

**City of Greeley  
Water and Sewer Board  
Minutes of July 20, 2022  
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:00 p.m. on Wednesday, July 20, 2022.

**1. Roll Call**

The Clerk called the roll and those present included:

**Board Members:**

Chairman Harold Evans, Vice Chairman Mick Todd, Fred Otis, Tony Miller, Manuel Sisneros, Joseph Murphy, Mayor John Gates, Kelly Johnson on behalf of Raymond Lee City Manager, and Finance Director John Karner

**Water and Sewer Department staff:**

Director Sean Chambers, Utility Finance Manager Erik Dial, Chief Engineer Adam Prior, Water Resources Administrator II Alex Tennant, Senior Administrative Assistant Crystal Sanchez, Interim Office Manager Gigi Allen, Water Resource Administrator I Megan Kramer, Water Conservation Manager Dena Egenhoff, Water Resource Operations Manager Leah Hubbard and Rates and Budget Analyst Virgil Pierce

**Legal Counsel:**

Senior Environmental and Water Resources Attorney Jerrae Swanson, Environmental and Water Resources Attorney II Dan Biwer, Counsel to Water & Sewer Board Attorney Jim Noble

**Guests:**

Public Engagement & Participation Manager Sam Haas, Attorney with Moses, Wittemyer, Harrison and Woodruff P.C. Jennifer DiLalla

**2. Approval of Minutes**

Mr. Miller made a motion, seconded by Mr. Todd, to approve the June 15, 2022 Water and Sewer Board meeting minutes. The motion carried 6-0.

**3. Approval of Agenda**

There were no changes to the agenda.

Consent Agenda

**4. Amendment to Water Supply and Storage Co. Catlin Agreement**

Recommended Action: Approve Second Amendment to the Water Supply and Storage Company Catlin Agreement and delegate authority to the Director of Water and Sewer to approve minor revisions to the agreement before its execution, provided that the material substance of the agreement remains unchanged.

**5. Approve Larimer County Canal No. 2 Excess Capacity Agreement**

Recommended action: Approve the Excess Capacity Agreement of the Larimer County Canal No. 2 Irrigating Company and the Tri-Districts and City of Greeley and authorize the Director of Water and Sewer, or their designee, to approve minor corrections or other non-substantive edits to the agreement.

Mr. Murphy moved that the Board approve the items on the consent agenda and their respective recommended actions. Mr. Miller seconded the motion. Motion carried 6-0.

End of Consent Agenda

**6. Pulled Consent Agenda Items**

There were no items removed from the Consent Agenda.

**7. Welcome New Employees and Promotions**

Sean Chambers provided an introduction of new Water and Sewer Department employees starting this month.

Jerrae Swanson joined the meeting at 2:06 p.m.

**8. Speak Up Greeley Platform**

Sam Haas, City of Greeley Public Engagement & Participation Manager discussed the City's commitment to develop and embed best practices for transparent community engagement into standard operating procedures, the communication and engagement department has launched a new website called "Speak Up Greeley" ([www.speakupgreeley.com](http://www.speakupgreeley.com)) that will enhance Greeley's ability to foster two-way communication and increase opportunities for public participation.

Speak Up Greeley will be an important tool for city staff as they execute priority projects for which public input or community collaboration are necessary or expected components. The site will feature projects that are a priority for the city – whether that's a master plan, a park redevelopment, or streets improvement project – the focus of the site will be to genuinely engage with the community and understand where there is consensus or divergence in perspectives. Any project added to the Speak Up Greeley expands our ability to integrate community feedback into the decisions and outcomes of strategic projects.

Sam Haas left the meeting at 2:14 p.m.

**9. Approve Global Settlement Agreement, case #18CW3042**

Leah Hubbard discussed how the City of Greeley has a diverse portfolio of water rights, which are protected by filing Statements of Opposition in water court cases that could impact these rights. In February of 2018, The Town of Windsor submitted an application to change water rights in the Greeley-Loveland system and Greeley filed a Statement of Opposition with the knowledge that Windsor would be relying on Greeley's previous decrees for the methodology to change these rights.

Greeley has previously changed water rights within this system, and new applications have historically relied on these previous cases as a methodology for their cases. Throughout the last decades there has been ongoing disputes of how this methodology was derived, and how much water the Greeley-Loveland system rights would receive.

Greeley staff, legal counsel, and engineering consultants took the lead on resolving many of the outstanding issues surrounding change cases within this system. Through negotiation of Windsor's pending decree, a Global Settlement was established to limit further disputes in the future. While this is not the typical approach to decrees, Greeley felt that it was necessary to cease the continuing issues when each new court case was entered.

This Global Settlement has been negotiated on and agreed to by all parties and protects Greeley's interests in the future. All other parties are pursuing the appropriate entities to have it signed by the end of July.

Vice Chairman Todd moved that the Board approve the Global Settlement Agreement with the Greeley Loveland Irrigation Company, City of Loveland, Town of Windsor, Town of Milliken, and Town of Evans and authorize the Director of Water and Sewer, or their designee, to approve minor corrections or other non-substantive edits to the agreement. Mr. Murphy seconded the motion. Motion carried 6-0.

Jennifer DiLalla left the meeting at 2:32 p.m.

**10. 2023 Capital and Operating Budget**

Erik Dial and Virgil Pierce presented the proposed 2023 operating budget and the five-year capital program for review by the Water and Sewer Board. The operating and capital budgets were prepared with an eye to the future, incorporating capital improvements from recent master plans, building the operational teams to meet the needs of a growing City, and meeting the high level of service expected when providing water and sanitary sewer services. The capital budgets meet the regulatory, rehabilitation, and long-range planning needs of the City's water and sewer services while being mindful of the rates that Greeley's citizens pay.

On average, residential water bills will increase approximately \$1.83/month and residential sewer bills will increase approximately \$4.71/month for a total water and sewer bill increase of \$6.54/month. The water PIF for a 3/4" tap will increase \$900 to \$12,100 and the sewer PIF will increase by \$100 to \$6,900.

Vice Chairman Todd moved that the Board approve and recommend to the City Manager the Water and Sewer 2023 Operating Budget and 5-Year Capital Plan. Mr. Murphy seconded the motion. The motion carried 6-0.

Mayor Gates and John Karner left the meeting at 3:44 p.m.

**11. Approve and Recommend to Council Water & Sewer Design Standards, Criteria and Specifications and Ordinance Adopting the Same by Reference**

Adam Prior discussed how the City of Greeley Water and Sewer Department is updating the current design criteria from 2008 with new standards to accommodate new technologies, techniques, and materials. With the City of Greeley's growth, updating the design standards will assist in development and ensure quality utility infrastructure into the future. These updates will also facilitate recent non-potable system requirements adopted by City Council in February of 2022, incorporate the Non-Potable Water, Sanitary Sewer, Transmission & Distributions Master Plans that were completed in 2021, and align with the updated development code completed in 2021. These updates will help provide long term infrastructure needs to better prepare and accommodate the growth.

The updated design criteria for the potable water distribution, sanitary sewer collection, non-potable irrigation system, and landscape & irrigation will guide developers and engineers in expanding and connecting to the City's utilities. The larger changes include added lift station criteria, changes to the non-potable system criteria, updated criteria to incorporate the new development code changes, compliance with Subsurface Utility Engineering (SUE) law requirements, and the

addition of landscape & irrigation design criteria along with many other smaller changes.

The Water and Sewer Department has worked diligently to coordinate with other departments, engineering development review staff for consistency, a presentation and discussion with the Builders, Realtors, & Developer group in July of 2021, review and input from the Planning Commission in March of 2022, and receive comments and questions from engineers, developers, and designers throughout Greeley on details, design criteria, and specifications from April to June of 2022.

Vice Chairman Todd moved to approve and recommend to City Council the Adoption of the June 2022 Water & Sewer Design Criteria, Standard Details, and Construction Specifications. Mr. Murphy seconded the motion. Motion carried 6-0

## **12. Legal Report**

Jim Noble provided the legal report this month with a brief update on Case No. 22CW3042. Mr. Noble did not recommend filing statements of opposition to any water court cases this month.

## **13. Director's Report**

Sean Chambers provided an overview of several items of Board interest:

1. Annual Water Utilities Infrastructure Tours:
  - a. Annual Board & Council Tour of Water and Wastewater Infrastructure
  - b. Annual Greeley Citizen Tour of Water & Wastewater Infrastructure – Aug. 5<sup>th</sup>
2. Deputy Director of Water Resources position recruitment update
3. Biz West Confluence Water Symposium – Thurs. July 21<sup>st</sup>
  - a. <https://events.bizwest.com/event/2022-confluence-colorado-water-summit/>
4. Wildfire Recovery and Watershed Restoration Work Update
5. Water Use Efficiency Plan Update
6. Colorado Water Plan 2023 Update draft released
  - a. Available at: <https://cwcb.colorado.gov/colorado-water-plan>
  - b. Draft version is out for a 90-day public comment period from June 30 –

Sept. 30, 2022.

c. Comment at: <https://engagecwcb.org/>

**14. Such Other Business That May Be Brought Before the Board Added to This Agenda by Motion of the Board.**

There were no additional items brought before the Board and added to the agenda.

**15. Adjournment**

Chairman Evans adjourned the meeting at 4:08 p.m.

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Harold Evans, Chairman

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Raymond Lee, Board Secretary