



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

Thursday, November 20, 2008

Members Present:

Susan Beckman	Commissioner, Arapahoe County
Jim Congrove	Commissioner, Jefferson County
Cindy Domenico	Commissioner, Boulder County
Erik Hansen	Mayor, City of Thornton
Bob Hoffmaster	Engineer
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
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
Guillermo (Bill) Vidal	Deputy Mayor, City and County of Denver

Members Absent:

Jerry DiTullio	Mayor, City of Wheat Ridge
Jack Hilbert	Commissioner, Douglas County
Marcia Johnson	Council Member, City and County of Denver
Andrew Muckle	Mayor, Town of Superior
Chris Nevitt	Council Member, 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
Ken MacKenzie	Manager, Master Planning
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
Cindy Thrush	Senior Project Engineer, Design, Construction, and Maintenance
Barbara Chongtousa	Project Engineer, Design, Construction, and Maintenance
Shea Thomas	Project Engineer, Master Planning
Sandra Atkins	Administrative Services Manager

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**
Ed Krisor, Legal Counsel, administered the Oath of Office to Mayor Bob Frie, City of Arvada. Chairperson McNally welcomed Mayor Frie to the Board.
 - b. **Visitors/Guests**
Chairperson McNally introduced Kimberly Douglas, Kurt Munding and Pat Mundus, representatives of the JSR Foundation who were in attendance to present the JSR Award to Paul Hindman. [\(See #11.\)](#)
4. **Approval of November 20, 2008 Meeting**
The minutes were approved as submitted.
5. **Executive Session – 2009 Staff 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 2009 staff compensation.
6. **Public Hearing**
After the Executive Session Chairperson McNally opened the Public Hearing.
 - a. **Presentation of Proposed Revision to 2008 Budget –Discussion**
Mr. Hindman stated that this resolution revises the 2008 General Fund budget to reflect the changes in three expenditure line items:
 6. Local Expenses and Travel
 8. Other
 9. Emergency ReserveThis change was made to account for the increase in the District's mileage reimbursement rate made in July 2008, based on the increase in the Internal Revenue Service allowable mileage rate. Total Expenditures for the 2008 General Fund budget remained the same.
 - b. **Presentation of Proposed 2009 Budget – Discussion**
Mr. Hindman noted that Resolution No. 62 adopts the 2009 budget, Resolution No. 63 certifies the levy, and Resolution No. 64 is for the appropriation of funds. The levy must be certified to the counties by December 15, 2008.

There are seven budgets. The first four, General Fund, Construction, Maintenance and South Platte River derive revenue from property taxes. The other three budgets, Capital Projects Fund, Capital Improvement Fund for South Platte River, and Flood Emergency Contingency Fund depend on transfers from one of the four primary funds, interest and contributions from others for revenue. Included in the budget package are a budget summary explanation, summary of the seven budgets, the Financial Model, detail spreadsheets for all seven budgets, budget totals, a summary of the assessed valuations, and a mill levy determination.

The budget summary explains the purpose of each fund, major components and primary revenues and expenditures. The Financial Model provides a summary of revenue and expenditures for all funds from 2006 through 2012, tracks what happened, what is happening and what is projected to happen financially, determines the total increase and decrease in property tax revenue and spending for each year, and compares property tax revenue and spending changes to TABOR limitations. The 2009 budget reflects an increase in property tax revenue of 5.10% which is within TABOR limitations. The 2009 budget also reflects an increase in total spending of 6.16%.

The 2009 budget projections are based on actual revenues and expenditures through October 2008. The fund balance projected for 2008 year end is used in the 2009 budget.

Resolution No. 63 certifies the tax levy of 0.591 mill in Adams, Arapahoe, Denver, Douglas and Jefferson Counties and 0.528 mill in Boulder and Broomfield Counties. This compares with 0.568 mill and 0.507 mill respectively, last year.

Chairperson McNally requested comments or questions from the public. There being none, the Public Hearing for the 2008 and 2009 budgets was closed.

7. Consent Agenda

a. Review of Cash Disbursements

Cash Disbursement list dated September and October 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. 2009 Staff Compensation (Resolution No. 60, Series of 2008)

This item was discussed in Executive Session and in open session it was moved by Deputy Mayor Vidal and seconded that the resolution be amended to read as follows:

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board approves the recommendation of the Executive Committee to adjust the 2009 pay ranges by 2.9%. For compensation of the present full-time and part-time permanent District employees for 2009, the Board approves an average of 3.5% to be distributed, at the discretion of the Executive Director, towards realignment and/or merit increases. This 3.5% is not in addition to the 2.9% range adjustment.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 61 on the Consent Agenda

c. Revision to 2008 Budget (Resolution No. 61, 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. 61 on the Consent Agenda

d. Adoption of 2009 Budget (Resolution No. 62, 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. 62 on the Consent Agenda

e. Certification of Tax Levy (Resolution No. 63, 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. 63 on the Consent Agenda

f. Appropriation of Funds for 2009 (Resolution No. 64, 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. 64 on the Consent Agenda

g. Authorization to Participate in Drainage and Flood Control Improvements on North Dry Gulch from Lamar Street to Teller Street, City of Lakewood (Resolution No. 65, Series of 2008)

This is a joint project with the City of Lakewood. The City desires to design and construct improvements to North Dry Gulch in accordance with the "Outfall Systems Planning, North Dry Gulch" dated October 1995. The project includes channel improvements and road crossing structures that will discharge to an existing detention pond. Easement and right-of-way acquisition will be included in the project costs.

The District will be administering the design. A consulting engineering firm will be selected to prepare the preliminary design which will include looking at opportunities to convert from a piped system to an open channel corridor.

The District has identified \$700,000 in initial project costs for the design, construction, and right-of-way acquisition with the District's share being \$350,000. Resolution No. 65 authorizes \$350,000 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. 65 on the Consent Agenda

h. Authorization to Participate in Drainage and Flood Control Improvements on Goldsmith Gulch – West Tributary, City of Greenwood Village (Resolution No. 66, Series of 2008)

This is a joint project with the City of Greenwood Village. The City desires to construct improvements to Goldsmith Gulch – the West Tributary, in accordance with the "Upper Goldsmith Gulch Outfall Systems Planning Study" dated November, 2005. The project includes improvements to a detention pond embankment and to nearby maintenance access trails.

Greenwood Village already holds easements and right-of-way to the property where the improvements will be performed. Greenwood Village, with District participation, administered the design and will be managing the construction. The project was recently bid and Greenwood Village and the District desire to construct the improvements.

The District and Greenwood Village have identified \$670,000 in project cost for the construction with the District's share being \$210,000. Resolution No. 66 authorizes \$210,000 of District funds to be at least matched by the City of Greenwood Village for construction of the drainage elements of the projects.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 66 on the Consent Agenda

i. Additional Authorization to Participate in Drainage and Flood Control Improvements on Little Dry Creek at Arapahoe Road, City of Centennial (Resolution No. 67, Series of 2008)

This is a joint project with the Southeast Metro Stormwater Authority (SEMSWA) working on behalf of the City of Centennial. Moser and Associates has nearly completed design of the project under contract with the District. The majority of the project involves installation of a double box culvert and nearby maintenance access trails at Arapahoe Road east of Holly Street.

All easements and right-of-way are in place with SEMSWA. With the final design nearly complete SEMSWA and the District desire to construct the improvements. The District will manage the construction.

The District has identified \$2,541,000 in total project costs with the District's share being \$450,000. The previous authorizations in 2004 and 2005 were for a

total of \$375,000 in District funds to accomplish design and to initiate construction.

Resolution No. 67 authorizes an additional \$75,000 of District funds to at least be matched by SEMSWA 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. 67 on the Consent Agenda

**j. Authorization for a Planning Study of Big Dry Creek
(Resolution No. 68, Series of 2008)**

Adams County and the cities of Thornton and Westminster have asked the District to participate in a planning study leading to a Major Drainageway Plan (MDP) and a Flood Hazard Area Delineation (FHAD) for the portion of Big Dry Creek beginning at the Stanley Lake spillway and ending at the UDFCD boundary at 168th Avenue.

This watershed encompasses an area of approximately 61 square miles and the main channel is about 14 miles long. It has previously been the focus of a MDP study in March 1973 (Wright-McLaughlin Engineers, sponsored by Adams County, Jefferson County, Westminster and UDFCD), and a FHAD study in November 1986 (Muller Engineering, sponsored by Adams County, Thornton and UDFCD).

These previous studies are quite old. This new study will review the hydrologic assumptions from the previous studies, investigate physical changes in the watershed since those studies were completed, delineate the 100-year floodplain based on current information and methodologies, and make recommendations to address drainage, flooding, and stormwater quality in the future.

With this study, the sponsors 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.

The total study costs are projected to be \$220,000 with the local sponsors contributing \$75,000 and UDFCD contributing \$75,000 for the MDP study and \$70,000 for the FHAD study. This resolution authorizes the expenditure of District funds not to exceed \$145,000 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. 68 on the Consent Agenda

**k. Acceptance of Hoffman Drainageway Major Drainageway Planning Study
(Resolution No. 69, Series of 2008)**

In 2005 (Resolution 52) the Board authorized the preparation of a major drainageway study for Hoffman Drainage. The firm of Moser Associates, Inc. (Moser) was hired to complete the study based on an alternative selected in cooperation with the City of Thornton and Adams County

Moser has completed the study and Resolution No. 69 accepts the report titled "Hoffman Drainageway Major Drainageway Planning, Phase B: Conceptual Preliminary Design Report", dated October 2008, 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 planning, in land development, and in design of all drainageway facilities within the jurisdiction covered by said plan.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 69 on the Consent Agenda

I. Acceptance of Murphy Creek Outfall Systems Planning Study (Resolution No. 70, Series of 2008)

In 2004 (Resolution 60) the Board authorized the preparation of an outfall systems study for Murphy Creek. The firm of Moser Associates, Inc. (Moser) was hired to complete the study based on an alternative selected in cooperation with the City of Aurora.

Moser has completed the study and Resolution No. 70 accepts the report titled "Murphy Creek and Tributaries Watershed Outfall Systems Planning, Phase B Planning Report" dated October 2008", 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 planning, in land development, and in design of all drainageway facilities within the jurisdiction covered by said plan.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 70 on the Consent Agenda

8. Vote on Approval of the Consent Agenda

It was the consensus of the Board that Resolutions No. 60, 61, 62, 63, 64, 65, 66,67, 68, 69, and 70, Series of 2008, and Cash Disbursements for September and October 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.

9. Reports/Discussion

a. 2008 – 2012 Five-Year Capital Improvement Program

The Five-year Capital Improvement Program was sent to local governments in September asking for comments to be returned to the District by October 10. Comments and requests were received from 21 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 draft 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 in December. Over the next month there may be some minor revisions to the draft CIP for years 2008 and 2009. If major changes are desired there is more CIP funding flexibility in years 2011 and 2012 and projects can also be shifted from year to year. 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 will be presented at the December meeting for adoption pursuant to a public hearing.

b. Draft 2009 Maintenance and South Platte River Work Program

In December the Board will be asked to authorize 2009 maintenance activities. Authorization will be for the total amount of \$8,421,785 adopted in the 2009 budget and will limit expenditures in each county to each county's share determined by property tax revenue contribution.

The Maintenance Work Program is developed to guide maintenance activities for routine, restoration and rehabilitation projects on a county-by-county basis. A draft 2009 Maintenance Work Program was included in the Board packet.

Maintenance Work Program priorities are based on the following:

1. District owned facilities.
2. Facilities constructed with District assistance.
3. Facilities owned by other public entities, but not constructed with District funding assistance.
4. Unimproved urban drainageways.
5. Unimproved rural drainageways.

The Maintenance Work Program is based on adding routine maintenance for facilities completed in 2008, continued commitment to facilities owned by the District or constructed with District assistance, staff knowledge of condition of drainageways, annual requests from local governments of maintenance needs, and staff contacts with local entities. Work is listed by county and category of work and includes the local government where the work is located, location, description of work, and the estimated cost.

A total of 411 projects are listed in the 2009 work program. Total allocated budget for routine maintenance, which is mostly mowing and trash and debris pickup, is \$678,050 compared to \$745,500 projected for 2008. Most of the funds are for restoration and rehabilitation work, with \$4,864,500 for restoration and \$1,413,000 for rehabilitation. Total preservation funds are budgeted at \$410,000. There is also a contingency of \$1,056,235 or 13% of the maintenance budget. Costs range from a few hundred dollars for a silt removal to \$650,000 for the Cherry Creek drop structure between Havana and Cherry Creek Dam. Staff will continue to work with local governments providing input to the Work Program before requesting authorization for 2009 maintenance activities at the December meeting.

A draft Maintenance Work Program for the South Platte River Work Program was included in the board packet.

c. Master Planning Program

Ken MacKenzie distributed and reviewed the schedule of master planning projects for 2009.

10. Other Business

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

11. New Business

Jane Silverstein Ries Foundation Award Presentation
Kimberly Douglas, Past President, Pat Mundus, Current President of the JSR Foundation presented the 2008 JSR Award to Paul Hindman for his pioneering sense of awareness and stewardship of land use values in the Rocky Mountain region.

12. Announcements

Chairperson McNally reminded the Board members that the next meeting is scheduled for Thursday, December 18, 2008.

13. Adjournment

Chairperson McNally adjourned the meeting at 3:30 p.m.