



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

Friday, February 1, 2008

MINUTES

Members Present:

Susan Beckman	Commissioner, Arapahoe County
Jim Congrove	Commissioner, Jefferson County
Jack Hilbert	Commissioner, Douglas County
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
Andrew Muckle	Mayor, Town of Superior
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:

Jerry DiTullio	Mayor, City of Wheat Ridge
Todd Miller	Mayor Pro Tem, City of Centennial
Bob Murphy	Mayor, City of Lakewood
Chris Nevitt	Council Member, City and County of Denver
Alice Nichol	Commissioner, Adams County
Guillermo (Bill) Vidal	Deputy Mayor, City and County of Denver

UDFCD Staff Present:

David Lloyd	Executive Director
Ed Krisor	Legal Counsel
Paul Hindman	Manager, Design, Construction and Maintenance
Mark Hunter	Manager, Design, Construction and Maintenance
Kevin Stewart	Manager, Information Services and Flood Warning
Ben Urbonas	Manager, Master Planning
Dave Bennetts	Senior Project Engineer, Design, Construction and Maintenance
Richard Borchardt	Senior Project Engineer, Design, Construction and Maintenance
Laura Kroeger	Senior Project Engineer, Design, Construction and Maintenance
Ken Mackenzie	Senior Project Engineer, Design, Construction and Maintenance
Derrick Schauer	Information Systems Technician, Information Services and Flood Warning
Jeff Fisher	Senior Construction Manager, Design, Construction and Maintenance
Frank Dobbins	Director, Finance and Accounting
Sandra Atkins	Administrative Services Manager

Others Present:

Dean Johnson, Johnson, Holscher & Company, P.C
Eric Marburger, Mountain States Employers Council

I OPEN MEETING

.1 Preliminary

.1 Call To Order

The meeting was called to order by Chairperson Pro Tem Nancy McNally.

.2 Roll Call - Determination of Quorum

Roll was called and a quorum was declared present.

.3 Approval of December 20, 2007 Meeting Minutes

It was moved and seconded to approve the minutes as submitted.

.2 Appointment of Director and Election of Officers

.1 Appointment of Professional Engineer to Board of Directors (Resolution No. 1, Series of 2008)

Mr. Lloyd noted that Mr. Sellards has served on the Board since February 2006 as one of two professional engineers appointed by the Board. Mr. Sellards indicated he is interested and willing to serve another two-year term. This resolution would reappoint Mr. Sellards to a two-year term through January 31, 2010.

It was moved and unanimously approved to reappoint Mr. Sellards to the Board of Directors

.2 Election of Officers

Mayor Sharpe, as Chairperson of the Nominating Committee, stated that the Nominating Committee, which included Council Member Lehmann and Mr. Sellards, recommended the following slate of candidates for 2008 officers:

Chairperson:	Nancy McNally
Chairperson Pro-Tem:	Susan Beckman
Treasurer:	Peggy Lehmann
Secretary:	Alice Nichol
Member-at-large	Dave Sellards

On a motion by Mayor Novak and second by Mayor Muckle the motion was passed unanimously to accept the slate of officers as recommended by the Nominating Committee.

3. General Business Items

.1 Presentation of 2007 Audit by Johnson, Holscher & Company, P.C., Certified Public Accountants and Consultants

Mr. Lloyd noted that Johnson, Holscher & Company, P.C., Certified Public Accountants and Consultants were selected in 2006 to be the District's auditor for 2006, 2007 and 2008. They have completed their audit of the District for the 2007 calendar year. Mr. Lloyd commended the auditors as well as District staff (Frank Dobbins and Darla Reeves) for completing the audit within one month after the end of the year. A copy of the report was distributed to the Board members at the meeting.

Mr. Lloyd introduced Dean Johnson, Johnson, Holscher & Company, P.C. Mr. Johnson provided a briefing of the audit covering the balance sheet, financial statement and special revenue funds. A copy of the Management Letter to the Board was distributed to all Board members.

There were no questions at this time. Mr. Lloyd noted that Mr. Johnson would be available to answer questions again at the March meeting when the audit report will be considered for adoption.

.2 Authorization to Enter Into Agreement For Search Support for Executive Director's Position (Resolution No. 2, Series of 2008)

Mr. Lloyd stated that in January he sent a letter to the Board announcing his retirement in July 2008. In the letter he indicated that he would ask Eric Marburger, Mountain States Employers Council (MSEC), to present a proposal for conducting the search for the Executive Director position. Mr. Marburger has provided services to the District in the past in regard to salary surveys and has extensive experience in conducting similar executive searches. This

resolution authorizes \$14,100 for MSEC's work, advertising, and any costs associated with recruiting candidates for interviews.

There was some discussion regarding the job description, qualifications of the position and the salary range, which would be determined by a review of the Executive Search Committee. A suggestion was made that the distance of the candidate's residency might be a consideration of employment for this position. It was the consensus of the Board that the Executive Committee will serve as the Executive Search Committee with the full Board invited to participate in each interview.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 2 on the Consent Agenda.

.3 Authorization to Participate in Drainage and Flood Control Improvements on Arvada Channel, City of Wheat Ridge (Resolution No. 3, Series of 2008)

This is a joint project with the City of Wheat Ridge. Laura Kroeger, the District's Sr. Project Engineer, is managing this project in conjunction with Mark Westberg, Projects Supervisor with the City of Wheat Ridge.

The City wishes to design and construct drainage and flood control improvements along Arvada Channel in accordance with the "Outfall Systems Planning, Columbine Basin" plan. The project includes installation of closed conduit improvements along Arvada Channel from Miller Street to Oak Street.

The District will be administering the design and construction and has identified \$400,000 in initial project costs for the construction with the District's share being \$200,000.

Resolution No. 3 authorizes \$200,000 of District funds to be matched by the City of Wheat Ridge for the design and construction of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 3 on the Consent Agenda.

.4 Additional Authorization to Participate in Improvements to the Sun Valley and Zuni Reaches of the Upper Central Platte Valley Project in Denver (Resolution No. 4, Series of 2008)

The District and the City and County of Denver have been working on the restoration of a segment of the South Platte River between Lakewood Gulch (South of Colfax) and 8th Avenue. The proposed improvements are based on a preliminary design completed by McLaughlin Water Engineers, Inc. for the District and Denver in 1998, and are now being further refined by Matrix Design Group under a design agreement with the District on behalf of Denver. The total project costs are estimated to be approximately \$30,000,000.

Due to the Corp of Engineers' inability to fund and complete the final design and construction in a timely manner, Denver and the District wish to continue with the final design and the construction of improvements for this project without reliance on the Corps' participation. If however, the Corps can financially participate in the future, Denver and the District will cooperate in the Corps' funding process to help lessen the burden on Denver and the District.

This authorization is for an additional \$1,000,000 of the District's South Platte River funds, which brings the District's total contribution to \$5,800,000 with Denver's match of approximately \$8,700,000 bringing the total local share to \$14,500,000. This project will help to mitigate some of RTD's problems in bridging over the South Platte River and will remove a large area of the Central Platte Valley from the 100-year floodplain, both of which are vital to RTD's FasTracks West Corridor Project. In addition the project gives Denver credit toward their local FasTracks participation.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 4 on the Consent Agenda.

.5 Additional Authorization to Participate in Drainage and Flood Control Improvements Along Southwood Village Outfall, City of Centennial, acting through Southeast Metro Stormwater Authority (Resolution No. 5, Series of 2008)

This is a joint project with the City of Centennial, acting through Southeast Metro Stormwater Authority (SEMSWA). Rich Borchardt, the District's Sr. Project Engineer, is managing this project in conjunction with Quang Nguyen, CIP Project Manager with SEMSWA.

Olsson Associates designed the project under contract with the District. The majority of the project includes installation of a storm sewer carrying neighborhood storm flows to Big Dry Creek. The final design is now complete and SEMSWA and the District wish to construct the drainage and flood control improvements.

The project has been publically bid and the District and SEMSWA have identified \$1,220,000 in total project costs with the District's share being \$470,000. The previous authorization in 2007 was for \$200,000 to fund the design and partially fund construction.

Resolution No. 5 authorizes an additional \$270,000 of District funds to at least be matched by SEMSWA for the design and construction of the drainage aspects of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 5 on the Consent Agenda.

.6 Additional Authorization to Participate in Drainage and Flood Control Improvements on the City Park Drainage, Lower Reach, City of Westminster (Resolution No. 6, Series of 2008)

This is a joint project with the City and County of Broomfield and the City of Westminster. Cindy Thrush, the District's Sr. Project Engineer, is managing this project in conjunction with Nancy Arthur, Project Manager with the City and County of Broomfield and Dave Loseman with the City of Westminster.

CH2M Hill designed the project under contract with the District. The majority of the project includes installation of channel improvements and closed conduits to transfer water flows safely under West 120th Avenue.

The final design is now complete and the City and County of Broomfield, the City of Westminster and the District wish to construct the improvements. The District has identified \$1,800,000 in total project costs with the District's share being \$900,000. The previous authorization in 2007 was for \$600,000 to fund design and partially fund construction.

Resolution No. 6 authorizes an additional \$300,000 of District funds to at least be matched by the City and County of Broomfield and the City of Westminster for design and construction of the drainage aspects of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 6 on the Consent Agenda.

.7 Additional Authorization to Participate in Drainage and Flood Control Improvements on Piney Creek at Caley Avenue (Resolution No. 7, Series of 2008)

This is a joint project with the City of Centennial, acting through Southeast Metro Stormwater Authority (SEMSWA). Rich Borchardt, the District's Sr. Project Engineer, is managing this project in conjunction with Steve Gardner, Director of Operations with SEMSWA.

Ayres Associates designed the project under contract with the District. The majority of the project includes installation of a bridge across Piney Creek at Caley Avenue along with channel improvements and drop structures. The final design is now complete and SEMSWA and the District wish to construct the improvements.

The District and SEMSWA have identified \$1,300,000 in total project costs with the District's share being \$650,000. The previous authorization in 2007 was for \$400,000 to fund design and partially fund construction.

Resolution No. 7 authorizes an additional \$250,000 of District funds to at least be matched by SEMSWA for the design and construction of the drainage aspects of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 7 on the Consent Agenda.

.8 Additional Authorization to Participate in Drainage and Flood Control Improvements for Cherry Creek, County Line to Cottonwood Drive (Resolution No. 8, Series of 2008)

This is a joint project with the Town of Parker. Laura Kroeger, the District's Sr. Project Engineer, is managing this project in conjunction with Tom Williams, Stormwater Project Manager with the Town of Parker.

Ayres Associates designed the project under contract with the District. The majority of the project includes installation of drop structures along Cherry Creek. Phase 1 of the project has been completed and the Town of Parker and the District wish to construct Phase 1A which includes some modifications to the drops installed in Phase 1.

The project has been bid and the District and the Town of Parker have identified \$2,100,000 in total project costs with the District's share being \$1,050,000. The previous authorization in 2006 was for \$900,000 to fund design and partially fund construction.

Resolution No. 8 authorizes an additional \$150,000 of District funds to at least be matched by the Town of Parker for design and construction of the drainage aspects of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 8 on the Consent Agenda.

.9 Acceptance of Lena Gulch (Lower) Major Drainageway Planning Study (Resolution No. 9, Series of 2008)

In 1975, the District in cooperation with the City of Wheat Ridge, City of Golden, City of Lakewood and Jefferson County published a "Lena Gulch Master Drainage Plan" prepared by Wright McLaughlin Engineers, and many of its recommendations were implemented. In 1994, the District in cooperation with the City of Golden, City of Lakewood and Jefferson County published a "Major Drainageway Planning Report for Upper Lena Gulch" for reaches upstream of the Maple Grove Reservoir. Resolution 14, Series of 2006, authorized a planning project to update the 1975 report for the reaches downstream of the Maple Grove Reservoir.

George K Cotton Consulting, Inc. was selected by the District and the City of Wheat Ridge to perform the study and the "Phase A: Alternatives Evaluation Report" which was completed in 2007. The Phase B report for this major drainageway study based on the alternative selected by the project sponsors has now been completed.

Resolution No. 9 accepts the report titled "Major Drainageway Planning, Phase B: Conceptual Preliminary Design Report for Lena Gulch (Lower)", dated November 2007 and recommends that all the drainageway and flood control facilities and practices recommended by the report be used as a guide in future drainage and flood control projects and in land development activities.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 9 on the Consent Agenda.

.10 Acceptance of Flood Hazard Area Delineation Report for Lower Lena Gulch (Resolution No. 10, Series of 2008)

This FHAD was completed by George Cotton Consulting, Inc. in conjunction with a master planning study for Lower Lena Gulch. Funding came from the Master Planning and Floodplain Management Programs. The local governments are the cities of Wheat Ridge and Lakewood. The FHAD covers Lena Gulch from Clear Creek upstream to Maple Grove Reservoir.

This resolution accepts the report and recommends its use as a guide in future planning related to the floodplain. It also recommends that the local governments adopt the report and regulate the 100-year floodplains defined in the report. The report further directs that the report be submitted to the Colorado Water Conservation Board for designation and approval of the 100-year floodplain as flood hazard areas. Copies of the report were available for the Board.

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

**.11 Designation of Public Place for Posting of Meeting Notices
(Resolution No.11, Series of 2008)**

It is required by the Colorado Open Meeting Law that the District annually designate the location for posting of meeting notices. The District designates the window area adjacent to the main entrance to the District offices at 2480 W. 26th Avenue, Suite 156B, Denver, Colorado as the public place for posting of meeting notices.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 11 on the Consent Agenda.

.12 Approval of 2008 Automobile Reimbursement Rates (Resolution No. 12, Series of 2008)

Mr. Lloyd explained that driving throughout the metro area is a requirement of District engineering staff because of the nature of their work. Engineers and Inspectors are in the field on a daily basis. There is also frequent coordination work with local governments and consultants. Instead of the District owning vehicles, it is a condition of employment that employees are required to own and drive their own vehicle. It would be necessary for the District to own 10 vehicles to provide equivalent capability.

It has been the District's policy to reimburse the employee at a rate as close to actual costs as possible. This policy enables the District to not have to provide vehicles and it seems to be a fair arrangement for both the employee and the District. It has also been the District's policy to request the Board to review the rate each year and to make adjustment if necessary to reflect actual costs. This is not a benefit, but a fair reimbursement for the use of employees' vehicles. This method has been a very cost effective approach and the District does not have to deal with the problems associated with owning, maintaining, housing, managing and assigning the use of several vehicles.

Mr. Lloyd noted that his analysis of current driving costs was compared to the Automobile Association of America (AAA) analysis of driving costs. The same information is obtained each year so it is a good measure of change. AAA's estimates for the year range from 43¢/mile to 59¢/mile. Based on these estimates Mr. Lloyd recommended a 55¢/mile automobile reimbursement rate for 2008 which is .03¢ more than 2007. Miles driven per employee in 2007 ranged from 85 miles to 13,600 miles.

Dave Sellards moved to accept the 55¢/mile automobile reimbursement rate recommended by Mr. Lloyd. Upon a roll call vote the motion was passed unanimously. The resolution went forward to the consent calendar with the 55¢/mile rate.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 12 on the Consent Agenda.

.13 Summary of 2007 Budget Based on Year-End Actual Revenues and Expenditures – Discussion

Mr. Lloyd stated that this budget analysis compares 2007 year-end actuals with budgeted amounts. The District was within budget on all major expenditure categories. On the revenue side, total tax revenues were very close to the budgeted amount. Interest revenue was over significantly in all the funds as we continued to experience fairly flat interest rates last year.

.14 Summary of Potential Litigation, Claims, or Assessments – Discussion

Mr. Lloyd commented that as part of the annual audit, District's legal counsel prepares a summary of pending or threatened litigation, claims and assessments. Mr. Krisor referred to his letter to the auditors dated January 21, 2008, which was mailed to the Board members for

their review. Mr. Krisor stated that his letter indicated one Governmental Immunity Notice, but it has been resolved thanks to the efforts of the District staff. As a result there are no pending or threatened litigation, asserted claims or assessments against the District.

4. Other Business

Dave Lloyd introduced, Derrick Schauer, who was recently hired as the Information Systems Technician for the Information Services and Flood Warning Program. Derrick has been working for the District under contract, but it was determined last year that it would be to the District's benefit to make the position a full time permanent position.

.1 Review of Cash Disbursements

Cash Disbursement lists dated December 2007 and January 2008 were distributed to the Board for review.

There being no further comments or questions it was the consensus of the Board that Resolutions No. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, and Cash Disbursements for December 2007 and January 2008 be placed on the Consent Agenda. Council Member Lehmann moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

.2 Benefits Committee

Mr. Lloyd mentioned that the Benefits Committee would be meeting in March with assistance from MSEC and Eric Marburger. The eight member committee would be composed of Board members and District employees.

.3 Selection Committee - Master Planning Program Manager

Dave Sellards reported on the selection process to replace Ben Urbonas who will be retiring in April 2008. In December 2007, the Board directed that the Executive Director open the application process to District staff. The committee consisting of Dave Sellards, Kevin Stewart, UDFCD, and Leslie Thomas, City and County of Denver, interviewed two candidates, Ken MacKenzie and Cindy Thrush on January 31, 2008. Mr. Sellards stated that both applicants provided exceptional interviews. Based on knowledge, skills and personal experience with all aspects of the Master Planning Program, the committee recommended Ken MacKenzie for the position. Mr. Sellards further commented that the committee appreciated Ms. Thrush's interest in pursuing the position. He also thanked Kevin Stewart and Leslie Thomas for participating in the interview process.

.4 Next regularly scheduled meeting - March 20, 2008

Chairperson McNally reminded the Board that the next meeting is scheduled for Thursday, March 20, 2008.

5. Adjournment

The meeting was adjourned at 2:15 p.m.