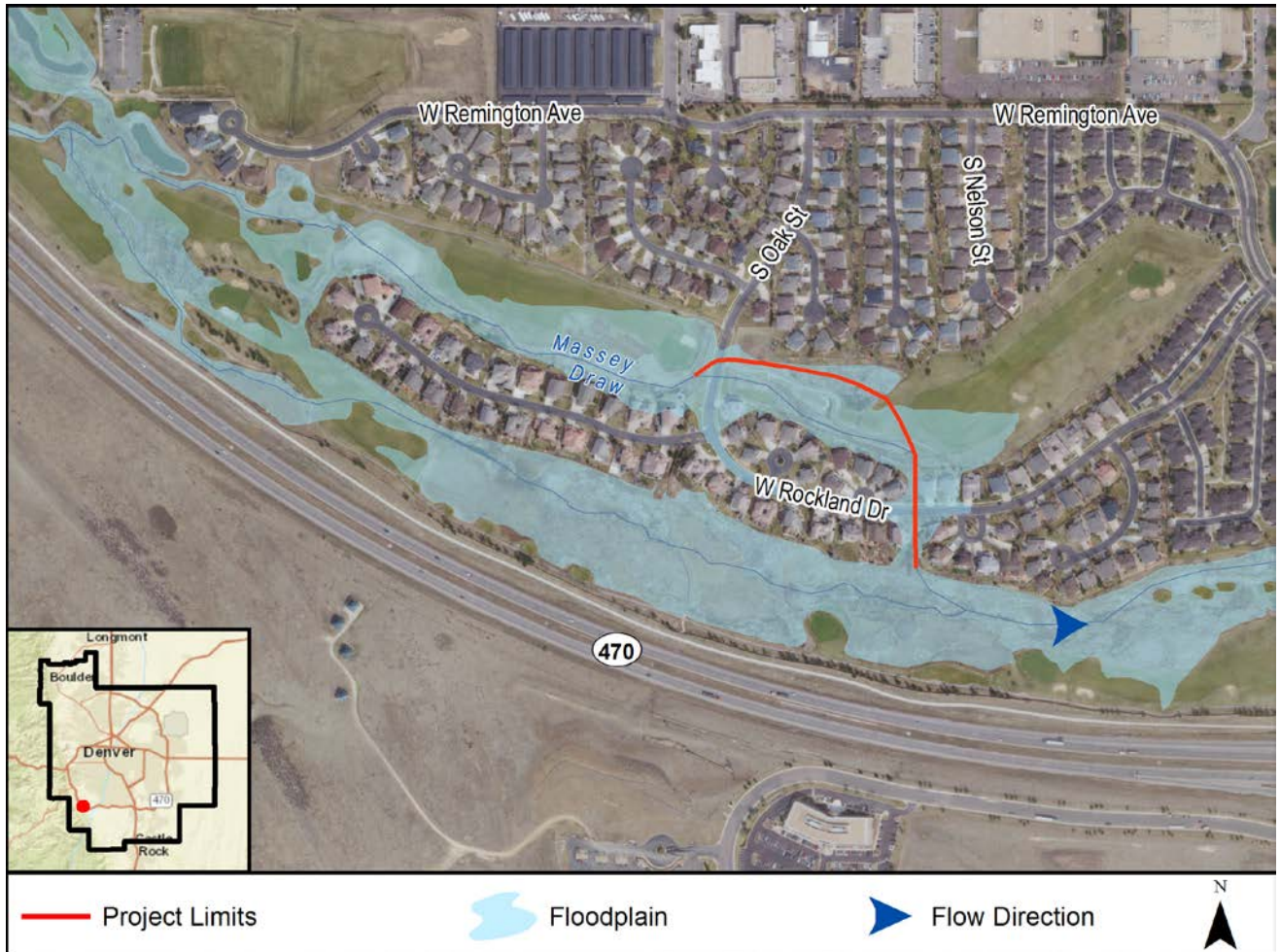
Chairperson

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

Table with 5 columns: Resolution No., Series of, District Authorization, Local Share, Work Elements. Rows include resolutions 033, 038, 043, 057, and a TOTAL row.

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

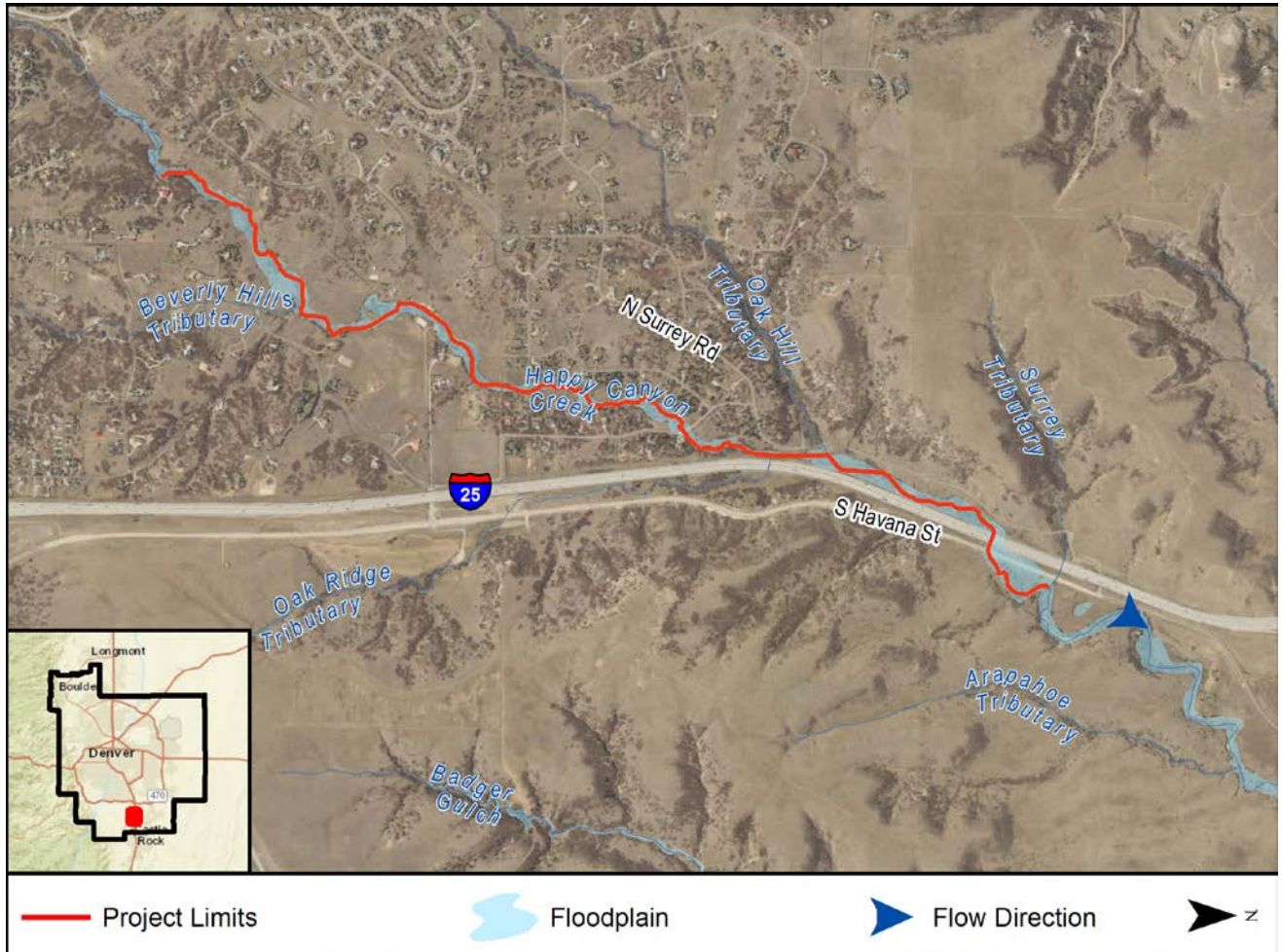
Chairperson

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

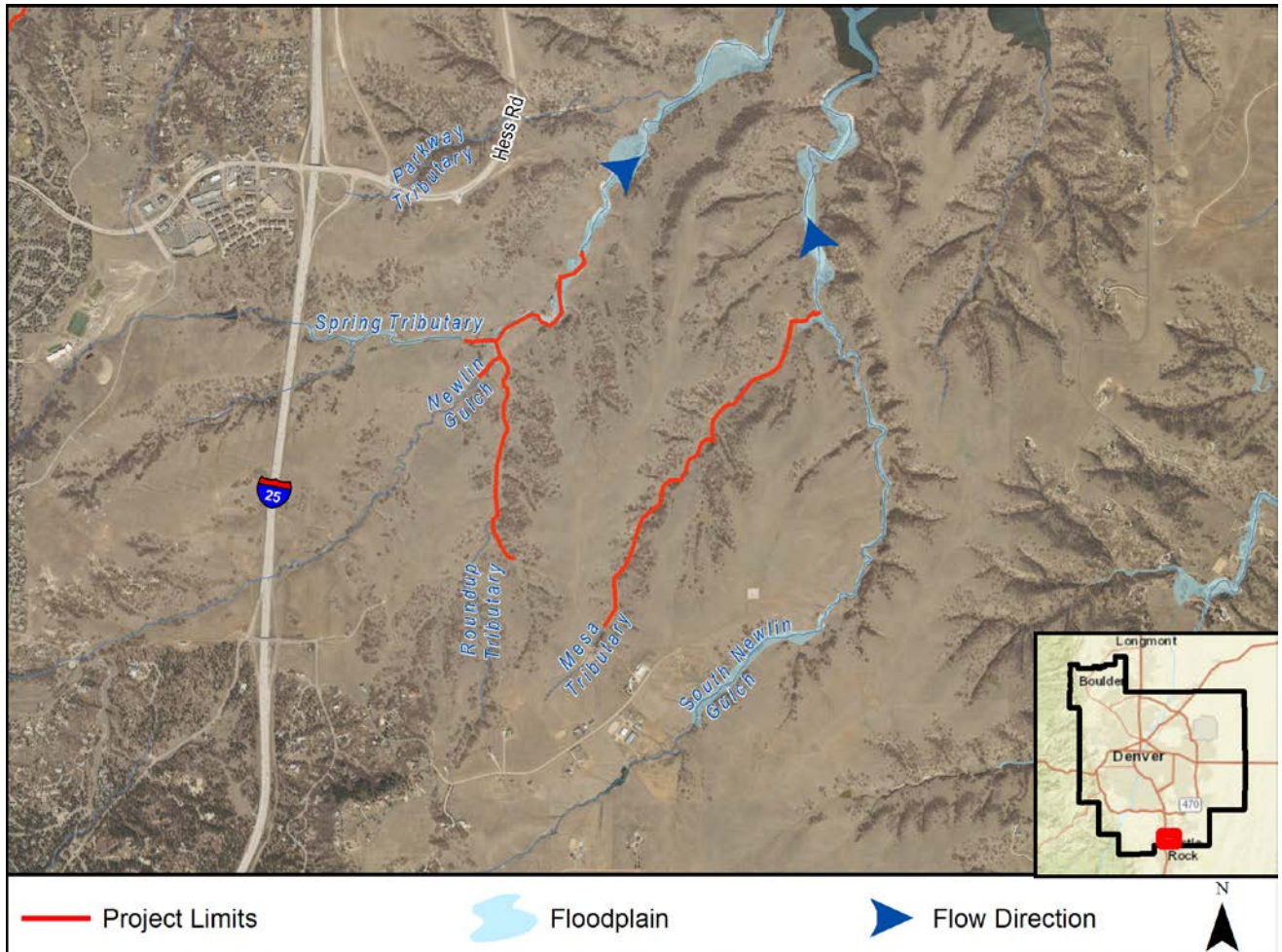
Chairperson

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)

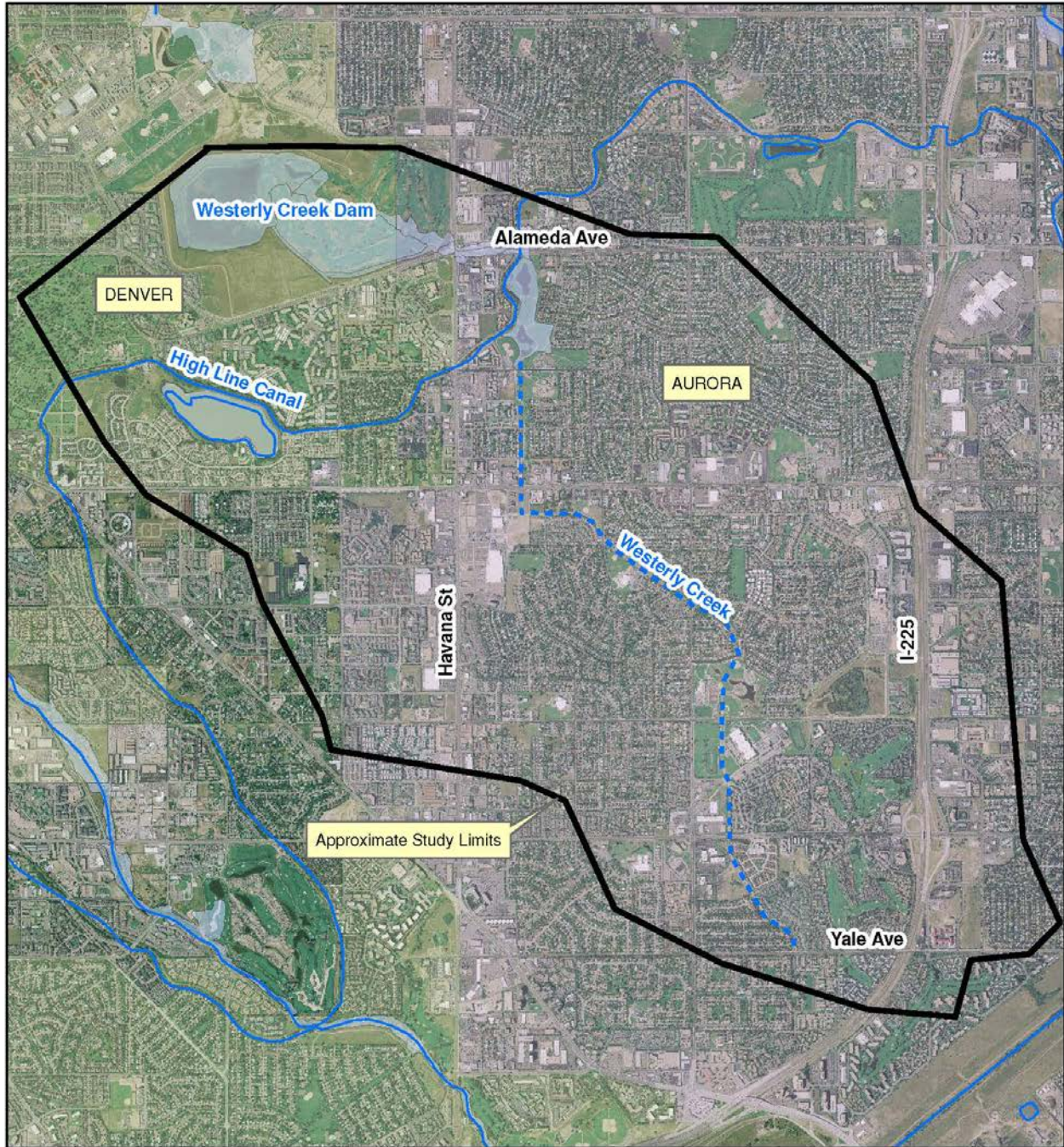
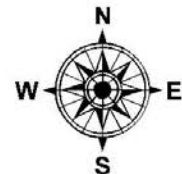


EXHIBIT A
Westerly Creek U/S of Dam
Flood Hazard Area Delineation
April 2017



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)

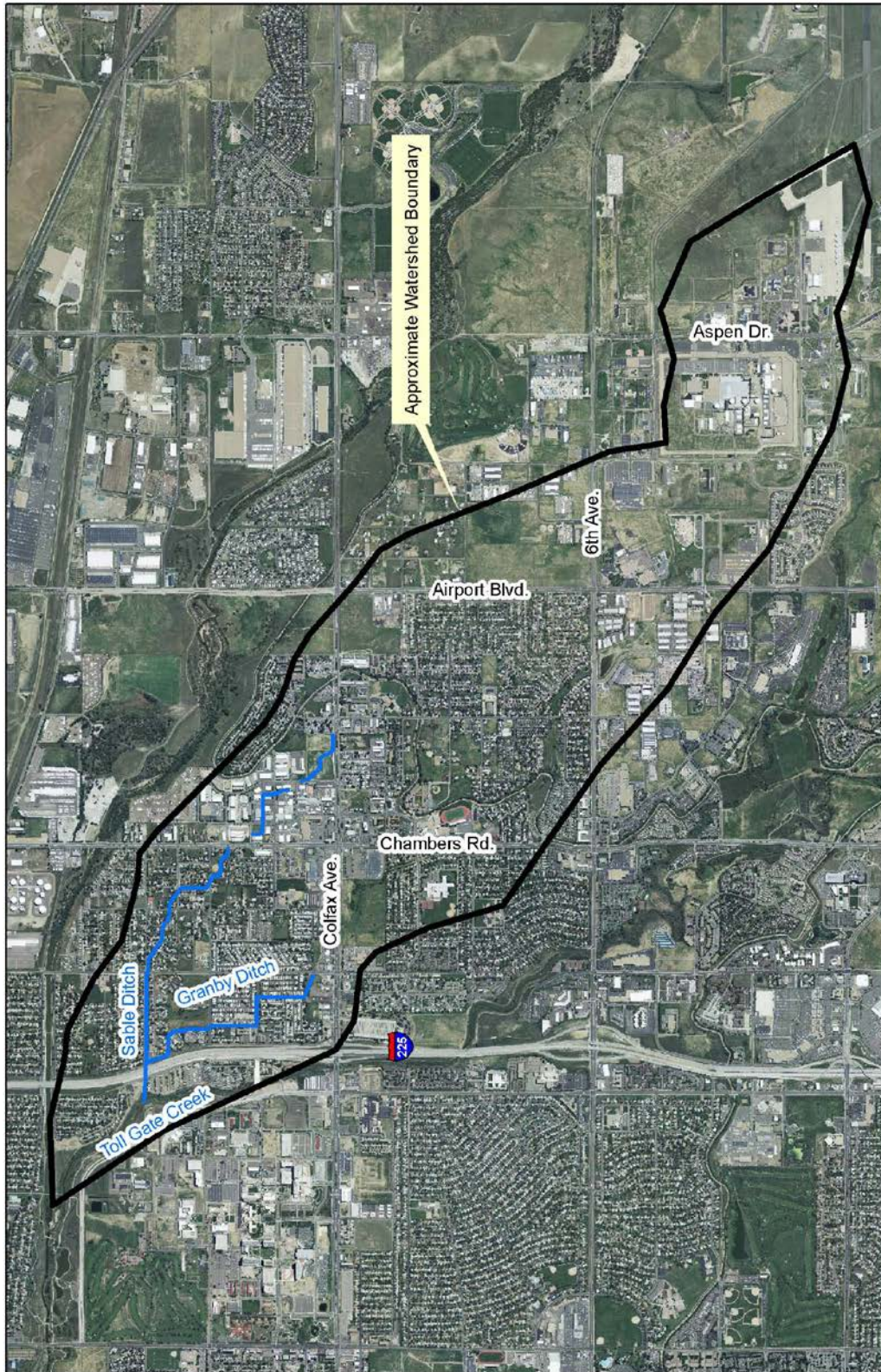
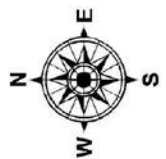


EXHIBIT A
Granby Ditch and Sable Ditch OSP
Approximate Study Limits
July 2017



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)

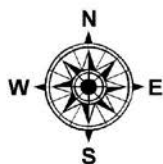
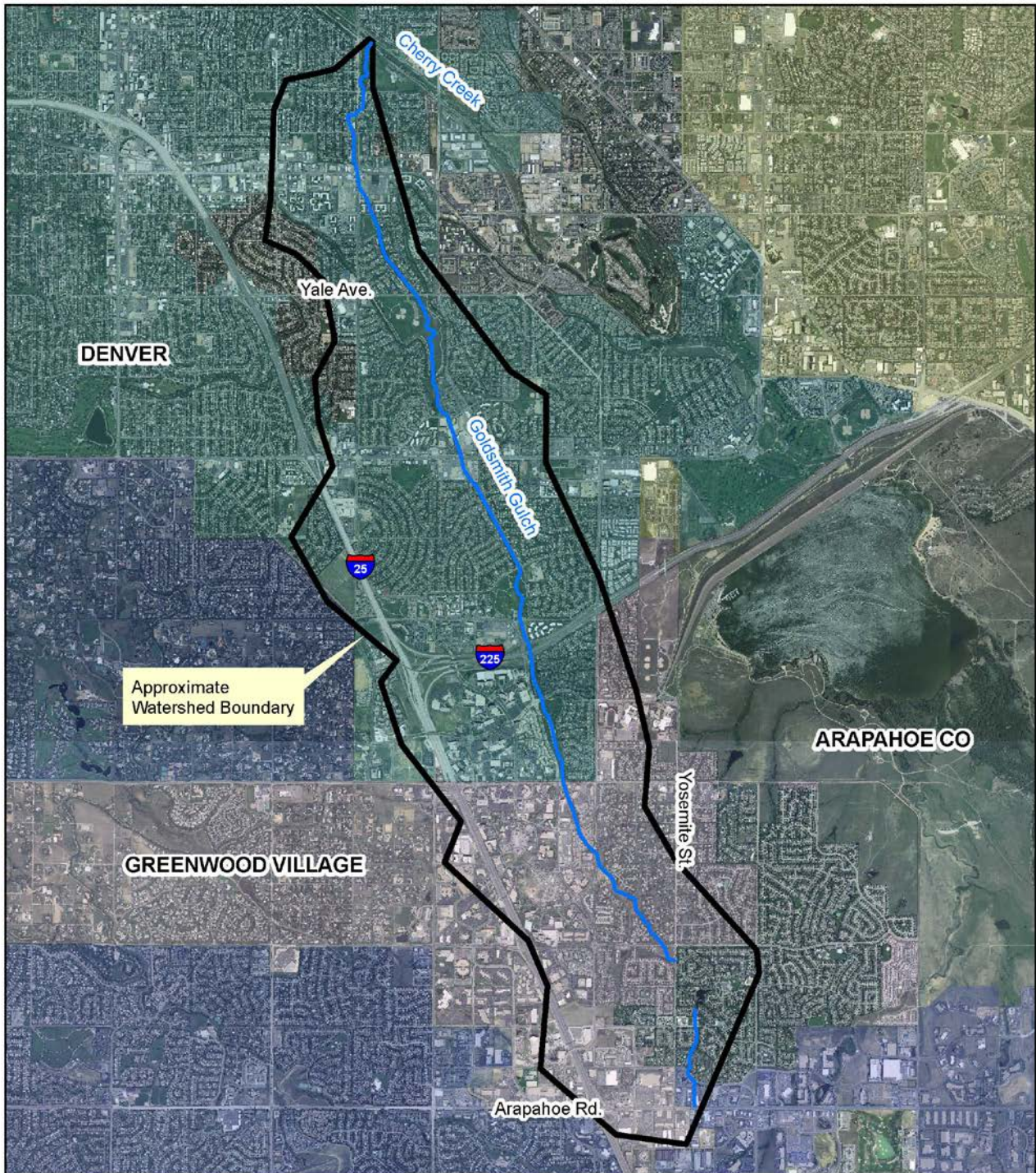


EXHIBIT A
Goldsmith Gulch MDP & FHAD
Approximate Study Limits
July 2017