

RECORD OF PROCEEDINGS

MINUTES OF THE BOARD OF WATER COMMISSIONERS

Open Session

April 27, 2011

A duly called Regular Meeting of the Board of Water Commissioners was held Wednesday, April 27, 2011 beginning at 9:15 a.m. in the Board Room, Room 309, 1600 West 12th Avenue, Denver, Colorado. Members of the Board present during the Regular Meeting were:

H. Gregory Austin, First Vice President
Thomas A. Gougeon, 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
M.E. Elliott, Interim Director of Public Affairs	B. D. Good, Special Assistant to the CEO/Manager
T. Roode, Interim Director of Operations and Maintenance	R. J. Mahoney, Director of Engineering
J.D. Griffin, <i>Acting</i> Director of Information Technology	M. L. Walker, Attorney
J. H. Bambei, Jr., Chief of Engineering	M. Turney, Engineer
D.D. Shable, Engineer	M. Bond, Community Relations Specialist
K. K. Riegler, Attorney	J.F. Davis, Attorney
P. Coleman, Manager of Internal Auditing	L. Billeter, Staff Analyst
C. Ward, Senior Internal Auditor	L. Paule, Human Resources
John J. Hanck, American Dental Association	Quinn Dufurrena, Colorado Dental Association
Jennifer Goodrum, Colorado Dental Association	Chris Urbina, MD, MPH Executive Director and Chief Medical Officer, CDPHE
Valerie Orlando, CDPHE	

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Commissioner Austin called the meeting to order.

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

Public Comment

Commissioner Austin asked if any members of the public wished to comment to the Board regarding matters not included in the Agenda. There was no response.

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: INTERGOVERNMENTAL AGREEMENT FOR IMPLEMENTATION OF DILLON DAM SECURITY MEASURES**

Delegated authority to Mr. Lochhead, CEO/Manager and Ms. Wells, General Counsel, to enter into an Intergovernmental Agreement with the Lake Dillon Fire Protection District, the Town of Silverthorne, the Town of Frisco, the Town of Dillon, and the Board of County of Commissioners of Summit County regarding construction and implementation of various security measures related to Summit County Road No. 7 and Dillon Dam.

Mr. Davis reported that the Board of County Commissioners of Summit County had approved the proposed IGA with minor modifications. The other Summit County signatories were also reviewing the proposed IGA. Mr. Davis reported that as soon as all of the signatories agreed, the final document would be circulated to all parties for signature.

2. **ITEM 2-A-2: AWARD OF A CONTRACT FOR SECURITY MODIFICATIONS AT DILLON DAM**

Subject to the parties approving and executing the Intergovernmental Agreement referenced in Agenda Item 2-A-1 above, approved award of a contract to White Construction Group, Ltd. for the construction of security and

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roadway modifications and upgrades to the portion of Summit County Road No. 7, which traverses Dillon Dam at a cost to the Board not to exceed \$1,191,000.

3. **ITEM 2-A-3: AGREEMENT WITH WESTON SOLUTIONS INC., FOR SECURITY MODIFICATIONS AT DILLON DAM**

Subject to approval and execution of the Intergovernmental Agreement described in Agenda Item 2-A-1 above, approved entering into an Agreement with Weston Solutions, Inc., to provide construction management and inspection services for the security modification project at Dillon Dam, at a cost to the Board not to exceed \$146,577, all as more particularly described in the Agreement, a copy of which is attached to and incorporated in these Minutes as Exhibit "A."

4. **ITEM 2-A-4: RATIFICATION OF INTERGOVERNMENTAL AGREEMENT (IGA) WITH JEFFERSON COUNTY FOR STRONTIA SPRINGS RESERVOIR DREDGING RELATED GRADING**

Approved an Intergovernmental Agreement with the County of Jefferson regarding erosion control, drainage and stabilization improvements to be installed at the Board's Kassler Filter Plant property to allow stockpiling of dredged materials from the Strontia Springs Reservoir, all as more particularly described in the Intergovernmental Agreement, a copy of which is attached to and incorporated in these Minutes as Exhibit "B."

Mr. Mahoney explained that, in conjunction with the issuance of Grading Permit No. 10-116633GP/10-111489FP, issued by Jefferson County for work at the Board's Kassler Filter Plant property, the County wanted assurances regarding the contractor's compliance with the terms of such permit. The IGA requires deposit of \$107,304 into a disbursement account, which will be maintained until the contractor has met the obligations of the grading permit. When the project is completed, the funds will be released to the contractor. Mr. Mahoney noted that the deposit was in lieu of the contractor providing a bond.

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GENERAL

Mr. Lochhead reported that an Annual Report to Denver Water employees entitled 24-7-2010, A Day in the Life of Denver Water would be provided to all employees. Mr. Lochhead commented the publication was prepared by personnel in the Community Relations Division. The publication emphasizes that Denver Water employees throughout the organization are working round-the-clock to provide high-quality water to Denver Water's customers.

STUDY SESSION

No further business appearing, the Board voted unanimously to adjourn into the Study Session at approximately 9:30 a.m. The Study Session included presentations by the representatives of the CDPHE and the Colorado Dental Association regarding water fluoridation. Mr. Turney provided an update to the Commissioners regarding the monitoring of the condition of Conduit 94. The monitoring program has identified a section of pipe that needs to be replaced. Due to the need to return Conduit 94 to service as soon as possible, the Board will be asked to ratify award of a contract for the emergency repairs. The Study Session concluded at 10:15 a.m., at which time the Board voted unanimously to adjourn the Regular Meeting and convene in Executive Session.

EXECUTIVE SESSION

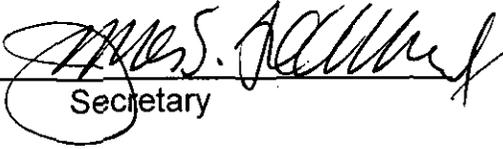
On Wednesday, April 27, 2011, commencing approximately at 10:20 a.m. in the Board Room, Room 309, located in the Administration Building, 1600 West 12th Avenue, Denver, Colorado, the Board of Water Commissioners met in Executive Session. The following matters which are authorized by C.R.S. § 24-6-402 or D.R.M.C. § 2-34 Mediation §24-6-402(4)(a)(b)&(e) discussed during the Executive Session:

- A. Real Property § 24-6-402(4)(a)
- B. Water Rights Discussion § 24-6-402(4)(a) and (e)
- C. Confidential Report § 24-6-402(4)(c)
- D. Mediation §24-6-402(4)(a)(b)&(e)

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


Secretary


President