

**RECORD OF PROCEEDINGS  
MINUTES  
of the  
Board of Water Commissioners**

Video Conference: <http://zoom.us/join>, Meeting ID: 998 2398 7643, Password: 868653  
or Dial-in: (669) 900-6833, Meeting ID: 998 2398 7643

**Wednesday, August 26, 2020**

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**Open Session**

A duly called Regular Meeting of the Board of Water Commissioners was held Wednesday, August 26, 2020, beginning at 9:00 a.m. via Video Conference: <http://zoom.us/join>, Meeting ID: 998 2398 7643, Password: 868653 or via Dial-in: (669) 900-6833, Meeting ID: 998 2398 7643. Members of the Board present during the Regular Meeting were:

**H. Gregory Austin, President  
Gary M. Reiff, First Vice President  
Paula Herzmark, Vice President  
Craig Jones, Vice President  
John R. Lucero, Vice President**

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

J.S. Lochhead, CEO/Manager	J. Keedy, Engineer Sr.
J.A. Anderson, Chief of Staff	D. Lopez, IT Support Specialist
A.C. Bricmont, Chief Financial Officer	R. Marsicek, Planning Manager
J. Brody, General Counsel	J. Martin, Project Engineer
B.D. Good, Chief Administrative Officer	C. Mbakogu, Division Sr. Analyst
D. Gorgemans, Chief Internal Auditor	P. McCormick, Project Engineer
M. King, Chief External Affairs Officer	S. McWilliams, IT Application Sr. Developer
R. Mahoney, Chief Engineering Officer	M. Mercier, Planner Sr.
T.J. Roode, Chief Operations and Maintenance Officer	L. Morales, Community Relations Sr. Specialist
S. Abram, Budget Manager	R. Musick, Planner
S. Adamkovics, Finance Sr. Analyst	K. Oligney, Director IT Infrastructure
B. Akins, Finance Analyst	C. Palmore, Division Analyst
J. Allen, Planner	R. Peters, Engineer Sr.
M. Aragon, Director Customer Relations	

*Denver Water aspires to be the best water utility in the nation.*

Integrity :: Vision :: Passion :: Excellence :: Respect



D. Arnold, Attorney  
R. Badger, Planning Manager  
J. Bandy, Planning Manager  
K. Bates, Attorney  
D. Bennett, Director Water Resource Strategy  
J. Bogner, Finance Analyst  
A. Bowen, Engineer Sr.  
C. Bramon, Purchasing Supervisor  
M. Bricker, Intern-Legal  
K. Burgess, Director Human Resources  
L. Callihan, Engineer  
A. Cavallaro, Paralegal  
S. Chesney, Director Public Affairs  
J. Christensen, Contract Specialist  
E. Cinchock, Division Sr. Analyst  
J. Daly, Finance Sr. Analyst  
N. DiMascio, Attorney  
B. Franco, EMSS Manager  
C. Fransen, Contract Specialist  
L. Fraser, Executive Assistant  
P. Freeman, Business Operations Manager  
C. Funk, Attorney  
M. Garfield, Customer Relations Manager  
L. Harris, Engineer Sr.  
Y. Her, Procurement Manager  
A. Hill, Attorney  
A. Ingram, Contract Supervisor  
A. Joseph, Attorney  
J. Kearns, Contract Specialist  
K. Petrik, Director Engineering – Construction  
T. Popacondria, Attorney  
C. Proctor, Communication Sr. Specialist  
S. Ravel, Independent Contractor  
A. Rettig, Finance Supervisor  
K. Riegle, Attorney  
S. Schreiner, Support Services Specialist  
U. Sharma, Treasurer  
J. Shaw, Community Relations Sr. Specialist  
R. Slade, Planner Lead  
J. Soldano, Engineer Associate  
L. Southard, Administrative Sr. Assistant  
R. Stitt, Engineer  
J. Taussig, Director EMSS  
A. Turney, Director Engineering - Property  
J. Walter, Finance Analyst  
A. Watson, Engineer Associate  
B. Wedll, Purchasing Specialist  
P. Williams, Executive Assistant  
J. Wittler, Attorney  
A. Woodrow, Community Relations Sr. Specialist  
C. Anstaett, Black & Veatch  
A. Browning, Callahan  
J. Crockett, Jacobs  
C. Lane, Platte Canyon Water and Sanitation District  
L. Suer, Jacobs

## INTRODUCTORY BUSINESS

Commissioner Austin called the meeting to order at 9:04 a.m.

## **Public Comment and Communications**

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 public comment.

## **Ceremonies, Awards, and Introductions**

Ms. Brody recognized Mr. Funk for his distinguished career spanning 39 years at Denver Water and acknowledged his upcoming retirement on September 4th. She thanked him for his years of service, noting that his retirement is a huge loss for Denver Water. Mayor Hancock issued a Proclamation to Mr. Funk, which highlighted his notable career contributions and commended Mr. Funk for his service to Denver Water and its customers. It was further proclaimed that September 4, 2020 shall be known as Casey Funk Day.

Mr. Lochhead recalled being a young lawyer and meeting Mr. Funk for the first time and attested to Casey's reputation in the legal community as a good lawyer representing Denver Water in a fair and honest way. Mr. Lochhead stated that it has been a privilege to work with Mr. Funk and, on behalf of all employees at Denver Water, he expressed his appreciation for Mr. Funk's influence and contributions to water law and his service to Denver Water.

Mr. Funk thanked the Board and colleagues for their kind words, voicing his gratitude for the opportunity to work for Denver Water. He stated that he is proud of the work accomplished during his tenure and grateful for the amazing teamwork and successful collaboration. He expressed a special thank you to the Office of General Counsel and the Water Resource Team.

Commissioner Austin thanked Mr. Funk, noting the Board will miss his advice and company.

Commissioner Herzmark thanked Mr. Funk for his contribution to Denver Water and remarked that he made the law accessible through his humor and clear explanations.

## **ACTION ITEMS**

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 II-A-1: HIGH LINE CANAL MANAGEMENT AGREEMENT – CONTRACT 504561 AND LEASE OF LITTLE DRY CREEK PROPERTY – CONTRACT 504562 WITH THE HIGH LINE CANAL CONSERVANCY**

Approved Contracts 504561 and 504562 with the High Line Canal Conservancy for High Line Canal Management and Lease of the Little Dry Creek property for the contract period from August 26, 2020 to January 15, 2025.

**2. ITEM II-A-2: APPROVAL OF 2021 MEDICAL, DENTAL, AND VISION RATES FOR EMPLOYEES AND RETIREES**

Approved the 2021 Medical, Dental, and Vision Contributions described in the rate document and the activation of the Cigna Patient Assurance Program.

**3. ITEM II-A-3: APPROVAL OF DENVER WATER 2021 PAY PLAN**

Approved the 2021 Pay Plan which includes a 5 percent adjustment to pay ranges in the Engineering/Scientific/Professional Services occupational group.

**4. ITEM II-A-4: THIRD AMENDMENT TO MAGPIE HUMAN SAFETY SYSTEMS – CONTRACT 503864**

Approved the Third Amendment to Contract 503863 with Magpie Human Safety Systems for Professional Safety Services for \$180,000, for a total amended contract amount not to exceed \$400,000.

**5. ITEM II-B-1: ADOPTION OF APPENDIX K TO SUMMIT COUNTY'S LOCAL ALL-HAZARD MITIGATION PLAN**

Mr. Taussig presented the Board with the Resolution Adopting Appendix K of the Summit County Multi-Hazard Mitigation Plan 2020, a copy of which is attached to and incorporated in these Minutes as Exhibit A. He reported that in order for counties to be eligible for Federal Emergency Management Agency (FEMA) assistance, they are required to have all-hazard mitigation plans, which must be reviewed and updated every five years. Denver Water has infrastructure located in these counties and participates in these local planning efforts and commits to providing staff time and project updates to local communities, which enhance community relationships. Mr. Taussig noted that the Board can expect five additional plans over the next six months for Board approval.

In response to a question from Commissioner Austin, Mr. Taussig explained that Denver Water's mobile assets have been removed from Denver Water's Jones Pass headquarters and crews are meeting daily with the U.S. Forest Service (USFS), which has set up sprinkler systems with an evacuation boundary. Currently, the weather forecast calls for rain and the USFS has been able to get ahead of forest lines due to increased humidity. The main concerns involve sediment issues, however no water impacts on the Front Range are expected.

Approved and adopted the resolution approving Annex K of the Summit County Multi-Hazard Mitigation Plan.

**6. ITEM II-B-2: INTER-GOVERNMENTAL AGREEMENT BETWEEN DENVER WATER AND METRO WASTEWATER RECLAMATION DISTRICT – CONTRACT 504571**

Mr. Lochhead summarized for the Board the basis and terms for the Metro Wastewater Reclamation District to provide funding support for the Lead Reduction Program (LRP). He noted that the prospect of introducing orthophosphate to the drinking water in order to increase corrosion control created a number of complications for the watershed and for Metro's operations, including environmental damage downstream and significant capital expenditures to remove the chemical at Metro's treatment plant, which would ultimately impact many of the same customers served by Denver Water. The LRP was developed through a stakeholder working group with a number of partners. In recognition of the public health and water quality benefits and the cost savings under the program, the board at Metro Wastewater offered to contribute financially to the LRP. This Inter-governmental Agreement (IGA) for \$22.5 million memorializes the agreement between Denver Water and Metro Wastewater in furtherance of the partnership with Metro Wastewater and their contribution to the LRP.

Approved the Inter-governmental Agreement between Denver Water and Metro Wastewater Reclamation District – Contract 504571 for the contract period from January 2021 to December 2035, for funding contributions to the Lead Reduction Program not to exceed \$22,500,000.

## **POLICY MATTERS**

**7. ITEM III-A: NORTHWATER TREATMENT PLANT UPDATE**

Mr. McCormick presented the Board with the Northwater Treatment Plant Update, a copy of which is attached to and incorporated in these Minutes as

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Exhibit B. He reported that the project is making progress and, in some cases, is ahead of schedule on project milestones. There are no adjustments or changes to the Estimate at Completion (EAC). The project is approaching \$147 million in total spending and the current budget forecast remains below budget. Owner and contractor contingency remain below budget allocation. MWBE spending remains on track at 1% with a targeted participation of 8% expected upon completion. Currently, construction is 21% complete with an estimated completion date of June 2021.

Site progress continues with foundational work, pipe installation, and building construction. Temporary warehouses are nearing completion as are the last excavations. There have been no issues with safety on the site nor have there been any major material delays or decrease in productivity due to COVID-19.

Mr. McCormick noted one material change involving a differential settlement issue, which has caused a dip in the road at Highway 93. Crews are working diligently with CDOT to repair the issue. Denver Water is investigating the cause of the settlement and also looking at ways to mitigate risks in the future. This repair won't impact the budget or the EAC.

Commissioner Austin thanked Mr. McCormick for the good report and good result.

#### **8. ITEM III-B: LEAD REDUCTION PROGRAM UPDATE**

Ms. Woodrow presented the Board with an update on the Lead Reduction Program (LRP), a copy of which is attached to and incorporated in these Minutes as Exhibit C. She reported that the program has spent \$16 million to date and is tracking at about 30% of the total budget. The program continues to make good progress in meeting project milestones and is currently conducting outreach to homes built between 1983-1987. Despite delays in implementing the Accelerated Lead Service Line Removal construction phase, residential property replacements have increased and are on pace to reach the annual target of 4,477. As of August, there have been 2,058 lead service line (LSL) replacements and 100% of filter distribution is anticipated by September. Follow-up customer surveys on filter usage will begin tracking in September.

She emphasized that communications, outreach, and education have been directed successfully to targeted groups. Denver Water hosted ten bilingual meetings from June to July to encourage filter use. Additional meetings are scheduled in September and October for distributor customers. As part of the

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Water Ambassadors program, Denver Water is creating public service announcements in different languages and leveraging community partnerships.

In response to a question from Commissioner Lucero, Ms. Woodrow explained that the program's outreach communication effort is working to make sure Denver Water's messaging is effective in not only encouraging customers to use filters for cooking, drinking, and baby formula, but also in conveying that customers can discontinue use of the filter and that their water is safe to drink once an existing lead service line is removed.

## EXECUTIVE UPDATE

### 9. ITEM IV-B: CFO REPORT

Ms. Abram provided an overview of Denver Water's Financial Report, highlighting July financials and noting a few changes compared to last quarter. She reported that water sales continue to be strong with high water usage in July. There are no major changes on wages due to the current hiring freeze. Professional and purchased services are under budget due to a number of proactive decisions and spending adjustments made at the onset of the pandemic. Materials and supplies for water distribution are higher than budgeted with an increased cost for chemicals used in water treatment. Overall, capital is slightly over budget and total uses of funds are within 1.5% of the budget.

### 10. ITEM IV-C: OPERATIONS REPORT

Mr. Roode provided an update on the current wildfires in Colorado, pointing to the visual boundary of the mapped area for Jones Pass. He noted that the headquarter grounds have been cleared and sprinkler systems set up with an evacuation boundary. He indicated that the Williams Fork facility could potentially be impacted, but currently remains out of range of fire activity.

Mr. Mahoney presented the Board with an operations update for the Roberts Tunnel Projects, a copy of which is attached to and incorporated in these Minutes as Exhibit D. He reported that Roberts Tunnel was constructed from 1956 to 1964 and crosses the Continental Divide at 23.3 miles long and 4500 feet below the surface at its deepest point. The scope of the project was developed over the course of 40 years of study and remains one of Denver Water's key pieces of infrastructure today.

The two current tunnel projects include a tunnel liner rehabilitation in the West Portal and hydroelectric upgrades in the East Portal. The West Portal concrete liner repairs will continue into October 2020 and cost \$400,000. The East Portal hydroelectric refurbishment includes maintenance that will continue into October 2020 and repairs into September 2021, totaling about \$10 million. He noted that the maintenance and upgrades will ensure the lifespan of the tunnel continues well into the future.


Mr. Good reported that the hot weather has created a higher energy demand. This increased demand, coupled with the smoke and haze from wildfires (which is negatively impacting solar production output), low August wind (which is negatively impacting wind energy), and an outage at one of Xcel Energy's power plants, prompted Xcel to request additional hydroelectric power generation from Denver Water. Although our facilities are currently operating at maximum capacity, we were able to make some adjustments and assist by modifying the timing of hydroelectric power generation while also delaying some water treatment processes that involve high energy use. Denver Water is extending its assistance to Xcel through the week. Mr. Good noted that potential collaboration between Denver Water and Xcel for additional hydropower projects will be reviewed over the next couple of months.

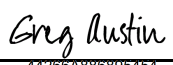
## ADJOURNMENT

No further business appearing, the Board voted unanimously to adjourn into a Trustee Meeting at approximately 10:01 a.m.

### Trustee/Plan Sponsor Meeting

The Board of Water Commissioners, serving in their capacity as Trustees of the Employees' Retirement Plan Trust Fund and Plan Sponsor of the Employees' Retirement Plan, and as Sponsor of the Supplemental Retirement Savings Plan of the Board of Water Commissioners of the City and County of Denver, met on Wednesday, August 26, 2020, commencing at 10:02 a.m., via Video Conference. The Minutes of the Trustee Meeting/Plan Sponsor are maintained separately. The Trustee/Plan Sponsor Meeting concluded at 10:31 a.m., at which time the Board voted unanimously to adjourn into the meeting of the Board of Water Commissioners and into Executive Session.

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Secretary

DocuSigned by:  
  
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President

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