

## RECORD OF PROCEEDINGS

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### MINUTES OF THE BOARD OF WATER COMMISSIONERS

**Open Session**

**March 28, 2012**

A duly called Regular Meeting of the Board of Water Commissioners was held Wednesday, March 28, 2012 beginning at 9:16 a.m. in the Board Room, Room 309, 1600 West 12<sup>th</sup> Avenue, Denver, Colorado. Members of the Board present during the Regular Meeting were:

**H. Gregory Austin, President**  
**John R. Lucero, First Vice President**  
**Paula Herzmark, Vice President**  
**Penfield W. Tate, III, Vice President**

Board employees and others present during portions of the Meeting were:

J. S. Lochhead, CEO/Manager	P. L. Wells, General Counsel
A. C. Bricmont, Director of Finance	D. L. Little, Director of Planning
S.C. Covington, Director of Public Affairs	J.A. Anderson, Director of Customer Relations
B. D. Good, Deputy Manager of Organizational Improvement	K. A. Pollock, <i>Acting</i> Director of Operations and Maintenance
R. J. Mahoney, Director of Engineering	C. Elam-Floyd, Director of Human Resources
M.E. Elliott, Director of Public Affairs for Government and Stakeholder Relations	U. Sharma, Treasurer
T. L. McGuire-Collier, Assistant Director of Public Affairs for Community Relations and Marketing	P. B. Coleman, Chief Internal Auditor
M. L. Walker, Attorney	J. H. Bambei, Jr., Chief of Engineering

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T. Lowe, Manager of Sales  
Administration

G. Fisher, Manager of Demand  
Planning

D. Bennett, Environmental Scientist  
G. C. Berg, Treasury Analyst

M. Bolt, Engineering Intern

Bruce Rau, Oakwood Homes

S. Lohman, Manager of Water Quality and  
Environmental Compliance

M. A. Van Nostrand, Engineer

S. Chesney, Manager of Media Relations  
W. C. Austin, Manager of Safety and  
Security

Commissioner Austin called the meeting to order.

Upon motion regularly made, seconded and unanimously carried, Commissioner Gougeon was found to be absent for substantial cause and was excused.

Commissioner Austin noted that although the meeting was primarily scheduled as a Study Session, the Commissioners had several action items for their consideration.

Upon motion regularly made, seconded and unanimously carried by the Commissioners then present, unless otherwise noted, the Board acted upon the following agenda items:

1. **ITEM 2-A-1: STUB-IN POLICY- OPERATING RULE CHANGES**

Approved the proposed changes to Chapters 1, 2 and 9 of the Operating Rules involving Denver Water's Stub-In Policy, which amendments are more fully set forth in Exhibit "A" attached to and incorporated in these Minutes.

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Ms. Anderson reported that during the week of February 27, 2012, a team composed of Denver Water employees and customer representatives evaluated operations under the Board's stub-in policy utilizing the LEAN process. The team's findings and suggested changes are summarized on the attached Exhibit "B." Adoption of the proposed rule changes would result in a reduction of the number and cost of site visits to inspect stub-ins, elimination of redundant processes and minimization of up-front costs to developers.

Ms. Anderson introduced Bruce Rau of Oakwood Homes, who thanked the Commissioners and Staff for inviting participation of developers. Mr. Rau commented regarding the positive impact the proposed changes would have to the building industry and suggested that Denver Water also review its policies involving landscape amendments and termination of old taps.

Ms. Anderson explained Denver Water is working with the City to determine whether the City and Denver Water could coordinate programs to incorporate the Stub-In Policy Program into the City's procedures for issuance of Certificates of Occupancy.

2. **ITEM 2-A-2: AMENDMENT TO CONTRACTS WITH  
GEOHYDROSCIENCE AND HRS WATER CONSULTANTS, INC. FOR  
EXPERT WITNESS SUPPORT**

Approved the following contract amendments necessary for expert witness support in Case No. 04CW121: Second Amendment to Agreement between the Board and GeoHydroScience, LLC, Contract No. 13375A, for an additional \$100,000, with a total amended compensation not to exceed \$285,000; and the Fifth Amendment to Agreement with HRS Water Consultants, Inc., Contract No. 10253A, for an additional \$100,000, with a total amended compensation not to exceed \$400,000, all as more particularly described in copies of the Amendments, which are attached to and incorporated in these Minutes as Exhibits "C" and "D."

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3. **ITEM 2-A-3: LEASE/PURCHASE OF WEARS TREATMENT EQUIPMENT WITH MISCO WATER FOR CAT AND MILLER RESERVOIRS**

Authorized entering into a Lease/Purchase Agreement with MISCO Water to supply WEARS ResMix Units, for a six-month lease at a cost of \$108,000, with such payments to go toward the cost of purchase of the units for a total purchase amount not to exceed \$165,800, all as more particularly described in the Agreement, a copy of which is attached to and incorporated in these Minutes as Exhibit "E."

Mr. Van Nostrand provided background regarding the water quality of Cat and Miller Reservoirs. Mr. Van Nostrand noted that water delivered into the reservoirs via the Burlington Canal is directly impacted by both urban runoff and upstream wastewater plant discharges. Because the water has been in residence for a long period of time, water quality problems have resulted. The WEARS ResMix units are floating electric-powered mixers designed to promote downward circulation of water necessary to prevent the formation of hydrogen sulfide due to bacteria within the anoxic hypolimnion and to seasonally destratify the reservoir. One unit per reservoir will be pilot tested over a six-month period to demonstrate whether the required oxygen and mixing is occurring. At the end of the six-month testing period, Denver Water will have the option to purchase the equipment with the lease payments going towards the full purchase price.

The Board recessed to a study session at 9:53 a.m. The study session topics included Budget Process Update, Water Supply Update, and a presentation regarding 2012 Revenue Bonds. The Study Session concluded at 10:50 a.m., whereupon the Board voted unanimously to adjourn into Executive Session.

#### **EXECUTIVE SESSION**

On Wednesday, March 28, 2012, commencing approximately at 10:50 a.m. in the Board Room, Room 309, 1600 West 12th Avenue, Denver, Colorado, the Board of Water Commissioners met in Executive Session. The following matters which are authorized by C.R.S. § 24-6-402 or D.R.M.C. § 2-34 were discussed during the Executive Session:

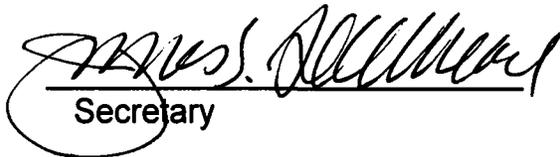
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1. Property Transactions § 24-6-402(4)(a)
2. Negotiations § 24-6-402(4)(e)
3. Colorado River Cooperative Agreement § 24-6-402(a), (b) and (e)
4. Litigation Report § 24-6-402(4)(b)

There being nothing further for the Board to consider, the Executive Session concluded at approximately 11:45 a.m.

  
Secretary

  
President