

City of Greeley
Water and Sewer Board

October 20, 2021
Board Minutes

**City of Greeley
Water and Sewer Board
Minutes of October 20, 2021
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:02 p.m. on Wednesday, October 20, 2021.

1. Roll Call

The Clerk called the roll and those present included:

Board Members:

Chairman Harold Evans, Fred Otis, Joe Murphy, Tony Miller, Manuel Sisneros, Cheri Witt-Brown, and Mayor John Gates

Water and Sewer Department staff:

Director Sean Chambers, Deputy Director Water Resources Adam Jokerst, Utility Finance Manager Erik Dial, Deputy Director Operations Nina Cudahy, Water Resources Manager Jennifer Petrzela, Water Resources Admin. III Leah Hubbard, Conservation Manager Dena Egenhoff, Civil Engineer I Ken Wallace, and Interim Office Manager Ettie Arnold

Legal Counsel:

Counsel to Water & Sewer Board Attorney Carolyn Burr, Senior Environmental and Water Resources Attorney Jerree Swanson, Environmental and Water Resources Attorney Dan Biwer, Environmental and Water Resources Attorney Aaron Goldman

Guests: Finance Staff Ben Alexander, Sharon Dunn, Emeritus Board Member Robert Ruyle

2. Approval of Minutes

Mr. Murphy made a motion, seconded by Mr. Miller, to approve the September 15, 2021 Water and Sewer Board meeting minutes. The motion carried 6-0.

3. Approval of and/or Additions to Agenda

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Item 7, changed from an action item to information item only.

Consent Agenda

4. Action: Approve Reimbursement Agreement for Wildfire Mitigation Rehabilitation Services with the Big Thompson Watershed Coalition

Recommended action: Approve Reimbursement Agreement for Wildfire Mitigation Rehabilitation Services with the Big Thompson Watershed Coalition.

Mr. Miller made a motion, seconded by Mr. Sisneros, to approve the item on Consent Agenda and the proposed recommended action. The motion carried 6-0.

End of Consent Agenda

Interim City Manager Raymond Lee joined the meeting at 2:09 p.m.

5. Pulled Consent Agenda Items

There were no items removed from the consent agenda.

6. Welcome New Employees and Promotions

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

7. 3rd Quarter Water Court Update

Leah Hubbard, Water Resource Administrator III, presented an update regarding Water and Sewer Department's legal activities from July of 2021 through September of 2021. The review includes an update on Greeley's current Water Court cases and a summary of the Water Resources Division's legal expenses.

Jen Petrzelka left the meeting at 2:14 p.m.

8. Update to Board regarding the Infrastructure Intergovernmental Agreement with North Weld

The City of Greeley entered into an Intergovernmental Agreement (IGA) with North Weld County Water District (NWCWD) on February 5th, 2013 to allow for the City of Greeley to take over water service to Greeley's Long Range Expected Growth Boundary that is currently served by NWCWD. The IGA requires the City purchase pipeline infrastructure from NWCWD for locations to be served by Greeley.

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Water and Sewer Staff provided an update regarding terms within the IGA submitted for Board's consideration now, Greeley and North Weld will also share the costs associated with the design, acquisition, construction, and installation of master meters, and other associated infrastructure, near the intersection of 35th Avenue and O Street and 59th Avenue and O Street.

9. Consideration of Resolution Opposing Changes to City Charter Session 2G & 2H

The resolution concerned the Water and Sewer Board's position on Ballot Questions 2G and 2H, and was included on the agenda by the Board on its own initiative. In accordance with the Fair Campaign Practices Act, there was no presentation or recommendation on this item from City staff.

Chairman Evans moved for approval of the Resolution upon reading it in its entirety. The motion carried 6-0.

10. Meter Replacement Project Update

Water and Sewer Department staff provided an update on project status and provide a summary of customer concerns and resulting corrective actions taken to date.

11. Legal Report

Statement of Opposition: Based on a review of the August, 2021 Water Court Resume, staff and water counsel recommend that the Board file a statement of opposition in the following case:

- a. Case Number: **21CW3125:** Application of Parker Water and Sanitation District for a finding of diligence for conditional water rights decreed in Case No. 03CW428 for the Parker Illiff Intake and Parker Powell Intake water rights (40 cfs combined). These structures and water rights are related to Parker's application in Case No. 19CW3253. We recommend filing a statement of opposition in order to better understand Parker's larger project.

Mr. Miller made motion, seconded by Mr. Murphy that the Board authorize the filing of a statement of opposition in Case No. 21CW3125 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. The motion carried 6-0.

12. Executive Session

No executive session took place.

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13. Director's Report

- 2022 Bonds Update
- Non-Potable Policy Update
- 1041 Land Use Regulations

14. Such Other Business That May be Brought before the Board and Added to This Agenda by Motion of the Board

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

Chairman Evans adjourned the meeting at 3:35 p.m.



Harold Evans, Chairman

DocuSigned by:



Raymond Lee, Interim Board Secretary