

**City of Greeley
Water and Sewer Board
Minutes of March 15, 2023
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:01 p.m. on Wednesday, March 15, 2023.

1. Roll Call

The Clerk called the roll and those present included:

Board Members:

Chairman Harold Evans, Fred Otis, Tony Miller, Joseph Murphy, Manuel Sisneros, Deputy City Manager Donald Tripp on behalf of City Manager Raymond Lee, Deputy Finance Director Tammy Hitchens on behalf of Finance Director John Karner

Water and Sewer Department staff:

Director Sean Chambers, Deputy Director Water Resources Ty Bereskie, Deputy Director of Utility Finance and Customer Service Erik Dial, Deputy Director Water and Wastewater Operations Nina Cudahy, Office Manager Gigi Allen, Administrative Assistant III Crystal Sanchez, Water Resource Planning Manager Kelen Dowdy, Water Conservation Manager Dena Egenhoff, Rates and Budget Analyst Virgil Pierce, Key Accounts Coordinator Dennis Margheim, Civil Engineer IV Jim Paulson, Communication Specialist II Cory Channell, Water Resource Administrator III Matt Sparacino, Water Resource Administrator III Randy Gustafson, Water Resource Administrator I Megan Kramer,

Legal Counsel:

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

Guests:

Neil Stewart with Stantec, Council Member Deb Deboutez (joined virtually), Assistant City Attorney II Shaun Reinhardt, Citizen, Brandon Lemere

2. Approval of Minutes

Board Member Joe Murphy noted the minutes need a correction to reflect that he was the Board Member who raised an inquiry about Bellvue Water Treatment Plant concrete repairs.

Mr. Miller made a motion, seconded by Mr. Sisneros to approve the February 15, 2023 Water and Sewer Board meeting minutes with the above mentioned change. The motion carried 5-0.

3. Approval of Agenda

There were no changes to the agenda.

4. W&S Board Election of Officers

The Chairmen opened the floor for nominations. A motion was made by Mr. Miller for Harold Evans to remain the Water and Sewer Board Chairman and for Mick Todd to remain the Vice-Chairman. It was seconded by Mr. Sisneros. There were no further nominations. The motion carried 5 - 0

5. Welcome New Employees and Promotions

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

6. Integrated Water Resource Plan Update (IWRP)

Water Resources Planning Manager, Kelen Dowdy and Neil Stewart from Stantec presented to the Board the continued long-range planning and engineering work on the Department's Integrated Water Resources Plan. The presenters shared information on the adaptive management framework for the plan and discussed the timeline for plan approval and implementation.

The Board requested that future IWRP annual update presentations cover the Department's water supply acquisitions and quantify water supply changes year over year.

Once the final IWRP plan is adopted, staff will utilize the plan to guide data driven analysis of supply and demand and changes in rates of change, and such information is planned for annual updates to the Board

Engineering Consultant, Neil Stewart left the meeting at 2:57 pm.

7. W&S 2022 Financial Report

Rates and Budget Analyst Virgil Pierce reported on 2022 revenues and expenditures for the Water and Sewer Department Enterprise Funds.

The Board asked why some builders had elected to pay the city's Cash-in-lieu over the presumably more affordable Terry Ranch raw water credits. Staff explained that much of the cash-in-lieu revenue was related to a previously enacted development agreement that provided for favorable cash-in-lieu pricing.

The Board asked for additional information on some of the higher-than-expected revenues noted in the March 15, 2023 Greeley Tribune article on Water revenues. The Director reminded the Board and public that water utility rates are developed on the industry standard the Utility must plan conservatively for revenue best practices known as a cost-of-service methodology. Further, it is important to understand that any higher than budgeted revenue also goes into future capital projects which has a positive impact on debt needs and limits on rates.

It was requested to send out charts to the Board again that show the average water and sewer bills across the Front Range.

8. Regional Water Initiatives Report

The Director provided a briefing on a variety of regional water groups, outreach and activities where Water & Sewer staff are engaged. This work helps to advance strategic and operational goals. Collectively, these regional initiative serves to protect and advance Greeley's water system reliability and resiliency goals. Such work also helps Greeley stay well informed on emerging issues and remain as a regional leader in the water resources, watershed health, water quality and municipal water operations and management.

Staff will continue to engage with neighboring communities on existing economies of scale with more regional work that is important to our community and that has potential to be efficient with more participants. Guidelines and limitations are in place to ensure the protection of Greeley water resources that the community has spent decades investing to ensure reliability for a healthy and sustainable future. Initiative such as source water quality sampling, aerial snow observation, wildfire recovery, watershed health, water wise landscape resources and drought response messaging are all areas of opportunity for regional collaboration.

9. Legal Report

James Noble of Welborn, Sullivan, Meck and Tooley recommended filing a statement of opposition in Water Court.

Case Number 23CW3012 is an application by Arapahoe County Water and Wastewater Authority ("ACWWA") for a change of water rights, an exchange and an augmentation plan. Mr. Noble recommended filing a statement of opposition to protect water rights from injury.

Mr. Miller made a motion that the Board move to authorize filing a statement of opposition in Case No. 23CW3012 and for staff and legal counsel to seek resolution of issues raised by this case consistent with Water and Sewer Board Resolution No. 3-15. Mr. Murphy seconded the motion. The motion carried 5-0.

Don Tripp left the meeting at 4:01 pm.

10. Director's Report

Director, Sean Chambers provided a summary of several water utility items of ongoing interest to the City's Water & Sewer Board. Among the topics was current snowpack conditions, Colorado River shortage, water industry events of note, and information on Water Supply & Storage Co., a system in which the City owns shares of water for future municipal use.

Water Resource Administrator III, Randy Gustafson explained some history regarding the Grand Ditch and a pending lawsuit related to a 2017 blowout of a culvert in the ditch within Rocky Mountain national Park.

11. 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.

12. Adjournment

Chairman Evans adjourned the meeting at 4:10 p.m.

Harold Evans, Chairman

Raymond Lee, Board Secretary