

RECORD OF PROCEEDINGS

MINUTES OF THE BOARD OF WATER COMMISSIONERS

Open Session

February 27, 2013

A duly called Regular Meeting of the Board of Water Commissioners was held Wednesday, February 27, 2013, beginning at 9:17 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, President
John R. Lucero, 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, Acting Director of Public Affairs	J.A. Anderson, Director of Customer Relations
B.D. Good, Deputy Manager of Organizational Improvement	T. Roode, Director of Operations and Maintenance
R.J. Mahoney, Director of Engineering	C.R. Dermody, Director of Information Technology
C. Elam-Floyd, Director of Human Resources	P.A. Carey, Manager of Purchasing and Contracting
M.L. Walker, Attorney	P.B. Coleman, Chief Internal Auditor
M.K. Frishman, Attorney	T. Cristiano, Manager of Rate Administration

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K. Keefe, Superintendent of Source of Supply	S. Price, Engineer
W. Bates, Manager of Water Rights Protection	D. Brinker, Engineer
J. Shaw, Conservation Specialist	P. Daukas, Manager of Environmental Planning
C. Brady, Environmental Scientist	G. Fisher, Manager of Demand Planning
G. Moore, Engineering Specialist	T. Bray, Environmental Scientist
T. Bryant, Controller	S.L. Chesney, Manager of Media & Executive Communications
R. Stitt, Planner	T. Thompson, Media Relations Coordinator
C. Funk, Attorney	M.D. Waage, Manager of Water Resource Planning
S. Dominick, Water Resource Engineer	E. Weeams, Superintendent of Maintenance
M. Price, Division Office Business Manager	D. Bennett, Environmental Scientist
T.E. Lowe, Manager of Sales Administration	K. Pollock, Superintendent of Water Treatment

Steve Ormiston, Home Builders Association Metro Denver
Tatianna Gruen, Apartment Association Metro Denver
Nancy Burke, Apartment Association Metro Denver
Honor Buckley, Denver resident

Commissioner Austin called the meeting to order.

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

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1. **ITEM 2-A-1: AUTHORIZATION OF ADDITIONAL FUNDS FOR HIGH-EFFICIENCY PLUMBING FIXTURES**

Authorized additional funds of \$150,000.00 for Contract No. 13923A with Wholesale Specialties for high-efficiency plumbing fixtures for the existing contract period through January 14, 2014, for a total amended contract amount not to exceed \$450,000.00.

2. **ITEM 2-A-2: ADOPTION OF 2013 SYSTEM DEVELOPMENT CHARGES**

Approved the 2013 System Development Charges with an effective date of April 29, 2013, as described in Alternative 2 of Exhibit "A," attached to and incorporated in these Minutes.

Mr. Cristiano explained the two alternatives for the 2013 System Development Charges in the presentation attached to and incorporated in these Minutes as Exhibit "B."

Commissioner Austin issued an invitation to members of the public to comment to the Board on this Agenda item.

Mr. Ormiston spoke on behalf of the Home Builders Association Metro Denver, stating that the HBA supported Alternative 1 for the 2013 System Development Charges.

Ms. Buckley spoke as the owner of 300 units in the Capitol Hill neighborhood, urging equity among the customer classes in rate increases. Commissioner Lucero explained that the System Development Charges are one-time charges applicable to new construction and not to existing properties.

Ms. Burke spoke on behalf of the Apartment Association Metro Denver and delivered a letter to the Board, a copy of which is attached to and incorporated in these Minutes as Exhibit "C."

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3. **ITEM 2-A-3: AMENDMENT TO CONTRACT NO. 07538A FOR ADDITIONAL FUNDING OF THE MOFFAT COLLECTION SYSTEM PROJECT EIS**

Authorized the 22nd amendment to Contract No. 07538A with URS Corporation for Phase V – Additional Work (Work Order 6) for the Moffat Collection System Project Environmental Impact Statement, at an additional cost of \$1,591,992.00, for a total amended contract amount not to exceed \$9,811,799.00, all as more specifically provided in the amendment, a copy of which is attached to and incorporated in these Minutes as Exhibit “D.”

4. **ITEM 2-A-4: GREEN MOUNTAIN RESERVOIR ADMINISTRATIVE PROTOCOL AGREEMENT**

Approved the Green Mountain Reservoir Administrative Protocol Agreement, which is attached to and incorporated in these Minutes as Exhibit “E,” and delegated authority to the CEO/Manager to determine and approve any non-substantive revisions to the Protocol Agreement and Protocol.

Mr. Bates explained that the Protocol and Protocol Agreement address a requirement of the Colorado River Cooperative Agreement and that the Protocol will be the subject of an upcoming water court filing.

The Commissioners and staff recognized the efforts of Mr. Bates, Mr. Funk, Mr. Stitt, and Ms. Brady in negotiating the Protocol Agreement.

No further business appearing, the Board adjourned the Action portion of the meeting at approximately 10:00 a.m.

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STUDY SESSION

The Study Session consisted of a presentation of Denver Water's treatment system by Mr. Pollock, Mr. Price, and Mr. Roode. The presenters reviewed the treatment system's goals, the drinking water plants, the capital improvements to the system, and the recycling plant.

Mr. Good and Ms. Elam-Floyd gave an update on the Employer of the Future initiative.

The Study Session concluded at 11:10 a.m., at which time the Board voted unanimously to adjourn into Executive Session.

EXECUTIVE SESSION

On Wednesday, February 27, 2013, commencing at 11:10 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:

1. Attorney-Client Matters § 24-6-402(4)(b)
2. Negotiations § 24-6-402(4)(e)

There being nothing further for the Board to consider, the Executive Session concluded at 11:37 a.m.


Secretary


President