



# URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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## BOARD OF DIRECTORS MEETING

Date: Wednesday, February 1, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

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

1. **Call to Order and Pledge of Allegiance – 1:00 pm**
2. **Introductions**
  - a. Swearing in of New Board Members
    - i. Deputy Mayor Happy Haynes (City of Denver)
    - ii. Mayor Pro Tem Angela Lawson (City of Aurora)
    - iii. Commissioner Lora Thomas (Douglas County)
  - b. Visitors/Guests/Staff
    - i. Student Intern: Salomon Ybarra
  - c. Awards/Recognitions
    - i. CASFM – Engineering Excellence Award: River Vision Implementation Plan
    - ii. CASFM – Outstanding Achievement Award: Lower Westerly Creek
3. **Roll Call – Determination of Quorum**
4. **Board of Directors Reappointment**
  - a. Reappointment of Mr. Mark Hunter to Board of Directors  
(Resolution No. 01, Series of 2017)
5. **Approval of December 15, 2016 Meeting Minutes** (*If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”*)
6. **Public Hearing**
  - a. Floodplain Maps Adoption
7. **Consent Agenda** (*Consent items are considered routine and will be approved by one motion unless a request is made by a Board Member for removal for further discussion or explanation.*)
  - a. Review of Cash Disbursements
  - b. Adoption of Floodplain Maps for Happy Canyon Creek; Box Elder Creek (Downstream of Jewell Avenue) and Coyote Run; Coal Creek (East Yale Avenue to East County Line Road), Coal Creek and Rock Creek; and Newlin Gulch  
(Resolution No. 02, Series of 2017)
  - c. Designation of Public Place for Posting of Meeting Notices  
(Resolution No. 03, Series of 2017)
  - d. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Block 3 within the St. Anthony Urban Redevelopment Area  
(Resolution No. 04, Series of 2017)
  - e. Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed Block 9 within the St. Anthony Urban Redevelopment Area  
(Resolution No. 05, Series of 2017)
  - f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Drainageway No. 2, City of Lafayette, Boulder County  
(Resolution No. 06, Series of 2017)
  - g. Additional Authorization to Participate in Drainage and Flood Control Improvements on Van Bibber Creek at McIntyre Street, Jefferson County  
(Resolution No. 07, Series of 2017)

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

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

**9. Reports/Discussion**

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

**10. Executive Session**

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

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

**12. Announcements**

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

**13. Adjournment**



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

**December 15, 2016**

**MINUTES**

**Members Present:**

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

**Members Absent:**

None.

**UDFCD Staff Present:**

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

**Others Present:**

Lanae Raymond, SEMSWA  
Dan Olsen, SEMSWA

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

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

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

2. **Introductions**

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

- Lanae Raymond, SEMSWA
- Dan Olsen, SEMSWA

- b. **Awards/Recognitions**

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

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

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

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

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

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

Mr. MacKenzie thanked them for their dedicated service.

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

Roll was called and a quorum was declared present.

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

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

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

- a. **Review of Cash Disbursements**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Recommended improvements include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**7. Executive Session**

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

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

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

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

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

**9. Other Business**

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

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

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

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

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

**10. Reports/Discussion**

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

2016 Executive Committee

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

Working with the Federal Government

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

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

Water Infrastructure Improvements Act for the Nation (WIIN)

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

**11. Announcements**

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

**12. Adjournment**

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



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION 02, SERIES OF 2017

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

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

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

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

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

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

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

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

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

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

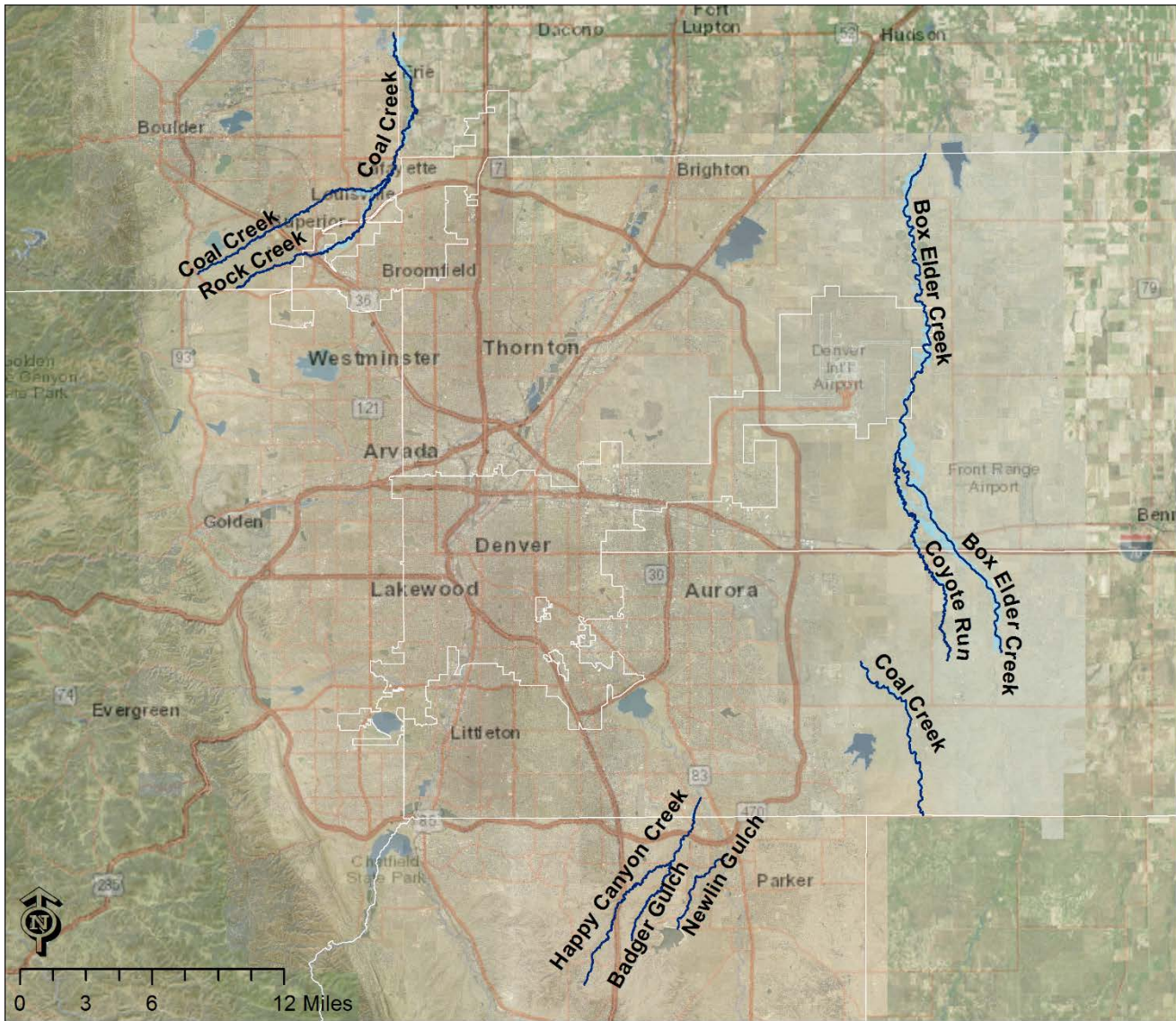


# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION 02, SERIES OF 2017

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

### EXHIBIT A





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 04, SERIES OF 2017

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

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

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

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

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

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

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

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

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

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



## EXHIBIT A

### MEMORANDUM

Date: January 5, 2017

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

From: Tracy Huggins, Executive Director

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

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Page 2: [Block 3 Project](#)  
Page 4: [Next Steps](#)

#### Introduction

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

#### Background

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

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

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

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

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



— Urban Redevelopment Area    — Property Tax Increment Area    — Block 3 Project

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



### Block 3 Project

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

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



Sloan's Block 3 – Site Plan

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

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

### **Next Steps**

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

## EXHIBIT B

### Sloans Block 3 Project Legal Description

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



## EXHIBIT C

### [URBAN DRAINAGE AND FLOOD CONTROL DISTRICT]

February 1, 2017

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

Dear Ms. Huggins and Mr. Caplan:

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

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

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

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

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

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

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

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

Respectfully,

Ken MacKenzie  
Executive Director  
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

DENVER URBAN RENEWAL AUTHORITY

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

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

## THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

### RESOLUTION NO. 05, SERIES OF 2017

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

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

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

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

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

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

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

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

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

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson





## EXHIBIT A

### MEMORANDUM

Date: January 5, 2017

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

From: Tracy Huggins, Executive Director

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

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#### Introduction

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

#### Background

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

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

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

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



— Urban Redevelopment Area    — Property Tax Increment Area    — Block 9 Project

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

### Block 9 Project

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

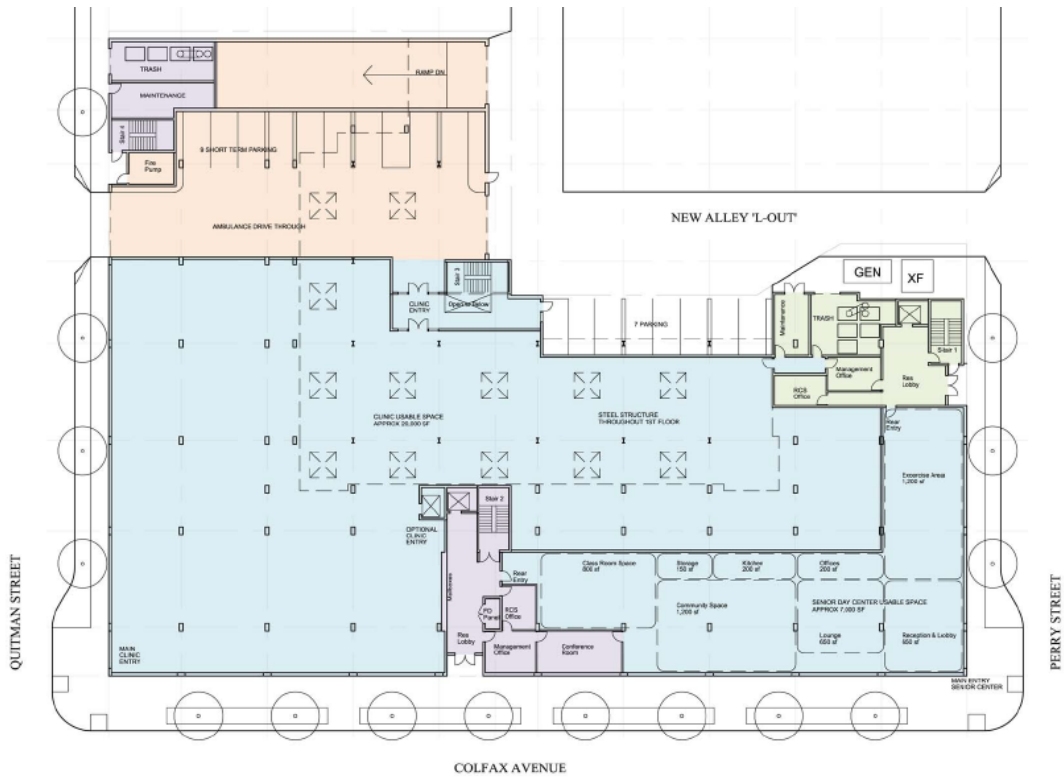
- A 7-story tower with 112 units of senior rental housing at 60% Area Median Income (“AMI”).
- A 5-story tower with 64 units of senior rental housing with affordability at the 30%, 40%, 50% and 60% AMI levels.
- A 20,000 square foot community health clinic on the main level.
- Senior activity center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



#### Street View from Colfax & Quitman

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





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



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



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

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

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

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

#### **Next Steps**

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



## EXHIBIT B

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

#### PARCEL A:

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

#### PARCEL B:

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

#### PARCEL C:

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

#### PARCEL D:

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





## EXHIBIT C

### [URBAN DRAINAGE AND FLOOD CONTROL DISTRICT]

February 1, 2017

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

Dear Ms. Huggins and Mr. Caplan:

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

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

as one of the projects for tax increment funding.

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

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

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

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

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

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

Respectfully,

Ken MacKenzie  
Executive Director  
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

DENVER URBAN RENEWAL AUTHORITY

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

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

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 06, SERIES OF 2017

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 06, SERIES OF 2017

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

**EXHIBIT A**





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 07, SERIES OF 2017

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

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

WHEREAS, Jefferson County has enacted floodplain regulations; and

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

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

Table 1
Van Bibber Creek at McIntyre Street
Previous Authorizations

Table with 4 columns: Resolution No., Series of, District Authorization, Work Elements. Row 1: 25, 2016, \$175,000, Final Design Funding. Row 2: TOTAL, \$175,000.

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson







THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 08, SERIES OF 2017

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 08, SERIES OF 2017

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

### EXHIBIT A





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 09, SERIES OF 2017

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

(SEAL)

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

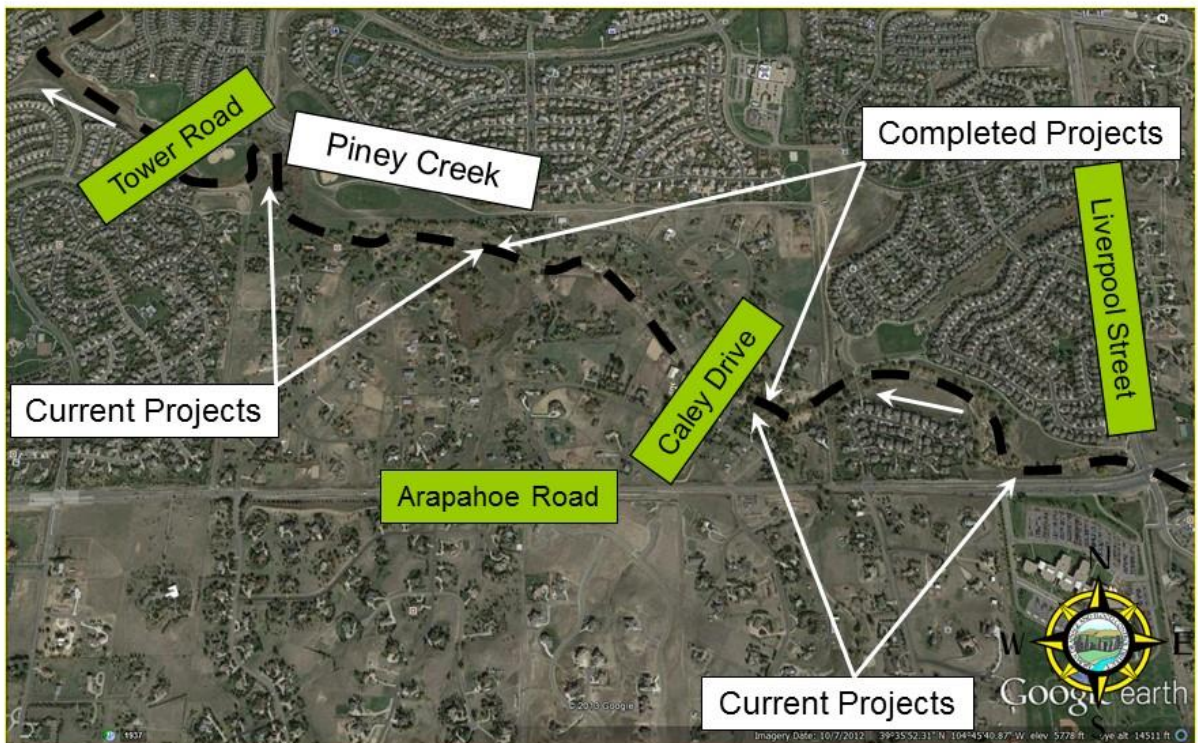


THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 09, SERIES OF 2017

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

**EXHIBIT A**





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 10, SERIES OF 2017

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

# THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

## RESOLUTION NO. 10, SERIES OF 2017

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

### EXHIBIT A





THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

(SEAL)

THE URBAN DRAINAGE AND  
FLOOD CONTROL DISTRICT

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

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson