



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

BOARD OF DIRECTORS MEETING

Date: Thursday, June 15, 2017

Time: 1:00 pm

Catered Lunch – 12:15 pm

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

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



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

April 20, 2017

MINUTES

Members Present:

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

Members Absent:

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

UDFCD Staff Present:

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

Others Present:

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

How the Districts Works – Definitions

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

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

- 2. Introductions**

- a. Visitors/Guests/Staff**

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

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

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

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

- b. Awards/Recognitions**

- Lifetime Achievement Award – Mr. Ron Propp**

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

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

- MathCounts Recognition of Service – Bryan Kohlenberg**

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

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

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

- 3. Roll Call – Determination of Quorum**

Roll was called and a quorum was declared present.

- 4. Approval of March 16, 2017 Meeting Minutes**

Mayor Williams asked if there were any corrections to the March 16, 2017 minutes. Hearing none, the minutes were approved as submitted.

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

- a. Review of Cash Disbursements**

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

- b. Acceptance of 2016 Audit report
(Resolution No. 22, Series of 2017)**

The final UDFCD 2016 Audit Report was provided to the Board for review prior to the Board Meeting. Mr. MacKenzie asked the Board if they had any questions concerning the 2016 Audit Report. Mr. MacKenzie also stated that additional information concerning the 2016 Audit results will be provided during the Executive Director's report.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 22 on the Consent Agenda.

c. Authorization to Participate in Acquisition of the Willow Bay Property along the South Platte River, Adams County (Resolution No. 23, Series of 2017)

This is a joint project with Adams County. Adams County and the District cooperated in the preparation of the "Major Drainageway Planning South Platte River in Adams County, Colorado, Phase B Report," dated April 2002, which identifies the Willow Bay Property within the 100-yr floodplain. The appraised price is \$9,000,000.

Adams County has pursued several grant opportunities to raise the funding for this purchase. Partners include the State, Natural Resource Trustees Funds, Great Outdoors Colorado, and Adams County Open Space Grant.

The acquisition of the Willow Bay property is a once-in-a-lifetime opportunity for Adams County. This 174-acre parcel sits along the South Platte River, north of the Adams County Regional Park and just south of Brighton's Ken Mitchell Open Space.

This property has long been a high-priority acquisition for Adams County, as part of their open space preservation efforts along the South Platte River corridor. The Willow Bay property is envisioned to provide passive recreational opportunities for the public that may include regional trail access, picnicking, fishing, and non-motorized boating. The recreational development of the site will be guided by a master planning process that will include community input and be led by Adams County.

Resolution No. 23 authorizes \$100,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Adams County for the acquisition of the Willow Bay Property.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 23 on the Consent Agenda.

d. Additional Authorization to Participate in Drainage and Flood Control Improvements on North Outfall at Midland Street, City of Brighton, Adams County (Resolution No. 24, Series of 2017)

This is a joint project with the City of Brighton. ICON Engineering, Inc. designed the project under contract with the District. The drainage elements of the project include installation of new storm drain up to 84 inches in diameter and excavation of a new outfall channel to the South Platte River. Easement and right-of-way acquisition will be included in the project costs.

Phase I Construction to install the storm sewer and outfall channel from the South Platte River to east of Highway 85 is complete. The final design for Phase II is ongoing and the District and the City of Brighton desire to construct the improvements which will be managed by the District. Phase II will extend the new storm drain to the east of the Union Pacific Railroad (UPRR) tracks. Construction is anticipated in 2018.

The District and the City of Brighton have identified \$2,836,000 in total project costs with the District's participation being \$1,105,000. The previous authorizations (Resolution No. 4, Series of 2006; Resolution No. 25 Series of 2008; Resolution 44 Series of 2010; Resolution 25 Series of 2011; Resolution 11 Series of 2014; and Resolution 11 Series of 2015) totaled \$975,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 24 authorizes an additional \$130,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Brighton for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 24 on the Consent Agenda.

e. Additional Authorization to Participate in Drainage and Flood Control Improvements on the City Park Drainageway, Lower Reach, City of Westminster, Adams County (Resolution No. 25, Series of 2017)

This is a joint project with the City and County of Broomfield and the City of Westminster. CH2M is designing the project under contract with the District. The drainage elements of the project include channel improvements upstream and downstream of a previous District project completed in 2009 at Lowell Boulevard. Easement and right-of-way acquisition will be included in the project costs.

The final design is 50 percent complete and the District, the City and County of Broomfield, and the City of Westminster desire to construct the improvements which will be managed by the District. Construction is anticipated in 2017-2018.

The District, the City and County of Broomfield, and the City of Westminster have identified \$2,000,000 in total project costs with the District's participation being \$1,000,000. The previous authorizations (Resolution No.13, Series of 2015 and Resolution No. 03, Series of 2016) totaled \$400,000 to fund design and to partially fund construction.

Resolution No. 25 authorizes an additional \$600,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City and County of Broomfield and the City of Westminster for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 25 on the Consent Agenda.

f. Additional Authorization to Participate in Drainage and Flood Control Improvements on Easterly Creek Detention Basin at 1st Avenue and Kenton Street, City of Aurora, Arapahoe County (Resolution No. 26, Series of 2017)

This is a joint project with the City of Aurora. RESPEC designed the project under contract with the City of Aurora. The drainage elements of the project include storm sewer, inlets, detention basin, outlet structure, and a spillway. Easement and right-of-way acquisition will be included in the project costs. The final design is now complete and the District and the City of Aurora desire to construct the improvements which will be managed by the City of Aurora. Construction is anticipated in 2017-2018.

The District and the City of Aurora have identified \$7,402,000 in total project costs with the District's participation being \$575,000. The previous authorization (Resolution No. 15, Series of 2015) totaled \$350,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 26 authorizes an additional \$225,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Aurora for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 26 on the Consent Agenda.

g. Additional Authorization to Participate in Drainage and Flood Control Improvements on First Creek Detention Basins Upstream of I-70, City of Aurora, Arapahoe County (Resolution No. 27, Series of 2017)

This is a joint project with the City of Aurora. Merrick and Company is designing the project and is under contract with the District. The drainage elements of the project include construction of inlets, detention basins, outlet structures, and spillways. Easement and right-of-way acquisition are included in the project costs. Property negotiations continue and construction is anticipated in 2018.

The District and the City of Aurora have identified \$5,298,000 in total project costs with the District's participation being \$2,649,000. The previous authorizations (Resolution No. 58, Series 2009; Resolution No. 50, Series 2010; Resolution No. 18, Series 2011; Resolution No. 32, Series 2012; Resolution No. 34, Series of 2013; Resolution No. 18, Series of 2014; Resolution No. 16, Series of 2015; and Resolution No. 31, Series of 2016) totaled \$2,249,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 27 authorizes an additional \$400,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Aurora for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 27 on the Consent Agenda.

h. Additional Authorization to Participate in Drainage and Flood Control Improvements on Apex Gulch at Heritage Road, City of Golden, Jefferson County (Resolution No. 28, Series of 2017)

This is a joint project with the City of Golden. The City of Golden desires to construct improvements along Apex Gulch at the Heritage Road crossing (County Road 93) in the City of Golden. Currently, the gulch crossing consists of a failing concrete box structure thought to have been built in the 1930's. The box has reached its serviceable life and is in need of replacement. The proposed improvements will consist of a new 10ft x 8ft concrete box culvert with upstream and downstream channel transitions sized for the 100-year flow. The City of Golden already holds the necessary easements and right-of-way where the project will be carried out.

The District and the City of Golden have selected RESPEC Consulting & Services to perform the preliminary/final design and Edge Contracting to perform construction. The District will administer the design and construction. Construction is anticipated in 2017-2018.

The District and the City of Golden have identified \$800,000 in total project costs with the District's participation being \$400,000. The previous authorization (Resolution No. 24, Series of 2016) totaled \$200,000 to fund design. It is anticipated that additional funds for construction will be needed in the future.

Resolution No. 28 authorizes an additional \$200,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Golden for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 28 on the Consent Agenda.

i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Coon Creek at Beers Sisters Lake Reservoir, Jefferson County (Resolution No. 29, Series of 2017)

This is a joint project with Jefferson County and the Foothills Park and Recreation District (non-funding partner). The project will construct the improvements necessary to assure the 100-year flood routing capacity of Beers Sisters Lake Reservoir in accordance with the Major Drainageway Planning and Flood Hazard Area Delineation Study. Icon Engineering is designing the project under contract with the District.

Construction of the improvements are necessary to bring this facility into compliance with the current State Engineer's Office Rules and Regulations for Dam Safety and Dam Construction. American West Construction will construct the project under contract with the District.

The Foothills Park and Recreation District already holds the necessary easements and right-of-way where the project will be carried out. The final design is now complete and the District, Jefferson County, and the Foothills Park and Recreation District desire to construct the improvements which will be managed by the District. Construction is anticipated in 2018.

The District and Jefferson County have identified \$1,400,000 in total project costs with the District's participation being \$700,000. The previous authorizations (Resolution No. 72, Series of 2014 and Resolution No. 81, Series of 2015) totaled \$300,000 to fund design and to partially fund construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 29 authorizes an additional \$400,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Jefferson County for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 29 on the Consent Agenda.

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

It was the consensus of the Board that Resolutions No. 22, 23, 24, 25, 26, 27, 28, and 29, Series of 2017, and Review of Cash Disbursements dated March and April 2017 be placed on the Consent Agenda. Mayor Williams moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

7. Reports/Discussion

a. The Executive Director's report included the following discussion topics.

Annual Seminar

This year's annual seminar included an opening address from Mayor Williams and 15 presentations. The event was very well attended (over 315 attendees) and well received with some attendees commenting that it was the best one they had ever attended. During the "How the District Works" presentation before our Board Meeting in June, Barbara Chongtoua, Project Manager, Stream Services, will present a condensed version of her annual seminar talk titled "Oak Gulch, A Pilot Project in Adaptive Management," a topic which is receiving national attention.

Audit and Finance Committee.

At the June Board Meeting, Mr. MacKenzie will place on the Agenda a resolution for the Board of Directors to consider the authorization of an Audit and Finance Committee, which was the suggestion of Deputy Mayor Haynes. The resolution will authorize the creation of the committee, appoint its members, and define its purpose and scope. Following up on the two major weaknesses and seven internal control deficiencies identified in the 2016 audit report, Mr. MacKenzie drafted a nine-step corrective action plan, which was emailed to the Board of Director's last month. In that email, Mr. MacKenzie asked for volunteers to serve on a new audit and finance committee. Mayor Beckman, Mayor Williams, Commissioner Gardner, and Mr. Sellards have all volunteered to serve on this new committee. The Cistrict's Treasurer, Mayor Beckman has agreed to chair this committee.

The Audit and Finance Committee will meet two or three times per year, as follows:

1. The first meeting will be in March to meet with the auditors ahead of the audit presentation to the Board of Directors, and to go over the audit results in detail.
2. The second meeting will be in July to select the next year's auditor. This meeting will not occur every year.
3. The third meeting will be to go over the next year's proposed budget in detail with Staff. This will allow the committee to make a budget recommendation to the entire Board of Directors. Then, at the October Board Meeting, staff will present the budget to the Board of Directors at a higher level than in the past, sparing the Board of Directors a lengthy presentation consisting of spreadsheet after spreadsheet.

Mr. Sellards recommended the nine-step corrective action plan be shared with the auditors to ask their opinion as to the efficacy of the plan toward our goal of future audits being free of deficiency findings. The auditor has reviewed the plan and agreed it is the right approach. This plan has already been implemented to correct four of the nine audit deficiencies.

8. Announcements

May 18 – UDFCD Project Bus Tour

The next regularly scheduled Board Meeting will take place on Thursday, May 18, 2017. In lieu of our typical meeting format, the District has planned a bus tour of a few District projects. Board Members are encouraged to arrive at the District at 11:30 am and the bus will leave the District promptly at Noon. An itinerary is still being developed but there will most likely be six stops and we anticipate returning no later than 3:00 pm.

9. Adjournment

Mayor Williams adjourned the meeting at 1:47 p.m.

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 30, SERIES OF 2017 (Audit and Finance Committee)

WHEREAS, Section 32-11-208(1)(b), C.R.S., provides that: “The board, on behalf and in the name of the district, has the following powers: To adopt and amend or otherwise modify bylaws and rules of procedure”; and

WHEREAS, the Board of Directors wishes to establish an Audit and Finance Committee to act in an advisory capacity to the Board to ensure that the District’s financial records and statements are fairly and appropriately presented and are in accordance with Generally Accepted Accounting Principles; and

WHEREAS, the Audit and Finance Committee shall be a standing committee comprised of no fewer than three Board Members and chaired by the Treasurer of the Board of Directors; and

WHEREAS, each year, members of the Audit and Finance Committee shall be appointed by the Board of Directors by resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. There is hereby established an Audit and Finance Committee (Committee).
2. For fiscal year 2017, the Committee shall be comprised of Board Members Mayor Bruce Beckman (Committee Chair), Mayor Heidi Williams, Commissioner Deb Gardner, and Mr. Dave Sellards.
3. For each subsequent fiscal year, Committee members shall be appointed by the Board of Directors by resolution.
4. The Committee shall be responsible for the administration of the District’s Auditor Selection and Retention Policy in accordance with Resolution 50, Series of 2009.
5. The Audit and Finance Committee shall act in an advisory capacity to the Board on matters related to the District’s annual financial records and statements and the opinion of the independent auditors, the District’s annual budget, the implementation of internal controls, procedures and practices for financial, accounting, and legal compliance.
6. The Committee shall report to the Board at the next regularly scheduled Board meeting any recommendations of the Committee along with a summary of activities that have come to the attention of the Committee that may affect the District. Such report may include any recommendations to ensure that the District’s financial records and statements are fairly and appropriately presented and are in accordance with Generally Accepted Accounting Principles.
7. The Committee shall usually meet three times per year outside of regular Board meetings, as follows:
 - a. Once to meet with the previous year’s selected auditor and District staff to review the audit results and financial records and statements before the auditor presents their findings to the Board. This meeting will typically occur in the first quarter of the year.
 - b. Once to meet with District staff for the purpose of selecting or retaining an auditor for the following year. This meeting will typically occur in second quarter of the year.
 - c. Once to meet with District staff to review the District’s proposed annual budget for the following year before this is presented to the Board. This meeting will typically occur in the third quarter of the year.
8. The Committee’s authority and powers shall be limited to these specified tasks unless additional authority and powers are granted by amendment to this Resolution.

(SEAL)

THE URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

Date: _____

ATTEST:

Secretary

Chairperson

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 31, SERIES OF 2017

(Authorization to Agree In Writing to Accept the Use of Property Tax Increment Financing for the Proposed Mile High Greyhound Park [MHGP] Urban Renewal Area)

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

WHEREAS, the Urban Renewal Authority of the City of Commerce City (Authority) and the City of Commerce City (City) have made a written request of the District to accept the use of property tax increment financing for the redevelopment of the property formerly known as the Mile High Greyhound Park (the “MHGP Urban Renewal Plan”) (Exhibit A); and

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

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

WHEREAS, no extraordinary circumstances have been brought to the attention of the Board of Directors of the Urban Drainage and Flood Control District by a Board Member that would prevent the District agreeing in writing to accept the use of property tax increment financing for the proposed MHGP Urban Renewal Plan area; and

WHEREAS, the District has prepared a letter to the Authority setting forth the terms of the District’s agreement to accept the use of property tax increment financing for the MHGP Urban Renewal Plan Area, which letter is attached hereto as Exhibit “C”; and

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

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby agrees to accept the use of property tax increment financing for the proposed MHGP Urban Renewal Plan Area.
2. The Executive Director of the Urban Drainage and Flood Control District is authorized to execute the attached Exhibit “C” letter and forward it to Mr. Sean Ford, Chair, Urban Renewal Authority of the City of Commerce City.
3. The agreement of the District contained in the attached Exhibit “C” letter will become effective upon the District’s receipt of a copy of the letter bearing the signature of Mr. Sean Ford, Chair, Urban Renewal Authority of the City of Commerce City, acknowledging and agreeing to the terms of the letter.
4. The agreement of the District contained in the attached Exhibit “C” letter will expire by its own terms if the MHGP Urban Renewal Redevelopment area is not under construction by January 01, 2022.

(SEAL)

THE URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

Date: _____

ATTEST:

Secretary

Chairperson

Mile High Greyhound Park

Urban Renewal Plan
City of Commerce City, Colorado

1.0 Introduction

1.1 Preface

This Mile High Greyhound Park Urban Renewal Plan (the “**Plan**” or the “**Urban Renewal Plan**”) has been prepared by the Urban Renewal Authority of the City of Commerce City, Colorado (the “**Authority**”) for the City of Commerce City, Colorado (“**City**”). It will be carried out by the Authority, pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “**Act**”). The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the City Council must find that the presence of those conditions of blight, “substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.” C.R.S. § 31-25-103(2).

The Mile High Greyhound Park Current Conditions Survey, prepared by City staff, dated December, 2016, which is attached hereto as **Appendix IV** (the “**Survey**”), demonstrates that the Mile High Greyhound Park Urban Renewal Area (the “**Urban Renewal Area**” or the “**Area**”) included in the Survey, is a blighted area under the Act. On December 19, 2016, the City Council of Commerce City

approved Resolution #2016-130 declaring the Study Area as a blighted area under the Act.

1.3 Other Findings

The Area is appropriate for one or more urban renewal activities and undertakings authorized by the Act to be advanced by the Authority.

It is the intent of the City Council in adopting this Plan that the Authority exercise all powers authorized in the Act which are necessary, convenient or appropriate to accomplish the objectives stated herein. Further, it is the intent of this Plan that the Authority exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying blight conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended and police powers exercised. This Plan is in the public interest and necessity, which finding is a legislative determination by the City Council.

1.4 Plan Review and Public Process

Copies of this Plan have been provided to all public entities having taxing authority with the Area for their review and comment. In addition to the Plan, each taxing entity including Adams County has received a copy of an Impact Report which indicates the current taxes being generated from the Area, the current proposed development plan, and the proposed capture of tax increment from the Area as it relates to each taxing entity. The Area encompassed by the Plan has been rezoned through a public review process which included review and approval by the Commerce City Planning Commission on December 6, 2016 which held that the development plan and proposed zoning were in furtherance of the Comprehensive Plan. The rezoning process also included a public hearing before the Commerce City Council noticed on December 6, 2016 and held on December 19, 2016 at which the zoning and urban renewal financing plan were

discussed. At that same meeting a public hearing was held to review the Condition Survey for the Area and the findings of blight. The City Council approved the Condition Survey and blight findings under Resolution # 2016-130. As a part of the zoning review process a public meeting was held on September 1, 2016 at which both the proposed development plan and proposed zoning were discussed. In addition, the creation of an urban renewal plan and the use of tax increment financing were reviewed and discussed at these public meetings. All of the land in the Area is owned by the City of Commerce City or the Commerce City Urban Renewal Authority and there are no structures, businesses or occupants within the Area. As such, no additional notice or public review is required for adoption of the Plan.

1.5 Urban Renewal Area Boundaries

The Urban Renewal Area includes properties all located within the City limits as delineated in **Figure No. 1** and described in the legal description presented in the **Appendix II**. The boundaries of the Area include approximately 65 acres of land generally defined to include 5 legal parcels plus public rights-of-way located within the former Mile High Greyhound Park property. Geographically, it is bound by 64th Avenue on the north, 62nd Avenue to the south, Holly Street to the east and Highway 2 to the west in south central Commerce City.

The boundaries of the Urban Renewal Area were defined as narrowly as feasible to accomplish the objectives identified herein.

As per the Act, the legal description presented in the Appendix controls the boundary description in case of any conflict. No agriculturally-assessed properties are included in the Urban Renewal Area.

1.5.1 Map of Urban Renewal Area (Figure 1)

The Urban Renewal Area map is presented as **Figure No. 1** on the following page.



LEGAL DESCRIPTION

A PORTION OF, RESUBDIVISION OF TOWN AND COUNTRY SUBDIVISION ADAMS COUNTY FILE 9 MAP 43 RECEPTION NO. 342483 RECORDED MARCH 30, 1949. LOCATED IN THE NORTHEAST 1/4 OF SECTION 7 TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO.

A PORTION OF PARCEL D, EXCLUDING BOYS AND GIRLS CLUBS OF METRO DENVER SUBDIVISION FILING NO. 1 REPLAT RECEPTION NO. 2016000008888 AND RIGHT OF WAY BOOK 3953 PAGE 404-405.

TOWN AND COUNTRY SUBDIVISION RESUBD TRACT D, DESCRIBED AS THE NORTH 825 FEET OF EAST 121 FT OF BLOCK D TOWN AND COUNTRY SUBDIVISION RESUBDIVISION BLOCK: 1, LOTS 14 EXCLUDING RIGHT OF WAY RECEPTION NO 2011000050034 AND 15 THRU 24. TOGETHER WITH THE DAHLIA STREET PLATED AS EUDORA STREET RIGHT OF WAY ADJACENT TO BLOCK 1 ON THE WEST CONTAINING 2836218.28 SQUARE FEET OR 65.111 ACRES MORE OR LESS.



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Ken MacKenzie, Executive Director
2480 W. 26th Avenue, Suite 156B
Denver, CO 80211-5304

Telephone 303-455-6277
Fax 303-455-7880
www.udfcd.org

EXHIBIT C

June 20, 2017

Sean Ford, Chair
Brian McBroom, Executive Director
Urban Renewal Authority of the City of Commerce City
7887 E. 60th Avenue
Commerce City, CO 80022

Dear Mr. Ford and Mr. McBroom:

This letter agreement ("Agreement") is entered into pursuant to C.R.S. § 31-25-107(9.5). The Urban Drainage and Flood Control District ("District") understands that the Urban Renewal Authority of the City of Commerce City, Colorado ("Authority") and the City of Commerce City, Colorado ("City") anticipate considering and approving an urban renewal plan related to the redevelopment of the property formerly known as the Mile High Greyhound Park (the "MHGP Urban Renewal Plan").

The District is in receipt of the draft MHGP Urban Renewal Plan creating the MHGP Urban Renewal Area (entire former Mile High Greyhound Park) and Phase I Tax Increment Area. The MHGP Urban Renewal Plan defines the Project (as defined in the MHGP Urban Renewal Plan) and authorizes the use of property tax increment, sales tax increment and lodger's tax increment within the Phase I Tax Increment Area.

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

The District acknowledges that the Authority and the City may consider future amendments to the MHGP Urban Renewal Plan to include provisions authorizing tax increment financing for new and additional tax increment areas, which constitutes a substantial modification of the MHGP Urban Renewal Plan under C.R.S. § 31-25-107(7). If this occurs, the Authority shall provide 30 days' written notice to the District ahead of the City Council public hearing on the amendment to the MHGP Urban Renewal Plan. Nonetheless, the District agrees that the statement in the previous paragraph regarding notice, impact, and the determination by the District that the District's mill levy shall continue to be allocated to the Authority in satisfaction of C.R.S. § 31-25-107(9.5)(a) applies to

future amendments to the MHGP Urban Renewal Plan authorizing tax increment financing for new and additional tax increment areas, acknowledging that the District's impact analysis performed for the MHGP Urban Renewal Plan took into account impacts across the entire MHGP Urban Renewal Area, not just the Phase I Tax Increment Area.

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

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

The consent of the District to the MHGP Urban Renewal Plan will expire and be of no force and effect unless the Phase I Tax Increment Area is under construction by January 1, 2022.

This Agreement was considered and approved at a meeting of the District on June 15, 2017. If this correctly reflects our agreement, please sign below and return a fully-executed original to me.

Respectfully,

Ken MacKenzie
Executive Director
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

Urban Renewal Authority of the City of Commerce City, Colorado

By: _____
Mr. Sean Ford
Chair

Date: _____

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 32, SERIES OF 2017

(Authorization to Agree In Writing to Accept the Use of Property Tax Increment Financing for the Proposed Emily Griffith Opportunity School Urban Redevelopment Area)

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

WHEREAS, the Denver Urban Renewal Authority (DURA) and the City and County of Denver (City) have made a written request of the District to accept the use of property tax increment financing for the Emily Griffith Opportunity School Urban Redevelopment Area (Exhibit A); and

WHEREAS, an aerial photograph of the redevelopment area is attached hereto as Exhibit “B”; and

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

WHEREAS, no extraordinary circumstances have been brought to the attention of the Board of Directors of the Urban Drainage and Flood Control District by a Board Member that would prevent the District agreeing in writing to accept the use of property tax increment financing for the proposed Emily Griffith Opportunity School Urban Redevelopment Area; and

WHEREAS, the District has prepared a letter to DURA setting forth the terms of the District’s agreement to accept the use of property tax increment financing for the Emily Griffith Opportunity School Urban Redevelopment Area, which letter is attached hereto as Exhibit “C”; and

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

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby agrees to accept the use of property tax increment financing for the proposed Emily Griffith Opportunity School Urban Redevelopment Area.
2. The Executive Director of the Urban Drainage and Flood Control District is authorized to execute the attached Exhibit “C” letter and forward it to Mr. Phillip Caplan, Chair, Denver Urban Renewal Authority.
3. The agreement of the District contained in the attached Exhibit “C” letter will become effective upon the District’s receipt of a copy of the letter bearing the signature of Mr. Phillip Caplan, Chair, Denver Urban Renewal Authority acknowledging and agreeing to the terms of the letter.
4. The agreement of the District contained in the attached Exhibit “C” letter will expire by its own terms if the Emily Griffith Opportunity School Urban Redevelopment Plan is not amended with the addition of a Project by December 31, 2020.

(SEAL)

THE URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

Date: _____

ATTEST:

Secretary

Chairperson



MEMORANDUM

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

From: Tracy Huggins, Executive Director

Date: May 26, 2017

RE: Emily Griffith Opportunity School Urban Redevelopment Area and Tax Increment Area

Property Description and Background

In December 2012, the Denver Public Schools (“DPS”) Board approved the purchase of 1860 Lincoln and a series of other proposed facility changes that would ultimately eliminate the need for the ageing Emily Griffith Opportunity School (“EGOS”) at 1250 Welton Street. In June 2015, the last programs of the Emily Griffith Technical College of Trades and Industry relocated to the new trades facility at 12th and Osage. Currently, Emily Griffith High School and Technical College occupy several floors of 1860 Lincoln.

During 2013, DPS undertook an Historic Evaluation Committee process which evaluated the significance of various components of the EGOS site, and their relevance and eligibility for historical designation or preservation. At the conclusion of the process, the Historical Evaluation Committee submitted a letter from Historic Denver, Inc. to the DPS Board recommending that the EGOS site is significant for its architecture, historical associations, and geography. They further recommended that DPS move forward with a local historic designation for the buildings located along the western side of the campus on Welton Street prior to marketing the property for sale.

The Emily Griffith Sale Advisory Committee (“SAC”) was formed in January of 2014 to help inform the goals and criteria for the sales process for the EGOS site. These criteria included recommendations on the highest and best use(s) of the property in downtown, the ability for DPS to obtain reasonable value in a sale, preservation considerations for the redevelopment of the site and the optimal sale process to employ that would result in a successful sale that met the defined goals/criteria.

Following the conclusion of the SAC process in 2014, DPS engaged with City Staff to explore options to help address the considerations of the SAC. It was determined that achieving consensus with community members on elements of the site that should be designated historic, while providing flexibility for redevelopment of the site, was a critical step to support a positive sale process. By addressing the historic designation prior to a sale process, potential purchasers would fully understand the development potential of the site and, therefore, provide stronger and clearer purchase offers with fewer contingencies. The City and DPS together engaged with the community, Historic Denver and the Landmark Commission to gain consensus on the aspects of the site that should be preserved. In May 2016, Denver City Council approved the recommended designation ordinance that preserved the most historic aspects of the Welton Street buildings.

In March 2016, Jones Lang LaSalle (“JLL”) issued a request for proposal (“RFP”) for the EGOS site, on behalf of DPS, which reflected the principles of the SAC. DPS and JLL determined that 3 out of the 7 responses received were viable and competitive. The RFP stated that DPS would evaluate potential buyers based on the following criteria:

- Proposed purchase price (and ability to pay purchase price)
- Respondent’s experience and track record for large urban redevelopments
- Respondent’s demonstrated ability to close on a timely basis
- Respondent’s requested due diligence period

Through this evaluation, DPS staff recommended the DPS Board approve the Purchase and Sale Agreement (“PSA”) with Stonebridge Companies (“Stonebridge”). While not offering the highest purchase price, Stonebridge had the shortest due diligence and closing periods, had no financing contingencies and had a strong development background and experience. The DPS Board approved the PSA with Stonebridge in September 2016 and the sale was finalized May 25, 2017.

Potential DURA Role

Following execution of the PSA, Stonebridge requested DURA to undertake a Conditions Study of the EGOS site to determine if the property could be considered for inclusion in an Urban Redevelopment Area (“URA”). DURA staff met with members of the City Administration and agreed that the Conditions Study Area be drawn to include the triangular area generally bounded by Welton Street, 13th Street and Colfax Avenue. The preliminary findings of the Conditions Study identified 6 of the 11 blight factors as being present. As several factors were limited mostly to the EGOS site, an updated Study of the property bounded by Welton St., 13th Street, Glenarm Place and Colfax Ave. has been requested.

Stonebridge believes that the tax increment must be maximized for the redevelopment of the property to be successful. The EGOS property is currently tax-exempt meaning that the base property taxable valuation is zero. On August 25th, the property valuation will be re-certified to a non-zero amount as a result of the DPS sale to Stonebridge. Therefore, to preserve the ability to collect the maximum amount of tax increment, an Urban Renewal Area and Tax Increment Area must be established prior to August 25th.

Next Steps

DURA staff has begun the process of drafting an Urban Redevelopment Plan to create a URA and establish a property tax increment area for the EGOS site without a specific project defined. A Cooperation Agreement with the City and Intergovernmental Agreements with Denver Public Schools and the Urban Drainage and Flood Control District (UDFCD) are also being drafted. DURA staff is aware that Stonebridge is in the process of working with the City and other stakeholders to determine the optimal development plan for the site. All parties understand that once the development plan is agreed upon, an amendment to the Urban Redevelopment Plan, along with new agreements with the other taxing entities, will be required to add an approved Project.

UDFCD Agreement

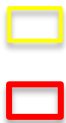
To obtain City Council approval of the URA and tax increment area, DURA will need to evidence an agreement with UDFCD regarding the allocation of property tax increment. The attached Letter Agreement allows DURA to retain all incremental property taxes until an amended Letter Agreement is executed once a project has been identified.

Please don’t hesitate to contact me with any questions, comments or concerns.

Emily Griffith Conditions Study Area



Exhibit 2: Study Area Map



Original Study Area Boundary

Proposed Study Area Boundary



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Ken MacKenzie, Executive Director
2480 W. 26th Avenue, Suite 156B
Denver, CO 80211-5304

Telephone 303-455-6277
Fax 303-455-7880
www.udfcd.org

EXHIBIT C

June 20, 2017

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

Dear Ms. Huggins and Mr. Caplan:

This letter agreement (“Agreement”) is entered into pursuant to Section 31-25-107(9.5), C.R.S. The Urban Drainage and Flood Control District (“District”) understands that the Denver Urban Renewal Authority (“Authority”) and the City and County of Denver (“Denver”) intend to adopt the Emily Griffith Opportunity School Urban Redevelopment Plan (the “Urban Redevelopment Plan”) and to create the Emily Griffith Opportunity School Property Tax Increment and Sales Tax Increment Area (the “Tax Increment Area”).

The Urban Drainage and Flood Control District (the “District”) is in receipt of the Urban Redevelopment Plan creating the Emily Griffith Opportunity School Urban Redevelopment Area as proposed to the City Council of Denver and, the proposed Ordinance establishing the Tax Increment Area and authorizing the use of property tax increment and sales tax increment for redevelopment of the Urban Redevelopment Area.

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

The District further agrees that, as permitted under C.R.S. § 31-25-107(9.5)(b)(i), the District waives the requirements of (i) any future notice, except for substantial modifications or amendments to the Urban Redevelopment Plan, including the addition of a project or regarding the modification of the Tax Increment Area under the Urban Redevelopment Plan, (ii) any future filings with or by the District, (iii) any requirement for future consent by the District, except consent to any substantial modifications or amendments to the Urban Redevelopment Plan, including the addition of a project or regarding the modification of the Tax Increment Area under the Urban Redevelopment Plan and (iv) any enforcement right regarding the Urban Redevelopment Plan, or matters contemplated under

the Urban Redevelopment Plan, except that the District shall have the right to take any actions necessary to enforce this Agreement.

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

The consent of the District to the Urban Redevelopment Plan will expire and be of no force and effect unless the Plan is amended to add a Project by December 31, 2020.

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

Respectfully,

Ken MacKenzie
Executive Director
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

DENVER URBAN RENEWAL AUTHORITY

By: _____

Mr. Phillip Caplan
Chair

Date: _____

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 33, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek at the KOA Property, Town of Parker, Douglas County)

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

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

WHEREAS, the Town of Parker and the District cooperated in the preparation of “Cherry Creek Corridor – Reservoir to Scott Road Major Drainageway Planning Preliminary Design Report,” dated January 2004; which recommends improvements on Cherry Creek at the KOA Property; and

WHEREAS, the Town of Parker has requested District participation in the design and construction of improvements to the Cherry Creek at the KOA Property (Exhibit A); and

WHEREAS, the Town of Parker has estimated the initial project costs to be \$130,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$65,000 to at least be matched by the Town of Parker; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the Town of Parker for the design and construction of drainage and flood control improvements on Cherry Creek at the KOA Property.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Cherry Creek at the KOA Property.
3. The District’s maximum contribution to the Cherry Creek at the KOA Property project, without prior approval of the Board, shall be \$65,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the Town of Parker.
4. Such approval for expenditure of District funds is contingent upon the Town of Parker agreeing to regulate and control any defined floodplain in the Cherry Creek at the KOA Property project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.

(SEAL)

THE URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

Date: _____

ATTEST:

Secretary

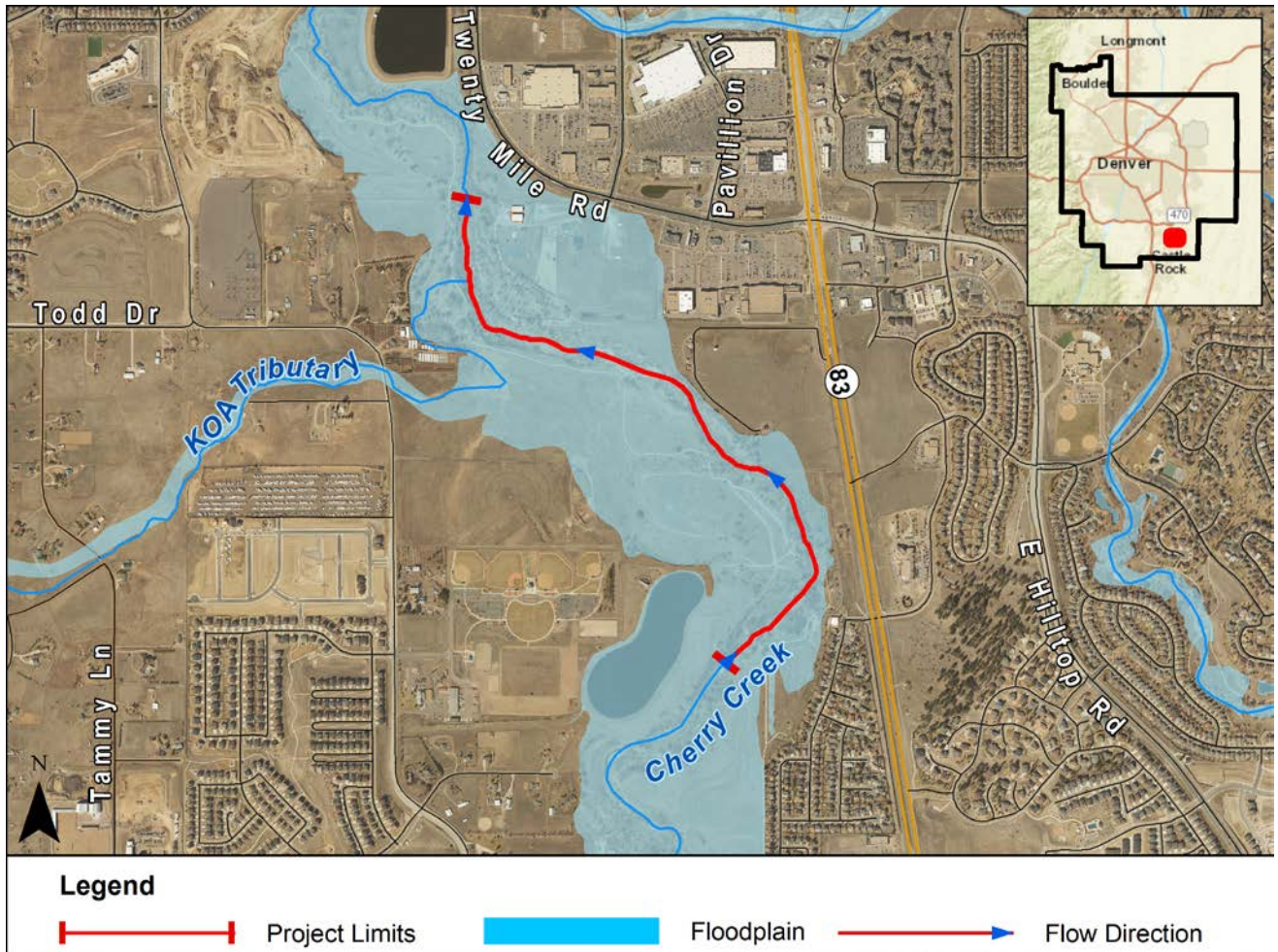
Chairperson

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 33, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek at the KOA Property, Town of Parker, Douglas County)

EXHIBIT A



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 34, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements on Timbers Creek downstream of Fox Sparrow Road, Douglas County)

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

WHEREAS, Douglas County has enacted floodplain regulations; and

WHEREAS, Douglas County and the District cooperated in the preparation of “Kinney Creek and Fonder Draw Watersheds Outfall Systems Planning Conceptual Preliminary Design Report,” dated December 2004; which recommends improvements on Timbers Creek downstream of Fox Sparrow Road; and

WHEREAS, Douglas County and High Prairie Farms Metro District have requested District participation in the design and construction of improvements to Timbers Creek downstream of Fox Sparrow Road (Exhibit A); and

WHEREAS, Douglas County and High Prairie Farms Metro District have estimated the initial project costs to be \$150,000; and

WHEREAS, the District’s participation being authorized by this resolution is \$50,000 to at least be matched by Douglas County and High Prairie Farms Metro District; and

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

WHEREAS, the District has adopted a Special Revenue Fund–Construction Budget (Resolution No. 49, Series of 2016) for calendar year 2017, subsequent to a public hearing, which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Timbers Creek downstream of Fox Sparrow Road; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 53, Series of 2016) in which the improvements along Timbers Creek downstream of Fox Sparrow Road were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with Douglas County and High Prairie Farms Metro District for the design and construction of drainage and flood control improvements on Timbers Creek downstream of Fox Sparrow Road.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Timbers Creek downstream of Fox Sparrow Road.
3. The District’s maximum contribution to the Timbers Creek downstream of Fox Sparrow Road project, without prior approval of the Board, shall be \$50,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Douglas County and High Prairie Farms Metro District.
4. Such approval for expenditure of District funds is contingent upon Douglas County agreeing to regulate and control any defined floodplain in the Timbers Creek downstream of Fox Sparrow Road project area in accordance with the National Flood Insurance Program Regulation as a minimum; Douglas County and the High Prairie Farms Metro District agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the

completed improvements at all times; and agreeing not to make any changes to the improvements without the District's approval.

(SEAL)

THE URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

Date: _____

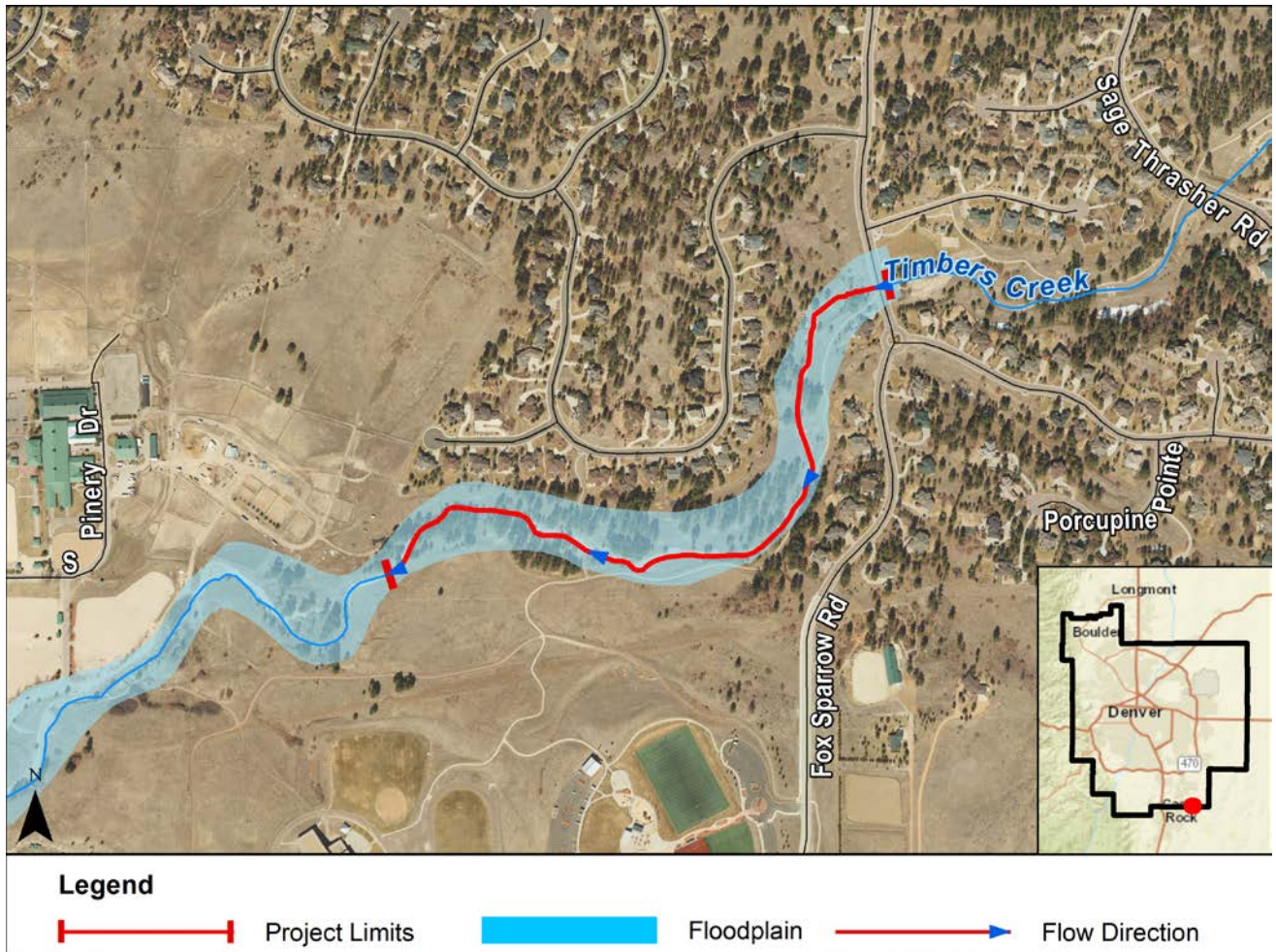
ATTEST:

Secretary

Chairperson

RESOLUTION NO. 34, SERIES OF 2017
(Authorization to Participate in Drainage and Flood Control Improvements
on Timbers Creek downstream of Fox Sparrow Road, Douglas County)

EXHIBIT A



THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 35, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements
on Goldsmith Gulch West Tributary at Maplewood Avenue, City of Greenwood Village, Arapahoe County)

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

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

WHEREAS, the City of Greenwood Village, Arapahoe County, and the District cooperated in the preparation of "Upper Goldsmith Gulch Outfall Systems Planning" dated November, 2005; which recommends improvements on Goldsmith Gulch West Tributary at Maplewood Avenue; and

WHEREAS, the City of Greenwood Village has requested District participation in the design, acquisition of right-of-way, and construction of improvements to the Goldsmith Gulch West Tributary at Maplewood Avenue (Exhibit A); and

WHEREAS, the City of Greenwood Village has estimated the initial project costs to be \$50,000; and

WHEREAS, the District's participation being authorized by this resolution is \$0; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City of Greenwood Village for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Goldsmith Gulch West Tributary at Maplewood Avenue.
2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Goldsmith Gulch West Tributary at Maplewood Avenue.
3. The District's maximum contribution to the Goldsmith Gulch West Tributary at Maplewood Avenue project, without prior approval of the Board, shall be \$0.
4. Such approval for expenditure of District funds is contingent upon the City of Greenwood Village agreeing to regulate and control any defined floodplain in the Goldsmith Gulch West Tributary at Maplewood Avenue project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District's approval.

(SEAL)

THE URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

Date: _____

ATTEST:

Secretary

Chairperson

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 35, SERIES OF 2017

(Authorization to Participate in Drainage and Flood Control Improvements on Goldsmith Gulch West Tributary at Maplewood Avenue, City of Greenwood Village, Arapahoe County)

EXHIBIT A

