1. Call to Order and Pledge of Allegiance – 1:00 pm
2. Introductions
   a. Visitors/Guests/Staff
   b. Awards/Recognitions
      i. Confluence Park – Shoemaker Plaza Reconstruction
3. Roll Call – Determination of Quorum
4. Committee Reports
5. Approval of April 19, 2018 Meeting Minutes (If there are no corrections “Minutes stand approved”, or
   with corrections “Minutes stand approved as corrected”)
6. Consent Agenda (Consent items are considered routine and will be approved by one motion unless a
   request is made by a Board Member for removal for further discussion or explanation.)
   a. Review of Cash Disbursements
   b. Modifications to Bylaws and Rules of Procedure
      (Resolution No. 33, Series of 2018)
   c. Revision of Employee Policy Manual
      (Resolution No. 34, Series of 2018)
   d. Authorization to Agree in Writing to Accept the Use of Property Tax Increment
      Financing for the Proposed 101 Broadway Urban Redevelopment Area
      (Resolution No. 35, Series of 2018)
   e. Acceptance of Flood Hazard Area Delineation Report for Grange Hall Creek and Tributaries
      (Resolution No. 36, Series of 2018)
   f. Additional Authorization to Participate in Drainage and Flood Control Improvements
      on Cherry Creek at the KOA Property, Town of Parker, Douglas County
      (Resolution No. 37, Series of 2018)
   g. Additional Authorization to Participate in Drainage and Flood Control Improvements
      on Dad Clark Gulch Downstream of Wild Iris Run, Highlands Ranch Metro District,
      Douglas County
      (Resolution No. 38, Series of 2018)
   h. 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. 39, Series of 2018)
   i. Additional Authorization to Participate in Drainage and Flood Control Improvements
      on Fourmile Canyon Creek at 19th Street, City of Boulder, Boulder County
      (Resolution No. 40, Series of 2018)
   j. Authorization to Participate in Drainage and Flood Control Improvements on
      Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue,
      City of Boulder, Boulder County
      (Resolution No. 41, Series of 2018)
   k. Authorization to Participate in Drainage and Flood Control Improvements on
      South Boulder Creek Upstream of US Hwy 36, City of Boulder, Boulder County
      (Resolution No. 42, Series of 2018)
l. Authorization to Participate in Drainage and Flood Control Improvements on the 22nd Avenue Outfall to Westerly Creek, City of Aurora, Adams County (Resolution No. 43, Series of 2018)
m. Authorization to Participate in Drainage and Flood Control Improvements on Coal Creek from McCaslin Boulevard to Highway 36, Town of Superior, Boulder County (Resolution No. 44, Series of 2018)
n. Additional Authorization to Participate in Drainage and Flood Control Improvements on Lena Gulch – Tributary H at CDOT Infield Upstream of 6th Avenue, City of Golden, Jefferson County (Resolution No. 45, Series of 2018)
o. Authorization to Participate in Drainage and Flood Control Improvements on Pheasants Run Downstream of Quebec Street and Fairgrounds Tributary Downstream of 136th Avenue, City of Thornton, Adams County (Resolution No. 46, Series of 2018)
p. Authorization to Participate in Drainage and Flood Control Improvements on First Creek Upstream of 26th Avenue, City of Aurora, Arapahoe County (Resolution No. 47, Series of 2018)

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

8. Reports/Discussions
   a. Executive Director’s Report
   b. Public Education Campaign Update

9. Executive Session
   a. Executive Session pursuant to 24-6-402 (4)(b) C.R.S. for the purposes of discussion with and advice from Special Counsel for District regarding legal issues associated with potential TABOR ballot question

10. Announcements
    a. Next Regularly Scheduled Meeting: Thursday, August 16, 2018

11. Adjournment
Board Members Present:
Randy Ahrens   Mayor, City/County of Broomfield
Herb Atchison   Mayor, City of Westminster
Debbie Brinkman Mayor, City of Littleton
Deb Gardner   Commissioner, Boulder County
Stacie Gilmore   Council Member, City/County of Denver
Mark Hunter   Professional Engineer
Paul Kashmann   Council Member, City/County of Denver
Paul López   Council Member, City/County of Denver
Ken Lucas   Mayor Pro Tem, City of Centennial
John Marriott Mayor Pro Tem, City of Arvada
Adam Paul   Mayor, City of Lakewood
Dave Sellards   Professional Engineer
Nancy Sharpe Commissioner, Arapahoe County
Bud Starker   Mayor, City of Wheat Ridge
Libby Szabo Commissioner, Jefferson County
Chaz Tedesco Commissioner, Adams County
Lora Thomas Commissioner, Douglas County
Heidi Williams Mayor, City of Thornton

Board Members Absent:
Marsha Berzins Mayor Pro Tem, City of Aurora
Aaron Brockett Mayor Pro Tem, City of Boulder
Carol Dodge   Mayor, City of Northglenn
Brendan Hanlon   Deputy Mayor, City/County of Denver

UDFCD Staff Present:
Ken MacKenzie   Executive Director
Julia Bailey   Information Services Specialist, Operations and Development
Dave Bennetts Program Manager, Operations and Development
Richard Borchardt   Project Manager, Stream Services
Barbara Chongtoua Project Manager, Stream Services
Margaret Corkery   Senior Administrative Assistant
Amelia Deleon   Human Resources Manager
Terri Fead   Project Manager, Watershed Services
Bryan Kohlenberg   Project Manager, Stream Services
Steve Materkowski   Senior Construction Manager, Stream Services
Teresa Patterson   Project Manager, Watershed Services
Holly Piza Standards Development Manager, Operations and Development
Raymond Pribble   Senior Construction Manager, Stream Services
Terri Schafer   Manager, Finance and Accounting
Brooke Seymour Project Manager, Watershed Services
David Skuodas   Project Manager, Stream Services
Jason Stawski   Senior Construction Manager, Stream Services
Shea Thomas Program Manager, Watershed Services
Jim Watt   Project Manager, Watershed Services
How the District Works - Routine Maintenance Challenges along the South Platte River
Mr. Steve Materkowski gave a presentation on Routine Maintenance Challenges along the South Platte River.

Following Mr. Materkowski’s presentation, Commissioner Chaz Tedesco announced that Adams County is in the process of developing a homeless symposium to address the challenges of the homeless population in Colorado. The details of the symposium are still being identified but Commissioner Tedesco encouraged all board members to consider participating in this regional issue. Interested Board Members should notify Commissioner Tedesco directly.

1. **Call to Order and Pledge of Allegiance – 1:00 p.m.**
   Commissioner Tedesco called the meeting to order at 1:08 p.m.

2. **Introductions**
   a. **Swearing in of New Board Member**
      Commissioner Tedesco announced that we have a new board member joining the District:
      - Commissioner Diane Holbert, Douglas County
      The new board member was sworn in by Mr. Ed Krisor. Commissioner Tedesco welcomed Commissioner Holbert to the District.
   b. **Visitors/Guests/Staff**
      Mr. Ken MacKenzie introduced the following guests:
      - Janeen Hathcock and Sara Kurtz from Eide Bailly, LLP
      - Sharon Williams, Senior Projects Engineer, Westminster
      - Andrew Hawthorn, Senior Projects Engineer, Westminster
      - David Rausch, Stormwater Engineer, Adams County
      Mr. MacKenzie also introduced a new employee:
      - Raymond Pribble, Senior Construction Manager, Stream Services
   c. **Awards/Recognitions**
      Mr. Ken MacKenzie recognized Katie Kerstiens, one of UDFCD’s Student Interns, for winning the Muller Engineering James M. Condon Memorial Scholarship. A scholarship given by the American Council of Engineering Companies – Colorado Chapter.

3. **Roll Call – Determination of Quorum**
   Roll was called and a quorum was declared present.

4. **Presentation of 2017 Audit - Discussion**
   Janeen Hathcock, CPA, and Sara Kurtz, CPA, Eide Bailly, LLP provided a briefing on the 2017 audit report. Electronic copies of the Draft 2017 Comprehensive Annual Financial Report (CAFR) were distributed to the board via email on Wednesday, April 18, along with the following documents:
   - Independent Auditor’s report on Internal Control
   - Auditor’s Report of Findings
   - District’s Corrective Action Plan
The Audit Report included one material weakness and one significant deficiency described below. Following the auditors presentation, Mrs. Terri Schafer, Finance and Accounting Manager, identified the corrective action for each area of improvement. For ease of readability, both presentations are grouped by topic below.

**Material Weaknesses:** The District does not have the proper control activities in place to ensure that the year-end close process is performed completely and accurately, as well as management review of financials statement information. This contributed to the improper recording of financial statement activity.

**UDFCD Corrective Action: Accounts Receivable:** In the future, management will continue to record the receivables as the agreements are signed. For audit purposes, an adjusting entry will be made to reserve the outstanding receivables and deferred revenue at year end to comply with GASB requirements.

**Accounts Payable:** This item was identified as immaterial but was still noted in the findings. The District will add language to future vendor contracts requiring timely invoicing for work performed. In addition, the District will continue to review all vendor invoices being entered through the end of the audit fieldwork.

**Wages Payable:** This item was also identified as immaterial but was still noted in the findings. The task of accruing wages payable will be added to the year-end checklist.

**Significant Deficiency:** A good system of internal control requires adequate segregation of duties so that no one individual has incompatible responsibilities. During the year, management did not employ proper segregation of duties associated with review and approval of journal entries and account reconciliation.

**UDFCD Corrective Action:** In 2017, management implemented a review procedure for both journal entries and bank reconciliation where the Executive Director reviews the journal entries posted for the month and also reviews the monthly bank reconciliations after the books have been closed for the month. There were a few occasions where a journal entry was back-dated and therefore, not included in the monthly review. In the future, the journal entry report will be run to include all back-dated entries. This will ensure that all entries are included in the Executive Director’s review.

Mr. Ken Mackenzie thanked the auditors for their presentation as well as their thoroughness with this year’s audit.

5. **Committee Reports**

**Audit & Finance Committee**

Commissioner Deb Gardner, Chair of the Audit & Finance Committee, provided an update on the committee meeting that took place on April 16, 2018. The purpose of this meeting was to hear the presentation from Eide Bailly, LLP on the 2017 CAFR for the District.

The Audit and Finance Committee met at 3:00 pm on Monday, April 16, 2018 to hear the presentation from Eide Bailly, LLP of the 2017 CAFR for the District. The auditors reported that the District received an unqualified opinion or “clean report.” This opinion is the highest achievable and means that the financial report fairly represents the District’s financial position and activity for the year.

The auditors reported that there were two findings as a result of the testing work performed in conjunction with the audit. Those findings were reported in a separate letter that has been provided to the Board. District management has provided a Corrective Action Plan related to the two findings which has also been provided to the Board.

The Committee reviewed the findings and management’s plan to correct the issues and is satisfied that the procedures that have been put in place by the Executive Director and the Manager of Finance and Accounting will prevent these findings in the future.

The Audit and Finance Committee recommends that the CAFR for the Year Ended December 31, 2017 be placed on the consent agenda for approval by the Board.
6. Approval of March 15, 2018 Meeting Minutes (If there are no corrections “Minutes stand approved”, or with corrections “Minutes stand approved as corrected”)
Commissioner Tedesco asked if there were any corrections to the March 15, 2018 minutes. Hearing none, the minutes were approved as submitted.

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
      The Cash Disbursement list, dated March and April 2018, has 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 2017 Audit Report
      (Resolution No. 22, Series of 2018)
      Resolution No. 22, Series of 2018 was discussed during agenda item no. 4, Presentation of 2017 Audit Discussion and agenda item no. 5, Committee Reports.
      There being no further comments or questions, it was the consensus of the Board to place Resolution No. 22 on the Consent Agenda.
   c. Acceptance of Flood Hazard Area Delineation Report for Big Dry Creek Downstream of County Line
      (Resolution No. 23, Series of 2018)
      Resolution No. 57 of 2012 authorized funding for Flood Hazard Area Delineations (FHAD’s). The District funded the FHAD fully, but partnered with the Southeast Metro Stormwater Authority (SEMSWA), Greenwood Village, and the City of Englewood to prepare the study. RESPEC was selected to perform the study.
      Big Dry Creek is a right bank tributary to the South Platte River, draining a watershed that is approximately 19.35 square miles in area. The study area included Big Dry Creek, Fillmore Tributary, Otero Tributary, and Nobles Road Tributary downstream of County Line Road. The effective floodplain map is based on the information provided in the Arapahoe County Flood Insurance Study (February 17, 2017) along with any Letters of Map Change that have occurred since that time. This study updated the delineation using the latest topography, more detailed survey information, and the most up-to-date hydraulic modeling software.
      Resolution No. 23 accepts the FHAD report for Big Dry Creek downstream of County Line Road. Upon acceptance, the report will be submitted to the Colorado Water Conservation Board for designation and approval.
      There being no further comments or questions, it was the consensus of the Board to place Resolution No. 23 on the Consent Agenda.
   d. Authorization to Participate in a Planning Study of Cohens Drainage
      (Resolution No. 24, Series of 2018)
      In 2016, Douglas County requested a study leading to a major drainageway plan for Cohens Drainage. Previous UDFCD studies of Cohens Drainage include:
      ▪ “Plum Creek Watershed Outfall Systems Planning Preliminary Design Report” (WRC, 2003)
      The previous master plan included recommendations that are no longer in line with current stream management practices, particularly numerous check structures for vertical stabilization. There is a significant amount of development anticipated in the near future and the local government needs to understand the flood risk to help guide development. The master planning costs are projected to be $150,000 with the local sponsors contributing $75,000.
      Resolution No. 24 authorizes $75,000 of District funds from the General Fund to at least be matched by Douglas County for the planning study.
      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 Big Dry Creek (ADCO), Upstream of Sheridan Boulevard, City of Westminster, Jefferson County (Resolution No. 25, Series of 2018)**

This is a joint project with the City of Westminster. The City of Westminster and the District desire to design, acquire right-of-way, and construct improvements along Big Dry Creek (ADCO), upstream of Sheridan Boulevard, in accordance with the "Big Dry Creek Major Drainageway Plan," dated March 2012.

The project includes improvements to stabilize the highly eroding banks and bed of Big Dry Creek upstream of Sheridan (Jeffco/ADCO boundary) to Standley Lake, as funds permit. Design will include identifying the needs of each reach in accordance with the MDP and prioritizing the improvements for construction phasing based on available funding and best value.

Easement and right-of-way acquisition will be included in the project costs. The District will be administering the design once a consulting engineering firm is selected. The District and the City of Westminster desire to construct the improvements, which will be managed by the District. Construction is anticipated to start in 2019. The District and the City of Westminster have identified $1.1 million in total project costs.

The District and the City of Westminster will increase the project funding this year to $600,000 with the District’s participation being $300,000. Previous authorizations totaled $175,000 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. 25 authorizes an additional $125,000 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. 25 on the Consent Agenda.

f. **Additional Authorization to Participate in Drainage and Flood Control Improvements on Leyden Creek from Indiana Street to 72nd Avenue, City of Arvada, Jefferson County (Resolution No. 26, Series of 2018)**

This is a joint project with the City of Arvada and Jefferson County. Jefferson County is not providing any funding. The City of Arvada desires to design, acquire right-of-way, and construct improvements along Leyden Creek at Alkire Street in accordance with the “Leyden Creek Major Drainageway Plan,” dated 2015. Currently the crossing consists of a 48-inch corrugated metal pipe, significantly undersized for the 100-year storm event. The project includes improvements to the roadway crossing and Leyden Creek just upstream and downstream of Alkire Street. The City of Arvada also desires to construct additional roadway improvements on Alkire Street from the Youth Memorial Complex to West 80th Avenue, solely at their cost.

The District has contracted with Olsson Associates to provide the design of the roadway and drainageway elements of the project. Final design is almost complete. The District will administer the construction contract with Naranjo Civil Constructors, the selected contractor. Construction is anticipated to begin in 2018-2019. Easement and right-of-way acquisition will be included in the project costs. The District and the City of Arvada have identified $1,000,000 in total project costs.

The District and the City of Arvada will increase funding this year to $900,000 with the District’s participation being $450,000. Previous authorization totaled $400,000 for the design, right-of-way acquisition, and partial funding of construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 26 authorizes an additional $50,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Arvada 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 Lemon Gulch downstream of Crowfoot Valley Road, Town of Parker, Douglas County (Resolution No. 27, Series of 2018)**

This is a joint project with the Town of Parker. Muller Engineering designed the project under contract with the District. The drainage elements of the project include stream restoration, bank stabilization, and grade control structures. Easement and right-of-way acquisition will be included in the project costs.

The final design is in progress and 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 $2 million in total project costs.

The District and the Town of Parker will increase funding this year to $360,423 with the District’s participation being $150,000. Previous authorizations totaled $50,000 to fund design and to partially fund acquisition of right-of-way and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 27 authorizes an additional $100,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the Town of Parker 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 Niver Creek at Zuni Street, City of Federal Heights, Adams County (Resolution No. 28, Series of 2018)**

This is a joint project with the City of Federal Heights. The City of Federal Heights desires to design and construct improvements along Niver Creek at Zuni Street in accordance with the “Extension of Niver Creek Major Drainageway Planning Study in Federal Heights Preliminary Design Report,” dated December 2000. The project includes improvements to Niver Creek at Zuni Street and upstream in Ruston Park.

The City of Federal Heights already holds the necessary easements and right-of-way where the project will be carried out. The consultant selection process is underway, and the District and the City of Federal Heights desire to construct the improvements which will be managed by the District. Construction is anticipated in 2020. The District and the City of Federal Heights have identified $4,000,000 in total project costs.

The District and the City of Federal Heights will increase the funding this year to $1.26 million, with the District’s participation being $630,000. Previous authorizations totaled $380,000 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. 28 authorizes an additional $250,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Federal Heights 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 North Dry Gulch from Lamar Street to Teller Street, City of Lakewood, Jefferson County (Resolution No. 29, Series of 2018)

This is a joint project with the City of Lakewood. Muller Engineering has completed the preliminary plan (OSP Update). Final design is anticipated in late 2018. The preliminary plan involves outlining a 100-year drainage system to remove several businesses from the floodplain. Ultimately, the existing underground system will be removed and flows placed within an open channel with an enhanced local greenway similar to the upstream channel through the existing Wal-Mart redevelopment area. Phased construction could begin as early as 2019. Easement and right-of-way acquisition is included in the project costs. The District and the City of Lakewood have identified $11 million in total project costs.

The District and the City of Lakewood will increase the funding this year to $7,550,000, with the District’s participation being $3,775,000. Previous authorizations totaled $3,250,000 to fund design and to partially fund construction. It is anticipated that additional funds for construction will be needed in the future.

Resolution No. 29 authorizes an additional $525,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City of Lakewood for the design, acquisition of right-of-way, and construction of the drainage elements of the project.

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

j. Authorization to Participate in Drainage and Flood Control Improvements on Sanderson Gulch Downstream of South Tennyson Street, City and County of Denver (Resolution No. 30, Series of 2018)

This is a joint project with the City and County of Denver. The City and County of Denver desires to design and construct improvements along Sanderson Gulch downstream of South Tennyson Street in accordance with the "Sanderson Gulch Major Drainageway Plan," dated September 2013. The project includes improvements to stream, bed, and bank to stabilize Sanderson Gulch and to protect a sanitary sewer and a regional trail. The City and County of Denver already holds the necessary easements and right-of-way where the project will be carried out. The District is administering the design with Muller Engineering Company.

The District and the City and County of Denver desire to construct the improvements which will be managed by the District. Construction is anticipated in 2018. The District and the City and County of Denver have identified $400,000 in total project costs for the design and funding of construction with the District’s participation being $200,000 in 2018 funds.

Resolution No. 30 authorizes $200,000 of District funds from the Special Revenue Fund - Construction to at least be matched by the City and County of Denver for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 30 on the Consent Agenda.

k. 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. 31, Series of 2018)

This is a joint project with the City of Westminster. The City of Westminster and the District desire to design, acquire right-of-way, and construct improvements along 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. Easement and right-of-way acquisition will be included in the project costs.

The District will be administering the design once a consulting engineering firm is selected. The District and the City of Westminster desire to construct the improvements which will be managed by the District. Construction is anticipated to begin in 2019. The District and the City of Westminster have identified $2.4 million in total project costs.

The District and the City of Westminster will increase funding this year to $1,556,000 with the District’s participation being $778,000. Previous authorizations totaled $578,000 to fund the design, acquisition of right-of-way, and construction. It is anticipated that additional funds may be required for this project in the future.

Resolution No. 31 authorizes an additional $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. 31 on the Consent Agenda.

I. Additional Authorization to Participate in Drainage and Flood Control Improvements on Van Bibber Creek at McIntyre Street, Jefferson County (Resolution No. 32, Series of 2018)

This is a joint project with Jefferson County. Jefferson County desires to construct improvements along Van Bibber Creek at the McIntyre Street crossing in Jefferson County. Currently, the crossing consists of a 60-inch corrugated metal pipe, significantly undersized for the 100-year storm event. Flows frequently overtop McIntyre Street as they did during the September 2013 floods. During the flood, vehicular travel was hazardous for an extended period. In addition, the entrance of the pipe collapsed and the street was severely damaged. Jefferson County would like to reconstruct the crossing and roadway approaches with a roadway bridge and incorporate a recreation trail crossing.

Jefferson County has contracted with Muller Engineering to provide the design of the roadway and drainageway elements of the project. Final design is complete. The District will share in funding the drainageway elements only. Jefferson County will administer the construction with oversight of the drainageway elements of the project provided by the District. Construction bids will be opened in April and construction is anticipated in 2018-2019. Easement and right-of-way acquisition is included in the project costs. The District and Jefferson County have identified $3.5 million in total project costs.

The District and Jefferson County will increase the funding this year to $2,496,000 with the District’s participation being $1,248,000. Previous authorizations totaled $448,000 to fund the design and partial construction.

Resolution No. 32 authorizes $800,000 of District funds from the Special Revenue Fund - Construction to at least be matched by Jefferson County for the design, acquisition of right-of-way, and construction of the drainageway elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 32 on the Consent Agenda.

8. Vote on Approval of the Consent Agenda

It was the consensus of the Board that Resolutions No. 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32, Series of 2018, and Review of Cash Disbursements dated March and April 2018, be placed on the Consent Agenda. Commissioner Tedesco moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.
9. Reports/Discussions
   a. Executive Directors Report
      Mr. MacKenzie provided the following update to the Board during his Executive Director’s report:

      ▪ **Colorado Water Plan** – At the March Board Meeting, Rebecca Mitchell, Executive Director of the Colorado Water Conservation Board (CWCB), gave a brief introduction of CWCB. At the meeting, Mrs. Mitchell received requests for additional copies of the Colorado Water Plan which were made available at this month’s meeting.

      ▪ **Recognition of Exceptional Professionalism** – Terri Fead, UDFCD’s Floodplain Manager, received recognition from the City of Aurora’s Deputy Director of Public Works, Mr. Kevin Wegener, for her assistance on the Sand Creek CLOMR. Mr. Wegener specifically cited her knowledge, communication, and support which resulted in saving time and money while being protective of the public interest. Mr. MacKenzie stated that recognitions such as this are not taken lightly and the District wanted to recognize Mrs. Fead for her dedication to the District and the public interest.

      ▪ **Quarterly Budget Update** – Mr. MacKenzie provided the Board with a quarterly budget update, including a review of the 2018 property tax revenue by county and total revenue and expenditures through March 31, 2018. Mr. MacKenzie plans to provide the Board with a budget update at each quarter.

      ▪ **Letter from Redi Lawn** – Each board member received a copy of a letter from Redi Lawn Care & Maintenance (Redi Lawn), a stream management contractor that has done business with the District. In summary, Redi Lawn missed a deadline for submitting their statement of qualifications (SOQ), a requirement set in place by the District in order to be considered for future work. Missing this deadline resulted in their ineligibility for contract renewal until the next opportunity for submittals which will take place in August of 2019. This was explained to Redi Lawn owner, Mr. David Moffatt in a letter dated December 7, 2017 as well as via telephone on that same day by Mr. MacKenzie, after meeting with Mr. Moffatt on November 30, 2017. Mr. Moffatt is now appealing to the Board of Directors in hopes they would help recommend an alternative resolution.

         Mr. MacKenzie explained to the Board that several SOQ reminders were sent via email to Redi Lawn as well as all the other contractors on the prequalified contractor list. Redi Lawn was the only contractor who failed to make the deadline.

         Mr. Ed Krisor, Legal Counsel, agreed with the decision to deny the request for special exception to our contracting process. It was concluded that the Board of Directors supports Mr. MacKenzie’s response to Redi Lawn, detailed in a letter dated December 7, 2017, stating the next opportunity for Redi Lawn to be eligible to be considered for prequalified contractor list will be August of 2019. Commissioner Tedesco signed a letter addressed to Mr. David Moffatt outlining this decision.

      ▪ **Annual Seminar** – This year’s annual seminar included a welcome from Mayor Randy Ahrens followed by an opening address from Commissioner Tedesco. Mr. MacKenzie thanked both Mayor Ahrens and Commissioner Tedesco for their participation. The seminar was very well attended (417 attendees) and well received. As with every year, the District solicits feedback from attendees which helps us plan for the following year’s event.

      ▪ **Annual Flood Brochure** – A copy of the annual flood brochure was distributed to each of the board members. These brochures were mailed out to all addresses located in or adjacent to the identified 100-year floodplain within the boundaries of the District. This year, a Spanish translation of the brochure was developed and posted to the District’s website.
b. **Public Education Campaign**

Mr. Bennetts provided an update on the Public Outreach efforts to date. Highlights include:

- **Social Media Update**
  - Our social media platforms (Facebook, Twitter, and Instagram) are continuing to grow. We’ve seen a large increase in followers over the past couple of months due to a combination of outreach efforts including blog posts, paid advertisements, and a Public Service Announcement.

- **Website Update**
  - A flood banner was added to the website homepage announcing the start of the flood season. The banner will remain active through the end of flood season (mid-September). Additional updates to the home page include a link / sign-up to the Twitter Flood Alert and a link to the real-time storm map.

- **Breakfast for Communicators aka Twitter Workshop – May 3**
  - A Breakfast for Communicators workshop has been scheduled for Thursday, May 3rd. This workshop aims to provide information to the regional public information officers on how we can support our local government partners through the use of social media.
  - The workshop will also have a special presentation from Twitter representatives on how to maximize message effectiveness.
  - Invitations will be sent out to the Board of Directors.

- **5280 Magazine**
  - A two-page spread will be featured in the May Issue of 5280 Magazine. Each Board Member received an early copy of the May Issue at the Board Meeting, courtesy of 5280. The May issue will be distributed to subscribers on April 24 and on newsstands on April 26.
  - The District is currently working on a 5280 June ad that will focus on Eco Park on Cherry Creek, with a specific focus on the recreational amenities.

10. Announcements

a. **District Project Tour: Thursday, May 17, 2018**

On May 17, in lieu of the regular board meeting, the District has scheduled a project bus tour.

b. **Next Regularly Scheduled Meeting: Thursday June 28, 2018**

The next regularly scheduled Board meeting will take place on Thursday, June 28, 2018.

11. Adjournment

Commissioner Tedesco adjourned the meeting at 2:17 p.m.
WHEREAS, Section 32-11-208(l)(b), C.R.S. 1973, as amended, provides that "The Board, on behalf and in the name of the District, has the ... power ... to adopt and amend or otherwise modify bylaws and rules of procedure"; and

WHEREAS, in 1969, shortly after formation of the District certain bylaws were adopted by the Board; and

WHEREAS, in the ensuing twelve years the Board was in operation in accordance with the statute forming the District and such bylaws, a resolution was passed updating the Board's previously adopted bylaws (Resolution No. 35, Series of 1981); and

WHEREAS, changes to the Bylaws and Rules of Procedure have not been made since 1981; and

WHEREAS, the Board now desires to revise the Bylaws and Rules of Procedure to reflect current procedures.

NOW, THEREFORE, BE IT RESOLVED THAT:

I. The following are hereby adopted as the Bylaws and Rules of Procedure for the Board in the place and stead of any previous bylaws adopted by the Board.

I. PURPOSE, POWERS and DUTIES

Section 1. Purpose. The Urban Drainage and Flood Control District was established by the Colorado legislature in 1969, for the purpose of assisting local governments in the Denver metropolitan area with multi-jurisdictional drainage and flood control problems. UDFCD covers an area of 1608 square miles and includes Denver, parts of the 6 surrounding counties, and all or parts of 33 incorporated cities and towns.

Section 2. Powers and Duties. UDFCD shall promote regional cooperation and coordination among local governments and between levels of governments, shall perform regional activities, services and functions for the region as authorized by statute. UDFCD shall serve as a forum where local officials work together to provide a systematic and uniform approach of preventive maintenance administered by the Board of Directors of UDFCD and not by local governments.

II. MEETINGS OF BOARD (Including Notice)

Section 1. Annual Meeting. The Board shall meet on the first business day (excluding each Saturday, Sunday, and holiday) in February in each year at a regular place of meeting of the Board within the District for the qualification of new Directors and for the election of new officers. (32-11-206(1))

Section 2. Regular Meetings. The Board shall meet on a regular basis on the third Thursday of each month at 1:00 p.m. in the Board Room of the District unless the Board decides otherwise. (32-11-208(a))

Section 3. Special Meetings. Special meetings of the Board may be called by the Chair of the Board whenever, in the Chair's opinion, such meetings are necessary or desirable. The Chair shall call a special meeting within seven days of being requested to do so in writing by five or more Members of the Board. Such meetings shall be held in the Board Room of the District unless the Board decides otherwise. (32-11-208(l)(a))

Section 4. Open Meetings. All meetings of the Board shall be open to the public. (32-11-211(1))

Section 5. Notice and Agenda. Notice of special meetings shall be in writing, contain the time of the meeting, and be sent to each Member of the Board at the most recent email address as shown on the records of the District. (32-11-208(1)(a))

At least five days prior to the day of any meeting, the Agenda for such meeting, or the purpose for which it is called, shall be sent to each Member of the Board in like manner set forth in the first paragraph of this Section 5. Meetings shall be limited to the Agenda or purposes set forth in the notice or call therefore, except that a majority of the Members of the Board present at the meeting may vote to suspend this rule.
III. **CONDUCT OF BUSINESS OF BOARD**

**Section 1. Quorum.** No business of the Board shall be transacted except at a regular or special meeting at which a quorum consisting of at least a majority of the total Membership of the Board is present. (32-11-211(2))

The annual meetings (32-11-206(1)) for the conduct of District business and a regular meeting or special meeting for the conduct of Board and District business may be held at the same time and place. (32-11-208(l)(b)(c) & 32-11-211)

**Section 2. Order of Business.** The business of all meetings of the Board shall be conducted in the following order, unless the Board decides otherwise.

A. Roll call of Members.

B. Reading and approval of the minutes of the previous meeting.

C. Reports of officers and committees.

D. Election of officers.

E. General business.

F. Other Business

G. Adjournment.

The Agenda, as provided for in III, Section 2, paragraph 2, shall set forth the order of business of the Board. (32-11-208(l)(d))

**Section 3. Rules of Order.** Except as otherwise required by these Bylaws, the rules of order of the District shall generally adhere to the latest edition of Robert’s Rules of Order (32-11-208(l)(c)) or as amended by the Board of Directors.

IV. **BOARD OF DIRECTORS – RULES OF CONDUCT**

**Section 1. Director’s Ethical Conduct**

Directors are expected to comply with applicable laws governing ethical conduct, including those requiring avoidance of conflicts of interest, prohibiting receipt of unauthorized gifts, and prohibiting unauthorized use or disclosure of confidential information belonging to UDFCD. Directors shall not engage in any activities constituting malfeasance in appointed office.

**Section 2. Director’s Conduct in Public Meetings**

Directors are individuals who, with their jurisdictions, hold a wide variety of values, positions, and goals. Despite this diversity, all have been appointed as UDFCD Directors to serve their respective jurisdictions’ interests in furthering mutual, regional cooperation. In all cases, this common goal should be acknowledged even though individuals and jurisdictions may not agree on every issue.

1. **Honor the role of the Chair in maintaining order.** It is the role of the chairs of the UDFCD Board and committees to keep the comments of Directors on track during meetings. Directors should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair’s actions, those objections should be voiced politely and with reason, following UDFCD’s parliamentary procedures.

2. **Practice civility and decorum in discussions and debates.** Difficult questions, rigorous challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate. However, free debate does not require or justify, and Directors are expected to avoid making, any intentionally intimidating, slanderous, threatening, abusive, or disparaging comments or attacks.
3. **Avoid personal comments that could offend other Directors.** If a Director is personally offended by the remarks of another Director, the offended Director should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Director to justify or apologize for the language used. The Chair controls the discussion.

**Section 3. Director's Conduct with the Public in Public Meetings**

Making the public feel welcome is an important part of the public meeting process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Directors toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

1. **Be welcoming to speakers.** While questions of clarification may be asked, the Director’s primary role during public comments is to listen.

2. **Respect for speaker's testimony.** Directors should be conscious of their activity while others are speaking and avoid facial expressions, comments or other actions that could be interpreted as smirking, disbelief, anger or boredom.

3. **Ask for clarification, but avoid debate and argument with the public.** Only the Chair – not individual Directors – can interrupt a speaker during a presentation. However, a Director can ask to be recognized to pose questions of clarification and can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Director finds disturbing.

**Section 4. Director's Conduct with UDFCD Staff**

Governance of UDFCD relies on the cooperative efforts of Directors, who set policy, and UDFCD staff, who advise the Board and UDFCD committees and implement and administer UDFCD's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual.

1. **Treat all UDFCD Staff as professionals.** Clear, honest, communication that respects the abilities, experience, and dignity of each individual is expected. Unprofessional behavior towards UDFCD staff is not acceptable.

2. **Never publicly criticize an individual UDFCD staff member.** Directors should never express concerns about the performance of an individual UDFCD staff member in public, to the staff member directly, or to the staff member’s manager. Comments about UDFCD staff performance should only be made to the Executive Director through private correspondence or conversation. If the concern regards the Executive Director, it should be expressed within and through the established Executive Director performance evaluation meetings and procedures, or within appropriate Board or committee discussions, or to the Board Chair.

3. **Avoid individual involvement in administrative functions.** Directors acting in their individual capacity must not attempt to unduly influence UDFCD staff on the making of appointments, awarding of contracts, hiring of employees, selecting of consultants, processing of applications, or granting of UDFCD approvals or authorizations.

4. **Do not solicit political support from UDFCD staff.** Directors should not solicit any type of political support from UDFCD staff. UDFCD staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.
Section 5. Non-discrimination and Workplace Safety

UDFCD is committed to providing a workplace free from discrimination, harassment, and retaliation. It is also UDFCD’s policy and practice to assure equal employment opportunity in all personnel transactions, without regard to age (40 and over), race, sex, color, religion, creed, veteran status, national origin, ancestry, disability, genetic information, sexual orientation, gender identity, or any other status protected by applicable federal, state or local law, and to promote a safe working environment free from workplace violence. All UDFCD officials and staff, including Directors, are responsible for and expected to conduct themselves in accordance with UDFCD’s policies prohibiting discrimination, harassment, retaliation and workplace violence. Directors shall not engage in harassing, hostile, or threatening behavior that violates such policies. Violations of these policies are subject to compliance actions under these Rules.

Section 6. Compliance

1. Behavior and Conduct. These Rules express standards of appropriate conduct expected for Directors, and Directors themselves have the primary responsibility to assure that expectations for appropriate conduct are understood and met. The Chairs of the Board and committees have the additional role of intervening when actions of Directors that appear to be in violation of the Rules are brought to their attention.

Directors who intentionally and repeatedly disregard the Rules, or who commit a serious infraction of the Rules, may be reprimanded, censured, have the matter reported to the designating governing body or elected official that designated the Director to the UDFCD Board. This can happen with or without a request that the Director be replaced, or subject to other sanctions.

Individual Directors should point out to the offending Director perceived infractions of the Rules. If the offenses continue or if an offense constitutes a serious infraction, then the matter should be referred to the Chair Pro Tem of the Board in private, except that if such Chair Pro Tem is unavailable or is the individual whose actions are being questioned, then the matter should be referred to the Chair of the Board.

2. Review of Complaints. It is the responsibility of the Chair Pro Tem of the Board, upon his or her receipt of a written complaint of violation, to promptly notify the Chair of the Board of the filing of the complaint, and to initiate the process for review of such complaint.

In accordance with the Bylaws of UDFCD, the Chair Pro Tem of the Board, along with two members of such Committee selected by the Chair Pro Tem, shall comprise a review panel to review the complaint. Members of the Committee shall be selected for the review panel on an ad-hoc basis for each complaint, and may serve on more than one panel. However, if the complaint concerns the Chair Pro Tem or the Chair Pro Tem is unavailable, the Chair of the Board shall initiate the process for review of such complaint and shall select three Members of the Executive Committee, who shall comprise the review panel for such complaint.

The panel shall promptly review the complaint and upon completion of its review, the panel shall provide a recommendation to the Chair of the Board of UDFCD for review and action, which may include, without limitation, issuing a letter of reprimand, reporting the matter to the designating governing body or elected official, with or without a request that the Director be replaced, or adopting a finding of no violation. All actions taken will require a majority vote of the entire Membership of the Executive Committee. Anonymous complaints will not be considered, but the review panel and Executive Committee shall have the power to maintain information relating to a complaint as confidential to the extent possible and to the extent appropriate under applicable laws.

3. Investigation, Voting, and Other Reporting. When deemed warranted, the Board Chair or the Chair Pro Tem may call for an investigation of Director conduct, and may obtain the assistance of the UDFCD Executive Director or the UDFCD attorney, or with the consent of the Board Chair or UDFCD Executive Director, the assistance of third parties, to investigate the allegations and report the findings.
No Director may exercise a vote or grant or withhold any consent pursuant to these Rules for any matter concerning the Director's own conduct.

The compliance provisions herein are not a substitute for any remedies for violations of state or federal law, and nothing herein prohibits the reporting of violations of state or federal law to the appropriate governmental authorities.

Section 7. Implementation

The Rules are intended to be self-enforcing and an expression of the standards of conduct for Directors expected by UDFCD. It therefore becomes most effective when Directors are thoroughly familiar with these Rules and embrace their provisions.

For this reason, the Bylaws are distributed to Directors at orientation and other training opportunities, and are included in the regular Director resource materials. By accepting appointment as a Director, Directors are expected to adhere to the Rules of Conduct. In addition, the Rules shall be periodically reviewed and updated by UDFCD Board, after review by the Executive Committee.

V. BOARD OFFICERS

Section 1. Number and Title of Board Officers. The officers shall be a Chair, Chair Pro Tem, Secretary, and Treasurer. Each of which two positions (Secretary and Treasurer) may be filled by a person who is a Director, and both of which positions may be filled by one person. (32-ll-208(l)(c))

Section 2. Duties of Board Officers.

1. Chair. The Chair shall preside at all meetings, and shall be the chief executive officer of the Board and of the District. Except as otherwise authorized by resolution, the Chair shall sign all contracts, deeds, notes, debentures, warrants, and other instruments in behalf of the Board and of the District. (32-ll-208(l)(d))

2. Chair Pro Tem. The Chair Pro Tem shall act as presiding officer during the absence of the Chair; and, in the case of a vacancy in the office of the Chair, shall serve as Chair until such time as the Board shall elect a new Chair. (32-ll-208(l)(c))

3. Secretary. The Secretary shall be responsible for keeping the records of the District, for the recording of all votes, and shall see that the proceedings of the Board are recorded in a minute book kept for the purpose, which shall be an official record of the Board; and shall perform all duties incident to the office. The Secretary shall be custodian of the seal of the District and shall have power to affix such seal to all contracts and instruments authorized to be executed by the District. The seal and official records shall be maintained in the office of the District. Whenever the Secretary is absent from any meeting the Chair may appoint a Secretary Pro Tem for said meeting. (32-ll-208(l)(c))

4. Treasurer. The Treasurer shall serve on the Audit & Finance Committee and supervise the financial records of the District and perform such other duties as are normally performed by treasurers and those duties specifically assigned or delegated by the Board of Directors. (32-ll-208(l)(c))

Section 3. Election of Board Officers.

1. Officers and Terms. Each year, the Board, at its annual meeting (32-11-206(1)) shall elect a Chair and Chair Pro Tem of the Board and of the District, and shall choose a Secretary and a Treasurer of the Board and of the District, each of which two positions (Secretary and Treasurer) may be filled by a person who is a Director, and both of which positions may be filled by one person. (32-ll-208(l)(c)) To be eligible to serve as an officer, a Board Member must first serve one year on the District Board of Directors.

A notice of election of officers shall appear on the agenda. Each officer shall serve a one-year term, or until the next election of officers and his/her successor is elected. The Secretary and Treasurer may serve consecutive terms but the Chair and Chair Pro Tem shall not serve
consecutive terms in their respective positions. Unless otherwise authorized by resolution, the Chair Pro Tem shall succeed the preceding Chair as the Chair of the Board of Directors.

2. **Executive Committee:** The incumbent Board officers shall constitute the Executive Committee of the District. The Executive Committee shall be the primary executive leadership of the District, providing leadership to the Board and guidance to the Executive Director. The Executive Committee has no policy making authority. The Executive Committee helps set Board meeting agendas; provides guidance from and assures the progress of committees of the District, and takes action on complaints of violations of the rules of conduct for Board Member as adopted by the Board from time to time.

3. **Nominating Committee for Board Officers.** At the December meeting of each year, the Nominating Committee shall present to the Board nominations for Board officers to be elected at the annual meeting. Board officer nominations may be made from the floor, provided that the consent of each nominee is obtained in advance.

**Section 4. Board Officer Vacancies.**

Any vacancy occurring in an office shall be filled for the unexpired term by:

- Appointment by a majority of the remaining Board officers; or
- Referral of the vacancy to the Nominating Committee to present to the Board at least one nominee to fill the vacancy if called for by a majority of the remaining Board officers. No later than the meeting held on the month following the month in which the Nominating Committee was referred the vacancy, the Nominating Committee shall present to the Board at least one nominee for an officer to be elected by the Board at that meeting to fill such vacancy. (32-ll-208(l)(b))
- Nominations may be made from the floor, provided that the consent of each nominee is obtained in advance.

VI. **AUDIT & FINANCE COMMITTEE**

**Section 1. Membership on the Finance & Audit Committee.** The administrative business of the District concerning finances, contracts, and related matters shall be managed by the Audit & Finance Committee. The Committee membership shall consist of no fewer than three Board Members and chaired by the Treasurer of the Board of Directors. Members of the Audit & Finance Committee shall be appointed by the Board upon recommendation of the Nominating Committee.

**Section 2. Audit & Finance Committee Officer.** The incumbent Treasurer of the Board of Directors shall serve on the Audit & Finance Committee. The chair of the Audit & Finance Committee is selected by its own members before or at their first meeting of the year.

**Section 3. Powers and Duties.** The following powers and duties are vested in the Audit & Finance Committee:

1. The Committee shall be responsible for the administration of the District’s Auditor Selection and Retention Policy in accordance with Resolution No. 50, Series of 2009.

2. 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.

3. 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.
Section 4. Meetings of the Audit & Finance Committee. The Audit & Finance Committee shall meet no less than three times a year, as follows:

1. 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.

2. 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.

3. 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.

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. Members of the Audit & Finance Committee may attend meetings of the Committee by telephone if they cannot attend in person.

Section 5. Quorum. A quorum of the transaction of Audit & Finance Committee business shall be one-third of its members, plus one.

Section 6. Voting. A majority of those present and voting shall decide any question brought before the meeting.

VII. LEGISLATIVE COMMITTEE

Section 1. Membership on the Legislative Committee. The administrative business of the District concerning state and federal legislation shall be managed by the Legislative Committee. The Committee membership shall consist of no fewer than three Board Members. Members of the Legislative Committee shall be appointed by the Board upon recommendation of the Nominating Committee. 32-11-220(1)(l)

Section 2. Legislative Committee Officers. The Chair of the Legislative Committee is selected by its own members before or at their first meeting of the year.

Section 3. Powers and Duties. The following powers and duties are vested in the Legislative Committee:

1. Review and evaluate from time to time, on behalf of the Board, pending state and federal legislation which would affect the operations of the District. Actions of the Legislative Committee shall include, but not be limited to; review and evaluate pending legislation, both state and federal; direct the District’s lobbyists and /or Executive Director to advocate, oppose or monitor individual bills; and to receive updates and advice on activities at the city and county level which are applicable to the District.

2. Report to the Board at the next regularly scheduled Board meeting any actions taken by the Committee along with a summary of any bills or activities that may affect the District.

Section 4. Meetings of the Legislative Committee. The Legislative Committee shall meet as needed or at the call of its Chair or by request of the Board of Directors. Members of the Legislative Committee may attend meetings of the Committee by telephone if they cannot attend in person.

Section 5. Quorum. A quorum of the transaction of Legislative Committee business shall be one-third of its members, plus one.

Section 6. Voting. A majority of those present and voting shall decide any question brought before the meeting.
VIII. NOMINATING COMMITTEE

Section 1. Membership on the Nominating Committee. The Nominating Committee shall be appointed in November of each year and consist of members herein designated:

1. The Immediate Past Chair of the Board (or the Chair Pro Tem if there is no Immediate Past Chair);
2. One Board Member representing the City and County of Denver;
3. One Board Member representing the county commissioner appointments; (32-11-204 (4)(a))
4. One Board Member representing a municipality with a population in excess of one hundred thousand; and (32-11-204 (5.5))
5. One Board Member representing a municipality with a population one hundred thousand or less; and (32-11-204 (5) (b))
6. One Board-appointed professional engineer (32-11-204 (6) (b)).

Section 2. Member Qualifications. The Nominating Committee qualifications include:

1. Members of the Nominating Committee shall have served not less than one year on the Board before being eligible to serve on the Nominating Committee.
2. In the appointment of the Nominating Committee, consideration shall be given to providing representation of a broad cross-section of the Board, taking into account community size, geographic location, the rate of growth, county and municipality, rural and suburban and other factors.

Section 3. Nominating Committee Officer. At its first meeting, upon annual appointment of its members, the Nominating Committee shall elect its chair.

Section 4. Powers and Duties. The following powers and duties are vested in the Nominating Committee:

1. To make recommendations regarding nominations for Board Officers and Board Officer vacancies as provided in these Bylaws. A Nominating Committee Member may not be a nominee for Board Officer unless specified in Section 1 of this paragraph.
2. To recommend Board Members for appointment by the Board to the Audit & Finance Committee and the Legislative Committee.

Section 5. Meetings of the Nominating Committee. The Nominating Committee shall meet as needed to exercise the powers and duties vested herein in the Committee. The Nominating Committee may hold meetings at the call of its chair or by request of at least two of its members. Members of the Nominating Committee may attend meetings of the Committee by telephone if they cannot attend in person.

Section 6. Quorum. A quorum of the transaction of Nominating Committee business shall all be all of its members.

Section 7. Voting. A majority of those present and voting shall decide any question brought before the meeting.

IX. UDFCD EXECUTIVE DIRECTOR

The Board after receiving a recommendation of the Executive Committee and by the affirmative vote of a majority of the Board of Directors shall appoint an Executive Director hereinafter referred to as the “Director,” who shall serve at the pleasure of the Board. The Executive Committee shall develop the process for, and execute and document an annual performance evaluation for the Executive Director.
The Director shall be the Chief Administrative Officer and authorized recording officer of the District. The Executive Director shall administer and execute all other functions and duties determined by the Board, including but not limited to:

1. Hiring, terminating, compensation, and establishment of the number and duties of UDFCD Staff;
2. Establish and implement policies and procedures for the efficient administration of personnel matters;
3. Serve, or designate personnel to serve, as recording secretary of the District and be responsible for preparing and maintaining all records and information required by law;
4. Designate personnel to provide staff services to committees; and
5. Serve as the registered agent for UDFCD and register such with the Colorado Secretary of State.

X. FINANCIAL PROVISIONS.

Section 1. Budget Submission to the Audit & Finance Committee. Each year, no later than the regular October meeting, the Executive Director shall submit an estimate of the budget required for the operation of the District during the ensuing calendar year to the Audit & Finance Committee.

Section 2. Budget Approval by the Board. Each year, no later than the regular November meeting of the Board, the budget recommendation by the Audit & Finance Committee shall be presented for approval by the Board.

Section 3. Records and Audit. The District shall arrange for a systematic and continuous recordation of its financial affairs and transactions and shall obtain an annual audit of its financial transactions and expenditures.

XI. MODIFICATION OF BY-LAWS

These bylaws may be altered, amended, or repealed by presentation of a proposed modification at a meeting of the Board of Directors and Board action by a majority of Board Members on such proposed modifications at the next meeting.

(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

Secretary ___________________________________ Chairperson ___________________________________
WHEREAS, the Board previously adopted the District Employee Policy Manual (Resolution No. 66, Series of 2015 as amended by Resolution No. 46, Series of 2016); and

WHEREAS, the Employee Policy Manual is a policy document that requires any changes be made through Board approval and authorized by resolution; and

WHEREAS, in 2018, the Board created an Employee Benefits Committee, chaired by Mayor Pro Tem Marriott and including Deputy Mayor Hanlon, and Mr. Sellards, which was tasked with reviewing current employee leave-of-absence benefits and making recommendations such that the District may continue to be competitive as an employer, while also reducing the financial burden on the District; and

WHEREAS, the Employee Benefits Committee met with District staff, reviewed the leave-of-absence benefits offered by ten other communities within the District, and now recommends changes to the District Employee Policy Manual with regard to annual leave, sick leave, and bereavement leave; and

WHEREAS, the Employee Benefits Committee additionally now recommends adding an optional ten-hour workday/four-day workweek for exempt employees at the Executive Director’s discretion, with changes to the schedule of holidays necessary to equalize the holiday hours given employees on the three different work schedules.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Annual Leave.** The Board hereby approves the following revised Leave-of-Absence Schedule, which shall be mandatory for all employees hired after December 31st, 2016, and optional for all employees hired before January 1st, 2017:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Annual Leave Accrued (Hours)</th>
<th>Annual Leave Accrued (Weeks)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 4 years</td>
<td>120 hours</td>
<td>3.0 weeks</td>
</tr>
<tr>
<td>5 to 9 years</td>
<td>144 hours</td>
<td>3.6 weeks</td>
</tr>
<tr>
<td>10 to 19 years</td>
<td>168 hours</td>
<td>4.2 weeks</td>
</tr>
<tr>
<td>20 years or more</td>
<td>192 hours</td>
<td>4.8 weeks</td>
</tr>
</tbody>
</table>

2. **Sick Leave.** The Board hereby approves the modification of the District’s Sick Leave Policy: At the end of each calendar year, accumulated sick leave above 480 hours may be granted as annual leave at full value or granted as additional pay at one-half value. Upon separation, accumulated sick leave payout may be paid out at full value.

3. **Bereavement Leave.** The Board hereby approves the modification of the District’s Bereavement Leave Policy: The District may grant up to a maximum of 40 hours per qualifying event to attend to the death of an immediate family member. This benefit shall be prorated for part-time employees.

4. **Compressed Work Schedule Option.** In addition to Work Schedule A (eight-hour work day, Monday through Friday) and Work Schedule B (nine-hour work day with every other Friday off), the Board hereby approves the addition of a third Work Schedule C, whereby an employee may work four ten-hour work days per week. This work schedule option shall require the approval of the Executive Director and will typically be Monday through Thursday, with every Friday off. The Executive Director shall ensure that adequate coverage is provided within each program.
5. **Observed Holidays.** To equalize the holiday hours given employees on three different work schedules, the Board hereby approves the following three holiday schedules to correspond with the three work schedules:

<table>
<thead>
<tr>
<th>Schedule A: 8-hour work days (12 holidays)</th>
<th>Schedule B: 9-hour work days (11 holidays)</th>
<th>Schedule C: 10-hour work days (10 holidays)</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year’s Day</td>
<td>New Year’s Day</td>
<td>New Year’s Day</td>
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<tr>
<td>MLK Jr. Day</td>
<td>MLK Jr. Day</td>
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<td>President’s Day</td>
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<td>Memorial Day</td>
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<td>Independence Day</td>
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<td>Labor Day</td>
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<td>Veteran’s Day</td>
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<td>Thanksgiving Day</td>
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<td>Day After Thanksgiving Day</td>
<td>Day After Thanksgiving Day</td>
<td>Day After Thanksgiving Day</td>
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<tr>
<td>Christmas Day</td>
<td>Christmas Day</td>
<td>Christmas Day</td>
</tr>
<tr>
<td>Two Floating Holidays</td>
<td>One Floating Holiday</td>
<td>One Floating Holiday</td>
</tr>
</tbody>
</table>

(SEAL)  
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT  
Date: __________________________

ATTEST:  
Secretary                                              Chairperson
RESOLUTION NO. 35, SERIES OF 2018
(Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed 101 Broadway Urban Redevelopment Area)

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

WHEREAS, the District understands that the Denver Urban Renewal Authority (DURA) and the City and County of Denver (Denver) intend to adopt the 101 Broadway Urban Redevelopment Plan and to create the I25 and Broadway Property Tax Increment and Sales Tax Increment Area; and

WHEREAS, the 101 Broadway Urban Redevelopment Plan approves the construction of 106 affordable workforce housing units and restoration of the former 1st Avenue Hotel which is designated as a historic landmark by the Denver Landmark Preservation Commission and is now eligible to be included on the National Register of Historic Places having received the National Park Service Part II approval; and

WHEREAS, DURA and the City and County of Denver have made a written request of the District to accept the use of property tax increment financing for the 101 Broadway Urban Redevelopment Area (Exhibit A); and

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

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

WHEREAS, no extraordinary circumstances have been brought to the attention of the Board of Directors of the 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 101 Broadway Redevelopment Area; and

WHEREAS, the fiscal impact to the District resulting from this resolution is a property tax revenue loss of approximately $4,500 (under the current TABOR revenue limitations) over the 25-year term of the property tax increment financing; 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 101 Broadway Redevelopment Area, which letter is attached hereto as Exhibit “C”; and

WHEREAS, the attached Exhibit “C” letter, in order for the District’s approval to be binding, requires the acknowledgement and agreement of DURA.
NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby agrees to accept the use of property tax increment financing for the proposed 101 Broadway Redevelopment Area.

2. The Executive Director of the Urban Drainage and Flood Control District is authorized to execute the attached Exhibit “C” letter and forward it to Mr. Joshua Widoff, Chair, Denver Urban Renewal Authority (DURA).

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. Joshua Widoff, Chair, DURA, 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 101 Broadway Project is not commenced by December 31, 2019.

(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: __________________________

ATTEST:

_________________________________  ______________________________
Secretary                                      Chairperson
April 27, 2018

Urban Drainage and Flood Control District
2480 W. 26th Avenue, Suite 158B
Denver, Colorado 80211-5384

Attn: Ken MacKenzie, Executive Director

Dear Mr. MacKenzie:

The Denver Urban Renewal Authority ("DURA") is currently working with the City and County of Denver to approve an Urban Redevelopment Plan to support the redevelopment of a site situated at the northwest corner of 1st Avenue and Broadway in south central Denver. The site includes the 1st Avenue Hotel which is designated as a historic landmark by the Denver Landmark Preservation Commission. The 101 Broadway Urban Redevelopment Plan ("Plan") would create the 101 Broadway Urban Redevelopment Area ("Area") and a sales and property tax increment area coextensive with the Area (collectively and together with the proposed development plan, the "Project").

Under Colorado Revised Statutes C.R.S. 31-25-101 (Urban Renewal Law), DURA is required to notify the Urban Drainage and Flood Control District ("UDFC") on the establishment of any tax increment areas and enter into an agreement regarding the use of property tax increment.

Pursuant to C.R.S. 31-25-107(9)(a), before any urban renewal plan utilizing property tax increment may be approved by the Denver City Council, the governing boards of each other public body whose property tax revenues would be allocated through the use of tax increment financing must be notified. Following this notification, representatives of DURA and UDPC will meet to negotiate an agreement governing the types and limits of tax revenues to be allocated to the Project. The agreement must address, without limitation, estimated impacts of the Project on UDPC services associated solely with the urban renewal plan.

Therefore, please accept this letter as notification of our intent to request the Denver City Council to approve the 101 Broadway Urban Redevelopment Plan and to establish a sales and property tax increment area.

The proposed Project would include:

• Restoration of a 4-Story Denver Historic Landmark
• Construction of a 5-Story Addition
• 106 Affordable Workforce Housing Units
  o Studios and 1 Bedrooms
  o 80% Area Median Income ("AMI")
  o Average Unit Size of 350 Square Feet
• Approximately 10,000 Square Feet of Ground Floor Retail/Restaurant Space
• Construction of approximately 20 surface parking spaces

Given the nature of the redevelopment activities, which do not anticipate material storm drainage impacts, DURA is anticipating the expected impact to UDPC from the approval of the Plan and the Project to be immaterial. Accordingly, DURA has prepared the attached Letter Agreement ("Agreement") between DURA and UDPC in a form similar to that entered into between the parties previously for your review. The Agreement would, among other matters, allow for the incremental property taxes derived from the UDPC mill levy to be paid to DURA consistent with prior practices.

Thank you for your assistance as we work to implement the statutory requirements and please do not hesitate to contact me for any additional information you may require.

Sincerely,

Tracy Higgins
Executive Director
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 35, SERIES OF 2018
( Authorization to Agree in Writing to Accept the Use of Property Tax Increment Financing for the Proposed 101 Broadway Urban Redevelopment Area)

EXHIBIT B: LOCATION
June 28, 2018

Joshua Widoff, Chair
Tracy Huggins, Executive Director
Denver Urban Renewal Authority
1666 California Street, Suite 200
Denver, CO 80202

Dear Ms. Huggins and Mr. Widoff:

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 101 Broadway Urban Redevelopment Plan (the "Urban Redevelopment Plan") and to create the 101 Broadway 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 101 Broadway 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. 25, 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 101 Broadway Project is commenced by December 31, 2019.

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: __________________________
    Joshua Widoff
    Chair

Date: __________________________
WHEREAS, the District cooperated with the City of Northglenn, the City of Thornton, and Adams County in the preparation of a Flood Hazard Area Delineation (FHAD) report for Grange Hall Creek and Tributaries; and

WHEREAS, the Executive Director executed an agreement for engineering services with the consulting firm RESPEC Consulting & Services to conduct studies and prepare a FHAD study for Grange Hall Creek and Tributaries; and

WHEREAS, RESPEC Consulting & Services has completed the study and submitted to the District the report titled “Flood Hazard Area Delineation Grange Hall Creek and Tributaries,” dated June 2018; and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby accepts the report titled “Flood Hazard Area Delineation Grange Hall Creek and Tributaries,” dated June 2018, and recommends its use as a guide in future planning related to the floodplains contained therein.

2. The Board of Directors of the Urban Drainage and Flood Control District recommends that the City of Northglenn, the City of Thornton, and Adams County adopt the report and regulate the 100-year floodplains defined in the report.

3. The Board of Directors of the Urban Drainage and Flood Control District submit the report for designation and approval by the Colorado Water Conservation Board as stated in 37-60-106(1)(c) C.R.S., as flood hazard areas, those areas described as being inundated by the 100-year flood.

(Seal)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
Date: ______________________

ATTEST:

______________________________  ______________________________
Secretary                          Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 36, SERIES OF 2018
(Acceptance of Flood Hazard Area Delineation Report for Grange Hall Creek and Tributaries)

EXHIBIT A

GRANGE HALL CREEK FHAD
June 2018
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 37, SERIES OF 2018
(Additional 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; and

WHEREAS, the Board previously authorized $65,000 for the Cherry Creek at the KOA Property project (Table 1); and

<table>
<thead>
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<th>Series of</th>
<th>District Authorization</th>
<th>Local Share</th>
<th>Work Elements</th>
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<td>33</td>
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<td>$65,000</td>
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<td>TOTAL</td>
<td></td>
<td>$65,000</td>
<td>$65,000</td>
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</table>

WHEREAS, the Town of Parker and the District now desire to construct improvements along Cherry Creek at the KOA Property (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is $250,000 to be at least 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, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018, which includes funds for construction of drainage and flood control improvements along 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. 60, Series of 2017) in which the improvements along Cherry Creek at the KOA Property were included.

NOW, THEREFORE, BE IT RESOLVED THAT:
1. Resolution No. 33, Series of 2017, Paragraph 3, is amended as follows:
   “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.”
2. All other conditions and authorizations remain as stated in Resolution No. 33, Series of 2017.
(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

ATTEST:

________________________________________
Secretary

________________________________________
Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 37, SERIES OF 2018
(Additional 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. 38, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Dad Clark Gulch Downstream of Wild Iris Run, Highlands Ranch Metro District, Douglas County)

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

WHEREAS, Douglas County has enacted floodplain regulations; and

WHEREAS, the City of Littleton and the District cooperated in the preparation of “Master Plan of Drainage, Dad Clark Gulch,” dated 1980; and

WHEREAS, the Board previously authorized $72,500 for the Dad Clark Gulch downstream of Wild Iris Run project (Table 1); and

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<td><strong>TOTAL</strong></td>
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<td><strong>$72,500</strong></td>
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WHEREAS, the Highlands Ranch Metro District and the District now desire to construct improvements along Dad Clark Gulch downstream of Wild Iris Run (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is $250,000 to be at least matched by the Highlands Ranch Metro District; and

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

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018, which includes funds for construction of drainage and flood control improvements along Dad Clark Gulch downstream of Wild Iris Run; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along Dad Clark Gulch downstream of Wild Iris Run were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 58, Series of 2017, Paragraph 3, is amended as follows:
   “The District’s maximum contribution to the Dad Clark Gulch downstream of Wild Iris Run project without prior approval of the Board shall be $72,500 $322,500 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Highlands Ranch Metro District.”

2. All other conditions and authorizations remain as stated in Resolution No. 58, Series of 2017.
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 38, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Dad Clark Gulch Downstream of Wild Iris Run, Highland Ranch Metro District, Douglas County)

EXHIBIT A
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 39, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on First Creek Detention Basins Upstream of I-70, City of Aurora, Arapahoe County)

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

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

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

WHEREAS, the Board previously authorized $2,649,000 for the First Creek Detention Basins upstream of I-70 project (Table 1); and

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<td><strong>$2,649,000</strong></td>
<td><strong>$3,028,000</strong></td>
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</table>

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

WHEREAS, the District’s additional participation being authorized by this resolution is $400,000 to be at least matched by the City of Aurora; and

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

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018, which includes funds for construction of drainage and flood control improvements along First Creek Detention Basins upstream of I-70; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along First Creek Detention Basins upstream of I-70 were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 58, Series of 2009, Paragraph 3, is further amended as follows:
   “The District's maximum contribution to the First Creek Detention Basins upstream of I-70 project without prior approval of the Board shall be $2,649,000 $3,049,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Aurora.”
2. All other conditions and authorizations remain as stated in Resolution No. 58, Series of 2009.
(SEAL) THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

ATTEST:

__________________________________________  __________________________________________

Secretary                                      Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 39, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on First Creek Detention Basins Upstream of I-70, City of Aurora, Arapahoe County)

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

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

WHEREAS, the City of Boulder and the District cooperated in the preparation of “Fourmile Canyon Creek and Wonderland Creek Major Drainageway Planning Phase A Report Alternatives Analysis,” dated May 2007; and

WHEREAS, the Board previously authorized $1,307,000 for the Fourmile Canyon Creek at 19th Street project (Table 1); and

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<th>District Authorization</th>
<th>Local Share</th>
<th>Work Elements</th>
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<td></td>
<td>$1,307,500</td>
<td>$1,307,500</td>
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WHEREAS, the City of Boulder and the District now desire to construct improvements along Fourmile Canyon Creek at 19th Street (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is $380,000 to be at least matched by the City of Boulder; and

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

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund-Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018 which includes funds for construction of drainage and flood control improvements along Fourmile Canyon Creek at 19th Street; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along Fourmile Canyon Creek at 19th Street project were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 18, Series of 2012, Paragraph 3, is further amended as follows:
   “The District's maximum contribution to the Fourmile Canyon Creek at 19th Street project without prior approval of the Board shall be $1,307,500 $1,687,500 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Boulder.”

2. All other conditions and authorizations remain as stated in Resolution No. 18, Series of 2012.
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 40, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Fourmile Canyon Creek at 19th Street, City of Boulder, Boulder County)

EXHIBIT A
RESOLUTION NO. 41, SERIES OF 2018
(Authorization to Participate in Drainage and Flood Control Improvements on Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue, City of Boulder, Boulder County)

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

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

WHEREAS, the City of Boulder and the District cooperated in the preparation of “Gregory Canyon Creek Flood Mitigation Plan,” dated December 2015; which recommends improvements on Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue; and

WHEREAS, the City of Boulder has requested District participation in the design, acquisition of right-of-way, and construction of improvements to Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue (Exhibit A); and

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

WHEREAS, the District’s participation being authorized by this resolution is $250,000 to be at least matched by the City of Boulder; and

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

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund–Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018 which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City of Boulder for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania 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 Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue.

3. The District’s maximum contribution to the Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue project, without prior approval of the Board, shall be $250,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Boulder.

4. Such approval for expenditure of District funds is contingent upon the City of Boulder agreeing to regulate and control any defined floodplain in the Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania 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.
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 41, SERIES OF 2018
(Authorization to Participate in Drainage and Flood Control Improvements on Gregory Canyon Creek from Arapahoe Avenue to Pennsylvania Avenue, City of Boulder, Boulder County)

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

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

WHEREAS, the City of Boulder and the District cooperated in the preparation of “Final South Boulder Creek Major Drainageway Plan – Alternative Analysis Report,” dated August 2015 which recommends improvements on South Boulder Creek upstream of US Hwy 36; and

WHEREAS, the City of Boulder has requested District participation in the design, acquisition of right-of-way, and construction of improvements to the South Boulder Creek upstream of US Hwy 36 (Exhibit A); and

WHEREAS, the City of Boulder has estimated the initial project costs to be $30,000,000 to $45,000,000 depending on the selected alternative; and

WHEREAS, the District’s participation being authorized by this resolution is $120,000 to be at least matched by the City of Boulder; and

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

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund–Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018 which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along South Boulder Creek upstream of US Hwy 36; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along South Boulder Creek upstream of US Hwy 36 were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City of Boulder for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on South Boulder Creek upstream of US Hwy 36.

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 South Boulder Creek upstream of US Hwy 36.

3. The District’s maximum contribution to the South Boulder Creek upstream of US Hwy 36 project, without prior approval of the Board, shall be $120,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Boulder.

4. Such approval for expenditure of District funds is contingent upon the City of Boulder agreeing to regulate and control any defined floodplain in the South Boulder Creek upstream of US Hwy 36 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
EXHIBIT A
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 43, SERIES OF 2018
(Authorization to Participate in Drainage and Flood Control Improvements on the 22nd Avenue Outfall to Westerly Creek, City of Aurora, Adams County)

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

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

WHEREAS, the City of Aurora and the District cooperated in the preparation of “Easterly Creek Outfall Systems Plan,” dated December 2012; by SEH, Inc. and “Original Aurora and Stormwater Master Plan,” dated 2018 by Calibre Engineering, which recommend improvements on the 22nd Avenue Outfall to Westerly Creek; and

WHEREAS, the City of Aurora has requested District participation in the design, acquisition of right-of-way, and construction of improvements to the 22nd Avenue Outfall to Westerly Creek (Exhibit A); and

WHEREAS, the City of Aurora has estimated the initial project costs to be $600,000; and

WHEREAS, the District’s participation being authorized by this resolution is $300,000 to be at least matched by the City of Aurora; and

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

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund–Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018 which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along the 22nd Avenue Outfall to Westerly Creek; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along the 22nd Avenue Outfall to Westerly Creek were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City of Aurora for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on the 22nd Avenue Outfall to Westerly Creek.

2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on the 22nd Avenue Outfall to Westerly Creek.

3. The District’s maximum contribution to the 22nd Avenue Outfall to Westerly Creek project, without prior approval of the Board, shall be $300,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Aurora.

4. Such approval for expenditure of District funds is contingent upon the City of Aurora agreeing to regulate and control any defined floodplain in the 22nd Avenue Outfall to Westerly Creek 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. 43, SERIES OF 2018
(Authorization to Participate in Drainage and Flood Control Improvements on the 22nd Avenue Outfall to Westerly Creek, City of Aurora, Adams County)

EXHIBIT A
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 Superior has enacted floodplain regulations; and

WHEREAS, the Town of Superior and the District cooperated in the preparation of “Coal Creek and Rock Creek Major Drainageway Plan,” dated October 2014, which recommends improvements on Coal Creek from McCaslin Boulevard to Highway 36; and

WHEREAS, the Town of Superior has requested District participation in the design, acquisition of right-of-way, and construction of improvements on Coal Creek from McCaslin Boulevard to Highway 36 (Exhibit A); and

WHEREAS, the Town of Superior has estimated the initial project costs to be $1,700,000; and

WHEREAS, the District’s participation being authorized by this resolution is $500,000 to be at least matched by the Town of Superior; and

WHEREAS, an additional $196,243 of District funds shall be transferred from the completed Coal Creek upstream of McCaslin Boulevard project (Resolution No. 19, Series of 2009) to this project, to be at least matched by the Town of Superior.

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

WHEREAS, the District has adopted, subsequent to a public hearing, a Special Revenue Fund–Construction Budget (Resolution No. 55, Series of 2017) for calendar year 2018 which includes funds for design, acquisition of right-of-way, and construction of drainage and flood control improvements along Coal Creek from McCaslin Boulevard to Highway 36; and

WHEREAS, the District has adopted, subsequent to a public hearing, a Five-Year Capital Improvement Plan (Resolution No. 60, Series of 2017) in which the improvements along Coal Creek from McCaslin Boulevard to Highway 36 were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the Town of Superior for the design, acquisition of right-of-way, and construction of drainage and flood control improvements on Coal Creek from McCaslin Boulevard to Highway 36.

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 Coal Creek from McCaslin Boulevard to Highway 36.

3. The District’s maximum contribution to the Coal Creek from McCaslin Boulevard to Highway 36 project, without prior approval of the Board, shall be $696,243 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the Town of Superior.

4. Such approval for expenditure of District funds is contingent upon the Town of Superior agreeing to regulate and control any defined floodplain in the Coal Creek from McCaslin Boulevard to Highway 36 project area in accordance with the National Flood Insurance Program Regulation as a minimum; agreeing to maintain the completed facilities in a manner acceptable to the District; granting the District access to the completed improvements at all times; and agreeing not to make any changes to the improvements without the District’s approval.
(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

ATTEST:

Secretary

Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 44, SERIES OF 2018
(Authorization to Participate in Drainage and Flood Control Improvements on Coal Creek from McCaslin Boulevard to Highway 36, Town of Superior, Boulder County)

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

WHEREAS, the City of Golden and Jefferson County have enacted floodplain regulations; and

WHEREAS, the City of Golden, Jefferson County, and the District cooperated in the preparation of “Pleasantview Area Watershed Outfall Systems Planning – Preliminary Design,” dated February 1999; and

WHEREAS, the Board previously authorized $420,000 for the Lena Gulch – Tributary H at CDOT Infield upstream of 6th Avenue project (Table 1); and

Table 1
Lena Gulch – Tributary H at CDOT Infield Upstream of 6th Avenue
Previous Authorizations

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Series of</th>
<th>District Authorization</th>
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<td>$420,000</td>
<td>$1,005,000</td>
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WHEREAS, the City of Golden, Jefferson County, and the District now desire to complete construction of improvements along Lena Gulch – Tributary H at CDOT Infield upstream of 6th Avenue (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is $114,000 of District funds to be transferred from the recently-completed Apex Gulch at Heritage Road project (Resolution No. 24, Series of 2016) to this project, to be at least matched by the City of Golden and Jefferson County.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 44, Series of 2016, Paragraph 3, is amended as follows: “The District’s maximum contribution to the Lena Gulch – Tributary H at CDOT Infield upstream of 6th Avenue project without prior approval of the Board shall be $420,000 $534,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City of Golden and Jefferson County.”

2. All other conditions and authorizations remain as stated in Resolution No. 44, Series of 2016.

(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: __________________________

ATTEST:

_________________________________  ___________________________________
Secretary  Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 45, SERIES OF 2018

(Additional Authorization to Participate in Drainage and Flood Control Improvements on Lena Gulch – Tributary H at CDOT Infield Upstream of 6th Avenue, City of Golden, Jefferson County)

EXHIBIT A
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 a joint planning study titled
"Lower Brantner Gulch Major Drainageway Planning Update Preliminary Design – Phase B Report," by Love
and Associates, Inc. dated January 2005, which recommends improvements on Pheasants Run downstream
of Quebec Street and Fairgrounds Tributary downstream of 136th Avenue; and

WHEREAS, the City of Thornton and Cervantes 75 LLC have requested that the District manage the design
and construction of improvements required by the City of Thornton as a result of a development in lieu of
Cervantes 75 LLC designing and constructing those improvements along Pheasants Run downstream of
Quebec Street and Fairgrounds Tributary downstream of 136th Avenue (Exhibit A); and

WHEREAS, preliminary project costs are estimated to be $1,000,000; and

WHEREAS, the District established a water activity enterprise known as the Development Services Enterprise
(DSE) (Resolution No. 38, Series of 2017) which allows the District to collect design, construction, and
administration fees from Cervantes 75 LLC to manage the design and construction of drainage and flood
control improvements along Pheasants Run downstream of Quebec Street and Fairgrounds Tributary
downstream of 136th Avenue; and

WHEREAS, expenditures in 2018 from the DSE have been budgeted (Resolution No. 55, Series of 2017).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with Cervantes 75
   LLC for the design and construction of drainage and flood control improvements on Pheasants
   Run downstream of Quebec Street and Fairgrounds Tributary downstream of 136th Avenue.

2. The District is authorized to collect from Cervantes 75 LLC sufficient fees to cover the cost of the
   preliminary design, the final design and construction of the improvements, plus the District’s
   administrative fee and to deposit those fees in a project-specific account in a separate
   Development Services Enterprise (DSE) fund which shall be set apart from all other funds of the
   District.

3. The Executive Director is authorized to enter into agreements with qualified engineers, qualified
   contractors, and others as necessary for the design and construction of drainage and flood
   control improvements on Pheasants Run downstream of Quebec Street and Fairgrounds
   Tributary downstream of 136th Avenue.
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 46, SERIES OF 2018
(Authorization to Participate in Drainage and Flood Control Improvements on Pheasants Run Downstream of Quebec Street and Fairgrounds Tributary Downstream of 136th Avenue City of Thornton, Adams County)

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

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

WHEREAS, the City of Aurora and the District cooperated in the preparation of “First Creek (Upstream of Buckley Road) Major Drainageway Plan Conceptual Design Report,” dated August 2010; which recommends improvements on First Creek upstream of 26th Avenue; and

WHEREAS, the City of Aurora and the Aurora Commerce Center (ACC) Metropolitan District have requested that the District manage the design and construction of improvements required by the City of Aurora as a result of a development in lieu of the ACC Metropolitan District designing and constructing those improvements along First Creek upstream of 26th Avenue (Exhibit A); and

WHEREAS, preliminary project costs are estimated to be $2,500,000; and

WHEREAS, the District established a water activity enterprise known as the Development Services Enterprise (DSE) (Resolution No. 38, Series of 2017) which allows the District to collect design, construction, and administration fees from ACC Metropolitan District to manage the design and construction of drainage and flood control improvements along First Creek upstream of 26th Avenue; and

WHEREAS, expenditures in 2018 from the DSE have been budgeted (Resolution No. 55, Series of 2017).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the Aurora Commerce Center (ACC) Metropolitan District for the design and construction of drainage and flood control improvements on First Creek upstream of 26th Avenue.

2. The District is authorized to collect from the ACC Metropolitan District sufficient fees to cover the cost of the preliminary design, the final design and construction of the improvements, plus the District’s administrative fee and to deposit those fees in a project-specific account in a separate Development Services Enterprise (DSE) fund which shall be set apart from all other funds of the District.

3. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on First Creek upstream of 26th Avenue.

(SEAL)
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 47, SERIES OF 2018
(Authorization to Participate in Drainage and Flood Control Improvements on First Creek Upstream of 26th Avenue, City of Aurora, Adams County)

EXHIBIT A