

# RECORD OF PROCEEDINGS

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## MINUTES OF THE BOARD OF WATER COMMISSIONERS

**Open Session**

**December 15, 2010**

A duly called Regular Meeting of the Board of Water Commissioners was held Wednesday, December 15, 2010 beginning at 9:10 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, First Vice President**  
**Thomas A. Gougeon, Vice President**  
**Paula Herzmark, 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. L. Bassett, Director of Public Affairs	B. D. Good, Director of Operations & Maintenance
R. J. Mahoney, Director of Engineering	C. R. Dermody, Director of Information Technology
C. Elam-Floyd, Director of Human Resources	T. L. McGuire-Collier, Manager of Community and Media Relations
M. L. Walker, Attorney	E. Hernandez, Superintendent of Transmission & Distribution
T. Hassman, Purchasing	M. Leister, Engineer
J. H. Bambei, Jr., Chief of Engineering	M.J. Miller, Engineer
U. Sharma, Treasurer	P. Coleman, Chief Internal Auditor
D. Wyman, Engineering Specialist	L. Billeter, Staff Analyst
M. D. Waage, Manager of Water Resource Planning	D. Bennett, Environmental Scientist
L.M. Kaatz, Environmental Scientist	B. Peters, Water Resource Engineer
T. Cristiano, Manager of Rate Administration	D.M. Raitt, Construction Project Manager
Edward Taylor, RTL Networks	Pat Fitzgerald, Distributor's Liaison Representative, Platte Canyon Water

## RECORD OF PROCEEDINGS

---

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Corey Terry, Rock & Associates      and Sanitation District and Southwest  
Metropolitan Water and Sanitation  
District  
Steve Daldegan, Lakehurst Water and  
Sanitation District

Commissioner Austin called the meeting to order.

Upon motion regularly made, seconded and unanimously carried, Commissioners Tate and Lucero were found to be absent for substantial cause and were excused.

#### **Public Comment**

Commissioner Austin issued an invitation to members of the public to comment to the Board on any matters not included in the Agenda for the meeting. There was no response.

Commissioner Austin asked that the briefing regarding the Strontia Springs Dredging Program be provided prior to the Board's consideration of the Action Agenda.

#### **ITEM II-B-3:      STRONTIA SPRINGS RESERVOIR DREDGING**

Doug Raitt, Construction Project Manager, provided an update to the Commissioners regarding the Strontia Springs Dredging Program. Dredging will commence once the ice is off the reservoir, and is expected to be completed by November 2011.

Mr. Miller provided an update of the various options that have been considered to slow the amount of sediment being deposited in the reservoir.

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

RECORD OF PROCEEDINGS

---

MINUTES  
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1. **ITEM II-A-1: MEMORANDUM OF UNDERSTANDING WASHINGTON PARK CITY DITCH REPAIR**

Approved entering into a Memorandum of Understanding with the City and County of Denver, Department of Parks and Recreation, and Public Works Department to share in the cost to repair and restore the banks of the City Ditch in two separate locations in and near Washington Park, at a cost to the Board not to exceed \$200,000. The project is described with more particularly in the Memorandum of Understanding, a copy of which is attached to and incorporated in these Minutes as Exhibit "A."

Ms. Bassett explained the Parks and Public Works Departments will be responsible for the work and will bill Denver Water as it is completed.

2. **ITEM II-A-2: CHANGE ORDER NO. 1 WITH T. LOWELL CONSTRUCTION FOR A REPLACEMENT OF CAST IRON PIPE AT 7TH AND CHOPPER**

Approved Change Order No. 1 to the July 14, 2010 Contract with T. Lowell Construction, Contract 12790A, a credit to Denver Water in the amount of \$113,774.13, all as more particularly described in the Change Order, a copy of which is attached to and incorporated in these Minutes as Exhibit "B."

3. **ITEM II-A-3: ANNUAL CONTRACT FOR ASPHALT PAVING, CONCRETE REPAIRS, SAWCUTTING, ROTOMILLING AND INFRARED PAVEMENT PATCHING SERVICES**

Authorized award of a contract to Brannan Sand & Gravel Company to supply Denver Water's requirements of asphalt paving, concrete repairs, sawcutting, rotomilling, and infrared pavement patching for the contract period February 1, 2011 through January 31, 2012 at the prices set forth in Schedules I, II and III of the Tabulation of Bidder's Proposal No. IFB13149A, a copy of which is attached to and incorporated in these Minutes as Exhibit "C" plus a 2.5% contingency in the amount of \$147,153.15, for a total contract amount not to exceed \$6,033,279.15.

Mr. Good explained that Denver Water utilized the prequalification list of the City and County of Denver for asphalt paving and concrete repairs. The

## RECORD OF PROCEEDINGS

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### MINUTES OF THE BOARD OF WATER COMMISSIONERS

contract consolidates work that was previously bid under three separate contracts. The contingency is necessary because the amount of the award is based on work which has historically been performed and it is difficult to forecast the extent or frequency of repairs caused by future pipe breaks. The contract starts February 1 because of the need for the contractor to begin mobilization efforts.

In response to questions from the Commissioners, Mr. Good explained the intent is that the time the next annual contract is bid it will include an indexed price for materials much the same as chemicals are now purchased. Using an indexed price mechanism protects both the contractor and Denver Water in the event of significant changes in material costs.

#### 4. **ITEM II-A-4: CONTRACT FOR BANKING SERVICES**

Approved entering into a contract with US Bank to provide banking services for a three-year period beginning January 1, 2011 with an option to extend for two additional years based on satisfactory performance. The net annual fees expected under the contract are approximately \$45,000.

Following the Commissioners' consideration of Agenda items, they resumed the Study Session of the Meeting. The remaining Study Session portion of the meeting included a report by Ms. Kaatz and Mr. Waage regarding Denver Water's efforts to address the impacts of climate change on its operations.

No further business appearing, the Board voted unanimously to adjourn into Executive Session at approximately 10:25 a.m.

#### **EXECUTIVE SESSION**

On Wednesday, December 15, 2010, commencing approximately at 10:25 a.m. in the Board Room, located in the Administration Building, 1600 West 12th Avenue, Denver, Colorado, the Board of Water Commissioners met in Executive Session. The following matter which is authorized by C.R.S. § 24-6-402 or D.R.M.C. § 2-34 was discussed during the Executive Session:

1. Negotiations involving East Cherry Creek Valley and the WISE Project, § 24-6-402(4)(a), (b) and (e)

RECORD OF PROCEEDINGS

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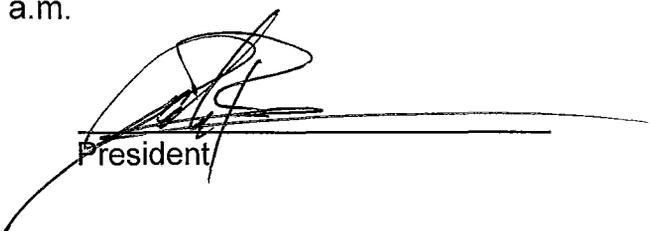
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There being nothing further for the Board to consider, the Executive Session concluded at approximately 11:23 a.m.



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for Secretary, J.S. LOCHMEIER



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President