URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

BOARD OF DIRECTORS MEETING
Date: Thursday, March 15, 2018
Time: 1:00 pm

Catered Lunch – 12:15 pm
How the District Works – 12:45 – 1:00 pm

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

2. Introductions
   a. Swearing in of New Board Member
      i. Mayor Bud Starker (City of Wheat Ridge)
   b. Visitors/Guests/Staff
      i. Rebecca Mitchell – Colorado Water Conservation Board
      ii. Dr. Antje Witting – Postdoctoral Research Fellow
          Konstanz University

3. Roll Call – Determination of Quorum

4. Committee Reports

5. Approval of February 1, 2018 Meeting Minutes (If there are no corrections “Minutes stand approved”,
or with corrections “Minutes stand approved as corrected”)

6. Public Hearing
   a. Floodplain Map Adoption

7. Consent Agenda (Consent items are considered routine and will be approved by one motion unless a
   request is made by a Board Member for removal for further discussion or explanation.)
   a. Review of Cash Disbursements
   b. Adoption of Floodplain Map for Harvard Gulch and Dry Gulch
      (Resolution No. 12, Series of 2018)
   c. Authorization to Participate in a City of Boulder Project Prioritization Planning Study
      (Resolution No. 13, Series of 2018)
   d. Acceptance of Sloan’s Lake Watershed Planning Study
      (Resolution No. 14, Series of 2018)
   e. Acceptance of Weaver Creek Planning Study
      (Resolution No. 15, Series of 2018)
   f. Additional Authorization to Participate in Drainage and Flood Control Improvements
      on Cherry Creek from Monaco Parkway to East Iliff Avenue, City and County of Denver
      (Resolution No. 16, Series of 2018)
   g. Authorization to Participate in Drainage and Flood Control Improvements
      on Marston Lake North Drainageway at Bowles Ditch, City and County of Denver
      (Resolution No. 17, Series of 2018)
   h. Additional Authorization to Participate in Drainage and Flood Control Improvements
      on Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West
      Stanford Avenue, City and County of Denver
      (Resolution No. 18, Series of 2018)
   i. Additional Authorization to Participate in Drainage and Flood Control Improvements
      on Newlin Gulch at Heirloom Parkway, Town of Parker, Douglas County
      (Resolution No. 19, Series of 2018)
   j. Additional Authorization to Participate in Drainage and Flood Control Improvements
      on Piney Creek at Caley Drive, City of Centennial and Unincorporated Arapahoe County
      (Resolution No. 20, Series of 2018)
k. Authorization to Contribute $75,000 to the Chatfield Reservoir Environmental Pool  
   (Resolution No. 21, Series of 2018)

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

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

10. Executive Session – Provide Board with Legal Advice Regarding Berman vs. UDFCD  
    [24-6-402(4)(b) C.R.S.]

11. Annual Legal Summary, Ed Krisor

12. Announcements
    a. Annual Seminar: **Tuesday, April 3, 2018**
    b. Next Regularly Scheduled Meeting: **Thursday, April 19, 2018**
    c. District Project Tour: **Thursday, May 17, 2018**

13. Adjournment
Board Members Present:
Randy Ahrens   Mayor, City/County of Broomfield
Herb Atchison   Mayor, City of Westminster
Debbie Brinkman Mayor, City of Littleton
Aaron Brockett Mayor Pro Tem, City of Boulder
Carol Dodge   Mayor, City of Northglenn
Deb Gardner   Commissioner, Boulder County
Stacie Gilmore Council Member, City/County of Denver
Brendan Hanlon Deputy Mayor, City/County of Denver
Mark Hunter   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  Engineer
Nancy Sharpe  Commissioner, Arapahoe County
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

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
Linde Carmack  Student Intern, Operations and Development
Amelia Deleon  Human Resources Manager
Terri Fead     Floodplain Manager, Watershed Services
Morgan Lynch   Project Manager, Watershed Services
Teresa Patterson Project Manager, Watershed Services
Holly Piza     Standards Development Manager, Operations and Development
Wanda Salazar  Accountant, Finance and Accounting
Terri Schafer  Manager, Finance and Accounting
Derrick Schauer IS Network Administrator
Brooke Seymour Project Manager, Watershed Services
Jason Stawski  Senior Construction Manager, Stream Services
Kevin Stewart  Program Manager, Flood Warning and Information Services
Shea Thomas    Program Manager, Watershed Services
Jim Watt       Project Manager, Watershed Services

Others Present:
Ed Krisor     Legal Counsel
Steve Welchert Public Affairs Consultant
How the District Works - The History of the District
Mr. Ken MacKenzie conducted a presentation on “The History of the District” for this month’s How the District Works Presentation.

Prior to beginning the meeting, Commissioner Chaz Tedesco requested a moment of silence for fallen Deputy Heath Gumm who was killed in the line of duty while responding to a disturbance call in Adams County.

1. Call to Order and Pledge of Allegiance - 1:00 pm
Commissioner Chaz Tedesco called the meeting to order at 1:01 pm.

2. Introductions
   a. Swearing in of New Board Members
      Mr. MacKenzie introduced the five new board members in attendance:
         ▪ Mayor Debbie Brinkman, City of Littleton
         ▪ Mayor Pro Tem Aaron Brockett, City of Boulder
         ▪ Mayor Carol Dodge, City of Northglenn
         ▪ Deputy Mayor Brendan Hanlon, City and County of Denver
         ▪ Mayor Pro Tem Ken Lucas, City of Centennial

      The new board members were sworn in by Mr. Ed Krisor. Mr. MacKenzie welcomed them to the District.
   b. Visitors/Guests/Staff
      Mr. MacKenzie introduced two new employees:
         • Jim Watt, Project Manager, Watershed Services
         • Linde Carmack, Graduate Student, Operations & Development Program
   c. Awards/Recognitions
      i. Excellence in Financial Reporting – Government Finance Officers Association (GFOA)
         Every year, the Government Finance Officers Association (GFOA) presents an award recognizing excellence in financial achievement. Mr. MacKenzie announced that the District was issued this award, once again, and congratulated both Mrs. Terri Schafer, Finance and Accounting Manager and Ms. Wanda Salazar, Accountant, for their efforts to provide outstanding financial management to the District.
      ii. Recognition of UDFCD Past Chairpersons
         Chairperson Tedesco presented a gavel plaque award to Mayor Heidi Williams and Councilman Paul Lopez, honoring them for their services as past Chairpersons of the UDFCD Board of Directors. Mr. MacKenzie also thanked them for their dedicated service to the District.

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

4. Board of Directors Reappointment
   a. Reappointment of Mr. George (Dave) Sellards to Board of Directors
      (Resolution No. 1, Series of 2018)
      Mr. MacKenzie stated that Mr. Dave Sellards is willing to be reappointed to the Board of Directors. The District is honored for his continued support as a member of our Board of Directors. Resolution No. 01, Series of 2018, would reappoint Mr. Sellards to a two-year term through January 31, 2020. The Board motioned and approved Resolution No. 01, Series of 2018.
5. Approval of December 21, 2017 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 December 21, 2017 minutes. Hearing none, the minutes were approved as submitted.

Councilman Lopez requested that Resolution No. 11, Series 2018, Authorization to Administer a Constituent Contact Campaign in 2018, be moved up on the agenda and voted on before the consent agenda. It was moved by Councilman Lopez, seconded by Mayor Herb Atchison, and unanimously passed.

6. Authorization to Administer a Constituent Contact Campaign in 2018 (Resolution No. 11, Series of 2018)

Resolution No. 11, Series of 2018 authorizes $1.4 million for a constituent contact campaign in 2018 for the following activities:

- Television & Cable Communications $750,000
- Digital Media $450,000
- Social and Print Media $100,000
- Contingency $100,000

TOTAL $1,400,000

This campaign, which will run through July 2018, is aimed at educating our constituents of UDFCD’s mission, achievements, and the overall benefits the District provides to communities and to our local governments.

This effort is separate from a possible 2018 election campaign to restore the District’s taxing authority of its 1.0 mill, subject to Board approval. Restoring the District to its statutory taxing authority will help the District meet the current demand for new capital improvement projects and maintenance of existing infrastructure.

Resolution No. 11, authorizes the District to move forward with a constituent contact campaign effort. At the end of the outreach effort, the board will decide whether to move forward with an election campaign as a separate issue.

The County Clerk’s estimate that it will cost approximately $2 million to get the District’s question on the ballot. The County Clerk fee would not be due until 2019.

Following Mr. MacKenzie’s presentation, the Board had the following comments:

Questions/Comments

- Commissioner Tedesco provided clarification on the different funds being discussed:

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<tr>
<td></td>
<td>$148,000</td>
<td>$1.4 million</td>
<td>$2 million</td>
<td>TBD</td>
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- Commissioner Tedesco then asked if there would need to be another campaign during the election and if so, what are the associated costs? Mr. Welchert confirmed that there would be an election campaign and explained that the additional funds needed would come from private funds, not from the District.

- Mr. MacKenzie stated that if we were to run this campaign in 2020, it would cost the District 33% more due to the larger number of voters expected for that election cycle.

- Mayor Adam Paul expressed concern over the viability of rerunning a 2020 campaign if we were to lose in 2018.

- Commissioner Tedesco explained that if we did not succeed in 2018, several factors would need to be considered before a decision is made on how we move forward.
• Mayor Paul asked Mr. Welchert to clarify where the private funding would come from. Mr. Welchert explained that this funding would come from our vendors, contractors, and consultants.

• Commissioner Libby Szabo expressed concerns over the various ballot items that are expected in 2018 (i.e., transportation bond, school initiatives), and how this would affect our campaign. Mr. Welchert explained that this is why we need to start our educational campaign as soon as possible, to get out ahead of the volume of information expected from these other issues.

• Mayor Debbie Brinkman suggested integrating the District’s messaging with all the local governments, especially those with highly active social media platforms. Mayor Brinkman also recommended meeting with local government public information officers (PIO’s) to help lay the ground work for the outreach.

• Mr. Welchert agreed with Mayor Brinkman and added that this effort is being planned for later this year. He also stated that the public information campaign led by the local governments could continue past July.

• Councilman Lopez encouraged the board members to spread the word about what the District stands for, protecting property and the environment.

• Mayor Randy Ahrens stated that when asked if he would support this initiative, he first wanted to know what the investment return would be to Broomfield. Mayor Ahrens suggested providing each Board Member with a list of projects for each city and/or county.

• Mr. Welchert explained that as part of the new District website, there will be a function where you can enter a physical address and a list of projects and activities in the area will automatically populate.

• Commissioner Nancy Sharpe stated that while she appreciates the work being done by the District, she has concerns over several issues including: doubling of District revenue and workload, the timing of the public information campaign, competing ballot initiatives, and the funds that will need to be raised once we proceed with the election.

• Commissioner Tedesco stated that while there will never be a perfect time to run this bill, he recommends that we move forward in 2018 and if we do not win, we evaluate why and then identify steps for moving forward.

• Mr. MacKenzie clarified that restoring the District to its 1.0 mill will not double our current workload. When the District sends out the annual request for projects to our local government representatives, they respond with only the projects they believe the District is capable of completing, not the full list of needs. Mr. MacKenzie went on to add that the District’s staff currently manages projects for which the District provides little to no funding.

There being no further comments or questions, a motion was made by Commissioner Deb Gardner and seconded by Mayor Atchison to adopt Resolution No. 11, Series of 2018. Upon roll call, the motion passed with 19 Yes votes. Commissioner Sharpe voted No.

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 December 2017 and January 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. Designation of Public Place for Posting of Meeting Notices
(Resolution No. 02, Series of 2018)
It is required by the Colorado Open Meetings Law that the District annually designate the location for
the posting of meeting notices. The District designates the window area adjacent to the main entrance
of the District Office as the public place for posting of meeting notices. The District is located at 2480 W.
26th Avenue, Suite 156-B, Denver, Colorado 80211.

There being no further comments or questions, it was the consensus of the Board to place Resolution
No. 02 on the Consent Agenda.

c. Audit and Finance Committee
(Resolution No. 03, Series of 2018)
Resolution No. 03 authorizes the establishment of the 2018 District Audit and Finance Committee. This
committee will act in an advisory capacity to the Board; ensuring that the District’s financial records and
statements are fairly and appropriately presented and in accordance with Generally Accepted
Accounting Principles. This standing committee shall be comprised of no fewer than three board
members and chaired by the Treasurer of the Board. The 2018 Audit & Finance Committee includes the
following Board Members: Commissioner Deb Gardner (Committee Chair), Mayor Heidi Williams,
Deputy Mayor Brendan Hanlon, and Mr. David Sellards.

Mr. MacKenzie proposed that the committee meet three times a year, as follows:
- First Quarter: Audit Results. Audit results meeting prior to the Auditor’s presentation to the
  Board.
- Second Quarter: Auditor Selection Meeting. Meet with District staff to select or retain the
  auditor for the following year.
- Third Quarter: Annual Budget. Meet with District Staff to review the annual budget prior to
  the board presentation.

There being no further comments or questions, it was the consensus of the Board to place Resolution
No. 03 on the Consent Agenda.

d. Additional Authorization to Participate in Drainage and Flood Control Improvements on Coon Creek
at Beers Sisters Lake Reservoir, Jefferson County
(Resolution No. 04, Series of 2018)
This is a joint project with Jefferson County and Foothills Park and Recreation District (FPRD). The
project will construct the improvements necessary to assure the 100-year flood routing capacity of
Beers Sisters Lake Reservoir in accordance with the Major Drainageway Planning and Flood Hazard Area
Delineation (FHAD) Study. Icon Engineering is designing the project under contract with the District.

Construction Improvements are necessary to bring this facility into compliance with the current State
Engineer’s Office RULES AND REGULATIONS FOR DAM SAFETY AND DAM CONSTRUCTION. American
West Construction will construct the project under contract with the District. FPRD already holds the
necessary easements and right-of-way where the project will be carried out. The final design is now
complete, and the District, Jefferson County, and FPRD desire to construct the improvements which will
be managed by the District. Construction by American West Construction will occur in 2018.

The District, Jefferson County, and FPRD have identified $1,800,000 in total project costs with the
District’s participation being $900,000. The previous authorizations (Resolution No 72, Series of 2014;
Resolution No. 81, Series of 2015; and Resolution No. 29, Series of 2017) totaled $700,000 to fund
design and to partially fund construction. It is anticipated that no additional funds will be required for
this project in the future.
Resolution No. 04 authorizes an additional $200,000 of District funds from the Special Revenue Fund – Construction, to at least be matched by Jefferson County and FPRD 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. 04 on the Consent Agenda.

e. Authorization to Participate in a Planning Study of Lakewood Gulch (Resolution No. 05, Series of 2018)

In 2015, the City of Lakewood requested a FHAD and the City and County of Denver requested a Major Drainageway Plan and FHAD for Lakewood Gulch. Previous UDFCD studies of Lakewood Gulch include:

- “Lakewood Gulch Major Drainageway Plan” (Sellards & Grigg, 1979)
- “Flood Hazard Area Delineation Lakewood Gulch” (Sellards & Grigg, 1979)

The previous master plan included recommendations that are no longer in line with current stream management practices, such as concrete low flow channels and concrete-lined channels. In addition, the previous master plan indicates some structures will remain in the floodplain after improvements and sponsors would like to explore new opportunities to remove the flood risk in those areas. Sponsors would also like an updated floodplain utilizing current data and technology to compliment the portions of the floodplain that were recently updated with the Letter of Map Revision for the work associated with the Regional Transportation District (RTD) light rail line.

The master planning costs are projected to be $200,000 with the local sponsors contributing $100,000. The FHAD costs are projected to be $60,000, which are funded 100% by UDFCD per Resolution No. 59, Series of 2017. Resolution No. 05 authorizes $160,000 of District funds from the General Fund to at least be matched by the City of Lakewood and the City and County of Denver for the planning study.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 05 on the Consent Agenda.

f. Authorization to Participate in a Planning Study of McKay Lake Watershed Upstream of McKay Lake (Resolution No. 06, Series of 2018)

In 2016, the City and County of Broomfield requested an outfall systems planning study for streams within the McKay Lake watershed. The portion of McKay Lake Drainageway within the City of Westminster is fully developed and stable, so the City of Westminster was not interested in extending the study downstream. Previous UDFCD studies of McKay Lake watershed include:

- “McKay Lake and Quail Creek Outfall Systems Planning Study” (Kiowa, 2001)

The City and County of Broomfield has currently budgeted for capital improvements within the area, but have run into difficulties as the previous study recommends use of irrigation facilities which is no longer permitted. The recommendations will be revisited to find a solution for Broomfield’s management of stormwater within this area that separates waters from the Farmers Reservoir and Irrigation Company’s (FRICO’s) irrigation system. The study was slated to begin in 2019, but since a major roadway improvement project is currently in design, Broomfield requested moving it to 2018 and will fully fund the study. UDFCD will manage the study.

The master planning costs are projected to be $120,000 which will be fully funded by the City and County of Broomfield. Resolution No. 06 authorizes the District to enter into an agreement with the City and County of Broomfield who will fully fund the planning study.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 06 on the Consent Agenda.
g. **Authorization to Participate in a Planning Study of Willow Creek Tributaries Upstream of Englewood Dam**  
(Resolution No. 07, Series of 2018)

In 2015, the Southeast Metro Stormwater Authority (SEMSWA) requested a Major Drainageway Planning study for the tributaries to Willow Creek upstream of Englewood Dam. Since only a small portion of the upper reaches of two tributaries lie within a fully developed portion of unincorporated Douglas County and the City of Lone Tree, those entities were not asked to participate financially. Previous UDFCD studies of the tributaries to Willow Creek include:

- “Willow Creek, Little Dry Creek, and Greenwood Gulch Outfall Systems Planning Study” (CH2M Hill, 2010)

The previous master plan focused on structure crossings and stabilization of the streams. SEMSWA would like to delineate the 100-year floodplain to better understand the risk of flooding to existing properties and properly regulate the floodplain.

The master planning costs are projected to be $200,000 with the local sponsor contributing $100,000. Resolution No. 07 authorizes $100,000 of District funds from the General Fund to at least be matched by SEMSWA for the planning study.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 07 on the Consent Agenda.

h. **Authorization to Renew Lease at Diamond Hill**  
(Resolution No. 08, Series of 2018)

The District offices have been located at Diamond Hill Office Complex situated at 2480 West 26th Avenue, since 1976. The present seven-year lease with Gemini Rosemont expires at the end of May 2018. The District has been working with a tenant broker to obtain proposals for a new seven-year lease from Gemini Rosemont and also from two other building management companies for two alternative sites located at 1290 Broadway and 1391 Speer. As a result of this effort, it was concluded that the Diamond Hill option was the most beneficial for the District. Lease negotiations resulted in turn-key build out of several new offices, a new board room, and a generous remodeling allowance.

Resolution No. 08 authorizes the Executive Director to enter into a new seven-year lease agreement with Gemini Rosemont for the current space located at the Diamond Hill Office Complex.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 08 on the Consent Agenda.

i. **Authorization to Purchase and Install a New Server for the District’s Computer Network**  
(Resolution No. 09, Series of 2018)

Resolution No. 09 authorizes $100,000 of District funds to upgrade and install a new server, replacing the current server that has reached the end of its life cycle and service warranties.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 09 on the Consent Agenda.

j. **Amended Legislative Committee**  
(Resolution No. 10, Series of 2018)

Resolution No. 66, Series of 2017 established the 2018 Legislative Committee for the District but did not identify a committee chair. Resolution No. 10 amends Resolution No. 66, Series of 2017, 2018 Legislative Committee, to establish a chair position for the Legislative Committee, to be elected from among the Legislative Committee Members. The 2018 Legislative Committee includes the following:
1. Commissioner Libby Szabo (Chair)
2. Council Member Paul Lopez
3. Mayor Adam Paul
4. Commissioner Chaz Tedesco
5. Commissioner Lora Thomas
6. Mayor Heidi Williams
7. Mr. Dave Sellards

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 10 on the Consent Agenda.

8. Vote on Approval of the Consent Agenda
   It was the consensus of the Board that Resolutions No. 01, 02, 03, 04, 05, 06, 07, 08, 09, and 10 Series of 2018, and Review of Cash Disbursements dated December 2017 and January 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. Authorization to Administer a Constituent Contact Campaign in 2018
   (Resolution No. 11, Series of 2018)
   Resolution No. 11 was discussed in Item 6 above.

10. Reports/Discussions
    a. Executive Director’s Report
       Mr. Dave Bennetts provided an update on the Legislative Bill and Outreach Campaign:

       **Legislative Bill**
       - Sponsors on both sides of the house (Senator Priola and Representative Coleman) have been identified for the legislative bill that will clean up the District’s election provisions.
       - The bill was introduced in the Senate by Senator Priola
       - The bill was amended to address concerns from the County Clerks Association and has since cleared the Senate side on the consent agenda.
       - Special thanks to Commissioner Szabo for her testimony in support of the bill.
       - The bill is expected to be introduced on the House side by Representative Coleman next week. Commissioner Tedesco is slated to offer supporting testimony for the bill.

       **Public Outreach Campaign**
       - The revamp of the District’s website is almost complete. Updates include a more public user-friendly site that will include useful and educational information for the public.
       - Digital Outreach through Facebook, Instagram, YouTube, and Twitter, are underway. Specifics on this effort will be available soon.
       - Leave behind flyers have been developed and copies were provided to the board.
       - Development of a television campaign is also underway which includes using cable and network TV spots. TV campaign will ramp up during the kick-off of flood season (April/May).
       - New District Logo is being developed. Options will be sent to the Board for their input.

Councilwoman Stacie Gilmore asked if there was a plan to produce bilingual flyers/information for the public outreach campaign. Mr. Welchert confirmed that there would be efforts made to translate information for the Spanish-speaking population.
11. Announcements
   a. Next Board Meeting: Thursday, March 15, 2018
      The next regularly scheduled Board meeting will take place on Thursday, March 15, 2018.
   b. Annual Seminar: Tuesday, April 3, 2018
      Once again, the annual seminar will take place on Tuesday, April 3, 2018 from 8 a.m. to 4 p.m. at the
      Omni Interlocking Hotel in Broomfield. The UDFCD Annual Seminar is an all-day event featuring
      presentations by UDFCD staff and research partners. All Board Members are encouraged to attend, free
      of charge. Additional information will be made available to the Board as soon as it is available.

12. Adjournment
    Commissioner Tedesco adjourned the meeting at 2:50 p.m.
WHEREAS, the Board of Directors adopted a Floodplain Regulation (Resolution No. 11, Series of 1970); and

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

WHEREAS, floodplain maps for Harvard Gulch and Dry Gulch have been prepared by the District, but not yet adopted by the Board pursuant to public hearing (Exhibit A); and

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

WHEREAS, a public hearing duly noticed was held on March 15, 2018.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors of the Urban Drainage and Flood Control District hereby adopts the maps and profiles contained in the following engineering report as Flood Regulatory Districts and further subdivides the Flood Regulatory Districts into Floodway Districts and Flood Storage Districts by adopting all floodplain and floodway tables contained in the report and referenced below:

1. “Flood Hazard Area Delineation Harvard Gulch and Dry Gulch” (February 2017); in the cities of Denver and Englewood, Denver and Arapahoe Counties, Colorado; by Matrix Design Group, Inc., including Appendix D, Floodplain and Floodway Data Table”.

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

(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

ATTEST:

______________________________  ______________________________
Secretary                                    Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 12, SERIES OF 2018
(Adoption of Floodplain Map for Harvard Gulch and Dry Gulch)

EXHIBIT A
Harvard Gulch and Dry Gulch Floodplain Adoption
March 2018
RESOLUTION NO. 13, SERIES OF 2018
(Authorization to Participate in a City of Boulder Project Prioritization Planning Study)

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 Board has previously established a Work Program for 2018 (Resolution No. 59, Series of 2017) which includes master planning; and

WHEREAS, the Board previously cooperated with the City of Boulder in the preparation of numerous watershed planning studies; and

WHEREAS, the City of Boulder has expressed a desire to participate in a study leading to a major drainage project prioritization plan for improvements within the city limits that have been identified in watershed planning studies; and

WHEREAS, the Board wishes to cooperate with the City of Boulder in the prioritization of major drainage improvements for streams included in previous watershed planning studies (Exhibit A); and

WHEREAS, the cost of engineering and mapping services for the study is estimated to be at least $150,000 and is expected to be divided among participating entities as follows:

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<th>Sponsor</th>
<th>Master Plan Contribution</th>
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<tr>
<td>UDFCD</td>
<td>$75,000</td>
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<tr>
<td>Boulder</td>
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<td>TOTAL</td>
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NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute an agreement with the City of Boulder to fund the required engineering and mapping services for the City of Boulder Project Prioritization planning study.

2. The Executive Director is authorized to enter into agreements with qualified engineers, surveyors, and others as necessary for preparation of the study.

3. The expenditures for the engineering and mapping services are estimated to be at least $150,000 and the District’s share of total costs shall not exceed $75,000 plus interest earned on monies deposited in the project fund, which contribution for the planning portion of this project shall be at least matched by the City of Boulder.

(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT
Date: ______________________

ATTEST:

Secretary

Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 13, SERIES OF 2018
(Authorization to Participate in a City of Boulder Project Prioritization Planning Study)

EXHIBIT A
City of Boulder Project Prioritization Plan
March 2018

Approximate Study Limits

UDECD Boundary
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 14, SERIES OF 2018
(Acceptance of Sloan’s Lake Watershed Planning Study)

WHEREAS, the District cooperated with the City and County of Denver, the City of Lakewood, the City of Wheat Ridge, and the City of Edgewater in the preparation of a major drainageway planning study for the Sloan’s Lake watershed (Resolution No. 62, Series of 2015); and

WHEREAS, the Executive Director executed an agreement for engineering services with the consulting firm Matrix Design Group, Inc. to conduct studies and prepare a major drainageway planning report for the Sloan’s Lake watershed; and

WHEREAS, Matrix Design Group, Inc. has completed the study and submitted to the District the report titled “Sloan’s Lake Major Drainageway Plan,” dated January 2018.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby accepts the report titled “Sloan’s Lake Major Drainageway Plan,” dated January 2018, and recommends that all drainage, flood control, and stormwater management infrastructure and practices recommended in the report be used to guide future drainage and flood control planning, land development, and design and construction of all such infrastructure within jurisdiction covered by said plan.

(Seal)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

ATTEST:

Secretary

Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 14, SERIES OF 2018
(Acceptance of Sloan’s Lake Watershed Planning Study)
WHEREAS, the District cooperated with Jefferson County and the City of Lakewood in the preparation of a major drainageway planning study for Weaver Creek (Resolution No. 64, Series of 2015); and

WHEREAS, the Executive Director executed an agreement for engineering services with the consulting firm Olsson Associates to conduct studies and prepare a major drainageway planning report for Weaver Creek; and

WHEREAS, Olsson Associates has completed the study and submitted to the District the report titled “Weaver Creek Major Drainageway Plan,” dated February 2018.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Urban Drainage and Flood Control District hereby accepts the report titled “Weaver Creek Major Drainageway Plan,” dated February 2018, and recommends that all drainage, flood control, and stormwater management infrastructure and practices recommended in the report be used to guide future drainage and flood control planning, land development, and design and construction of all such infrastructure within jurisdiction covered by said plan.

(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

ATTEST:

______________________________  ________________________________
Secretary  Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 15, SERIES OF 2018
(Acceptance of Weaver Creek Planning Study)
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 16, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek from Monaco Parkway to East Iliff Avenue, City and County of Denver)

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

WHEREAS, the City and County of Denver has enacted floodplain regulations; and

WHEREAS, the City and County of Denver and the District cooperated in the preparation of “Cherry Creek Stabilization Plan Update,” dated December 2011; and

WHEREAS, Arapahoe County has assigned and transferred to the Southeast Metro Stormwater Authority (SEMSWA) its rights and obligation for the Cherry Creek from Monaco Parkway to East Iliff Avenue project; and

WHEREAS, the Board previously authorized $1,800,000 for the Cherry Creek from Monaco Parkway to East Iliff Avenue project (Table 1); and

Table 1
Cherry Creek from Monaco Parkway to East Iliff Avenue
Previous Authorizations

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Series of</th>
<th>District Authorization</th>
<th>Local Share</th>
<th>Work Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>31</td>
<td>2011</td>
<td>$50,000</td>
<td>$50,000</td>
<td>Final Design and Construction Funding</td>
</tr>
<tr>
<td>46</td>
<td>2011</td>
<td>$50,000</td>
<td>$50,000</td>
<td>Construction Funding</td>
</tr>
<tr>
<td>13</td>
<td>2012</td>
<td>$250,000</td>
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<td>Construction Funding</td>
</tr>
<tr>
<td>64</td>
<td>2012</td>
<td>$250,000</td>
<td>$250,000</td>
<td>Final Design and Construction Funding</td>
</tr>
<tr>
<td>58</td>
<td>2013</td>
<td>$250,000</td>
<td>$250,000</td>
<td>Construction Funding</td>
</tr>
<tr>
<td>76</td>
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<tr>
<td>16</td>
<td>2017</td>
<td>$250,000</td>
<td>$350,000</td>
<td>Construction Funding</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$1,800,000</strong></td>
<td><strong>$1,900,000</strong></td>
<td></td>
</tr>
</tbody>
</table>

WHEREAS, the City and County of Denver, SEMSWA, Arapahoe County, and the District now desire to add funds to construct improvements along Cherry Creek from Monaco Parkway to East Iliff Avenue (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is $750,000 to at least be matched by the City and County of Denver, SEMSWA, and Arapahoe County; 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 from Monaco Parkway to East Iliff 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 Cherry Creek from Monaco Parkway to East Iliff Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 31, Series of 2011, Paragraph 3, is further amended as follows:
   “The District’s maximum contribution to the Cherry Creek from Monaco Parkway to East Iliff Avenue project without prior approval of the Board shall be $1,800,000 $2,550,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City and County of Denver and Arapahoe County.”

2. All other conditions and authorizations remain as stated in Resolution No. 31, Series of 2011.
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 16, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Cherry Creek from Monaco Parkway to East Iliff Avenue, City and County of Denver)

EXHIBIT A
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 17, SERIES OF 2018

(Authorization to Participate in Drainage and Flood Control Improvements on Marston Lake North Drainageway at Bowles Ditch, City and County of Denver)

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

WHEREAS, the City and County of Denver has enacted floodplain regulations; and

WHEREAS, the City and County of Denver and the District cooperated in the preparation of "Marston Lake North Drainageway Major Drainageway Plan Conceptual Design Report," dated May 2012; which recommends improvements on the Bowles Ditch at Kipling; and

WHEREAS, the City and County of Denver has requested District participation in the design and construction of improvements to Marston Lake North Drainageway at Bowles Ditch (Exhibit A); and

WHEREAS, the City and County of Denver has estimated the initial project costs to be $400,000; and

WHEREAS, the District’s participation being authorized by this resolution is $100,000 to at least be matched by the City and County of Denver; 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 and construction of drainage and flood control improvements along Marston Lake North Drainageway at Bowles Ditch; 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 Marston Lake North Drainageway at Bowles Ditch were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to execute the necessary agreements with the City and County of Denver for the design and construction of drainage and flood control improvements on Marston Lake North Drainageway at Bowles Ditch.

2. The Executive Director is authorized to enter into agreements with qualified engineers, qualified contractors, and others as necessary for the design and construction of drainage and flood control improvements on Marston Lake North Drainageway at Bowles Ditch.

3. The District’s maximum contribution to the Marston Lake North Drainageway at Bowles Ditch project, without prior approval of the Board, shall be $100,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City and County of Denver.

4. Such approval for expenditure of District funds is contingent upon the City and County of Denver agreeing to regulate and control any defined floodplain in the Marston Lake North Drainageway at Bowles Ditch 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. 17, SERIES OF 2018
(Authorization to Participate in Drainage and Flood Control Improvements on Marston Lake North Drainageway at Bowles Ditch, City and County of Denver)

EXHIBIT A
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 18, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements
on Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford Avenue,
City and County of Denver)

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

WHEREAS, the City and County of Denver has enacted floodplain regulations; and

WHEREAS, the City and County of Denver and the District cooperated in the preparation of “Marston Lake North Drainageway Major Drainageway Plan,” dated May 2012; and

WHEREAS, the Board previously authorized $100,000 for the Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford Avenue project (Table 1); and

Table 1
Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford Avenue Previous Authorizations

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Series of</th>
<th>District Authorization</th>
<th>Local Share</th>
<th>Work Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>68</td>
<td>2012</td>
<td>$100,000</td>
<td>$100,000</td>
<td>Design</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$100,000</td>
<td>$100,000</td>
<td></td>
</tr>
</tbody>
</table>

WHEREAS, the City and County of Denver and the District now desire to construct improvements along Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford Avenue (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is $750,000 to at least be matched by the City and County of Denver; 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 Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford 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 Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford Avenue were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 68, Series of 2012, Paragraph 3, is amended as follows:

   “The District’s maximum contribution to the Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford Avenue project without prior approval of the Board shall be $100,000 [**$850,000**] plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by the City and County of Denver.”

2. All other conditions and authorizations remain as stated in Resolution No. 68, Series of 2012.
(SEAL)  

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT  

Date: ______________________  

ATTEST:  

______________________________  ________________________________  
Secretary  Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 18, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford Avenue, City and County of Denver)

EXHIBIT A
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 19, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Newlin Gulch at Heirloom Parkway, 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 “Newlin Gulch Major Drainageway Plan,” dated October 2015; and

WHEREAS, the Board previously authorized $40,000 for the Newlin Gulch at Heirloom Parkway project (Table 1); and

Table 1
Newlin Gulch at Heirloom Parkway
Previous Authorizations

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Series of</th>
<th>District Authorization</th>
<th>Local Share</th>
<th>Work Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>78</td>
<td>2016</td>
<td>$40,000</td>
<td>$40,000</td>
<td>Design</td>
</tr>
</tbody>
</table>

WHEREAS, the Town of Parker and the District now desire to construct improvements along Newlin Gulch at Heirloom Parkway (Exhibit A); and

WHEREAS, the District funds will be transferred from the Cottonwood, Crown Point project to the Newlin Gulch at Heirloom project; and

WHEREAS, the District’s additional participation being authorized by this resolution is $200,000 to at least be matched by the Town of Parker; and

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

WHEREAS, the District has adopted, 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 Newlin Gulch at Heirloom Parkway; 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 Newlin Gulch at Heirloom Parkway were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 78, Series of 2016, Paragraph 3, is amended as follows:
   “The District’s maximum contribution to the Newlin Gulch at Heirloom Parkway project without prior approval of the Board shall be $40,000 $240,000 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. 78, Series of 2016.
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

ATTEST:

Secretary    Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 19, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Newlin Gulch at Heirloom Parkway, Town of Parker, Douglas 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 Centennial and Arapahoe County have enacted floodplain regulations; and

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

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

WHEREAS, the Board previously authorized $4,848,000 for the Piney Creek at Caley Drive project (Table 1); and

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Series of</th>
<th>District Authorization</th>
<th>Local Share</th>
<th>Work Elements</th>
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<td>11</td>
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<td>33</td>
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<td>Design, Right of Way Purchases, and Construction Funding</td>
</tr>
<tr>
<td>66</td>
<td>2010</td>
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<td>$250,000</td>
<td>Design, Right of Way Purchases, and Construction Funding</td>
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<tr>
<td>27</td>
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<td>46</td>
<td>2013</td>
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<td>$7,700,000</td>
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<tr>
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<td>$4,848,000</td>
<td>$12,308,000</td>
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</tr>
</tbody>
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WHEREAS, SEMSWA, the Cherry Creek Basin Water Quality Authority (CCBWQA), and the District now desire to construct improvements along Piney Creek at Caley Drive (Exhibit A); and

WHEREAS, the District’s additional participation being authorized by this resolution is $750,000 to at least be matched by SEMSWA and CCBWQA; 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 Piney Creek at Caley Drive; 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 Piney Creek at Caley Drive were included.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution No. 40, Series of 2006, Paragraph 3, is further amended as follows:
   "The District's maximum contribution to the Piney Creek at Caley Drive project without prior approval of the Board shall be $4,848,000 $5,598,000 plus interest earned on monies deposited in the project fund, which contribution shall be at least matched by Southeast Metro Stormwater Authority and Cherry Creek Basin Water Quality Authority."

2. All other conditions and authorizations remain as stated in Resolution No. 40, Series of 2006.

(SEAL)  
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ______________________

ATTEST:

Secretary  Chairperson
THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

RESOLUTION NO. 20, SERIES OF 2018
(Additional Authorization to Participate in Drainage and Flood Control Improvements on Piney Creek at Caley Drive, City of Centennial and Unincorporated Arapahoe County)

EXHIBIT A
WHEREAS, the United States Army Corps of Engineers Omaha District ("Corps") owns and operates Chatfield Reservoir and Dam. By Contract dated March 1, 1979, the Corps provided storage space to the State of Colorado ("State") to control and manage the use of water stored in the space including and below elevation 5432 feet; and

WHEREAS, by letter of approval and record of decision (ROD) dated May 29, 2014, the Corps authorized the reallocation of an additional 20,600 acre feet of storage space, as determined by the volume between elevation 5,432 feet and elevation 5,444 feet, from the exclusive flood control pool to joint use flood control-conservation purposes, including storage for municipal and industrial water supply, agriculture, environmental restoration, and recreation and fishery habitat protection and enhancement ("Reallocation Pool"); and

WHEREAS, the Department of the Army and the Colorado Department of Natural Resources (CDNR) entered into an agreement dated October 9, 2014, by which CDNR acquired the right to use for water storage purposes the Reallocation Pool storage space referenced above; and

WHEREAS, the State and various water providers along the South Platte River Basin ("Water Providers") negotiated and agreed upon a Fish, Wildlife, and Recreation Mitigation Plan for the Chatfield Reallocation Project, approved by the Colorado Parks and Wildlife Commission on January 9, 2014, pursuant to Section 37-60-122.2, C.R.S., and subsequently approved by the Colorado Water Conservation Board (CWCB) on January 28, 2014, defining the mitigation actions required by the State of Colorado in connection with the Chatfield Reallocation Project ("Mitigation Plan"); and

WHEREAS, Section 4.2.1.2.4 of the Mitigation Plan calls for the creation of an environmental storage space ("Environmental Pool") within the Reallocation Pool for the primary purpose of timed releases to alleviate low flow conditions downstream of Chatfield Reservoir. The Plan proposes that 1,000 acre feet of the Environmental Pool will be acquired by Colorado Parks & Wildlife (CPW), and 600 acre feet will be acquired by the CWCB. The Plan states that CPW will have control over water stored within the Environmental Pool and will have the authority to make releases as it deems appropriate; and

WHEREAS, CDNR entered into agreements with Water Providers by which the right to store water in the Reallocation Pool, as well as the costs of construction and mitigation associated therewith, are allocated to Water Providers. As relevant here, by agreement effective October 16, 2015, CDNR granted to the CWCB the right to use 7,057 acre feet of storage space in Chatfield Reservoir. Additionally, by agreement effective October 16, 2015, CDNR granted to CPW the right to use 1,000 acre feet of storage space in Chatfield Reservoir; and

WHEREAS, the State, Water Providers, and Denver Water entered into an agreement dated October 15, 2015, by which the parties agreed to collaborate to create the Environmental Pool. The parties agreed that CPW would manage the Environmental Pool in accordance with the terms of the Mitigation Plan and that the Environmental Pool would have a maximum volume of 2,100 acre feet, unless enlarged by the mutual consent of all the Parties; and

WHEREAS, currently, only 1,600 of the 2,100 acre feet available storage capacity have been dedicated to the Environmental Pool. The Greenway Foundation and Denver Water have partnered to obtain commitments to fund the remaining 500 acre feet of available storage space, whereby Denver Water has agreed to fund 250 acre feet of the remaining 500 acre feet of storage space for the Environmental Pool so long as the Greenway Foundation successfully obtains funding for the remaining 250 acre feet; and

WHEREAS, increasing the capacity of the Environmental Pool will serve to enhance the flow of the South Platte River during low-flow conditions, which will benefit the public and the environment by improving water quality, enhancing habitat for plant and animal species, and facilitating recreation along the river; and

WHEREAS, District has invested over $50 million in capital improvements and maintenance projects along the South Platte River downstream of Chatfield Reservoir that will benefit from the increases in flow frequency and magnitude the environmental pool will capacitate; and
WHEREAS, the Greenway Foundation has asked the District to contribute $75,000 toward the one-time purchase of 10 acre feet of storage in the Environmental Pool, which monies were included in the 2018 South Platte River Program budget for this purpose.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to enter into agreement with the Greenway Foundation to contribute $75,000 to fund 10 acre feet of storage within the Chatfield Reservoir Environmental Pool. Greenway will subsequently pay $75,000 to the Colorado Water Conservation Board for the purpose of dedicating 10 acre feet of storage capacity to the Environmental Pool.

2. If the Greenway Foundation does not perform its obligations as set forth above, the Greenway Foundation shall return the $75,000 to District within thirty (30) days of request.

3. If the record of decision authorizing the Reallocation Project is overturned pursuant to Audubon Society of Greater Denver v. United States Army Corps of Engineers, case no. 1:14-cv-02749-PAB, the Greenway Foundation shall return the $75,000 to District within thirty (30) days after a final judgment is issued.

(SEAL)

THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Date: ____________________________

ATTEST:

______________________________  ________________________________
Secretary                             Chairperson