



## Legislation Text

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**File #:** ID-55-19, **Version:** 1

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Department of Community Development

**Reference:** Urban Drainage and Flood Control District Intergovernmental Agreement

**To:** Mayor Kenneth J. Kreutzer and Members of City Council

**Through:** Philip A. Rodriguez, City Manager

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**Date Prepared:** February 1, 2019

### STRATEGIC FOCUS AREAS

Recognizable and Well Planned Community

Supportive, Sustainable Infrastructure

Strong Regional Relationships and Partnerships

### PURPOSE

To request City Council approval of an Intergovernmental Agreement (IGA) with Urban Drainage and Flood Control District (UDFCD) for the construction of drainage and flood control improvements to Second Creek ("Project"). This agreement ("Agreement 19-01.21") is required to provide funding to UDFCD for the Project.

### BACKGROUND

Second Creek is a major drainage channel that carries stormwater runoff from the City of Aurora, City of Denver (Denver International Airport), City of Commerce City, Unincorporated Adams County and the City of Brighton. The runoff empties into the South Platte River within Brighton city limits. UDFCD drafted a planning study in November of 2018 to identify the amount of stormwater runoff that is currently tributary to Second Creek and what increase will occur due to major development within the basin. Future land use information was used to determine the future flows.

Second Creek is currently a degraded regional drainage channel that requires restoration and improvements to ensure that it will have capacity to carry current and future flows. It is likely that the current channel would become further degraded with upstream development should said restoration and improvements not be constructed.

A significant portion of Second Creek is located within the Adams Crossing development, currently owned by the Woodbury Corporation. Woodbury Corporation has agreed to fund a conceptual design of what Second Creek will look like using the future flows from the planning study on their property. This conceptual design will layout the channel location, capacity and provide renderings or sketches of the vision for the channel restoration. It is the ultimate goal to provide a regional drainage channel with adequate capacity to ensure safety of citizens, provide a natural habitat for vegetation and wildlife and to provide for recreational opportunities.

The funds received by the City from the developer are placed in a trust account managed by UDFCD with the condition that any money that remains in the account at the close of the Project will be returned or rolled-over to the next

construction phase. The next phase of the project is to begin a final design.

Ultimately, UDFCD's approval of the design and construction of Second Creek will qualify the area for UDFCD's maintenance program, relieving the City and Developer of long-term maintenance of the facility and the associated costs.

**FINANCIAL IMPACT**

The City has received \$28,816 from Woodbury Corporation to fund the current phase of the project. Therefore, there is no financial impact to the City at this time.

**STAFF RECOMMENDATION**

Staff recommends approval of Agreement No. 19-01.21 to continue to engineer a conceptual design for Second Creek following the requirements of the 2018 planning study. Staff is seeking input from the City Council as to whether or not it wishes to move forward with the IGA at a future City Council meeting.

**ATTACHMENTS:**

- Map of Second Creek
- Agreement No. 19-01.21
- Resolution