



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

December 18, 2008

MINUTES

Members Present:

Susan Beckman	Commissioner, Arapahoe County
Jim Congrove	Commissioner, Jefferson County
Jerry DiTullio	Mayor, City of Wheat Ridge
Erik Hansen	Mayor, City of Thornton
Bob Hoffmaster	Engineer
Marcia Johnson	Council Member, City and County of Denver
Peggy Lehmann	Council Member, City and County of Denver
Molly Markert	Mayor Pro Tem, City of Aurora
Nancy McNally	Mayor, City of Westminster
Rebecca McClellan	Mayor Pro Tem, City of Centennial
Andrew Muckle	Mayor, Town of Superior
Bob Murphy	Mayor, City of Lakewood
Alice Nichol	Commissioner, Adams County
Kathleen Novak	Mayor, City of Northglenn
Dave Sellards	Engineer
Nancy Sharpe	Mayor, City of Greenwood Village
Walt Spader	Mayor Pro Tem, City and County of Broomfield

Members Absent:

Cindy Domenico	Commissioner, Boulder County
Jack Hilbert	Commissioner, Douglas County
Chris Nevitt	Council Member, City and County of Denver
Guillermo (Bill) Vidal	Deputy Mayor, City and County of Denver

UDFCD Staff Present:

Paul Hindman	Executive Director
Ed Krisor	Legal Counsel
Bill DeGroot	Manager, Floodplain Management
Mark Hunter	Manager, Design, Construction, and Maintenance
Kevin Stewart	Manager, Information Services and Flood Warning
Dave Bennetts	Assistant Manager, Design, Construction, and Maintenance
Richard Borchardt	Senior Project Engineer, Design, Construction, and Maintenance
Bryan Kohlenberg	Senior Project Engineer, Design, Construction, and Maintenance
Laura Kroeger	Senior Project Engineer, Design, Construction, and Maintenance
David Mallory	Senior Project Engineer, Floodplain Management
Barbara Chongtoua	Project Engineer, Design, Construction, and Maintenance
Shea Thomas	Project Engineer, Master Planning
Sandra Atkins	Administrative Services Manager
James Hutchison	Student Intern

Others Present

Jim Kaiser	City of Thornton
Eric Marburger	MSEC, HR Consultant

1. **Call to Order – 1:00 p.m.**
Chairperson McNally called the meeting to order at 1:00 p.m.
2. **Roll Call - Determination of Quorum**
Roll was called and a quorum was declared present.
3. **Introductions**
 - a. **Swearing in of New Board Members**
No new board members were sworn in.
 - b. **Visitors/Guests**
Paul Hindman introduced James Hutchison a new student intern with the District.
4. **Approval of November 20, 2008 Meeting**
The minutes were approved as submitted.
5. **Public Hearing**
 - a. **Presentation of Proposed 2008 – 2012 Five-Year Capital Improvement Program**
This is the fourth and final presentation of the Five-year Capital Improvement Program (CIP). The CIP was sent to local governments in September asking for comments to be returned to the District. Comments and requests were received from 25 local governments and they have been incorporated into the CIP to the extent possible. All requests cannot be accommodated because there are more requests than there are funds available. The Five-year CIP update was made available to Board members as part of the Board packet on the District website.
The District welcomes CIP requests throughout the year, but the opportunity to change the Five-year CIP is limited once it is adopted. Demand for District participation is strong so it is difficult to add a new project unless another project can be removed or postponed.
Proposed construction expenditures listed in the budget and in the Five-year CIP are now shown as equal. This is typically a temporary situation as there is some necessary flexibility in the funding levels because matching funds from local governments tend to change throughout the year for these large CIP projects. The final Five-year CIP is presented at the December meeting for adoption pursuant to a public hearing.
6. **Consent Agenda**
 - a. **Review of Cash Disbursements**
Cash Disbursement list dated November 2008 was 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. **Adoption of Five Year Capital Improvement Program for 2008–2012 (Resolution No. 71, Series of 2008)**
This item was discussed during the Public Hearing portion of the meeting.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 71 on the Consent Agenda
 - c. **Adoption of 2009 Work Program (Resolution No. 72 Series of 2008)**
The Work Program serves as a guidance document and outlines anticipated maintenance activities and projects for 2009. It is developed by District staff with input from the local government. The Work Program breaks work into three categories:
Routine: Regularly scheduled mowing, debris removal, weed control, and tree thinning.
The intent of Routine is to maintain the health and capacity of drainageways.

Restoration: This involves construction to make small repairs to drainageways such as drop structure repairs, bank protection projects, sediment removal, and revegetation
Rehabilitation: Is the major design and construction projects to rebuild or repair existing drainage facilities. Projects can include drop structures, retaining walls, or bridges.
Preservation: Funds are designated for floodplain preservation.

The 2009 Work Program serves as a guide and , based on changing needs, projects may be added or dropped. It consists of a built-in contingency in each county for unanticipated projects.

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

d. Authorization of 2009 Maintenance Program Expenditures (Resolution No. 73, Series of 2008)

This resolution authorizes the expenditures for the 2009 Maintenance Program discussed in Resolution No. 72.

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

e. Authorization of 2009 Maintenance Expenditures for South Platte River (Resolution No. 74, Series of 2008)

The South Platte River (SPR) Program is similar to the Maintenance Work Program. The Work Program outlines the anticipated Routine and Restoration work items at \$1,000,000. The SPR also has several CIP projects for 2009 and they are listed in the budget approved last month.

There are three anticipated projects which include:

1. UCPV project which include river improvements associated with West Corridor FasTracks improvements
2. Trail bridges at 132nd and 136th
3. Funds for floodplain preservation and co-op projects.

These projects total \$1.4 million dollars and will be brought before the board for adoption similar to other CIP projects.

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

f. Authorization to Update the Urban Storm Drainage Criteria Manual Volume 3 (Resolution No. 75, Series of 2008)

Since 1969 the District has maintained and distributed a two volume Urban Storm Drainage Criteria Manual. In 1993 the District published a third volume in response to the NPDES permit application needs at that time. In 1999 the District hired a consulting engineer and made major revisions to and republished Volume 3. In the 10 years since the last major revision to Volume 3, many technological and philosophical changes have occurred relating to stormwater management and stormwater quality. The District is collaborating with local governments and is prepared to hire a consulting engineer to make the necessary revisions to Volume 3. It is estimated that the update will take 14 months to complete at a cost of \$200,000, which has been included in the 2009 budget.

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

g. Authorization of Funding Support of 2009 Municipal Stormwater Activities (Resolution No. 76, Series of 2008)

For years the District has provided support activities to Phase I municipalities and more recently to the other local governments that fall into the Phase II municipality category with their NPDES (National Pollution Discharge Elimination System) compliance. This resolution will authorize the continued support of these local governments.

Anticipated activities in 2009 include continued support for educating Phase I and Phase II communities by helping them develop information, procedures, data management systems, wet-weather monitoring data and protocols. The District will continue its program of monitoring, research and development of BMPs currently installed (sand filter, extended detention basin, porous pavements) and look for other opportunities as they become available. An amount of \$170,000 has been included in the 2009 budget for NPDES support activities.

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

h. Authorization to Enter Into Agreement with USGS for Rainfall/Runoff Investigation: 10/1/2008-9/30/2009 (Resolution No. 77, Series of 2008)

The District has been part of a cooperative project with the USGS (United States Geological Survey) for the operation and maintenance of the rainfall and runoff data collection program in the metro area. The objective is to develop a long-term database. The USGS provides all services required to operate and maintain the system.

The District has determined that there is no need to continue the collection of peak flow data through USGS, but still has a need to maintain the flow measuring stations on the South Platte River, Clear Creek and Cherry Creek in cooperation with the local sponsors. The District's share is \$45,595 less \$4,240 reimbursed by the Clear Creek Watershed Alliance (CCWA) for a net cost to the District of \$41,355 which is within the amount budgeted and appropriated in 2009 for this purpose.

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

i. Authorization of Funds to Complete Flood Hazard Area Delineation and Letter of Map Revision Studies and Digital Flood Insurance Rate Map Maintenance (Resolution No. 78, Series of 2008)

This resolution is similar to resolutions on this topic that have been adopted over the last several years. The resolution authorizes monies for Flood Hazard Area Delineation (FHAD) and Letter of Map Revision (LOMR) studies. This year we added authorization for Digital Flood Insurance Rate Map (DFIRM) maintenance. The adopted 2009 budget includes a \$375,000 line item for this purpose.

The District typically receives requests from local governments throughout the year for FHAD and LOMR studies. No specific projects have been identified at this time. The District is one of FEMA's Cooperating Technical Partners (CTP) and what is new this year is that we are aware that FEMA has \$44 million in their FY09 appropriation for grants to CTP's to update DFIRM's that are more than 3 years old. That includes Broomfield, Denver, Douglas County and incorporated areas, and Jefferson County and incorporated areas. The FEMA grants will require a 25% local match. Traditionally the District has paid all matching costs for FEMA grants. The District is working with the FEMA regional office to make sure our counties are on this list, but we won't know anything definite until mid-March.

Resolution No. 78 authorizes the Executive Director to spend up to \$375,000 for FHAD and LOMR studies and DFIRM maintenance. It also requires the Executive Director to report the initiation of any such projects to the Board of Directors on a timely basis. In the past the resolution required that new projects be reported at the next Board meeting. And lastly, it requires that the benefitting local governments regulate their floodplains in accordance with National Flood Insurance Program regulations at a minimum.

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

j. Authorization to Obtain Periodic Development Review Service (Resolution No. 79, Series of 2008)

The District has budgeted \$35,000 for 2009 for outside help with development reviews. We have been using outside help since 2002. Referrals continue to come in despite the weak economy. This is an efficient way to stay on top of the referrals.

The District has typically reviewed 200 to 250 plan submittals each year. The maintenance eligibility program is very popular with many of our local governments, and those referrals usually require 3-4 reviews before a project is approved. At any given time there are 120-150 projects approved for construction. The temporary contractor helps primarily with the office review of maintenance eligibility referrals.

Resolution No. 79 authorizes the Executive Director to execute an agreement with a qualified consultant for review services to assist District staff in the review of proposed major drainageway plans and limits the costs not to exceed \$35,000 for this purpose in 2009.

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

k. Authorization of 2009 Maintenance Expenditures to Assist Local Governments in Maintaining Existing Flood Warning Systems (Resolution No. 80, Series of 2008)

The District implemented its first early flood detection network in 1978 when automated rain and stream gages were installed in the Boulder Creek drainage basin. This network now includes over 200 stations and the data from this ALERT System is used extensively by local public works and emergency management agencies, our flood prediction program meteorologists, the National Weather Service, local news media, and many others including the general public. ALERT is an acronym that stands for Automated Local Evaluation in Real-Time.

For the past 30 years, the District has assisted local governments with maintaining the ALERT System. Maintenance activities include:

- Activation of gages prior to the flood season
- Preventative maintenance during the operational season between April 15 and September 15
- Fall shutdown and removal of electronic equipment
- Winter storage of equipment
- Year-round maintenance for weather stations, repeaters and base stations
- Year-round maintenance for stream gages on the South Platte River, Sand Creek, Cherry Creek, Bear Creek, Boulder Creek, South Boulder Creek and a few other stormwater quality monitoring sites

The ALERT System currently consists of 8 repeaters, 178 rain gages, 90 stream gages, 21 weather stations, and 6 base stations.

The District maintains the largest portion of this network, while Boulder County, Douglas County and the Aurora Water Department maintain stations that are outside the District's area of interest. The District also maintains data receiving equipment for 4 base stations located at The Consolidated Mutual Water Company in Lakewood (Lena Gulch), Denver Wastewater Management Division, the District's main office and at the District Flood Prediction Center on the third floor. Two other base stations are located in Boulder and Douglas Counties.

The approved budget for 2009 is \$20,000 more than this year to provide for four new gaging stations installed in 2008 (3 combination rain/stream gages – 2 on Piney Creek in Aurora and 1 on Cherry Creek south of Parker; 1 rain gage located in the Lakewood Gulch drainage basin at the Lakewood Country Club). A new multi-sensor weather instrument is also planned for installation at NCAR's precipitation research test site near Marshall in Boulder County.

Activation services need to start early in 2009 in order for the system to be fully operational by April 15 when our flood prediction services begin. Resolution No. 80 will authorize \$310,000 from the Maintenance Program for maintaining the ALERT system and other related components of the District's flood warning program.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 80 on the Consent Agenda

i. Authorization to Establish an Areawide Meteorological Support Service to Local Governments (Resolution No. 81, Series of 2008)

The District's flash flood prediction program was first established by the District in 1979. It operates in cooperation with the National Weather Service and has been serving the District for the past 30 consecutive years. It was originally developed in response to the 1976 Big Thompson Canyon flash flood where over 140 people lost their lives.

The services of a private meteorologist are required to provide forecasts of potential flood threats, interpret radar and other weather data when storms develop, and keep local governments informed as conditions change. The District's ALERT system is used by the meteorologist along with radar and satellite data in making forecasts. The program supports basin flood warning plans for Boulder Creek, Lena Gulch and Bear Creek in Jefferson County; Ralston Creek in Arvada; Goldsmith/Harvard Gulch in Denver; Toll Gate Creek in Aurora; and Westerly Creek in Denver/Aurora. The program operates during the flood season from mid-April through mid-September.

Resolution No. 81 authorizes \$95,000 from the General Fund to provide weather forecasts and flood predictions to local governments in 2009. The resolution also authorizes an additional \$35,600 for acquiring radar and satellite data, and for other operating costs.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 81 on the Consent Agenda

m. Authorization to Participate in Drainage and Flood Control Improvements on Brantner Gulch at Holly Street (Resolution No. 82, Series of 2008)

This is a joint project with the City of Thornton. The City desires to design and construct improvements to Brantner Gulch in accordance with the "Lower Brantner Gulch Major Drainageway Planning Update" dated January 2005. The project includes formalizing detention facilities, installing larger box culverts, and improving maintenance access. 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 has been selected. The District and the City of Thornton also desire to construct the improvements which will be managed by the District. The District and the City of Thornton have identified \$950,000 in initial project costs for the design, right-of-way acquisition, and partial funding of construction with the District's share being \$475,000 in 2009 funds. Resolution No. 82 authorizes \$475,000 of District funds to at least be matched by the City of Thornton for the design, property acquisition, 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. 82 on the Consent Agenda

n. Authorization to Participate in Drainage and Flood Control Improvements for Two Maintenance Access Bridges on South Platte River in Adams County (Resolution No. 83, Series of 2008)

This is a joint project with Adams County. Adams County desires to construct two bridges across the South Platte River. The project includes improving maintenance access and recreational use along the South Platte River. Adams County already holds the necessary easements and right-of-way where the projects will be carried out. Adams County will be administering the design. The District and Adams County desire to construct the improvements which will be managed by Adams County. The District and Adams County have identified \$1,700,000 in total project costs for the construction of the two bridges. The bridge at 132nd Avenue extended is estimated to cost \$1,000,000 with the District's share being \$150,000 from 2009 funds. The bridge at 106nd Avenue extended is estimated to cost \$700,000 with the District's share being \$150,000 from 2009 funds. Resolution No. 83 authorizes \$300,000 (\$150,000 for each bridge) of District funds to at least be matched by Adams County for the construction of the maintenance access bridges.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 83 on the Consent Agenda

o. Authorization to Accept a Maintenance Access and Flowage Easement on South Platte River in Adams County between Master Plan Stations 205+00 and 212+00 from Aggregate Resources (Resolution No. 84, Series of 2008)

This is a joint effort with Adams County. The acceptance of this 3.4 acre easement will connect to existing maintenance access and flowage easements on the South Platte River. This easement will allow much improved access for future construction of bank protection and a maintenance access/ recreational trail. No acquisition costs are associated with this easement.

Resolution No. 84 authorizes the Executive Director to execute the necessary documents and to accept for the District an approximately 3.4 acre maintenance access and flowage easement on the west bank of the South Platte River at approximately 146th Avenue extended.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 84 on the Consent Agenda

p. Authorization to Participate in Drainage and Flood Control Improvements on Oak Hills Tributary at Horizon Trail, City of Castle Pines North (Resolution No. 85, Series of 2008)

This is a joint project with the City of Castle Pines North. The City of Castle Pines North desires to design and construct improvements to Oak Hills Tributary to Happy Canyon Creek in accordance with the "Happy Canyon Creek Watershed Outfall Systems

Planning Study” dated August 1993. The project includes a sculpted concrete drop structure and channel stabilization both upstream and downstream of the drop structure.

The City of Castle Pines North already holds the necessary easements and right-of-way where the project will be carried out. The City of Castle Pines North is administering the design with Muller Engineering. The District and the City of Castle Pines North desire to construct the improvements which will be managed by the District.

The District and the City of Castle Pines North have identified \$160,000 in total project costs for the construction with the District’s share being \$80,000 in 2009 funds. Resolution No. 85 authorizes \$80,000 of District funds to at least be matched by the City of Castle Pines North for the construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 85 on the Consent Agenda

q. Authorization to Participate in Drainage and Flood Control Improvements on North Sanderson Gulch, Downstream of Pierce Street (Resolution No. 86, Series of 2008)

This is a joint project with the City of Lakewood. The City of Lakewood desires to design and construct improvements to North Sanderson Gulch in accordance with the “Sanderson Gulch and Weir Gulch Master Drainageway Plan” dated August 1972. The project includes open channel stabilization, drop structure construction, and access trail and crossing improvements. The work also includes modifying an existing non-detention pond which in turn is expected to remove five properties from the floodplain. A letter of map revision (LOMR) will be part of the design work. The City of Lakewood already holds the necessary easements and right-of-way where the project will be carried out.

The City of Lakewood is administering the design. The District and the City of Lakewood desire to construct the improvements which will be managed by the District. The District and the City of Lakewood have identified \$400,000 in initial project costs for the design, and partial funding of construction with the District’s share being \$200,000 from 2009 funds. Resolution No. 86 authorizes \$200,000 of District funds to at least be matched by the City of Lakewood 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. 86 on the Consent Agenda

r. Authorization to Participate in Drainage and Flood Control Improvements on Newlin Gulch, Upstream of Jordan Road (Resolution No. 87, Series of 2008)

This is a joint project with Douglas County. Douglas County desires to design and construct improvements to Newlin Gulch, a tributary to Cherry Creek, in accordance with the “Newlin and Baldwin Gulches and Basin 4600-09 Outfall Systems Planning Study” dated December 1994. The project includes improvements to five existing structures to upgrade them to sculpted concrete drop structures.

Douglas County already holds the necessary easements and right-of-way where the project will be carried out. Douglas County is administering the design. The District and Douglas County also desire to construct the improvements which will be managed by the District. Construction is expected in 2010. The District and Douglas County have identified \$300,000 in initial project costs for the design and partial funding of construction with the District’s share being \$150,000 in 2009 funds. Resolution No. 87 authorizes \$150,000 of District funds to at least be matched by Douglas County for the design and construction of the drainage elements of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 87 on the Consent Agenda

s. Recognition of Mayor Pro Tem Molly Markert's Contribution to the District (Resolution No. 88, Series of 2008)

Mayor Pro Tem Markert has been an active Board member since she was appointed to represent the City of Aurora in December 2007. The Board thanked Mayor Pro Tem Markert for her contributions to the Board.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 88 on the Consent Agenda

t. Recognition of Commissioner Jim Congrove's Contribution to the District (Resolution No. 89, Series of 2008)

Commissioner Congrove has been an active Board member since he was appointed to represent Jefferson County in February 2006. The Board thanked Commissioner Congrove for his commitment and contributions to the Board.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 89 on the Consent Agenda

7. Vote on Approval of the Consent Agenda

It was the consensus of the Board that Resolutions No. 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 89 Series of 2008, and Cash Disbursements for November 2008 be placed on the Consent Agenda. Mayor Novak moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

8. Executive Session – Executive Director's 2009 Compensation (Pursuant to 24-6-402 (4) (f)(I) C.R.S.)

It was moved and seconded that the Board move into an Executive Session to discuss the Executive Director's 2009 staff compensation.

9. Executive Director's 2009 Compensation (Resolution No. 90, Series of 2008)

Council Member Lehmann moved to increase the Executive Director's compensation by 3% for the 2009 calendar year. The Board also approved a \$400 annual car expense allowance and one additional week of vacation for the Executive Director. Upon a roll call vote the motion was passed unanimously.

10. Reports/Discussion

a. FHAD and LOMR Expenditures

Resolution No. 95, Series of 2007 authorized the Executive Director to expend the \$300,000 in the Flood Hazard Area Delineation budget for 2008, as well as any funds received from cooperating entities, or FEMA for the completion of Flood Hazard Area Delineation Studies, Letter of Map Revision Studies and/or DFIRM conversion projects. The Executive Director is required to report project initiation to the Board.

For the second half of the year we have initiated the following projects:

Big Dry Creek (ADCO) FHAD	\$ 80,000
Advance LOMC expenses	\$ 30,000
Arapahoe County DFIRM Additional	\$ 1,871

Total since July 1, 2008	\$111,871
Total for 2008	\$292,716

- b. **Amendment 54**
As a result of the pass of Amendment 54, the District will post on the District's web page a list of possible "contract holders" that may receive a "sole source contract" from the District in calendar year 2009.

11. Other Business

Mr. Hindman distributed the Executive Director's Monthly Report to the Board. There was no discussion.

12. New Business

- a. **Appointment of 2009 Nominating Committee**
Chairperson McNally asked for volunteers to serve on the 2009 Nominating Committee. Mayor Novak, Mayor Muckle and Council Member Johnson agreed to serve on the committee.

13. Announcements

Next Regularly Scheduled Meeting: **Annual Board Meeting - Monday, February 2, 2009.**
The Board does not meet in January

Chairperson McNally reminded the Board that it does not meet in January and that the next meeting would be the annual meeting on Monday, February 2, 2009.

14. Adjournment

Chairperson McNally adjourned the meeting at 2:15 p.m.