

AGENDA

Denver Board of Water Commissioners

Denver Water Board Room, 1600 W 12th Avenue, Denver, CO 80204 and

Video Conference: <http://zoom.us/join>, Meeting ID: 882 3417 6376 - Passcode: 600590 or

Dial in (669) 900-6833 - Meeting ID: 882 3417 6376 - Passcode: 600590

Members of the public are welcome to attend either in person or by video conference

Wednesday, August 9, 2023 9:00 a.m.

I. INTRODUCTORY BUSINESS

A. Call to Order and Determination of Quorum

B. Public Comment and Communications

At this point in the agenda, the Board may allow members of the public to address the Board on any item of interest within the jurisdiction of the Board, and not on the agenda for action. Speakers wishing to address a specific Action Item will be invited to address the Board when the item is being considered. Three minutes are allowed for each person unless the President determines otherwise.

1. Distributor Communications
2. Citizen Advisory Committee Communications

C. Ceremonies, Awards, and Introductions

II. ACTION ITEMS

A. Consent Items

Items listed below are considered routine and may be enacted by one motion and vote. If any Board member desires discussion beyond explanatory questions, or corrections to the Minutes, the President may order that item to be considered in a separate motion and vote.

1. Minutes from July 12, 2023
2. Minutes from July 26, 2023
3. Eleven Mile Reservoir Electrical Service Upgrades – Contract 505496
4. Sixth Amendment to Contract with Intera Incorporated – Contract 504510

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B. Individual Approval Items

- | | | |
|--|----------------|-----------|
| 1. Appointment of Alan Salazar to Serve as Board Secretary | Jessica Brody | 5 minutes |
| 2. Citizens Advisory Committee Appointments | Ashley Denault | 5 minutes |
| a. Reappointment of Nona Shipman | | |
| b. Appointment of Zach Parker | | |

III. POLICY MATTERS

- | | | |
|-------------------------------|------------------|------------|
| A. Q2 Performance Report | Stephanie Abrams | 15 minutes |
| B. Preliminary Financial Plan | Angela Bricmont | 15 minutes |

IV. EXECUTIVE UPDATE

- A. CEO Update
- B. CFO Update
- C. Operations Update

V. BRIEFING PAPERS & REPORTS

- A. Briefing Paper
- B. Report

VI. ADJOURNMENT

VII. TRUSTEE MATTERS

VIII. EXECUTIVE SESSION

The Board may adjourn the regular meeting and reconvene in executive session on topics authorized by D.R.M.C Sec. 2-34.

A. Confidential Report

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: August 9, 2023

Board Item: II-A-3

Eleven Mile Reservoir Electrical Service Upgrades Contract 505496

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to approve Contract 505496 to remove existing single phase electrical service and replace with a new three-phase 12.5kV electrical service with supporting electrical distribution equipment at Eleven Mile Reservoir Facility.

In 2005, the hydraulic discharge valves at Eleven Mile Reservoir were upgraded to three phase electrical valves. Two, three-phase generators were installed to operate the valves. Over time and use Operations determined that the manual start of the generator prior to operating the valves is unreliable and inefficient. In 2022, Contract 505051 was executed with CORE (the electrical utility) to upgrade the power on site with a new three-phase electrical service to help make the site more reliable. To support the new electrical service from CORE, the electrical distribution equipment will be modified to operate the valves.

Budget and Schedule:

The total amount of this contract is \$3,655,545 and the term of the contract is August 9, 2023 through December 5, 2025. Funds for this contract will come from the 2023 budget for Eleven Mile Reservoir Electrical Service Upgrades, which has sufficient funds to pay the \$300,000 estimated to be needed in 2023. The remaining \$3,355,545 will be budgeted in years 2024 and 2025.

Selection of Business Partner:

Denver Water solicited bids from three General Contractors listed on the prequalified contractor list under the electrical discipline. This contract was a restricted bid process using invitations to bid on the QuestCDN platform. On July 20, 2023, bids were received from two general contractors. Intermountain Electric, Inc. of Colorado was selected based on the lowest cost bid.

S/MWBE Information:

The Small/Minority and Women-owned Business Enterprise goal established for the construction portion of the project is 8% participation. Intermountain Electric, Inc. has proposed a 11.3% participation.

Recommendation:

Staff recommends that the Board approve Contract 505496 with Intermountain Electric, Inc. for Eleven Mile Reservoir Electrical Service Upgrades for the contract period August 9, 2023 through December 5, 2025 for a total contract amount not to exceed \$3,655,545.

Approvals

- | | |
|---|---|
| <input checked="" type="checkbox"/> James S. Lochhead | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input type="checkbox"/> Jessica R. Brody, General Counsel | <input checked="" type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input checked="" type="checkbox"/> Angela C. Bricmont, Chief Finance Officer | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: August 9, 2023

Board Item: II-A-4

Sixth Amendment to Agreement with Intera Incorporated Contract 504510

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to approve the Sixth Amendment to the Contract with Intera Incorporated, updating Intera's rates for 2023 and 2024, expanding the scope of work, and increasing the contract amount by \$356,127. Denver Water retained Intera in 2020 to conduct a water needs analysis for certain water rights cases. This amendment will expand the scope of work and budget to incorporate new climate change information recently made available for the Rocky Mountain region. The scope of Intera's work is also being increased for litigation support should Denver Water decide to designate Intera as a testifying expert.

Budget and Schedule:

The amount of this amendment is \$356,127, bringing the total contract not to exceed amount to \$1,140,058. The term of the contract is extended to February 1, 2025. Funds for this service/contract will come from the 2023 budget for Office of General Counsel, which has sufficient funds to pay the \$150,000 estimated to be needed in 2023. The remaining \$206,127 will be budgeted in years 2024 and 2025.

Selection of Business Partner:

In the spring of 2020, Denver Water's Office of General Counsel issued a solicitation to eleven firms, yielding four proposals. Intera was selected based on their qualifications and value to Denver Water.

S/MWBE Information:

Small/Minority and Women-owned Business Enterprise goals are not applicable for this item.

Recommendation:

Staff recommends that the Board approve the Sixth Amendment to Contract 504510 with Intera Incorporated for an addition of \$356,127, for a total amended contract amount not to exceed \$1,140,058.

Approvals

- | | |
|---|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input checked="" type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input checked="" type="checkbox"/> Angela C. Bricmont, Chief Finance Officer | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: August 9, 2023

Board Item: II-B-1

Appointment of Alan Salazar to Serve as Board Secretary

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to recommend that the Board appoint Alan Salazar to serve as Secretary to the Board. At the December 7, 2022 Annual Meeting, the Board appointed James S. Lochhead to the position of Secretary to the Board. Per section 2.5 of the Board's bylaws, the Secretary must be an employee of the Board, and Mr. Lochhead's retirement creates a vacancy in this position. The bylaws provide that in the event of a vacancy, the Board may fill an officer position at any meeting. The Board's practice has been to appoint the CEO/Manager to the office of Board Secretary.

Recommendation:

Staff recommends that the Board appoint CEO/Manager Alan Salazar to serve as Board Secretary until the next Annual Meeting.

Approvals

- | | |
|---|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input checked="" type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input checked="" type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input type="checkbox"/> Angela C. Bricmont, Chief Finance Officer | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: August 9, 2023

Board Item: II-B-2-a

Reappointment of Nona Shipman to the Citizens Advisory Committee

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to reappoint Nona Shipman, the public interest group representative, to the Citizens Advisory Committee (CAC) for a second three-year term.

Denver Water's CAC is a 10-member volunteer committee that advises Denver Water staff and the Board of Water Commissioners on a variety of issues while encouraging and coordinating public participation in the organization's policymaking and planning processes.

The CAC was created as part of the 1979 Foothills Agreement that, among other things, required Denver Water to form a citizens group charged with representing public interests in specific categories of stakeholder groups: Denver citizen representatives (3), West Slope representatives (2), suburban customer representative (1), environmental representative (1), public interest group representative (1), distributor representative (1), and Homebuilders Association of Metro Denver representative (1). The CAC recommends candidates to the Board, and the Board has appointing authority for this committee. CAC members are appointed for one three-year term, with the opportunity to serve a second three-year term if recommended by the CAC and approved by the Board.

Ms. Shipman is the co-director of the One World One Water Center (OWOW) at Metropolitan State University of Denver and has been with the organization since 2013. The OWOW Center provides interdisciplinary educational opportunities to all MSU Denver students by highlighting the varied connections each person has to water. She has also worked as an AmeriCorps VISTA with Water Education Colorado on the Colorado Water 2012 initiative. Ms. Shipman holds a bachelor's degree in communications from Lynchburg College in Virginia and a master's degree in biological sciences from Miami University in Ohio. The CAC voted unanimously to recommend Ms. Shipman for a second term, which would go through July 2026.

Recommendation:

Staff recommends the Board reappoint Nona Shipman for a second three-year term as the public interest group representative on the CAC.

Approvals

- | | |
|--|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input checked="" type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input type="checkbox"/> Angela C. Bricmont, Chief Finance Officer | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: August 9, 2023

Board Item: II-B-2-b

Appointment to the Citizens Advisory Committee – Denver Citizen Representative

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board Item is to appoint Zach Parker to Denver Water's Citizens Advisory Committee (CAC). The CAC is a 10-member volunteer committee that advises Denver Water staff and the Denver Board of Water Commissioners on a variety of issues while encouraging and coordinating public participation in the organization's policymaking and planning processes.

The CAC was created as part of the 1979 Foothills Agreement that, among other things, required Denver Water to form a citizens group charged with representing public interests in specific categories of stakeholder groups: Denver citizen representatives (3), West Slope representatives (2), suburban customer representative (1), environmental representative (1), public interest group representative (1), distributor representative (1) and Homebuilders Association of Metro Denver representative (1). The CAC recommends candidates to the Board, and the Board has appointing authority for the CAC.

According to the CAC bylaws, qualifications for the public interest group representative include being a customer in Denver Water's service area, a United States citizen, and a resident of Colorado for five years or more, as well as being a resident of the City and County of Denver. The person must not be employed by Denver Water at the time of serving and must have the ability and willingness to have contact with stakeholders.

One of three Denver citizen representatives, Jim Berkeley, resigned from his position in March 2023. To fill this vacancy, the CAC advertised the position through traditional and social media, as well as word of mouth. The committee received four applications for the position and interviewed three of the four candidates. After interviews were conducted, the interview committee elected to move all three forward for the full CAC's consideration. The CAC was unable to decide on a candidate at the subsequent meeting and asked for more time to review the candidates. A vote was conducted at the July meeting, and the CAC would like to put forward for the board's consideration Zach Parker for the position of Denver citizen representative.

Mr. Parker is a student at Metropolitan State University of Denver, with a planned graduation date of December 2023 with a bachelor's degree in environmental engineering and a minor in environmental science. He also received Water Studies Certificate from the One World One Water Center, an interdisciplinary program at MSU Denver focused on the varied ways water touches individuals across communities. Mr. Parker is a lifelong resident of the Denver metro area and a fly fisherman, with a strong commitment to sustainability. He is also passionate about representing younger generations' interests on the CAC. A brief statement of his interest and resume are attached.

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Recommendation:

Staff recommends the Board appoint Zach Parker for one two-year term for the Denver citizen representative position, previously held by Jim Berkeley.

Approvals

- | | |
|--|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input checked="" type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
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