



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

February 2, 2009

MINUTES

Members Present:

Bob FitzGerald	Mayor Pro Tem, City of Aurora
Bob Frie	Mayor, City of Arvada
Faye Griffin	Commissioner, Jefferson County
Bob Hoffmaster	Engineer
Marcia Johnson	Council Member, City and County of Denver
Peggy Lehmann	Council Member, City and County of Denver
Nancy McNally	Mayor, City of Westminster
Andrew Muckle	Mayor, Town of Superior
Bob Murphy	Mayor, City of Lakewood
Alice Nichol	Commissioner, Adams County
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:

Susan Beckman	Commissioner, Arapahoe County
Jerry DiTullio	Mayor, City of Wheat Ridge
Cindy Domenico	Commissioner, Boulder County
Erik Hansen	Mayor, City of Thornton
Rebecca McClellan	Mayor Pro Tem, City of Centennial
Chris Nevitt	Council Member, City and County of Denver
Kathleen Novak	Mayor, City of Northglenn

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
Shea Thomas	Project Engineer, Master Planning
Joanna Czarnecka	Construction Manager, Floodplain Management
Chad Kudym	GIS Coordinator, Information Services and Flood Warning
Frank Dobbins	Director, Finance and Accounting
Sandra Atkins	Administrative Services Manager

Others Present

Jim Deidrick	Douglas County
Jim Kaiser	City of Thornton
Dean Johnson	Johnson, Holscher & Company

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. Nominating Committee Report
Election of Executive Committee**

Mayor Muckle stated that the Nominating Committee, which also included Mayor Novak and Council Member Johnson recommended the following slate of candidates for 2009 officers:

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

On a motion by Council Member Johnson and second by Mr. Hoffmaster the motion was passed unanimously to accept the slate of officers as recommended by the Nominating Committee.

4. Board of Directors Reappointment

**a. Reappointment of Bob Hoffmaster to Board of Directors
(Resolution No. 1, Series of 2009)**

Mr. Hindman noted that Mr. Hoffmaster has served on the Board as one of two professional engineers appointed by the Board. Mr. Hoffmaster indicated he is interested and willing to serve another two-year term. This resolution would reappoint Mr. Hoffmaster to a two-year term through January 31, 2011.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 1 on the Consent Agenda

5. Introductions

a. Swearing in of New Board Members

Ed Krisor, Legal Counsel, administered the Oath of Office to Jefferson County Commissioner Faye Griffin and City of Aurora Mayor Pro Tem Bob FitzGerald.

b. Visitors/Guests

Paul Hindman introduced Joanna Czarnecka as a new part-time employee. Joanna works in the Floodplain Management Program as a Construction Manager

6. Approval of December 18, 2008 Meeting

The minutes were approved with one correction to include Mayor Bob Frie as being in attendance at the December meeting.

7. Presentation of 2008 Audit – Discussion

Mr. Hindman 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 2008 calendar year. He 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. Hindman introduced Mr. Johnson who 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 being no questions at this time, Mr. Hindman noted that Mr. Johnson would be available to answer questions again at the March meeting when the audit report will be considered for adoption.

8. Consent Agenda

a. Review of Cash Disbursements

Cash Disbursement list dated December 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. Designation of Public Posting Place for Meeting Notices (Resolution No. 2, Series of 2009)

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. 2 on the Consent Agenda

c. Automobile Reimbursement Rate (Resolution No. 3, Series of 2009)

Mr. Hindman provided the Board with an explanation of how the District conducted a survey in the past to determine equitable reimbursement rates each year. A review of mileage reimbursement was performed analyzing AAA, IRS, and other automobile data to determine a District mileage reimbursement rate.

This year, Mr. Hindman compared the District's rate for the last 11 years against the IRS rate and found the rate has averaged approximately 9% higher than IRS published rate each year. Resolution No. 3 will authorize the District mileage reimbursement rate to remain consistent at a rate 9% higher than the annual published IRS rate.

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

d. Additional Authorization of 2009 Maintenance Expenditures to Assist Local Governments in Maintaining Existing Flood Warning Systems (Resolution No. 4, Series of 2009)

In December 2008, the Board authorized \$310,000 for routine maintenance of the ALERT System. Resolution No. 4, Series of 2009 will authorize an additional \$100,000 from the same funding source for developing and testing a new data communications protocol for ALERT.

The District's ALERT System currently collects data from over 200 stations that use FM radio transmitters to relay measurements of rainfall, stream/reservoir levels, temperature, relative humidity, barometric pressure, wind, battery voltage, and other environmental parameters from approximately 650 sensors.

In 2007, the District completed a system capacity study that suggested that a message rate of 2,000 reports per hour would result in a data loss rate of greater than 50%. The study further suggested that the system would begin to collapse at a message rate of 5,400 per hour and that a large storm centered over southeast Denver would be capable of exceeding that data rate. The 2000/hour rate was approached once this past year on August 16 and once in 2007 on May 14. Monthly data reports are also increasing annually as new ALERT stations continue to come online. Our current monthly data traffic ranges between 300,000 and 360,000 reports.

A new protocol known as ALERT-2 has been developed by the ALERT user community. Last year the District deployed a minimum amount of equipment to test this protocol and the early results were promising. This year we would like to implement a parallel data collection system at the District using ALERT-2 that will allow us to directly compare its performance with the legacy system that has been in operation here since 1985.

The approved budget for 2009 included \$100,000 for this activity. Resolution No. 4 authorizes \$100,000 from the Maintenance Fund for continued development and field testing of the ALERT-2 protocol.

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

e. Acceptance of Hidden Lake – Bates Lake Major Drainageway Plan Update Planning Study (Resolution No. 5, Series of 2009)

In 1975 in cooperation with the City of Arvada and Adams County, the District published “Major Drainage Planning, Hidden Lake – Bates Lake” prepared by Hydro-Triad Engineers. Many of the report’s recommendations were implemented. Resolution No. 26, Series of 2007 authorized a planning project to update the 1975 report for the two watersheds, adding the City of Westminster as an additional sponsor.

Matrix Design Group was selected by the District and sponsors to perform the study; has completed the Phase A: Alternatives Evaluation Report in 2008, and has now completed the Phase B report for this study based on the engineer’s recommendations as revised by the District and sponsors in the selected plan.

This resolution accepts the report titled “Major Drainageway Planning Update for Hidden Lake – Bates Lake Phase B: Conceptual Preliminary Design”, dated December 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 projects and in land development activities.

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

f. Acceptance of Dutch Creek, Coon Creek and Lilley Gulch Major Drainageway Planning Study (Resolution No. 6, Series of 2009)

In 1979 in cooperation with Jefferson County, Arapahoe County, and the Town of Columbine, the District published “Major Drainage Planning, Dutch Creek, Lilley Gulch, Coon Creek Drainage Basin Area” prepared by URS Engineers. Many of the report’s recommendations were implemented. Resolution No. 29, Series of 2005 authorized a planning project to update the 1979 report for the three watersheds, adding the City and County of Denver as a sponsor.

PBS&J was selected by the District and sponsors to perform the study; has completed the Phase A: Alternatives Evaluation Report in 2008, and has now completed the Phase B report for this study based on the engineer’s recommendations as revised by the District and sponsors in the selected plan.

This resolution accepts the report titled “Dutch Creek, Coon Creek, Lilley Gulch and Three Lakes Tributary Major Drainageway Planning and Flood Hazard Delineation Phase B: Preliminary Design Report”, dated December 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 projects and in land development activities.

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

g. Authorization for a Planning Study Update of Sulphur and Tallman Gulch Watershed for Pine Gulch Dam (Resolution No. 7, Series of 2009)

The Town of Parker and Douglas County have asked the District to participate in a planning study leading to an outfall system plan update for a Planning Study Update of Sulphur and Tallman Gulch Watershed that will address specific concerns with Pine Gulch and the Pine Gulch dam just east of Pine Drive in Parker.

The Pine Gulch dam was constructed in the 1950's by the Soil Conservation Service (SCS), now the Natural Resource Conservation Service (NRCS), as a facility to arrest erosion and topsoil loss. The dam is approximately 24 feet tall and has been historically classified as a low hazard dam. Due to extensive development that has occurred downstream of the dam in the past decades the State now questions this hazard assessment and is requiring a dam hazard analysis to be performed. This study will analyze the hazards, recommend mitigation measures, and also investigate the future use of the dam as a stormwater quality facility.

The total study costs are projected to be \$150,000 with the local sponsors contributing \$75,000 the Board is asked to authorize the expenditure of the District's share not to exceed \$75,000 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. 7 on the Consent Agenda

h. Authorization for a Cooperative Project with the South Adams County Water and Sanitation District on South Platte River in Adams County (Resolution No. 8, Series of 2009)

This is a cooperative project with South Adams County Water and Sanitation District. South Adams County Water and Sanitation District desires to design and construct improvements along the South Platte River in accordance with the "South Platte River, Chatfield to Baseline Road – Major Drainageway Planning," dated November 1985 and updated August 1988 and April 2002.

The cooperative project includes bank stabilization, restoration, and revegetation on their property in Adams County along the South Platte River east bank, located at approximately 96th Avenue and McKay Road. Easement and right-of-way acquisition will be included in the project costs and South Adams County Water and the Sanitation District has offered to donate to District approximately 5.1 acres of a maintenance access and flowage easement across their properties as their contribution toward the cooperative project.

The District and the South Adams County Water and Sanitation District desire to proceed with the design and construction of the improvements which will be managed by the District. The District and the South Adams County Water and Sanitation District have identified \$218,000 in total project costs for the design, right-of-way acquisition, and construction with the District's participation being \$150,000 in 2009 funds. Construction is anticipated in 2009. Resolution No.8 authorizes \$150,000 of District funds 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. 8 on the Consent Agenda

i. Authorization to Participate in Drainage and Flood Control Improvements on Cherrywood Outfall to Big Dry Creek (Resolution No. 9, Series of 2009)

This is a joint project with the Southeast Metro Stormwater Authority (SEMSWA). SEMSWA desires to design and construct improvements to Cherrywood Outfall to Big Dry Creek in accordance with the Outfall Systems Plan entitled "Big Dry Creek (ARAPCO) Tributary Watersheds" dated August 2000. The project includes pipe improvements ranging in size from 33-inches to 48-inches throughout the neighborhood to collect the storm runoff. This project is similar to the recently completed pipe improvement project in the nearby Southwood area. No new easements are necessary since the alignment of the improvements will follow public streets. SEMSWA is administering the design with Ayres Engineering Company.

The District and SEMSWA have identified \$700,000 in initial project costs for the design and partial funding of construction with the District's participation being \$350,000 in 2009 funds. Construction is anticipated in late 2009. Resolution No. 9 authorizes \$350,000 of District funds to at least be matched by SEMSWA 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. 9 on the Consent Agenda

j. Authorization to Participate in Acquisition of the Novak Property within the South Platte River Floodplain in Adams County (Resolution No. 10, Series of 2009)

The acquisition of this property is being coordinated with Adams County. The Novak property is on the west side of the South Platte River at 112th Avenue extended. The parcel is about 98 acres in total with approximately 10% of the land being within the 100-year floodplain. The full parcel has been appraised at \$2,949,000.

Adams County has requested District participation in the purchase and preservation of the floodplain portion of the Novak property. The District's share would be \$100,000 which is less than the maximum share of 75% as established by Board policy for such acquisitions.

Resolution No. 10 authorizes \$100,000 of Special Revenue Fund-South Platte River funds for participation in the acquisition of the Novak property and also authorizes the Executive Director to execute the necessary documents to accept the approximately 13 acre maintenance access and flowage easement from Adams County on the west side of the South Platte River.

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

k. Additional Authorization to Participate in Drainage and Flood Control Improvements on Piney Creek at Caley Avenue (Resolution No. 11, Series of 2009)

This is a joint project with the Southeast Metro Stormwater Authority (SEMSWA). Ayres Consulting Engineers carried out the preliminary design and is finishing the final design under contract with the District. SEMSWA is doing the right-of-way acquisition.

The drainage elements of the project include components of the bridge over Piney Creek and the channel improvements both upstream and downstream of the bridge. Easement and right-of-way acquisition is included in the project costs. The final design is nearly complete and the District and SEMSWA desire to construct the improvements which will be managed by the District.

The District and SEMSWA have identified \$1,900,000 in total project costs with the District's participation being \$950,000. The previous authorizations, Resolution No. 40,

Series of 2006, Resolution No. 57, Series of 2007, Resolution No. 69, Series of 2007, and Resolution No. 7, Series of 2008, totaled \$650,000 to fund design and to partially fund construction. Resolution No. 11 authorizes an additional \$300,000 of District funds to at least be matched by SEMSWA 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. 11 on the Consent Agenda

l. Additional Authorization to Participate in Drainage and Flood Control Improvements on Big Dry Creek in Highlands Ranch (Resolution No. 12, Series of 2009)

This is a joint project with the Highlands Ranch Metropolitan District. Muller Engineering Company designed the project under contract with the District. The drainage elements of the project include installation of six sculpted concrete drop structures plus repairs to the drop structure immediately upstream of this project which has suffered recent undermining. The Highlands Ranch Metropolitan District already holds the necessary easements and right-of-way where the project will be carried out.

The final design is now complete and the construction contract has been awarded. The District and the Highlands Ranch Metropolitan District desire to construct the improvements. Project costs of \$600,000 have been identified with the District's participation being \$300,000. The previous authorization, Resolution No. 102, Series of 2007, totaled \$250,000 to fund design and to partially fund construction.

Resolution No. 12 authorizes an additional \$50,000 of Special Revenue Fund-Construction funds to at least be matched by the Highlands Ranch Metropolitan District 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. 12 on the Consent Agenda

m. Additional Authorization to Participate in Drainage and Flood Control Improvements on Sable Drainageway, City of Aurora (Resolution No. 13, Series of 2009)

This is a joint project with the City of Aurora. Muller Engineering Company designed the project under contract with the District. The primary drainage element of the project involves the installation of a regional full-spectrum detention pond which will detain a broad range of storm flows.

The City of Aurora already holds the title to the site for the detention pond. However, easement acquisition for the associated pipe alignments and for temporary construction activities is included in the project costs. The final design is now complete and the District and the City of Aurora desire to construct the improvements which will be managed by the District.

The District and the City of Aurora have identified \$3,975,000 in total project costs with the District's participation being \$1,925,000. The previous authorizations, Resolution No. 35, Series of 2003, Resolution No. 23, Series of 2004, Resolution No. 12, Series of 2005, and Resolution No. 48, Series of 2008, totaled \$1,125,000 to fund design and to partially fund construction. Resolution No. 13 authorizes an additional \$800,000 of District funds to at least be matched by the City of Aurora 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. 13 on the Consent Agenda

n. Recognition of Commissioner Jack Hilbert's Contributions to the District (Resolution No. 14, Series of 2009)

Commissioner Hilbert has been an active Board member since he was appointed to represent Douglas County in January 2008. During his term on the Board Commissioner Hilbert served as a member of the 2008 Benefits Review Committee.

There being no further comments or questions, it was the consensus of the Board to place Resolution No. 14 on the Consent Agenda

9. Vote on Approval of the Consent Agenda

It was the consensus of the Board that Resolutions No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Series of 2009, and Cash Disbursements for December 2008 and January 2009 be placed on the Consent Agenda. Mr. Hoffmaster moved to adopt the Consent Agenda. Upon a roll call vote the motion was passed unanimously.

10. Reports/Discussion

a. 2008 Budget Based on Year-End Actual Revenues and Expenditures

Mr. Hindman provided a summary of the Budget Analysis that was distributed to the Board Members.

b. Potential Litigation, Claims or Assessments

Mr. Hindman noted 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 19, 2009, which was distributed to the Board members for their review. Mr. Krisor stated that his letter indicated there is no pending or threatened litigation, asserted claims or assessments against the District.

11. Other Business

The Executive Director's Monthly Report to the Board was distributed to the Board Members. There was no discussion.

12. New Business

No new business was discussed.

13. Announcements

Chairperson McNally reminded the Board that the next scheduled meeting would be held on Thursday, March 19, 2009.

14. Adjournment

Chairperson McNally adjourned the meeting at 1:55 p.m.