



BOARD OF DIRECTORS

Thursday, May 15, 2008
MINUTES

Members Present:

Susan Beckman	Commissioner, Arapahoe County
Jim Congrove	Commissioner, Jefferson County
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:

Jerry DiTullio	Mayor, City of Wheat Ridge
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:

David Lloyd	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	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
Shea Thomas	Project Engineer, Master Planning
Mike Sarmento	Senior Construction Manager, Design, Construction and Maintenance
Frank Dobbins	Director, Finance and Accounting
Sandra Atkins	Administrative Services Manager

Others Present:

Jim Kaiser	City of Thornton
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I OPEN MEETING

1. Preliminary

.1 Call To Order

Chairperson McNally called the meeting to order at 1:15 p.m.

.2 Swearing In

Ed Krisor, Legal Counsel, administered the Oath of Office to Erick Hansen, Mayor, City of Thornton and Rebecca McClellan, Mayor Pro Tem City of Centennial.

.2 Roll Call - Determination of Quorum

Roll was called and a quorum was declared present.

.3 Approval of April 17, 2008 Meeting Minutes

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

II EXECUTIVE SESSION

1. Personnel Matter –Search for and hiring of an Executive Director

[24-6-402(4)(f)(I) and (3.5) C.R.S.]

There was a motion and second to go into Executive Session to discuss this item.

III OPEN MEETING (Following Conclusion of the Executive Session)

2. General Business Items

.1 Employment of New Executive Director (Resolution No. 36, Series of 2008)

Dave Lloyd advised the Board in January 2008 that he would retire effective July 11, 2008. The Board appointed an Executive Search Committee consisting of the Executive Committee. Advertisements were placed in newspapers in Denver, Colorado Springs, Ft. Collins, Grand Junction, Albuquerque, Phoenix, and Salt Lake City as well as in professional publications and on the Monster.com website. The Executive Search Committee reviewed applications and selected four applicants to be interviewed by the Committee. One applicant was from California (who later withdrew from consideration), one from Colorado and two were current employees of the District. After an in depth interview with three applicants, it was the unanimous consensus of the Executive Search Committee to recommend to the Board that Paul A. Hindman, a current District employee be offered the position of Executive Director. The Board concurred with this recommendation and Mr. Hindman was offered employment as the new Executive Director of the District effective July 1, 2008.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 36 on the Consent Agenda.

.2 Recognition of Contribution to District of Mayor Pro Tem Miller (Resolution No. 37, Series of 2008)

Mayor Pro Tem Miller has been an active Board member since he was appointed to represent the City of Centennial in February 2007. His term as Mayor Pro Tem has expired and he attended his last board meeting in December 2007. Mr. Lloyd will deliver a recognition plaque to Mayor Pro Tem Miller for his service to the Board.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 37 on the Consent Agenda.

.3 Authorization to Participate in Drainage and Flood Control Improvements On Irondale Gulch, Kenwood Outfall in Adams County (Resolution No. 38, Series of 2008)

This is a joint project with Adams County. David Bennetts, the District's Senior Project Engineer, is managing this project in conjunction with Mark Omoto, Civil Engineer with Adams County. The County desires to design and construct improvements on the Kenwood Outfall in accordance with the "Irondale Gulch and DFA 0055 Stormwater Outfall Systems Plan" dated May 1990. The project includes installation of closed conduit improvement on Kenwood Outfall from the Dahlia Pond to Lakewood Street.

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

Resolution No. 38 authorizes \$200,000 of District funds to be matched by Adams County for the construction of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 38 on the Consent Agenda.

.4 Authorization to Utilize the Powers of Eminent Domain in Regard to the Acquisition of Rights-of-Way on Lakewood Gulch at Wolff Street in Denver (Resolution No. 39, Series of 2008)

This is a joint project with the City of Denver. David Bennetts, the District's Senior Project Engineer, is managing this project in conjunction with Tom Blackman, Project Manager with the City of Denver.

Kiowa Engineering designed the project under contract with the City of Denver. The project includes open channel improvements to Lakewood Gulch and a new bridge crossing at Wolff Street. The City of Denver will construct the project and fund the improvements. The final design is now complete and Denver and the District desire to construct the improvements. Rights-of-way needed for the project have been identified and the City and County of Denver and the District have attempted to obtain subordination agreements with the holders of deeds of trust on properties where a purchase price, agreeable to the owner of that property, has been negotiated.

However, due to any number of reasons including the mortgage loan crisis, those holders of deeds of trust either do not respond to such request or their response, if any, most likely will be months away and when received may not be positive. Due to other construction taking place in the vicinity, it is imperative that the acquisition of all necessary rights-of-way be completed as soon as possible.

The most prudent use of project funds as well as staff time is to pursue an eminent domain action in those cases where an agreement has been reached with the owner of property as to the purchase price for the right-of-way, but there exist liens (including deeds of trust) which would have priority over any easement obtained by the City and County of Denver and District. Resolution No. 39 authorizes the District to utilize powers of eminent domain, as needed, to acquire the right of way necessary to construct the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 39 on the Consent Agenda.

.5 Authorization to Participate in Drainage and Flood Control Improvements on Happy Canyon Creek at Surrey Ridge, Douglas County (Resolution No. 40, Series of 2008)

This is a joint project with Douglas County. Laura Kroeger, the District's Sr. Project Engineer, is managing this project in conjunction with Brad Robenstein, Project Supervisor for Douglas County. The County desires to design and construct improvements along Happy Canyon in accordance with the "Outfall Systems Planning, Happy Canyon Creek Watershed". The project includes design of grade control structures and bank stabilization. This project will include the reach from Surrey Road to the confluence of the Beverly Hills Tributary.

The District will be administering the design and construction and has identified \$150,000 in initial project costs for the design with the District's share being \$75,000. Resolution No. 40 authorizes \$75,000 of District funds to be matched by Douglas County for the design of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 40 on the Consent Agenda.

.6 Authorization to Participate in Drainage and Flood Control Improvements on Cottonwood Creek – North of Caley Avenue and Lima Street (Resolution No. 41, Series of 2008)

This is a joint project with Greenwood Village. Rich Borchardt, the District's Sr. Project Engineer, is managing this project in conjunction with Suzanne Moore, Senior Project Engineer. Greenwood Village desires to design and construct improvements along Cottonwood Creek in accordance with the "Outfall Systems Planning for Cottonwood Creek Watershed". The project includes design of grade control structures and bank stabilization. This project will look at the reach just downstream or north of East Caley Avenue.

Greenwood Village will be administering the design and construction and has identified \$140,000 in initial project costs for the design with the District's share being \$57,000. Resolution No. 41 authorizes \$57,000 of District funds to be matched by Greenwood Village for the design and partial funding for construction of the project.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 41 on the Consent Agenda.

.7 Authorization to Participate in Drainage and Flood Control Improvements on West Toll Gate Creek – City Center Tributary (Resolution No. 42, Series of 2008)

This is a joint project with the City of Aurora. Rich Borchardt, the District's Sr. Project Engineer, is managing this project in conjunction with Joe Kleiner, Project Engineer for City of Aurora. The City desires to design and construct improvements along the City Center Tributary in accordance with the "Aurora City Center Basin Storm Sewer Outfall Evaluation" dated February 2008. The project includes design of closed conduits, grade control structures and bank stabilization. This project will look at the reach from the confluence with West Toll Gate Creek to South Sable Boulevard.

The City will be administering the design and construction and has identified \$300,000 in initial project costs for the design with the District's share being \$100,000. Resolution No. 42 authorizes \$100,000 of District funds to be matched by the City of Aurora for the design of the project and partial funding for construction.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 42 on the Consent Agenda.

.8 Additional Authorization to Participate in Drainage and Flood Control Improvements Along Irving Street Outfall, City of Sheridan (Resolution No. 43, Series of 2008)

This is a joint project with the City of Sheridan. Rich Borchardt, the District's Sr. Project Engineer, is managing this project in conjunction with Randy Morning with the City of Sheridan. Moser and Associates designed the project under contract with the District. The majority of the project includes installation of closed conduits to transfer storm flows safely under South Irving Street to Bear Creek.

The final design is now complete and the City of Sheridan and the District desire to construct the improvements. The District and the City of Sheridan have identified \$218,000 in total project costs with the District's share being \$109,000. The previous authorization in 2006 and 2007 was for \$56,000 to fund the design of the project. Resolution No. 43 authorizes an additional \$53,000 of District funds to at least be matched by the City of Sheridan 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. 43 on the Consent Agenda.

.9 Authorization for a Planning Study of the Lost Creek Upper West Bank Tributaries Watershed (Resolution No. 44, Series of 2008)

The City of Aurora and Adams County have asked the District to participate in a planning study leading to an outfall system plan for the Crooked Run, Newcomb Gulch, and Henry David Draw watersheds. The Union Pacific Railroad is planning a large expansion of railroad sidings and freight switching along US 36 in the Crooked Run Watershed. The Front Range Airport Authority is also planning significant expansion.

Adams County and the City of Aurora anticipate considerable commercial, industrial, and mixed-use development to occur along with these transportation developments within the 19 square-mile area making up the three watersheds. The local sponsors need to have a master plan in place so they can begin planning capital improvements such as channel stabilization, roadway crossings, and stormwater detention ponds. This study will enable the local sponsors to hold developers responsible for the development share of coordinated improvements that will reduce flooding, improve drainage, and enhance stormwater quality. Arapahoe County has also expressed interest in supporting the study, as there is a portion of Arapahoe County in the upper watersheds.

The total study costs are projected to be \$320,000 with the local sponsors contributing \$160,000 and the Board is being asked to authorize the District's share not to exceed \$160,000 plus interest earned in the project's trust and agency account.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 44 on the Consent Agenda.

3. Other Business

.1 Review of Cash Disbursements

Cash Disbursement lists dated April and May 2008 were 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

.2 DRCOG Annual Awards

At DRCOG's annual awards dinner in April the District received two awards. The Bronze Award for Planning with a Vision for the Coyote Gulch Restoration and Water Quality Enhancement was presented to the City of Lakewood – Storm Water Quality Management who took the lead in obtaining a 319 Grant and to Ken MacKenzie, Manager of District's Master Planning Program who led the team through the design process to find a solution that would stabilize the channel. Laura Kroeger, Project Engineer, and Jeff Fisher, Senior Construction Manager, then managed construction of the improvements.

The North East Metro Win-Win Coalition was recognized for its work in coordinating efforts between many organizations that have a stake in the North East Metro area to resolve issues, problems or concerns of the organizations represented and to develop significant opportunities where the Coalition partner interest and benefits can be realized or multiplied through coordinated partner initiatives. Bill DeGroot, Manager of the District's Floodplain Management Program, is the chair of the Stormwater Management Committee a subcommittee of the Coalition.

.3 NAFSMA – Award Winners for Excellence in Commercials

Bill DeGroot presented a video of a few of the NAFSMA top winners.

.4 Comprehensive Annual Financial Report

Mr. Lloyd noted that a copy of the report was on the table for the Board's review.

It was the consensus of the Board that Resolutions No. 36, 37, 38, 39, 40, 41, 42, 43, and 44, Series of 2008, and Cash Disbursements for April and May 2008, be placed on the Consent Agenda. Hoffmaster moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

.2 Next Regularly Scheduled Meeting: Thursday, June 26 2008

Chairperson McNally reminded Board members that the June board meeting has been changed to June 26, 2008 because of a conflict with the CML Annual meeting on June 19th. The June meeting will be the last meeting for Dave Lloyd. Lunch will be extended from 11:30 a.m. – 1:15 p.m. to allow time for the Board members and District staff to recognize Mr. Lloyd for his service to the District.

4. Adjournment

Chairperson McNally adjourned the meeting at 2:05 p.m.