

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



WATER COMMISSION

REGULAR MEETING

August 15, 2024, 5:30-7:30 p.m.

Hybrid in person at 222 Laporte Ave and online via Zoom

The Water Commission advises City Council regarding water, wastewater, and stormwater policy issues such as water rights, planning, acquisition and management, conservation and public education, floodplain regulations, storm drainage, and development criteria. Read more at <https://www.fcgov.com/cityclerk/boards/water>.

1. CALL TO ORDER

5:30 p.m.

2. ROLL CALL

- *Commissioners Present In Person:* Tyler Eldridge (Vice Chairperson), Paul Herman, John Primsky, Greg Steed
- *Commissioners Present via Zoom:* Nick Martin
- *Commissioners Absent - Excused:* Jordan Radin (Chairperson), James Bishop, Rick Kahn, Nicole Ng
- *Staff Members Present In Person:* Jeremy Woolf, John Song, Leslie Hill, Richard Thorp, Katie Collins, Heather Jarvis, Jill Oropeza
- *Staff Members Present via Zoom:* Mariel Miller, Kathryne Marko, Kerri Ishmael
- *Members of the Public:* James _____

3. AGENDA REVIEW

- Vice Chairperson Tyler Eldridge briefly summarized items on the agenda

4. COMMUNITY PARTICIPATION

- None

5. APPROVAL OF MINUTES

Vice Chairperson Eldridge asked for comments and revisions on the draft minutes.

Commissioner Steed moved to approve the **July 18** minutes.

Commissioner Herman seconded the motion.

Vote on the motion: it passed unanimously, 5-0

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6. NEW BUSINESS

a. Staff Reports

i. Financial Monthly Report

(meeting packet only)

Discussion Highlights

A Commissioner commented that this was the largest margin that they have seen for operating costs for water and wondered if it was due to higher use and/or higher expenses. Staff Liaison Jeremy Woolf and Water Conservation Manager Mariel Miller added that 2023 was about 13% less water use than the previous 5-year average and discrepancies have been mostly due to weather, so this year is more of a return to normal.

ii. Cybersecurity UT Water Memo to Council

(meeting packet only; staff available for questions)

Discussion Highlights

Commissioners commented on or inquired about various related topics including VPNs, system updates, and networks. Jeremy Woolf elaborated that Water Utilities' operational environment functions via the Supervisory Control and Data Acquisition (SCADA) system, which operates onsite and among a small network through the privileged access management (PAM) system, which is all isolated from the wider enterprise network of the rest of the City. In all, there are three levels of security for Utilities' system beyond the initial firewall. Commissioners and staff spoke about the July 10th cyberattack on the enterprise system, which again is separate from the operational network SCADA which was thus protected from the attack.

b. Regular Items

i. Agreements Regarding the Michigan Ditch Forest Health and Pre-Fire Mitigation Project

Richard Thorp, Lead Specialist, Sciences

The Michigan Ditch is critical water supply infrastructure owned by the City and located near Cameron Pass within Colorado State Forest State Park. Watershed Program staff seek a recommendation from the Water Commission that City Council approve the Watershed Program entering into the attached Intergovernmental Agreement Regarding Forest Health and Pre-Fire Mitigation Services through the Colorado State Forest Service and the Colorado State Forest Service Financial Assistance Program for Michigan

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Ditch Pre-Fire Mitigation.

Discussion Highlights

Commissioners commented on or inquired about various related topics including the Intergovernmental Agreement (IGA) budget makeup, the Watershed Program fund, program intent, and the proposed agreements. A Commissioner inquired if the strategy is to simply thin the forest to prevent fires. Mr. Thorp responded that though it's a part of the strategy, there would need to be a good mitigation plan beyond just thinning, as the area around Michigan Ditch is a sensitive ecozone and there could be risks of drying out the land even further and making it more susceptible to fires. A Commissioner inquired about the two agreements, to which Mr. Thorp responded that the two are co-dependent, namely that one agreement would fund the work of the other, and thus the motion requires the acceptance and recommendation of both agreements for the IGA to move forward as intended.

Commissioner Primsky moved that the Water Commission recommend City Council formally approve of Utilities' Watershed Program entering into the Intergovernmental Agreement Regarding Forest Health and Pre-Fire Mitigation Services through the Colorado State Forest Service and the Colorado State Forest Service Financial Assistance Program for Michigan Ditch Pre-Fire Mitigation.

Commissioner Eldridge seconded the motion.

Vote on the Motion: it passed unanimously, 5-0

ii. **Code Amendments – Soil and Xeriscape**
Katie Collins, Water Conservation Specialist

Environmental Regulatory Affairs and Water Conservation seek a recommendation from the Water Commission that City Council approve the attached amendments to Land Use Code and Municipal Code. Proposed amendments support water-wise, resilient landscape practices and address two 2021-2023 Council Priorities: #14 Effective soil amendment policies and compliance (water usage), #19 Xeriscape – Increase rebates and education, less green lawns with new development. Kathyne Marko, Environment Regulatory Affairs Manager, co-leads this project.

Discussion Highlights

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Commissioners commented on or inquired about various related topics including the Senate bill on turf limits, Council priorities, and daytime watering restrictions. A Commissioner inquired whether the comprehensive field inspection would be done before any construction and whether any new fees would be incurred. Katie Collins confirmed that the inspection would occur before any builds or plants are put in the ground. Environmental Regulatory Affairs (ERA) Manager Kathryne Marko added that there would be no specific fee for the inspection, but rather that it would be built into the building permit. A Commissioner inquired about community outreach, to which Ms. Collins responded that there had been a high level of engagement and feedback, seeing about a thousand responses from the community, as well as engagement with real estate and contracting professionals. One of the pushbacks regarded the lack of language regarding grass in the streetscape or parkway, but Ms. Collins stated that there were yet uncertainties of any alternatives and so they were not able to elaborate on the topic.

Commissioner Steed moved that the Water Commission recommend City Council approve the amendments to Land Use Code Sections 5.10.1 and 7.2.2 and City Code Sections 12-130 through 12-134 in substantially the same content and form as proposed by staff and considered by the Commission on August 15, 2024.

Commissioner Herman seconded the motion.

Vote on the Motion: it passed unanimously, 5-0

7. COMMISSIONER REPORTS

- a. Rocky Mountain Water Conference in two weeks

8. OTHER BUSINESS

- a. Oak Street Project Tour Opportunity
- b. Water Commission Support for One Water Operator Efforts
- c. Switch from Zoom to Teams starting next month
- d. New One Water Director Nicole Poncelet-Johnson starting September 30
- e. Risk and Resiliency Program Summary
- f. Strategic Asset Management Plan

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9. ADJOURNMENT

7:02 p.m.

These minutes were approved by the Water Commission on September 19, 2024.