

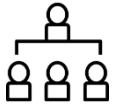
Water and Sewer Board

Regular Meeting

City Council Chambers – City Center South

1001 11th Avenue – Greeley, Colorado

August 16, 2023 at 2:00 p.m.



Regular meetings of the Water and Sewer Board are held **in person** on the 3rd Wednesday of each month in the City Council Chambers, 1001 11th Avenue, Greeley, Colorado.



Members of the public may attend and provide comment during public hearings.



Written comments may be submitted by US mail or dropped off at the Water and Sewer office located at 1001 11th Avenue, 2nd Floor, Greeley, CO 80631 or emailed to wsadmin@greeleygov.com. All written



comments must be received by 10:00 a.m. on the date of the meeting.

Meeting agendas and minutes are available on the City's meeting portal at [Greeley-co.municodemeetings.com/](https://greeley-co.municodemeetings.com/)

IMPORTANT – PLEASE NOTE

This meeting is scheduled as an **in-person session only**. If COVID, weather, or other conditions beyond the control of the City dictate, the meeting will be conducted virtually and notice will be posted on the City's MuniCode meeting portal by 10:00 a.m. on the date of the meeting (<https://greeley-co.municodemeetings.com/>).

In the event it becomes necessary for a meeting to be held virtually, use the link below to join the meeting. Virtual meetings are also livestreamed on YouTube at <https://www.youtube.com/CityofGreeley>.

For more information about this meeting or to request reasonable accommodations, contact the administrative team at 970-350-9801 or by email at wsadmin@greeleygov.com



August 16, 2023 at 2:00 PM
1001 11th Avenue, City Center South, Greeley, CO 80631

Agenda

1. Roll Call
2. Approval of Minutes
3. Approval of the Agenda
4. Welcome New Employees and Promotions
5. Approve First Amendment to Reimbursement Agreement for Wildfire Mitigation and Rehabilitation Services
6. Approve Augmentation Water Lease Agreement with the Town of Eaton
7. Water Supply Update
8. SCADA Telemetry & Controls Upgrades and Master Plan
9. Legal Report
10. Director's Report
11. Such Other Business That May Be Brought Before the Board Added to This Agenda by Motion of the Board.
12. Adjournment



If, to effectively and fully participate in this meeting, you require an auxiliary aid or other assistance related to a disability, please contact the Water and Sewer Department administrative staff at 970-350-9801 or wsadmin@greeleygov.com

**City of Greeley
Water and Sewer Board
Minutes of July 19, 2023
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:01 p.m. on Wednesday, July 19, 2023.

1. Roll Call

The Clerk called roll and those present included:

Board Members:

Chairman Harold Evans, Vice Chairman Mick Todd, Cheri Witt-Brown, Tony Miller, Joseph Murphy, Manuel Sisneros, Deputy City Manager Donald Tripp on behalf of City Manager Raymond Lee, Interim Director of Finance Tammy Hitchens

Water and Sewer Department staff:

Director Sean Chambers, Deputy Director of Utility Finance and Customer Service Erik Dial, Chief Engineer Adam Prior, Office Manager Gigi Allen, Administrative Assistant III Crystal Sanchez, Water Resource Planning Manager Kelen Dowdy, Rates and Budget Analyst Virgil Pierce, Water Resource Administrator II Alex Tennant, Water Resource Administrator I Megan Kramer, Water Resource Operations Manager Leah Hubbard, Asset Manager Patrick Turn, Asset Analyst Sophie Glaubius, Asset Technician Griffin Myers, Communication Specialist II Cory Channell, Civil Engineer IV Rebecca Andrus, Key Accounts Coordinator, Dennis Margheim, Interim Chief Financial Officer Rodney Rhodes

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:

Emeritus Robert Ruyle, Council Member Deb DeBoutez, James Sutherland from Wingfoot

2. Approval of Minutes

Mr. Miller made a motion, seconded by Vice Chairman Todd to approve the June 21, 2023 Water and Sewer Board meeting minutes. The motion carried 6-0.

3. Approval of Agenda

There were no changes to the Agenda.

4. Welcome New Employees and Promotions

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

Sydney Grace-Phillips and Michaela Jackson joined the meeting at 2:08 pm.
Yesenia Padilla joined the meeting at 2:28 pm.

5. Approve and Recommend to City Manager the 2024 Budget

Erik Dial and Virgil Pierce presented the 2024 operating budget and the ten-year capital program for review by the Water and Sewer Board.

Using the currently projected rate increases, residential water bills will increase approximately \$2.21/month and residential sewer bills will increase approximately \$2.80/month for a total water and sewer bill increase of \$5.01/month. The water PIF for a 3/4" tap is currently projected to remain \$12,100 and the sewer PIF is projected to increase by \$300 to \$7,200.

The Board asked if we are purchasing an on-premises CIS system or if it will be software as service. Erik Dial responded that the Water and Sewer department will likely select a software as service system. It will also allow for growth and adaption as the City grows and needs change.

It was asked by the Board if there was enough work to keep an in-house construction team busy year-round indefinitely? Erik Dial responded that with the age of the pipelines and expected growth in the water and sewer systems there will be plenty of work to justify adding a construction crew. Due to the cost to outsourced construction work the return on investment will be just a few years.

The Board inquired what the \$3.5 million budgeted for the 23rd Ave Reservoir Replacement would accomplish. Sean Chambers and Adam Prior explained there is a study going on that is looking at the water system's needs for treated water storage and how to reconfigure the 23rd Ave and Mosier sites for more efficient operations. The majority of the \$3.5 million budgeted for 2024 is to demolish the tanks that are no longer in service.

Chairman Evans asked for additional information to the Interruptible Supply/Alternate Transfer Method on the 2024 Project list. Sean Chambers explained the City's ongoing need to strategically acquire surface water supplies for potable and non-portables uses, as described in the IWRP. The staff has been working with the New Cache Irrigation Co. and others on

potential water sharing or alternative transfer method (ATM) water supply development for future drought resiliency. Additionally, Greeley has an interest in developing acquisition strategies that help to keep Cache la Poudre water in the Basin and available for our future municipal growth and system resiliency vs. seeing water exported to Metro Denver. Staff will prepare an updated presentation on this subject at a future Board meeting to further inform the Board of the strategy and its connection to water acquisition.

During the discussion of the “Tentative 2024 Sewer Rate Changes – Industrial” Vice-Chairman Todd requested to know what companies were in the 73% increase. Erik Dial didn’t have that information available at the meeting but would get it sent out to the Board members.

Vice Chairman Todd recommended that the Water and Sewer Board approve and recommend to the City Manager the Water and Sewer 2024 Operating Budget and 10-Year Capital Investment Plan. Mr. Murphy seconded the motion. The motion passed 6-0.

Rodney Rhodes left the meeting at 3:26 pm.

6. 60” Bellvue Pipeline Construction Update

Rebecca Andrus updated the Board on the progress and status of the 60” Bellvue Transmission Pipeline.

Vice-Chairman Todd requested to know how much the BRIC grant would be for that Water and Sewer applied for. Virgil Pierce let the Board know that it is for \$18,000,000.00 which is about 80% of the total project cost and the decision on the grant should be received in late August.

7. Asset Management and City Works Update

Patrick Turn, Sophie Glaubius and Griffin Myers presented an update on Water and Sewers Asset Management Program and new CityWorks asset management system.

Deb DeBoutez left the meeting at 4:06 pm

8. Legal Report

Mr. Noble reported that legal counsel and water resources staff had reviewed the May, 2023 Water Division 1 Resume and do not recommend that the Water and Sewer Board file any statements of opposition to any water court matters that would be due at the end of July 2023.

Michaela Jackson left the meeting at 4:17 pm

10. Director’s Report

Sean Chambers provided the Water & Sewer Board and staff with a brief update on the following items of water utilities policy interest;

1. City of Greeley and Colorado Water Industry Events
 - a. Application window for Water Literate Leaders program (CSU Water Center) is now open
 - b. American Water Resources Association Conference – July 17th – 19th
 - i. Water Resources Staff presenting on long-range planning and adaptive management
 - c. BizWest Confluence Water Summit – July 21st
 - i. <https://oldevents.bizwest.com/confluence/agenda/>
 - d. Summer Board & Council Tour – July 28, 2023
 - i. Chimney Hollow Res. Construction, Boyd Lake WTP, Terry Ranch Pipeline Construction, 23rd Ave. Reservoirs and Wastewater Treatment Facility
 - e. Tour of Greeley’s Bob Creek Diversion from Upper Laramie into Poudre – August TBD
 - f. Community Member Water Infrastructure Bus Tour - Aug. 11th 8:30 am – 12:30 pm
 - g. Water Congress Conference – August 22 – 24, 2023;
 - i. Water policy and law education – participating in panel on stream restoration
 - ii. Meeting of the Interim Water Resources Review Committee
 - iii. Meetings with Sen. Bennet’s Farm Bill policy and forest health staff
 - h. CWCB’s C-9 Statewide Water Basins Roundtable Summit – November 16th
 - i. Virtual re-broadcast of CWCB Drought Summit (5/31-6/1) is available for viewing at:
 - i. <https://engagecwc.org/drought-summit>
 - j. Colorado River Water User Association (CRWUA) Annual Meeting – Dec. 13 - 15
 - i. <https://www.crwua.org/welcome.html>
2. Greeley Water System Runoff and Water Supply Memo
 - a. a full formal report and presentation from Water Resources staff will be provided in August

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

No other business was brought before the Board.

11. Adjournment

Chairman Evans adjourned the meeting at 4:23 pm.

Harold Evans, Chairman

Raymond Lee, Board Secretary



Water & Sewer Agenda Summary

August 16, 2023

Key Staff Contact: Sean Chambers, Water & Sewer Director

Title:

Welcome New Employees and Promotions

Summary:

New Hires: Dominique Hernandez-Ibarra – Customer Care Representative
 Alexander Merklein – Intern I
 Benjamin Johnson – Utility Systems Analyst

Promotions: Andrew Canchola – promoted to C Water Operator from D

Recommended Action:

N/A

Recommended Motion:

N/A

Attachments:

None



Water & Sewer Agenda Summary

August 16, 2023

Key Staff Contact: Matt Sparacino, Water Resource Administrator III

Title:

Approve First Amendment to Reimbursement Agreement for Wildfire Mitigation and Rehabilitation Services

Summary:

Greeley and the Coalition for the Poudre River Watershed Coalition (CPRW) have a strong common interest in protecting the Poudre River Watershed and desire to continue coordinating recovery measures and mitigation efforts in response to the Cameron Peak Fire. CPRW has received previous funding from various sources, including the Community Foundation of Northern Colorado and the Colorado Water Conservation Board. The work covered under the agreement and this First Amendment is not being funded by the City of Greeley or its Water enterprise; it is a pass-through agreement.

This First Amendment to the Reimbursement Agreement for Wildfire Mitigation and Rehabilitation Services adds United States Forest Service funding to be made available to CPRW under a Participating Agreement. CPRW and Greeley have agreed to use contractors procured under Greeley contracts for upcoming work. Greeley will pay the contractor per the terms of its contract and secure reimbursement from CPRW under this agreement.

Recommended Action:

Staff recommends that the Water & Sewer Board approve the First Amendment to the Reimbursement Agreement for Wildfire Mitigation and Rehabilitation Services and delegate authority to staff to make minor amendments or extensions to the agreement.

Recommended Motion:

“I move that Board approve the First Amendment to the Reimbursement Agreement for Wildfire Mitigation and Rehabilitation Services with CPRW in the form enclosed, and delegate authority to the Director of Water and Sewer to approve minor amendments and extensions to the agreement, including, without limitation, amendments to additional sources of funding, provided the material substance of the agreement remains unchanged.”

Attachments:

1. First Amend Reimb Agmt CPRW

First Amendment to Reimbursement Agreement for Wildfire Mitigation and Rehabilitation Services (CPRW – Greeley)

Matt Sparacino, PH – Water Resources Project Manager

August 16, 2023



Background

- The Poudre River continues to experience detrimental post-fire effects to water quality and watershed health
- Greeley and the Coalition for the Poudre River Watershed (CPRW) have an existing agreement that provides reimbursement to Greeley when Greeley contractors are used for mitigation work funded by CPRW
- This 1st Amendment targets a specific project under construction this summer
- No cash cost to Greeley when operating under this agreement



Terms of Amendment

- Adds United States Forest Service funding to be made available to CPRW under a Participating Agreement
 - Up to \$100,000 available for reimbursement
- Except where explicitly modified under this amendment, the terms and conditions of the Reimbursement Agreement for Wildfire Mitigation and Rehabilitation Services (approved by Board in August 2021) remain in full force and effect



QUESTIONS?





Water & Sewer Agenda Summary

August 16, 2023

Key Staff Contact: Alex Tennant, Water Resource Administrator II

Title:

Approve Augmentation Water Lease Agreement with the Town of Eaton

Summary:

The Town of Eaton approached Greeley staff with a need to augment two wells in their town parks under the Colorado Division of Water Resources groundwater well requirements. Eaton will use this agreement with Greeley to implement an augmentation plan with DWR for lagged depletions. The amount of water per year is 15 AF broken down into a monthly release schedule and is to be delivered to calling rights on the Cache La Poudre or South Platte rivers below the Eaton Draw. Greeley is able to make the augmentation releases either from Poudre Ponds or wholly consumable effluent credits from the WTRF. Per the schedule provided by Eaton, monthly releases do not exceed 1.69 AF in a given month which staff feels comfortable accommodating for the ten-year lease period. The cost is \$800/AF which falls under Greeley's policy for non-agricultural water rentals of wholly consumable supplies.

Recommended Action:

Approve the augmentation water lease agreement with the Town of Eaton.

Recommended Motion:

Attachments:

1. Augmentation Water Lease - Town of Eaton
2. Augmentation Lease (Eaton)

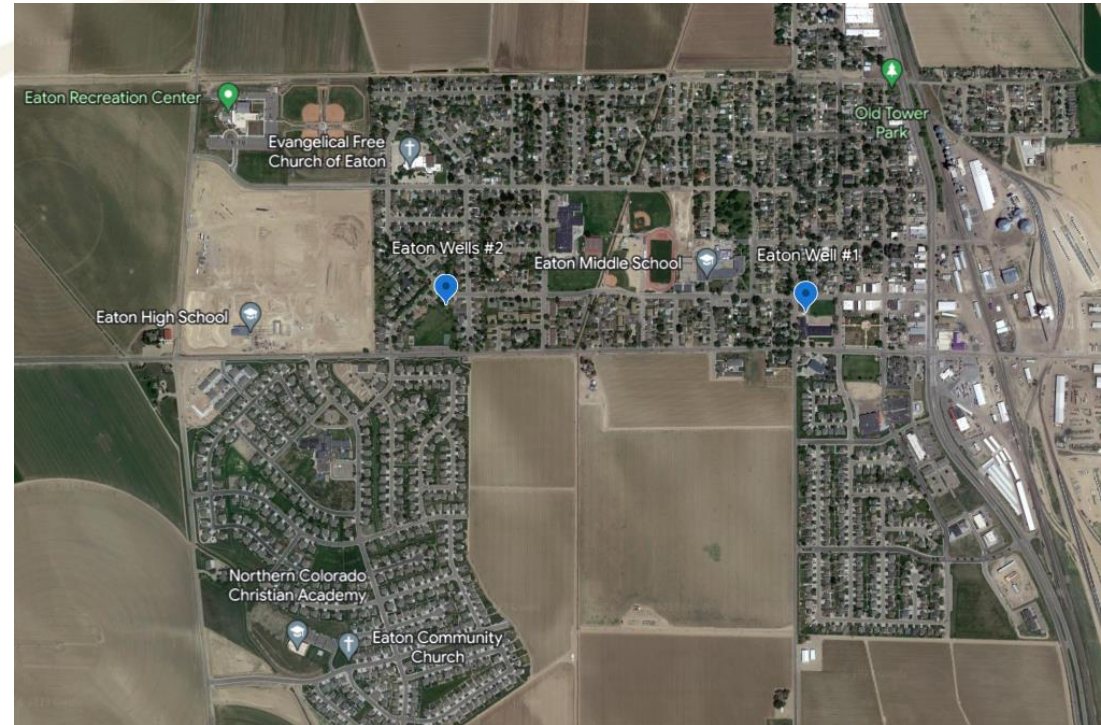
Town of Eaton: Augmentation Water Lease

August 16, 2023



Eaton Wells

- Town of Eaton contacted W&S staff about wholly consumable water availability to augment lagged depletions from two wells in town parks
- Location:
 - Well #1: Old Eaton Elementary School
 - Well #2: Centennial Park
- Aug water is owed to Eaton Draw
 - Obligation will be met with Poudre Ponds and WTRF effluent credits



Agreement Terms

- **Lessee:** Town of Eaton
- **Term:** Initial term is ten years ending December 31, 2033
 - Option to renew for two subsequent terms of five years each
- **Water:** Up to 15 acre-ft per year
 - Total amount is split into monthly releases
- **Cost:** \$800/AF plus a 3% increase per year

Month	Total lagged depletions (AF)
Jan	1.10
Feb	0.92
Mar	0.92
Apr	0.89
May	0.98
Jun	1.09
Jul	1.40
Aug	1.65
Sep	1.69
Oct	1.67
Nov	1.42
Dec	1.26
Total	14.98

Recommendation

- W&S staff recommends approving the augmentation lease agreement with the Town of Eaton.



Questions?

AUGMENTATION WATER LEASE AGREEMENT
(Eaton)

This AUGMENTATION WATER LEASE AGREEMENT ("Agreement") is entered into this ____ day of _____ 2023, by and between TOWN OF EATON, a Colorado statutory municipal corporation, whose address is 223 1st Street, Eaton, Colorado 80615 ("Eaton") and the CITY OF GREELEY, a Colorado home rule municipal corporation acting by and through its Water and Sewer Board, whose address is 1001 11th Avenue, Second Floor, Greeley, Colorado 80631 ("Greeley") (collectively the "Parties").

Recitals

WHEREAS, Eaton owns and operates two irrigation wells identified as Well 5 (WDID# 0307927) and Well 6 (WDID# 0307928) located in Weld County, Colorado ("Eaton Wells"); and

WHEREAS, the Eaton Wells pump groundwater and owe return flows to the Eaton Draw that Eaton is responsible for replacing in order to prevent injury to downstream appropriators; and

WHEREAS, Eaton accordingly plans to seek approval of an augmentation plan from the Division 1 Water Court to set forth the terms by which Eaton will replace such depletions to the Eaton Draw; and

WHEREAS, Eaton desires to secure a reliable source of augmentation water to utilize as a replacement source in its augmentation plan, and Greeley is willing to lease to Eaton water that may be lawfully used for this purpose;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Eaton and Greeley agree as follows.

Agreement

1. Lease of Augmentation Water. Greeley hereby agrees to lease Eaton up to 15 acre-feet of water per year during the term of this Agreement. The water made available by Greeley pursuant to this Agreement shall be decreed or otherwise usable for augmentation purposes under Colorado law ("Augmentation Water").

2. Term of Lease. The term of this Agreement begins on the date of mutual execution by the Parties and ends on December 31, 2033. Thereafter, this Agreement may be renewed for up to two additional subsequent terms of five years each, upon execution of a mutual written agreement of renewal by the Parties. Notwithstanding the foregoing, this Agreement may be terminated for the reasons set forth in Paragraph 6.

3. Water Delivery Schedule and Administration. The Augmentation Water to be made available by Greeley pursuant to this Agreement shall be released in accordance with the following annual schedule ("Delivery Schedule").

Month	Well No. 5 Lagged Depletions (ac-ft)	Well No. 6 Lagged Depletions (ac-ft)	Total Lagged Depletions (ac-ft)	Total Lagged Depletions with Safety Factor (ac-ft)
Jan	0.155	0.49	0.65	1.10
Feb	0.124	0.42	0.54	0.92
Mar	0.13	0.41	0.54	0.92
Apr	0.149	0.38	0.52	0.89
May	0.194	0.38	0.58	0.98
Jun	0.256	0.39	0.64	1.09
Jul	0.368	0.45	0.82	1.40
Aug	0.426	0.54	0.97	1.65
Sep	0.407	0.59	0.99	1.69
Oct	0.354	0.63	0.98	1.67
Nov	0.248	0.59	0.83	1.42
Dec	0.191	0.55	0.74	1.26
Total	3.0	5.81	8.81	14.98

Under the Agreement, Greeley will deliver Augmentation Water according to the Total Lagged Depletions with Safety Factor column, unless the Parties agree otherwise in writing. Eaton may update the Delivery Schedule at any time during the term of this Agreement by submitting an advance written notice to Greeley of sixty days. The foregoing delivery limits shall remain in effect if the Parties renew this Agreement in accordance with Paragraph 2 above.

4. Lease Payment. Eaton shall pay to Greeley \$800.00 per acre-foot of Augmentation Water leased pursuant to this Agreement ("Lease Payment"). Eaton shall pay to Greeley an initial Lease Payment for Augmentation Water in 2024, in the amount of \$11,984.00, within five days after mutual execution of this Agreement by the Parties. Each year thereafter during the term of this Agreement, Greeley shall adjust the Lease Payment in accordance with an increase of 3% based on the annual Lease Payment for the prior year. Eaton shall pay to Greeley that annually adjusted Lease Payment based on the then current Delivery Schedule for that year, but in no event shall the Lease Payment for Augmentation Water under this Agreement be less than \$800.00 per acre-foot. Eaton will provide Greeley with the anticipated Delivery Schedule by December 1st of each calendar year during the term of this Agreement. Greeley shall invoice Eaton in advance of each augmentation year, and Eaton shall remit payment to Greeley by the later of January 1st or within thirty days after receiving such invoice. Failure to timely pay the Lease Payment may result in the suspension of Augmentation Water deliveries and termination of this Agreement, as described more particularly in Paragraph 9 below.

5. Delivery of Augmentation Water. Greeley shall make the Augmentation Water available to Eaton, according to the then current Delivery Schedule, at one or more of the following locations: (1) the Cache la Poudre River at (a) the outlet of Greeley's Water Pollution

Control Facility; (b) the outlet of the Flatiron Reservoir Nos. 1-5 (a/k/a the Poudre Ponds at Greeley); (c) Release Structures for Greeley Canal No. 3 including, but not limited to: (i) the 23rd Avenue Spillway; (ii) the 16th Street Release Structure; and (iii) the F Street Release Structure; and (vi) the 35th Avenue Drainage Ditch; (2) the Big Thompson River at any delivery stations or release structures under the Greeley and Loveland Irrigation Company's irrigation canal system, or any other company's canal that is associated therewith; or (3) at such other point or points on which the Parties mutually agree in writing. There are times when the Ogilvy Ditch is the calling water right on the Cache la Poudre River. At these times, Greeley shall make the Augmentation Water available to Eaton at a location upstream of the Ogilvy Ditch in order to satisfy this call. Eaton shall be solely responsible for proper accounting and administration of the Augmentation Water less any transmission losses charged by State water officials below any of the release points described above. Greeley's obligation to make the Augmentation Water available to Eaton under this Lease shall commence on January 1st, 2024, or the date on which Greeley receives the initial payment described in Paragraph 4 above, whichever date occurs later.

6. Limitations on Obligation to Deliver Augmentation Water. Greeley's obligation to make the Augmentation Water available to Eaton under this Agreement may be curtailed, or this Agreement may be terminated, under the following circumstances:

a. Greeley imposes, in Greeley's sole discretion, mandatory city-wide water use restrictions to address drought conditions, dam or pipeline failure, or other catastrophic circumstance limiting Greeley's ability to satisfy the indoor water usage needs of its citizens, so long as, and to the extent that, deliveries under this Agreement are prevented or delayed by such cause.

b. An accident, act of war, natural catastrophe, fire, explosion, or other cause beyond the reasonable control of Greeley prevents or delays its ability to deliver Augmentation Water, so long as, and to the extent that, deliveries under this Agreement are prevented or delayed by such cause.

c. If at any time during the term of this Agreement Eaton no longer needs Augmentation Water to replace out-of-priority depletions associated with the Eaton Wells, Greeley's obligation to make Augmentation Water available under this Agreement shall terminate and be of no further force and effect, subject to the notice provisions in this paragraph. If Greeley reasonably believes that Eaton is no longer causing depletions to the Eaton Draw, Greeley shall notify Eaton of such belief in writing sixty days prior to its proposed termination of this Agreement. Eaton shall be entitled during this sixty-day period to demonstrate in writing that it still needs Augmentation Water to replace depletions from the Eaton Wells, which shall preclude termination of the Augmentation Water delivery obligation.

d. If Eaton determines that it no longer needs Augmentation Water to replace out-of-priority depletions associated with the Eaton Draw, Eaton may terminate the Agreement by submitting an advance written notice to Greeley of ninety days.

7. Use of the Augmentation Water. Eaton shall use the Augmentation Water made

available pursuant to this Agreement only to replace the out-of-priority depletions associated with the Eaton Wells, whether in an augmentation plan approved by the Division 1 Water Court or in an associated substitute water supply plan approved by the Colorado Division of Water Resources. Greeley may object to or oppose the inclusion and use of the Augmentation Water by Eaton in any proceeding to approve such a substitute water supply plan or augmentation plan, to ensure that the proposed use of the Augmentation Water by Eaton is consistent with this Agreement and to protect Greeley's interest in its water rights.

8. Notices. Any notices required hereunder shall be deemed sufficient when (i) hand-delivered, (ii) sent certified mail, return receipt requested to the Parties by the contact information set forth below, or (iii) sent by electronic mail on the condition that the intended recipient acknowledges receipt thereof. The Parties shall notify each other in the event that the appropriate contact information changes.

If to Eaton: Town of Eaton
 Attn: Wesley LaVanchy
 223 1st Street
 Eaton, Colorado 80615
 Wesley@eatonco.org

With copy to: Hill & Robbins P.C.
 Attn: Matthew Montgomery
 1660 Lincoln Street, Suite 2720
 Denver, Colorado 80264
 matthewmontgomery@hillandrobbsins.com

If to Greeley: Greeley Water and Sewer Department
 Attn: Leah Hubbard, Water Resource Operations Manager
 1001 11th Avenue, Second Floor
 Greeley, Colorado 80631
 leah.hubbard@greeleygov.com

With copy to: Greeley City Attorney's Office
 Attn: Environmental and Water Resources Practice Group
 1100 10th Street, Suite 401
 Greeley, Colorado 80631
 arthur.sayre@greeleygov.com

9. Default and Termination. If either of the Parties fails to comply with a term or condition herein, such failure constitutes a default of this Agreement. The non-defaulting party may declare the default by providing written notice to the defaulting party in accordance with Paragraph 8 above. Upon receipt of this notice of default, the defaulting party will have fifteen days within which to cure the default. If, in the sole discretion of the non-defaulting party, the default remains uncured after the aforementioned fifteen-day cure period, or after any written extension thereof mutually agreed upon by the Parties, the non-defaulting party may declare the Agreement terminated by written notice in accordance with Paragraph 8 above.

a. Notwithstanding the above, any failure by Eaton to comply with the terms of Paragraph 7 or 16 in this Agreement constitutes a material breach. In the event that Eaton commits a material breach, Greeley may immediately terminate this Agreement by written notice to Eaton.

b. The failure of either party to declare a default or material breach does not establish a precedent or constitute an implied waiver of any subsequent breach of the terms and conditions in this Agreement.

10. Attorneys' Fees and Costs. In addition to any remedies otherwise available, to the extent permitted by law, a party that prevails in a legal action commenced against the other due to a default or material breach of this Agreement may recover from the defaulting party reasonable costs and attorneys' fees incurred during the course of such legal action.

11. Governing Law and Venue. This Agreement shall be governed by and enforced in accordance with the laws of the State of Colorado. Venue for any action regarding this Agreement shall be in the District Court for Weld County, Colorado or the Division 1 Water Court, as appropriate.

12. Recording. Eaton shall not record this Agreement in the real property records of any jurisdiction, but may disclose or otherwise utilize this Agreement in any proceeding to obtain approval of a plan for augmentation from the Division 1 Water Court or a substitute water supply plan from the Colorado Division of Water Resources.

13. Counterparts. This Agreement may be executed in counterparts, each of which when executed by the Parties may be deemed an original. The combination of such identical counterparts when executed by the Parties shall constitute one agreement.

14. No Vested Interest in Augmentation Water. This Agreement is made expressly subject to Section 17-4 of the Charter of the City of Greeley. Greeley grants no interest in the Augmentation Water to Eaton other than as explicitly set forth in this Agreement. Eaton shall make no claim to any rights, title, or interest in the Augmentation Water other than as expressly set forth in this Agreement. In no event shall Greeley be required to provide Augmentation Water in amounts greater or for a period longer, than expressly described herein.

15. Non-Appropriation of Funds. Pursuant to Section 29-1-110, C.R.S., as amended, financial obligations of Eaton payable as set forth herein, after the current fiscal year, are contingent upon funds for that purpose being budgeted, appropriated and otherwise made available. This Agreement shall be terminated effective January 1 of the first fiscal year for which funds are not budgeted and appropriated.

16. Restriction on Sublease and Assignment. Eaton shall not rent, sublet, or otherwise convey the right to use the Augmentation Water. Eaton shall not assign this Agreement, except to a successive owner or operator of the Eaton Wells for augmentation of the Eaton Wells, and only with prior written consent from Greeley. Eaton shall request consent from Greeley prior to any purported assignment of this Agreement by advance written notice of at least thirty days. Such consent may be given or withheld in the sole discretion of Greeley.

IN WITNESS WHEREOF, the Town of Eaton and the City of Greeley have executed this Agreement on the dates set forth below.

TOWN OF EATON

A Colorado statutory municipal corporation

By: 
Name: Wesley LaVanchy
Title: Town Administrator

Date: 8/4/23

CITY OF GREELEY
a Colorado home rule municipal corporation
acting by and through its Water and Sewer Board

By: _____
Mayor

Date: _____

By: _____
Director of Water & Sewer

ATTEST:

By: _____
City Clerk

AS TO LEGAL FORM:

By: _____
City Attorney



Water & Sewer Agenda Summary

August 16, 2023

Key Staff Contact: Alex Tennant, Water Resource Administrator II

Title:

Water Supply Update

Summary:

Staff reports to the Water and Sewer Board (“Board”) in April, July, and November of each year on Greeley’s water supply status. In 2023, staff will present to the Board in August on mid-irrigation season supplies. The presentation consists of spring and early summer climate recap, current storage amounts, weather forecast through 2023, and the agricultural rental summary.

Recommended Action:

N/A

Recommended Motion:

N/A

Attachments:

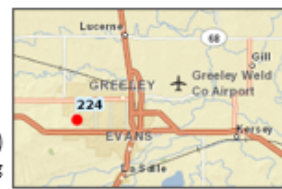
1. August Water Supply Update
2. August 2023 Water Supply Update

Water Supply Update: August

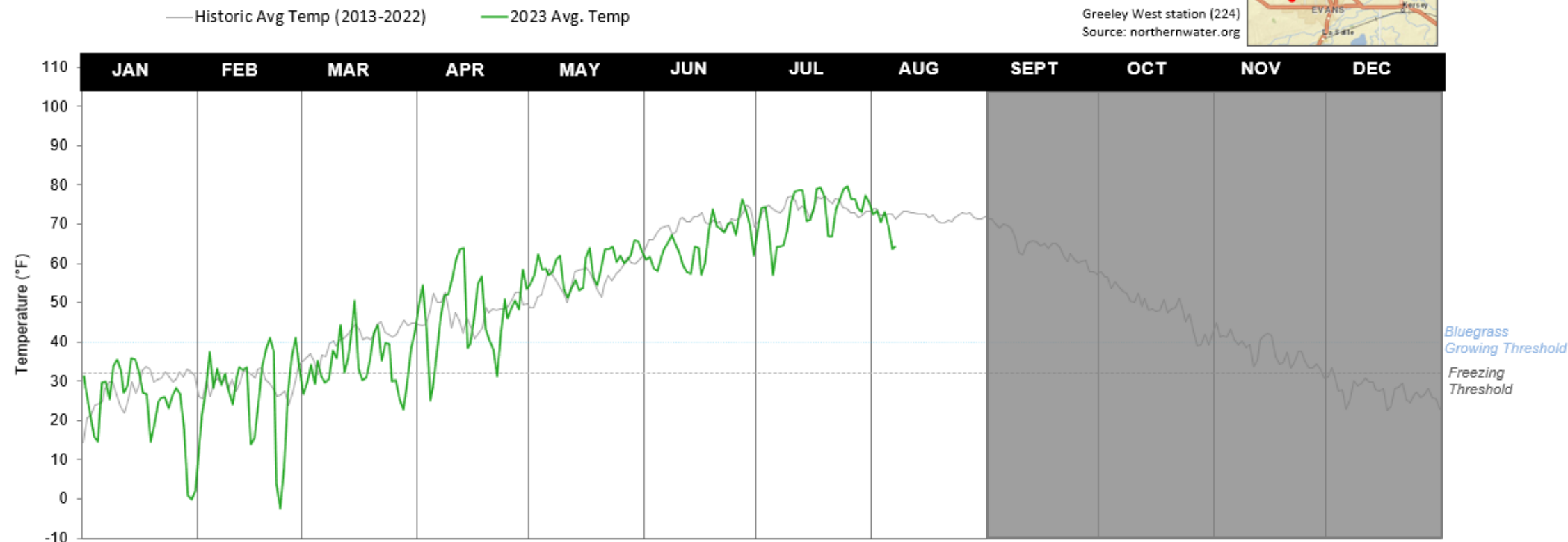
August 16, 2023



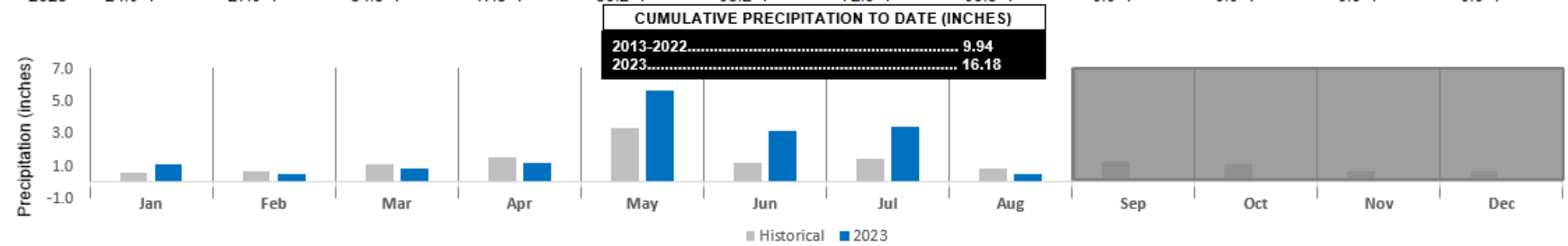
City of Greeley: Temperature (°F) and Precipitation 2023



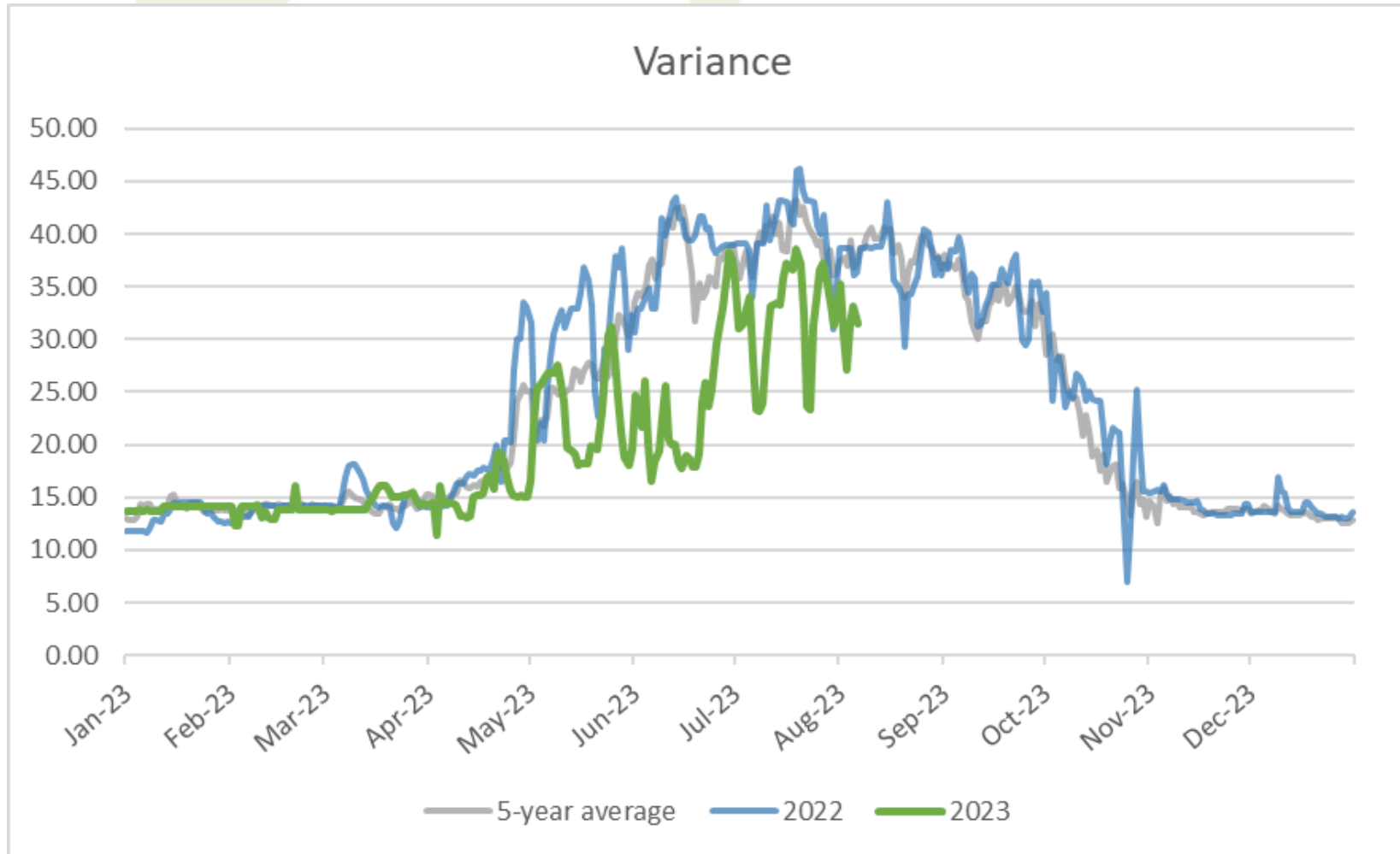
Greeley West station (224)
Source: northernwater.org



MONTHLY AVERAGE TEMPERATURE												
2013-2022	28.2° F	29.4° F	40.8° F	47.4° F	55.9° F	70.0° F	74.2° F	72.2° F	64.4° F	48.9° F	37.7° F	27.4° F
2023	24.0° F	27.0° F	34.8° F	47.3° F	59.2° F	65.2° F	72.9° F	69.5° F	0.0° F	0.0° F	0.0° F	0.0° F



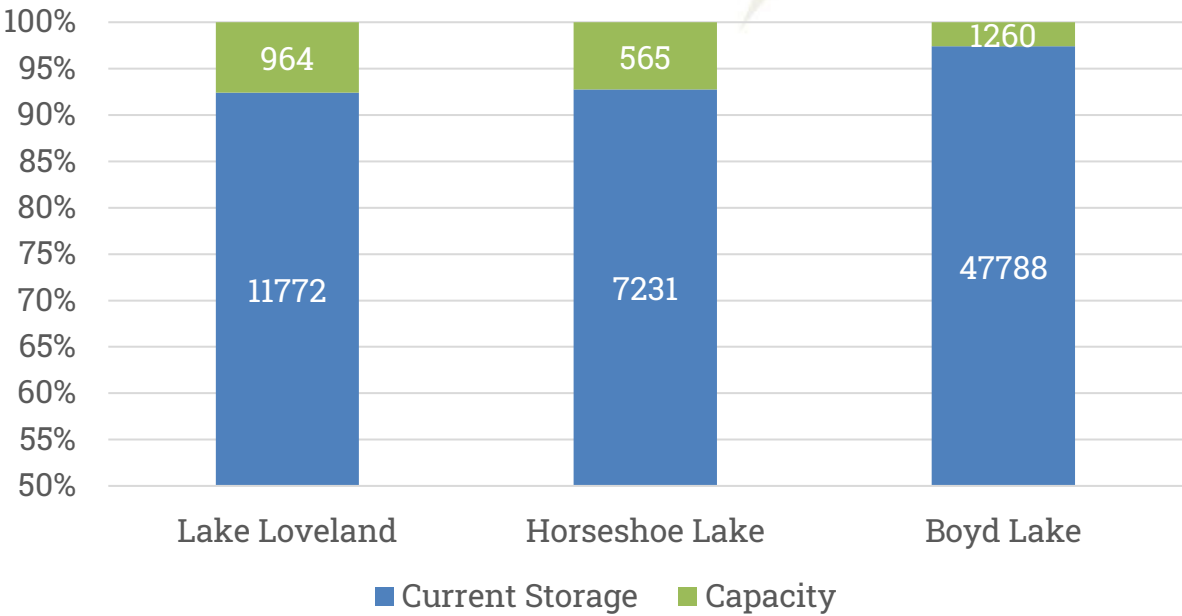
Production



Treatment through July (AF)

5-yr Avg	15,165
2022	15,878
2023	12,739

System Storage Volumes - GLIC

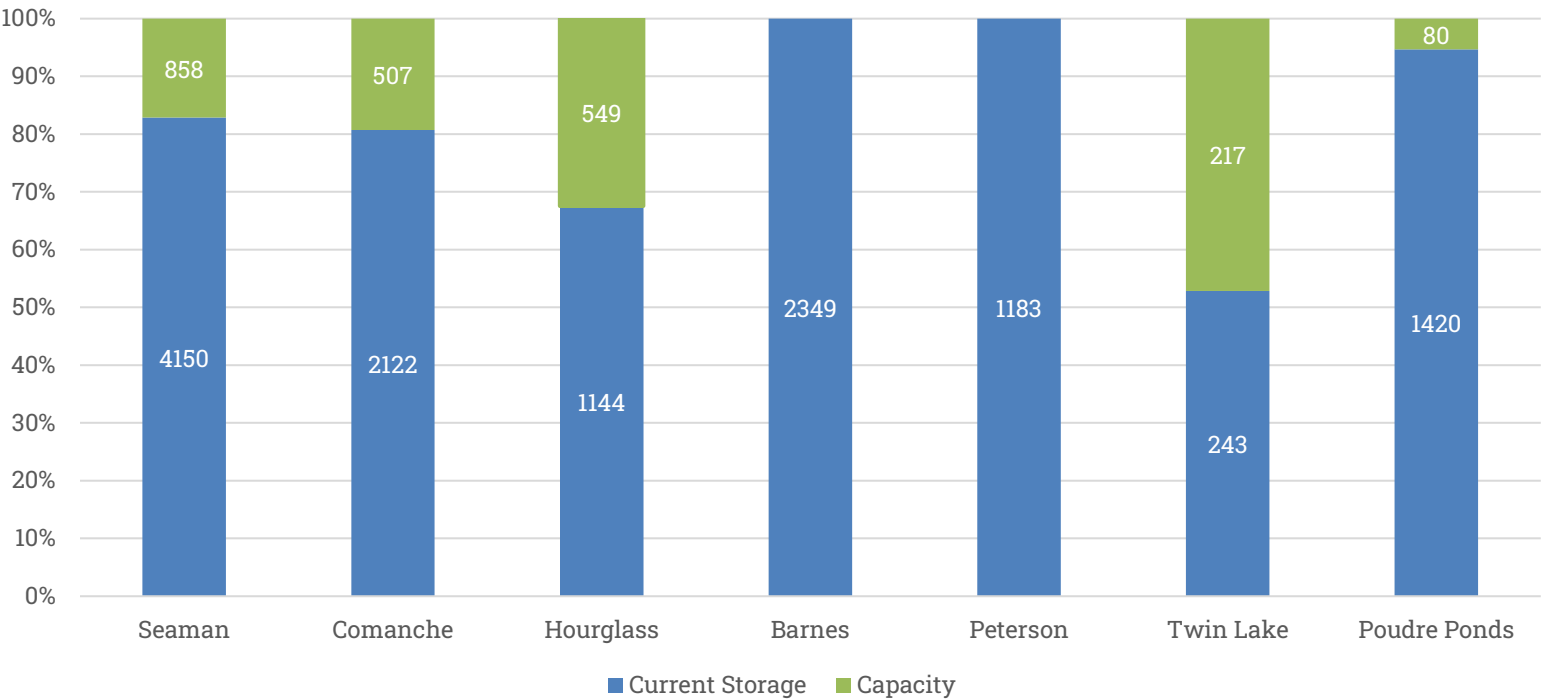


Lake Loveland	Horseshoe	Boyd Lake
11,772 AF	7,231 AF	47,788 AF
92%	93%	98%
Total in the system: 66,791 AF 97%		



System Storage Volumes - Poudre

Seaman	Comanche	Hourglass	Barnes	Peterson	Twin	Poudre Ponds	Chambers	
4,150 AF	2,122 AF	1,144 AF	2,349 AF	1,183 AF	243 AF	1420 AF	1,893 AF	
83%	81%	67%	Full	Full	53%	95%	1000 AF CBT	893 AF Tunnel



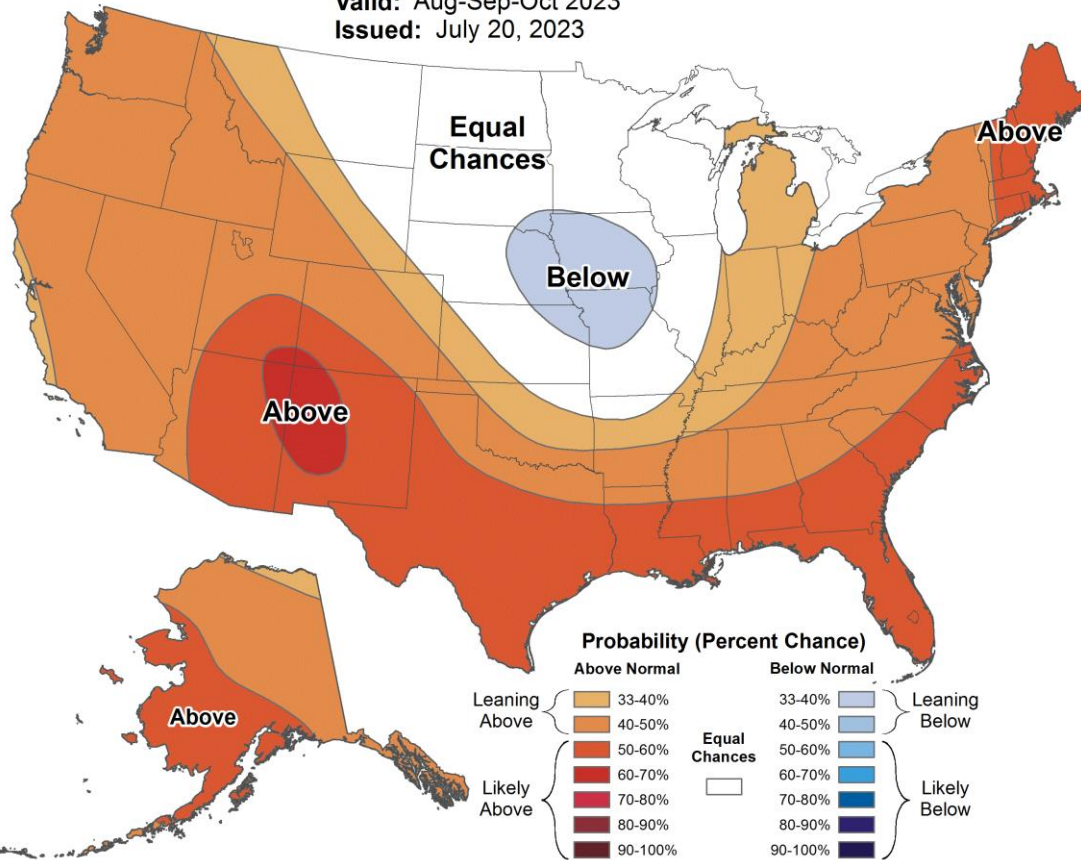
Outlook - Climate



Seasonal Temperature Outlook



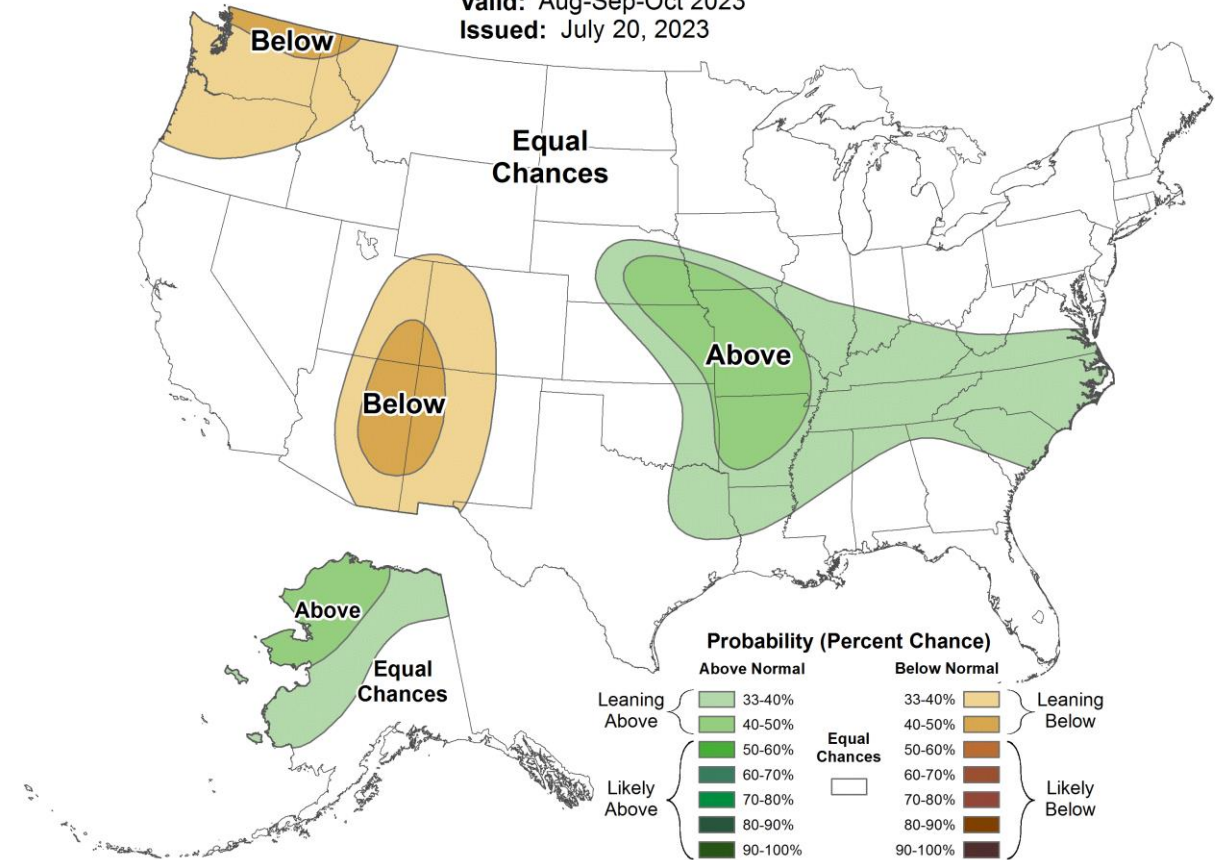
Valid: Aug-Sep-Oct 2023
Issued: July 20, 2023



Seasonal Precipitation Outlook

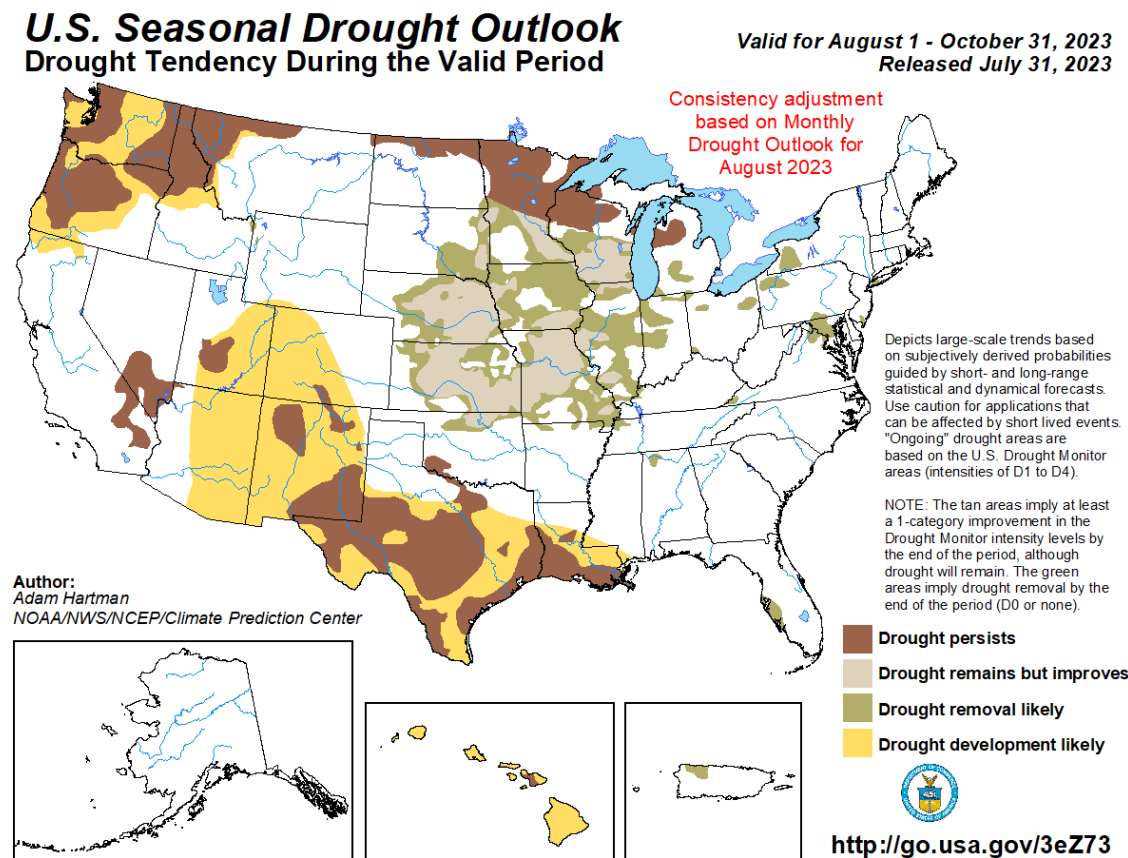
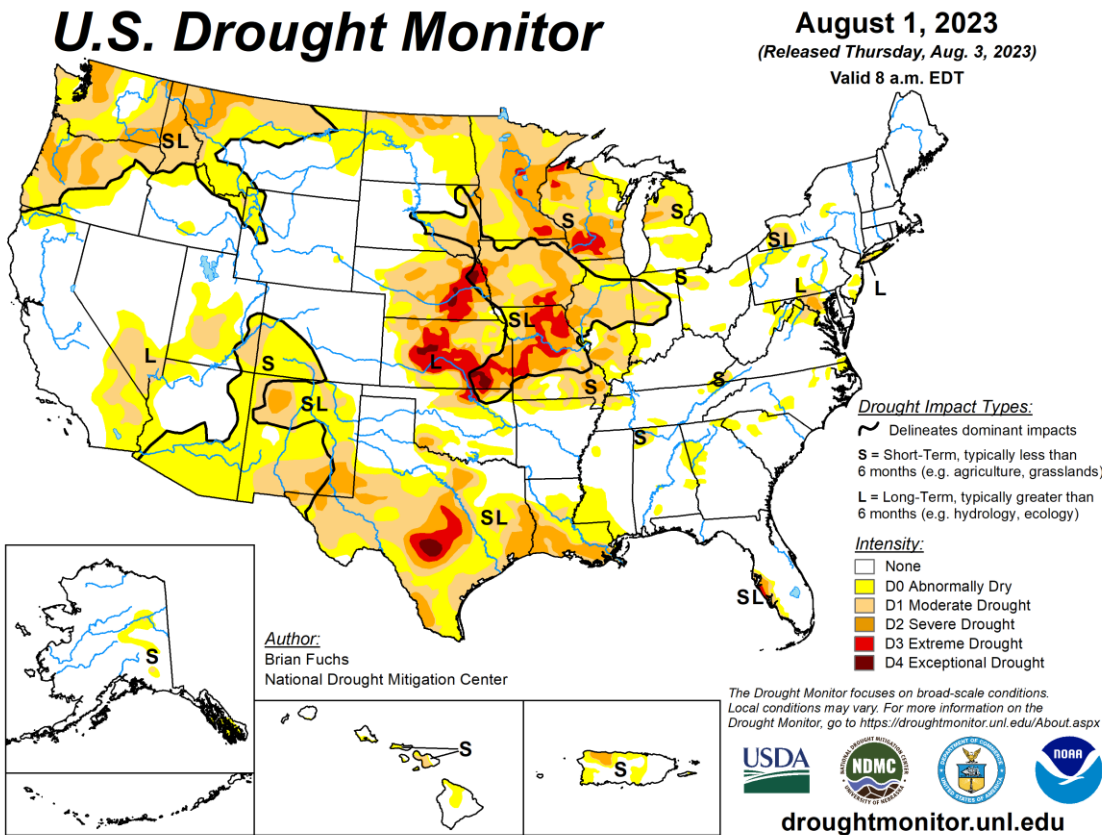


Valid: Aug-Sep-Oct 2023
Issued: July 20, 2023



El Nino pattern to continue into winter
Farmers Almanac predicts cold temps and average snow

Outlook - Drought



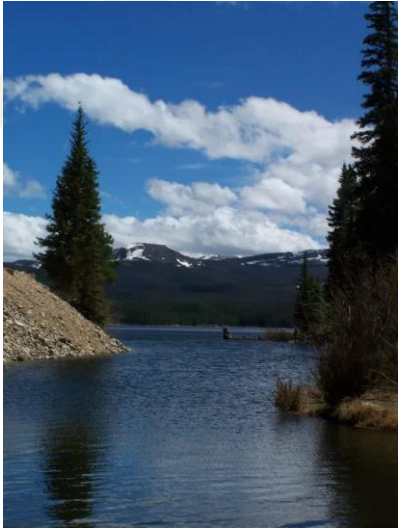
Rental Summary

• C-BT	6,500 AF
• GLIC Changed	326 AF
• GLIC Unchanged	1,881 AF
• WSSC	517 AF
• NPIC	184 AF
• HMR	4,300 AF
• Leasebacks	
• WSSC	1,808 AF
• GLIC	8,345 AF
• L&W	2,874 AF
• New Cache	813 AF

27,548 AF



2024 Target Storage



April 2023 Storage (acre-feet)	
CBT	22,774
Windy Gap	1,000
GLIC	13,498
Tunnel	968
Total	38,240
Demands (April 2023-March 2024) (acre-feet)	
CBT	16,738
Windy Gap	2,900
GLIC	9,462
Tunnel	1,000
Total	30,100
Yields through April 2024 (acre-feet)	
CBT (Nov. 2022-April 1, 2022)	11,402
Windy Gap	1,900
GLIC	7,096
Tunnel	893
Total	21,291
April 2024 Storage by Source	
CBT	14,382
Windy Gap	0
GLIC	11,132
Tunnel	861
April 2024 Storage	26,375
Target Storage Volume	21,300

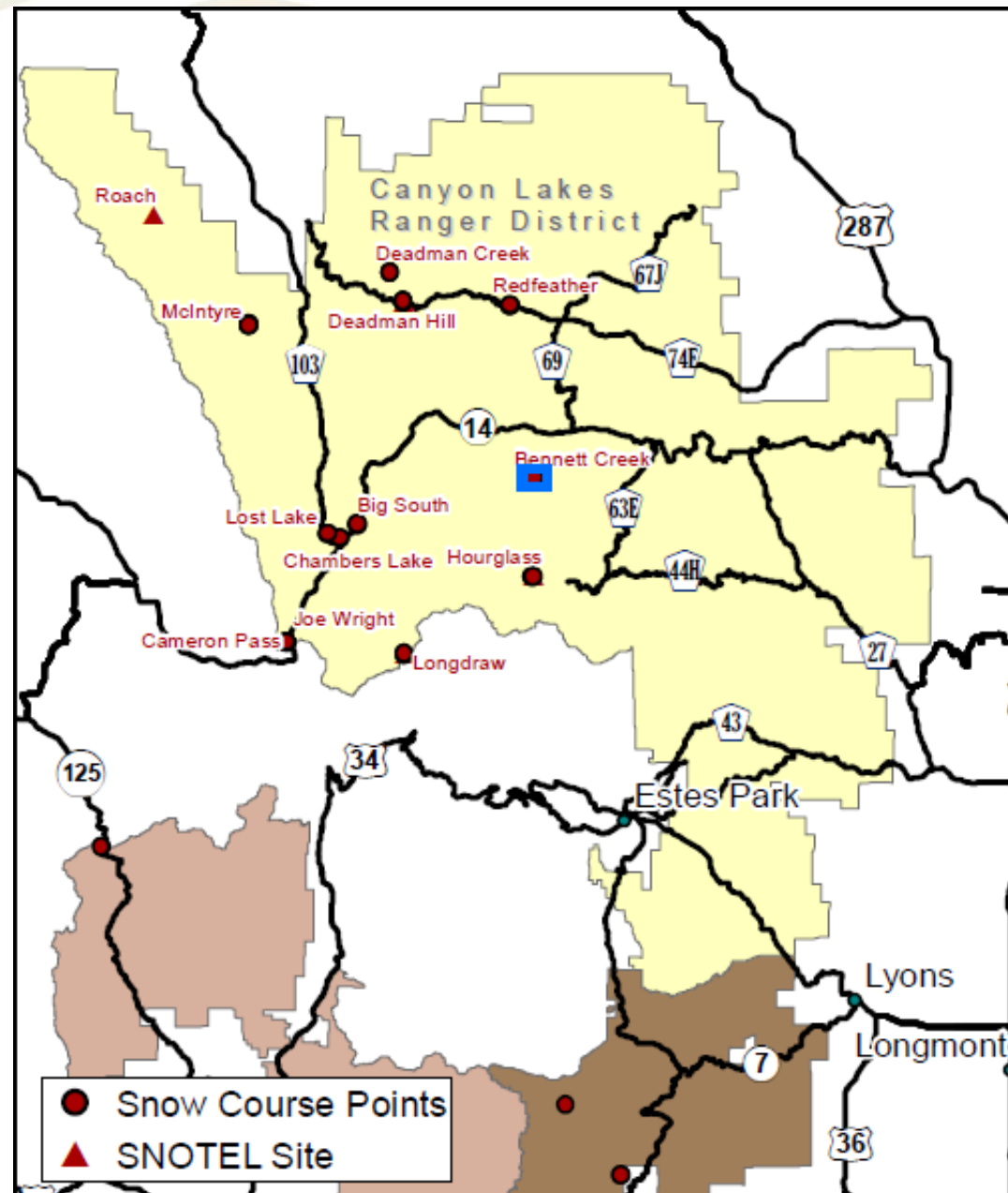
HMR – Snow Surveys

- DWR, Fort Collins, Greeley
 - January through April on the last 3 days of the month
 - Snow Water Equivalent
- Locations
 - Hourglass Reservoir (est. 1937), Bennet Creek (est. 1962), Long Draw (est. 1971), Chambers Hill (est. 1971), Deadman Hill (est. 1936), Red Feather (est. 1948), Deadman Creek (est. 1971), Black Mountain (est. 2010), McIntyre (est. unknown)



- Greeley Staff participation in the Poudre Basin surveys for the past 30-plus years
- Greeley has been a major contributor to the upkeep of these sites
- Help construct newer SNOTEL sites

Note: NRCS maintains the SNOTEL sites and data



HMR- Snow Surveys

CACHE LA POUFRE BASIN SNOW SURVEY May 1, 2023



Manually Measured Sites

	This Year Depth	This Year Inches/Water	Average Inches/Water	Last Year Inches/Water	% of Average	% of Last Year
Lake Irene - 10,700 ft	58	13	22.2	9.7	59%	134%
Cameron Pass - 10,285 ft	75	30.4	27.9	26	109%	117%
Deadman Hill - 10,220 ft	51	18.2	16.8	17.5	108%	104%
Long Draw Reservoir - 9,980 ft	51	18.3	15.1	15.5	121%	118%
Hourglass Lake - 9,960 ft	26	7.1	6.6	3.2	108%	222%
Lost Lake - 9,300 ft	37	13.6	9.4	2.7	145%	504%
Bennett Creek - 9,200 ft	7	1.7	4.0	0.3	43%	567%
Chambers Hill - 9,120 ft	21	6.6	6.8	4.8	97%	138%
Red Feather - 9,000 ft	28	8.3	5.0	4.7	166%	177%
Chambers Lake - 9,000 ft	11	3.3	4.7	2.1	70%	157%
Big Gouth - 8,600 ft	3	1.2	0.8	0.2	150%	600%

Poudre Basin Totals Manually Measured Sites

Basin Average 2023	Basin Historic Average	Basin Average 2022	% of Average	% of Last Year
11.1	10.8	7.9	102%	140%

SNOTEL Measured Sites

	This Year Depth	This Year Inches/Water	Average Inches/Water	Last Year Inches/Water	% of Average	% of Last Year
Willow Park - 10,792 ft	62	24.7	19.1	21.1	129%	117%
Lake Irene - 10,692 ft	70	27.3	25.2	23.2	108%	118%
Deadman Hill - 10,239 ft	54	21.7	19.7	21.6	110%	100%
Joe Wright - 10,158 ft	64	28.2	24.2	23.2	117%	122%
Long Draw Resv - 10,008 ft	43	17.6	17.1	17.6	103%	100%
Hourglass Lake - 9,417 ft	22	9.4	10.8	5.9	87%	159%
Black Mountain - 8,980 ft	25	10.6	9.2	7.8	115%	136%

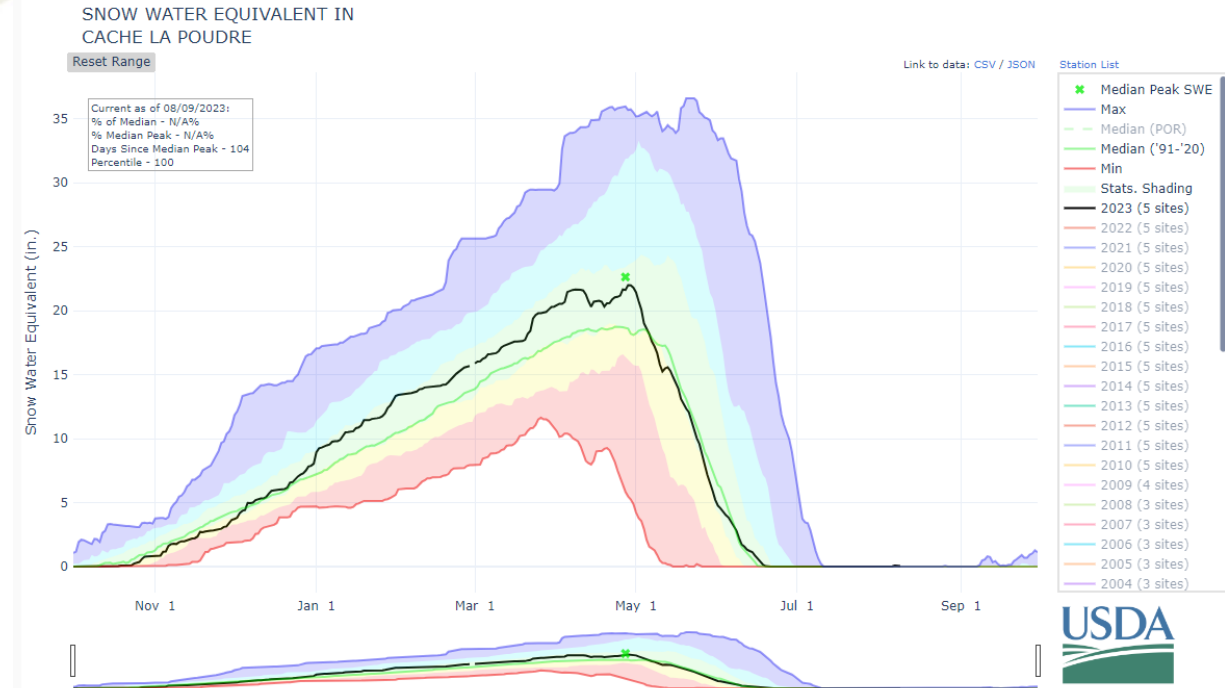
Poudre Basin Totals SNOTEL Measured Sites

Basin Average 2023	Basin Historic Average	Basin Average 2022	% of Average	% of Last Year
19.9	17.9	17.2	111%	116%

- AVERAGES COMPUTED USING ENTIRE AVAILABLE DATASET FOR EACH SITE

Cache La Poudre River Basin Graphs

Colorado > Cache La Poudre



NRCS SNOTEL DATA
Can be found on the NRCS
Colorado Snow Survey
website



Monthly Reports Generated and
sent out by the State

Moving into Fall

- “Adequate Water Year” continue
- Maintain target storage volume at 21,300 AF
- Local reservoir storage is projected to end irrigation season above average
- Northeastern Colorado is projected to remain drought free through October



Questions?



MEMORANDUM

TO: Sean Chambers, Water and Sewer Director
FROM: Alex Tennant, Water Resources Administrator II
DATE: August 9th, 2023
RE: August 2023 Water Supply Update

ISSUE

In accordance with the Drought Emergency Plan, staff reports the water supply status to the Greeley Water and Sewer Board (“Board”) in April, July, and November of each year. The Water Resources Division’s goal is maximized rentals, maximized storage, and minimized spill by closely monitoring drought conditions, associated hydrologic conditions, and storage levels. Previous modeling analysis has shown that the target storage level needed to provide adequate drought protection for the citizens of Greeley is approximately 21,300 acre-feet. When the target storage level is met, Board can declare an “adequate water year” with normal watering restrictions. As base use demands increase in the future, periodic reevaluation of the target storage level will be required to ensure it is adequate to supply the citizens of Greeley.

The Greeley System Storage Analysis excel application is used for projecting the target storage level over a 12-month period. The model performs an annual water balance to arrive at a forecasted April 1st carryover storage based on existing supplies and demands for the current year. The storage analysis model only includes standard operational practices and does not take into account other plans (additional drought restrictions, etc.) that may be available to Greeley.

BACKGROUND

Northern Colorado entered the 2023 water year with moderate to severe drought conditions. The seasonal outlook did not look much brighter in the April Board meeting either with many reservoirs below average storage levels and a slightly below average snowpack. Once the second week of May arrived, everything changed. Greeley and the surrounding Northern Colorado area saw below average temperatures and much higher than average precipitation through July. The runoff season peaks were near normal, but the rivers have remained flowing above average to this day.

The western United States entered the El Nino climate pattern in 2023 and it has continued in the monsoon season. The current forecast shows an 84% chance that the remainder of 2023 will result in at least a moderate El Nino condition. Historically, El Nino brings cooler temperatures and wetter conditions than normal in the spring, summer, and fall to Northern Colorado. This has clearly been the case.

SERVING OUR COMMUNITY • IT'S A TRADITION

We promise to preserve and improve the quality of life for Greeley through timely, courteous and cost effective service.

Below are a few key statistics that stand out in 2023 compared to previous years.

- Below Average Temperatures
 - o January, February, March, April, June, and July to date were all below average
- Above Average Precipitation
 - o 16.18 inches for the year through August 8th vs the historical average of 9.94 inches
- Production
 - o 12,739 AF of produced water from Boyd and Bellvue through July 2023 compared to the average 15,165 AF from the past five years.
 - -2,426 AF difference

The South Platte was on free river between May 12th and July 15th. The call is often on/off from February-May depending on lower basin water supply, but a direct irrigation call typically comes on in June and stays on into November. Cache la Poudre was on free river between May 5th and August 16th. The call did come on briefly 7/4 but was released on 7/6. The is also atypical for the CLP. The peak runoff was about 2,500 cfs at the Poudre canyon mouth gauge near Bellvue which is not abnormal, but the flow has been at or above 1,000 cfs up until the beginning of July. Usually, the CLP runoff peaks quickly and drops off for a senior direct flow call to begin the first week of July.

All the ditch company reservoirs that Greeley owns shares in were able to fill this year. In addition, Greeley's High Mountain Reservoir (HMR) system filled all reservoirs including Hourglass and Comanche which have not been filled the past two years due to the fire impacts. Greeley was able to get back on track and rent 4,300AF of HMR water to agriculture as we have done in the past.

Through August 8th, staff has rented approximately 27,548 acre-feet of water to agriculture. This value can fluctuate quite a bit year to year because a majority of rentals and leases are tied to GLIC shares, which received a full storage dividend. We rented a slightly below average amount of CBT to the ag community. Greeley entered a couple industrial and O/G single year rentals which staff negotiated at higher price than the ag rental price.

The Greeley System Storage Analysis table shows the April 2023 storage level will be approximately 26,375 acre-feet. Greeley's supply portfolio is in good condition, forecasts are predicting near average temperatures and near average precipitation through October. The El Nino climate pattern is projected to remain through the winter which brings cool temps and plenty of snow. Staff will continue to monitor weather and water supply closely.

RECOMMENDATION

No recommendation will be brought to the Board in August. This is informational and staff will return in November to present on the end of season supply and water year 2024 outlook.

April 2023 Storage (acre-feet)	
CBT	22,774
Windy Gap	1,000
GLIC	13,498
Tunnel	968
Total	38,240
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April 2024 Storage	26,375
Target Storage Volume	21,300

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Water & Sewer Agenda Summary

August 16, 2023

Key Staff Contact: Mathew Finch - Water Instrument Supervisor

Title:

SCADA Telemetry & Controls Upgrades and Master Plan

Summary:

This presentation will be an update to the board on Water & Sewers SCADA system, the new EPA ruling and the SCADA master plan.

Recommended Action:

N/A

Recommended Motion:

N/A

Attachments:

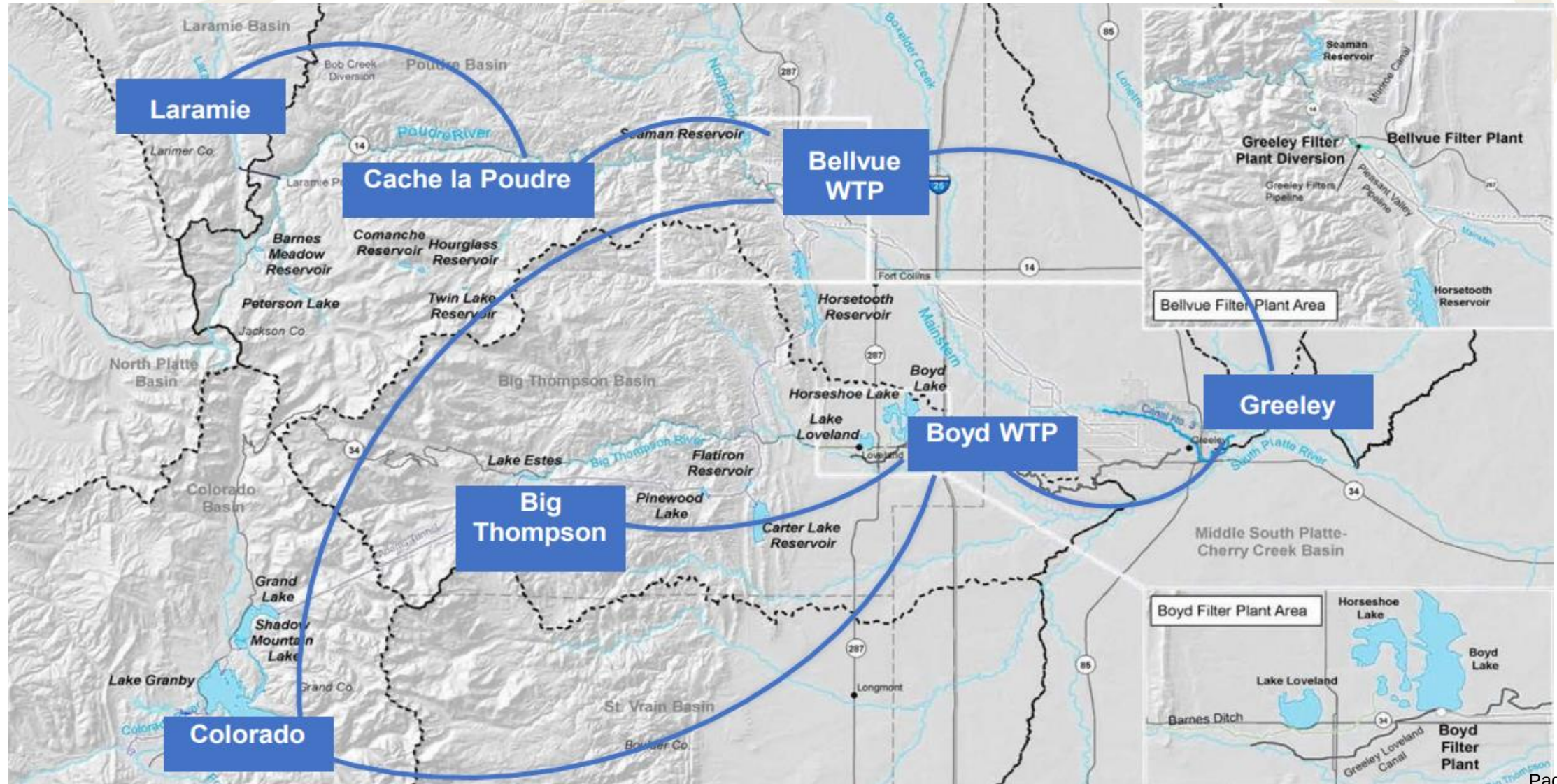
1. SCADA Power Point



Water & Sewer Utilities SCADA, Instrumentation, Controls and Cybersecurity

August 16, 2023

Modern, Robust and Expansive Infrastructure



8/4/2023

8:50:47 AM

37.8 F

Weather

Reservoir CL2

Reservoir #4

Mosier Pumps

Mosier North

Mosier South

Mosier CL2

System Data

PRV

Transmission PSI

Zone 4 Pump Station

Gold Hill Reservoir & Water Tower

Reservoir Alarms

Gold Hill

Reservoir Alarm Setpoint

Advanced Tools

Login

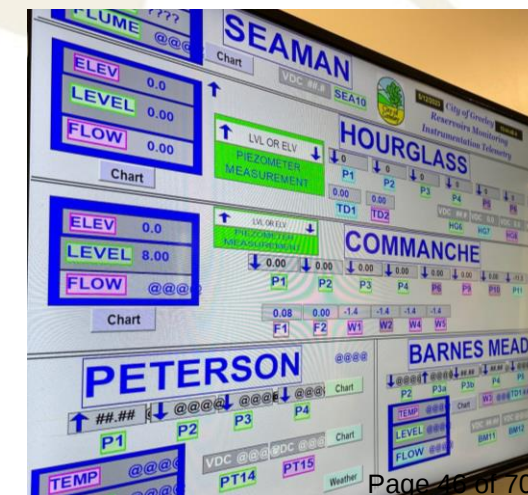
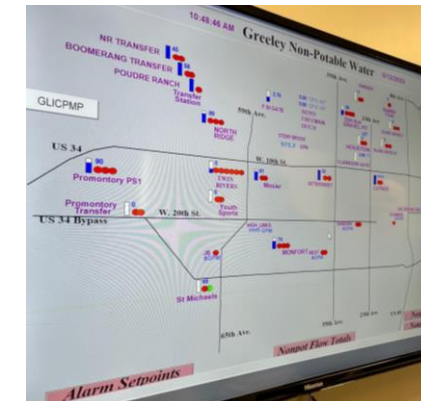
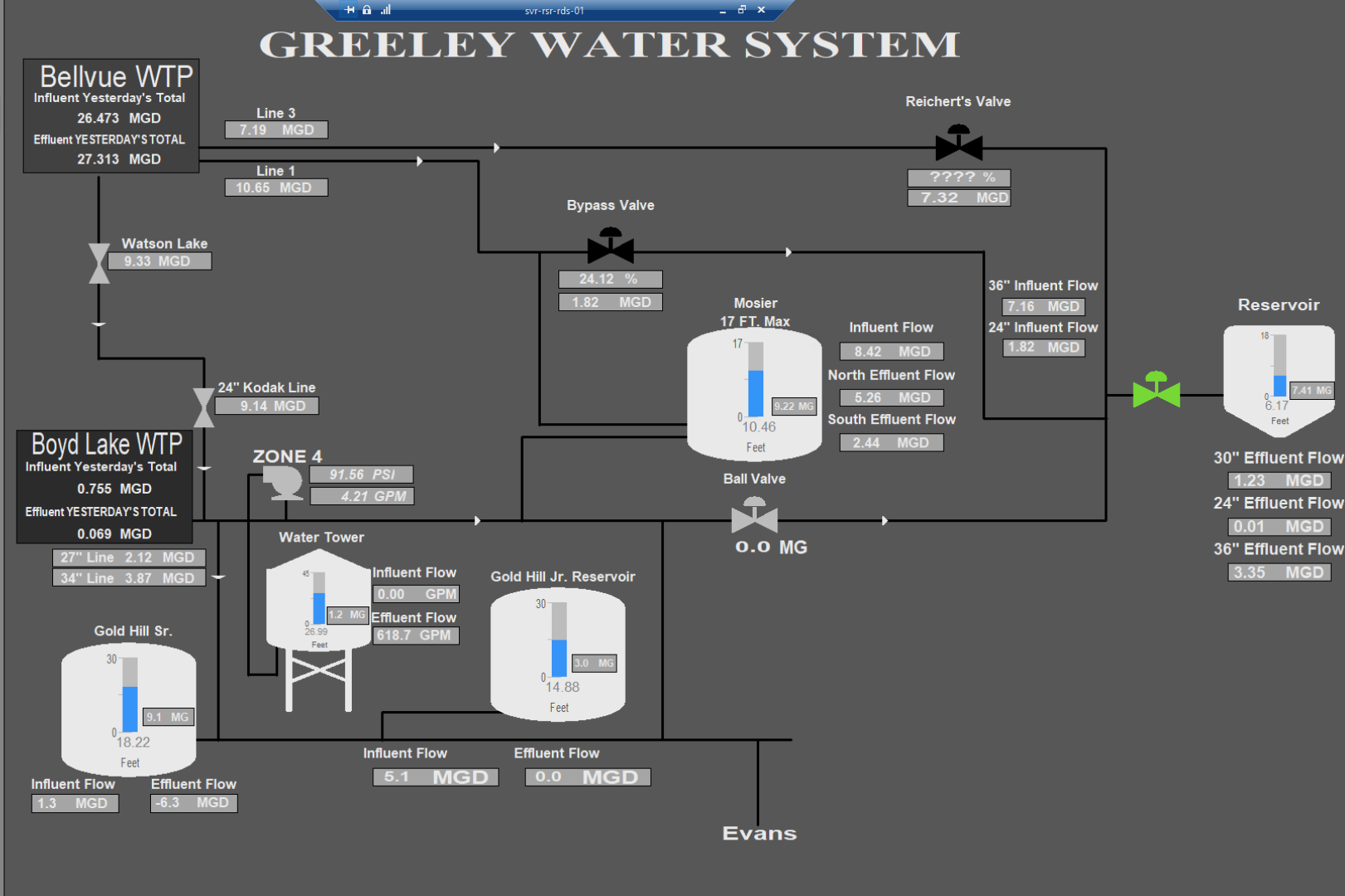
Network

Historical Data

System Data

Yesterdays Totals

Reports

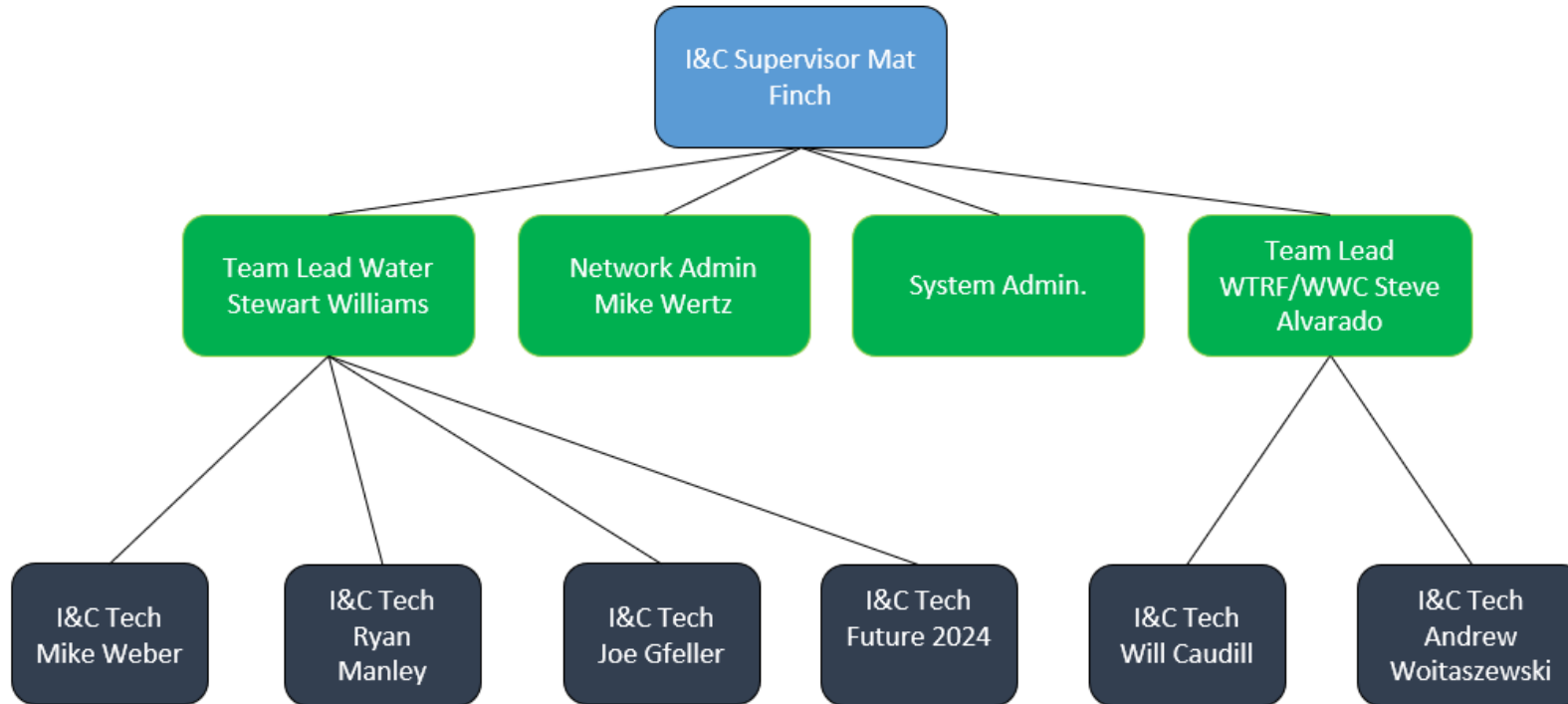


Supervisory Controls & Data Acquisition (SCADA)

I&C Department Staff

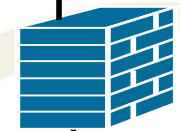
Instrumentation and Controls

I&C Organization Chart



- ☐ 130 SCADA Sites
- ☐ 2 Water Treatment Plants
- ☐ 1 Wastewater Treatment Plant
- ☐ Electrical
- ☐ Automation
- ☐ Instrumentation
- ☐ Controls
- ☐ Telemetry
- ☐ Servers
- ☐ Firewalls
- ☐ Network

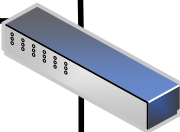
Remote Access



Firewall



Server



Switch



Workstation



RTU
Remote Terminal Unit



PLC



Pump Stations



PRV



Flow Meter



Flow Meter

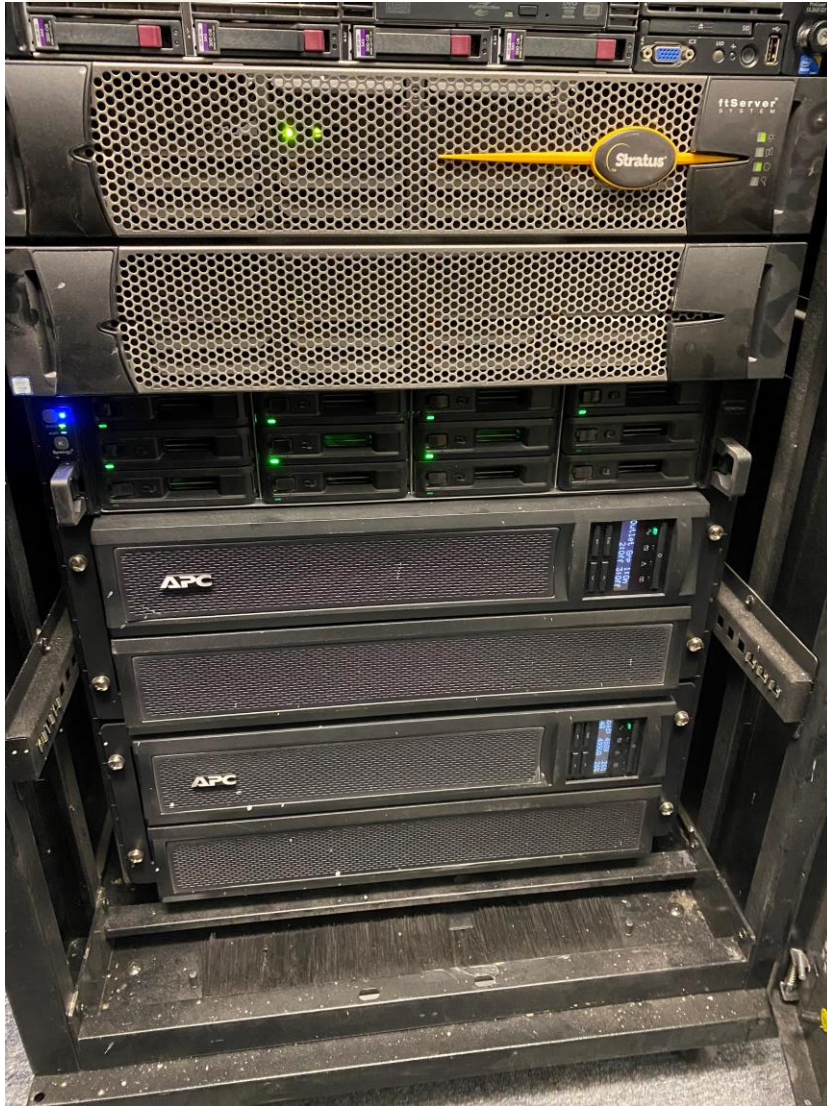


Pressure Sensor

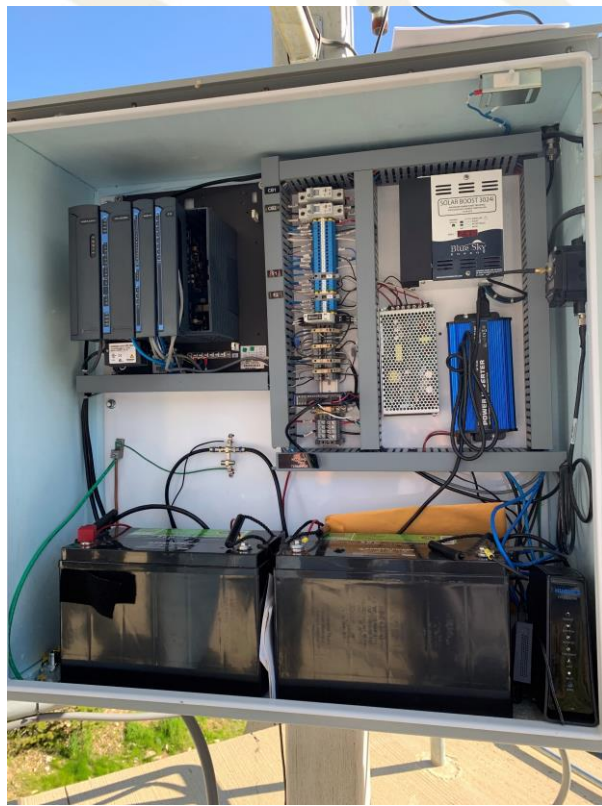
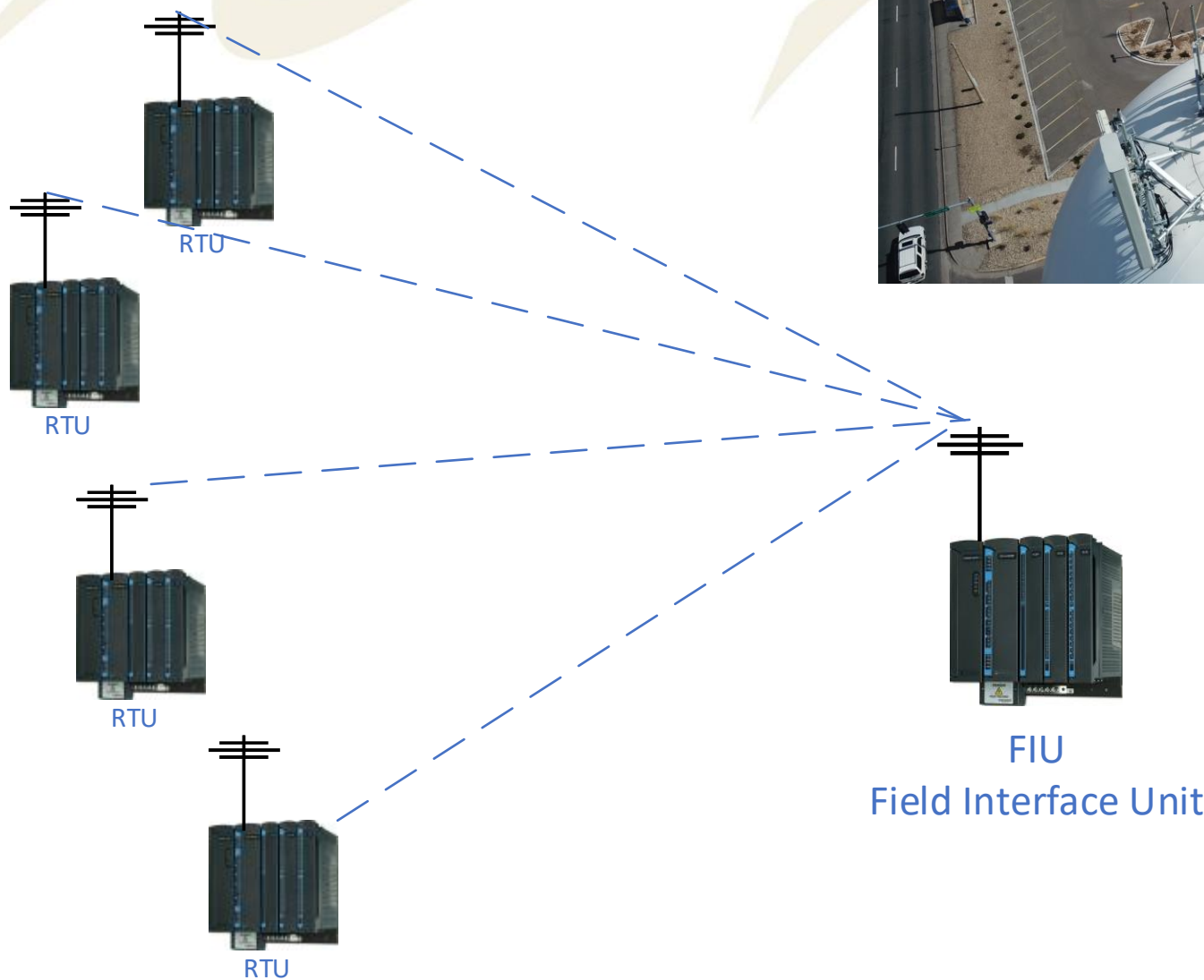
SCADA OVERVIEW



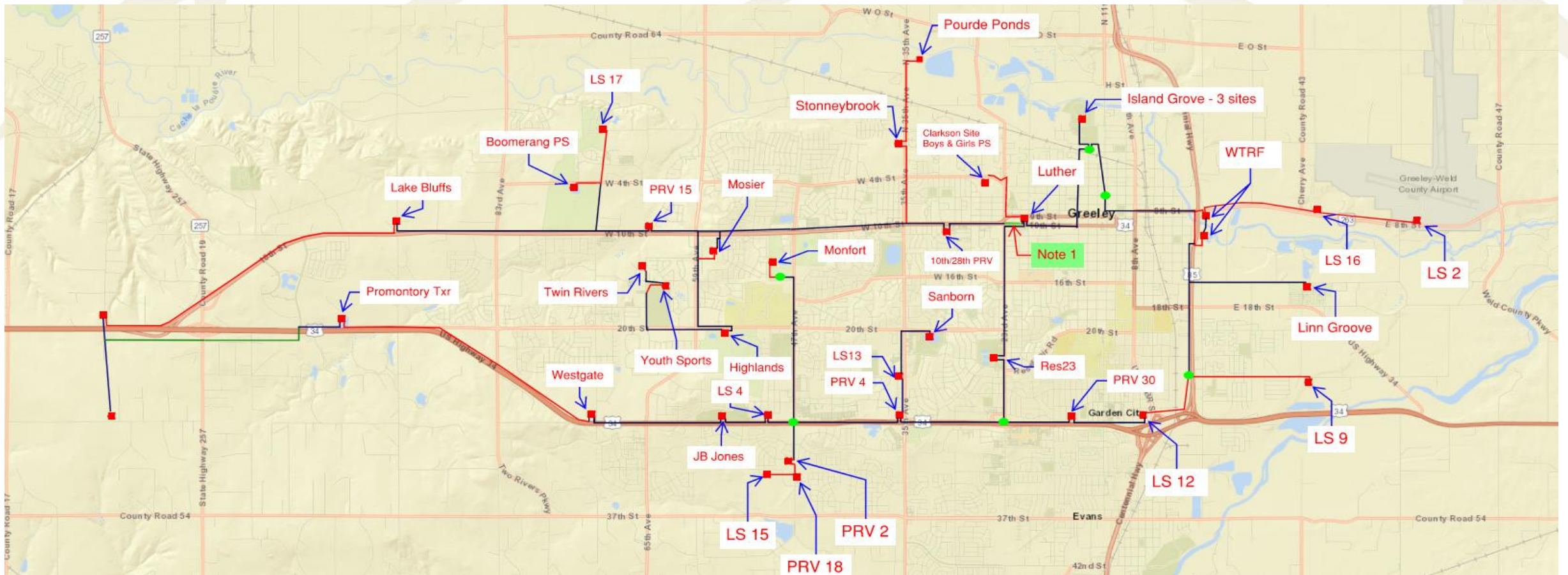
Server & Firewalls



Telemetry

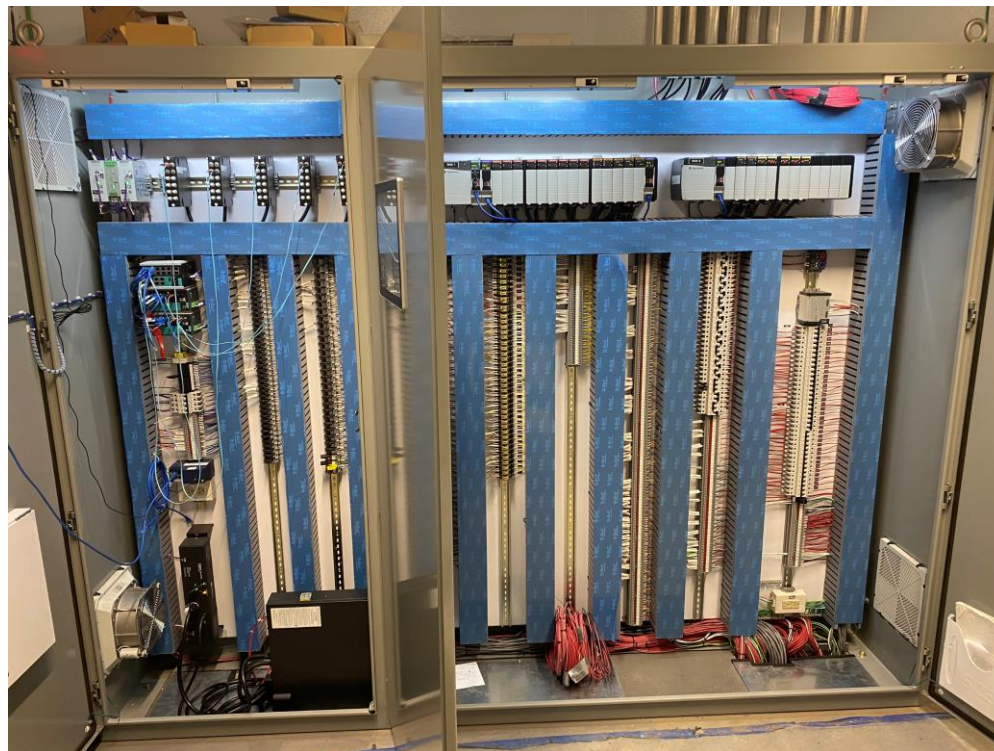
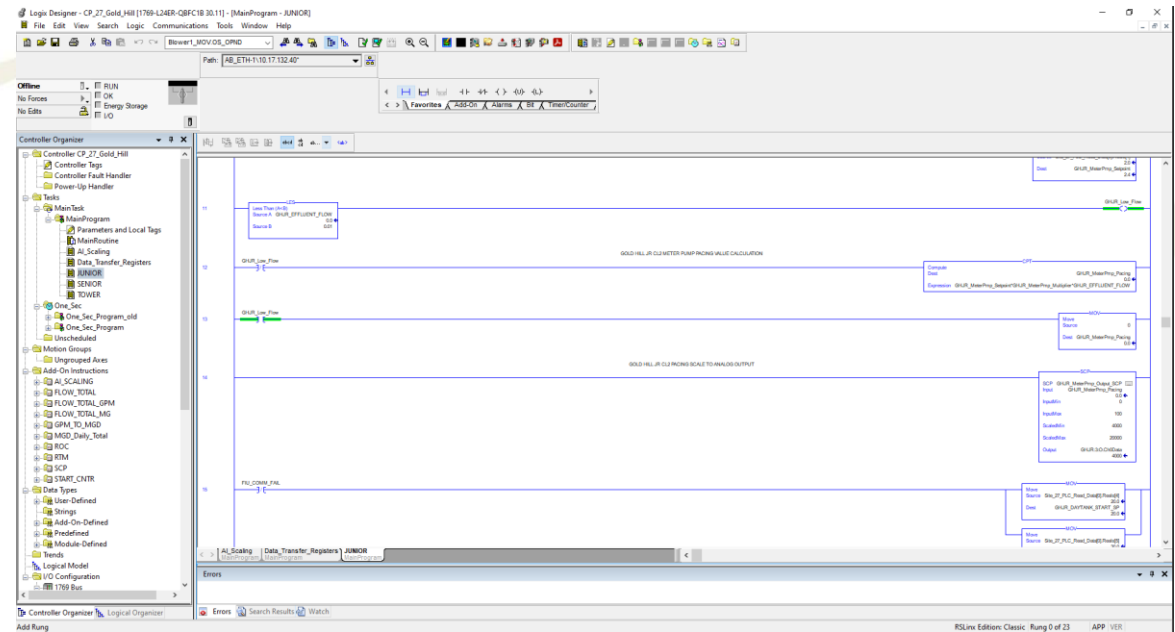
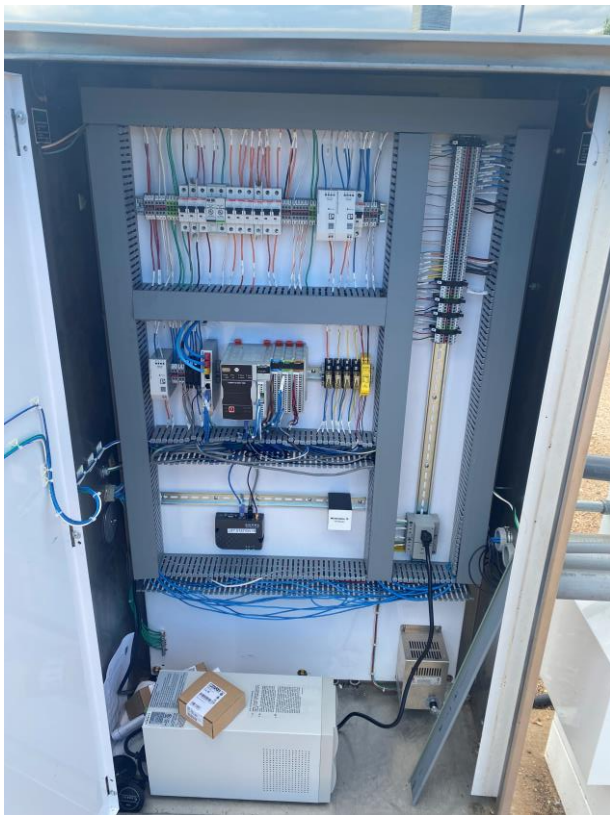


Fiber Network



PLC

Programmable Logic Controller

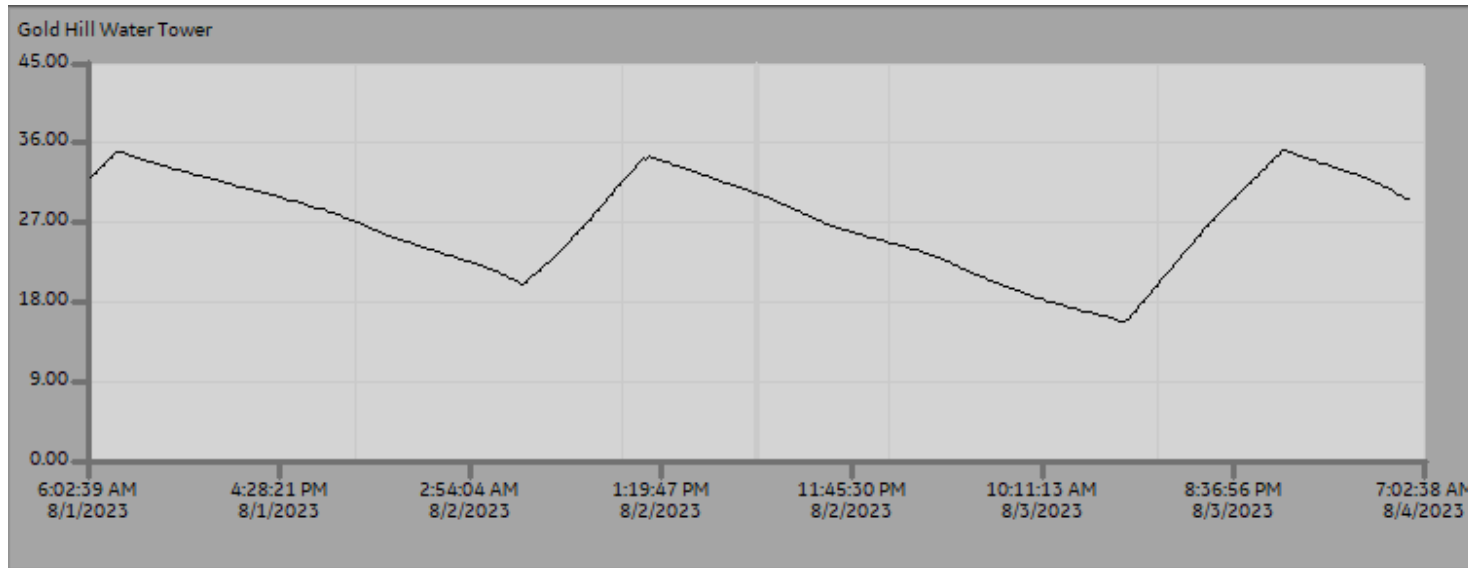


Instrumentation



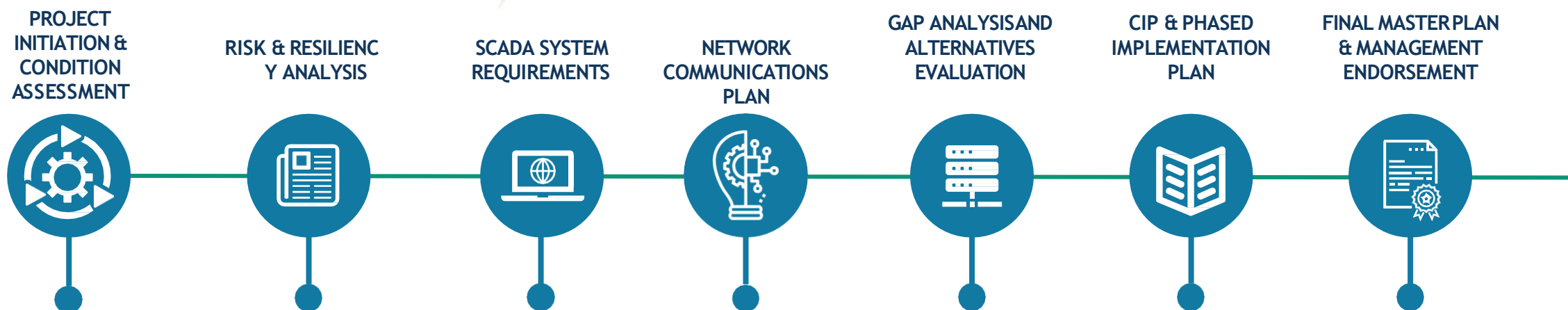
Trending and Historian

RESERVOIR PRODUCTIONS / CONSUMPTION (MG)											
		Production			Effluent Flow Totals						System Demand Gain / Loss
	DATE	Boyd	Bellvue	Total Plant Production	23rd.Ave	Mosier Hill	GH Sr	GH Jr	GH Twr	Total Used	
8/2/2023	8/3/23 12:10 AM	3.233	27.180	30.413	3.140	2.954	0.659	0.322	0.185	7.260	23.154
8/1/2023	8/2/23 12:10 AM	5.997	29.308	35.305	1.984	1.956	1.101	0.476	0.209	5.726	29.579
7/31/2023	8/1/23 12:10 AM	5.776	27.119	32.895	1.574	3.573	1.104	0.514	0.285	7.050	25.845
7/30/2023	7/31/23 12:10 AM	4.113	17.933	22.047	1.603	3.087	0.772	0.367	0.219	6.048	15.999
7/29/2023	7/30/23 12:10 AM	5.993	17.955	23.948	1.767	3.042	0.459	0.267	0.242	5.776	18.172
7/28/2023	7/29/23 12:10 AM	5.948	17.966	23.913	1.950	2.705	0.694	0.360	0.193	5.901	18.012
7/27/2023	7/28/23 12:10 AM	7.896	27.255	35.151	1.878	2.094	0.838	0.381	0.256	5.447	29.704
7/26/2023	7/27/23 12:10 AM	9.997	27.259	37.256	1.860	2.406	0.973	0.450	0.269	5.959	31.297
7/25/2023	7/26/23 12:10 AM	9.417	27.496	36.914	1.896	2.255	0.634	0.370	0.225	5.380	31.533
7/24/2023	7/25/23 12:10 AM	9.356	26.370	35.726	1.623	3.526	1.042	0.405	0.213	6.808	28.918





SCADA Master Plan

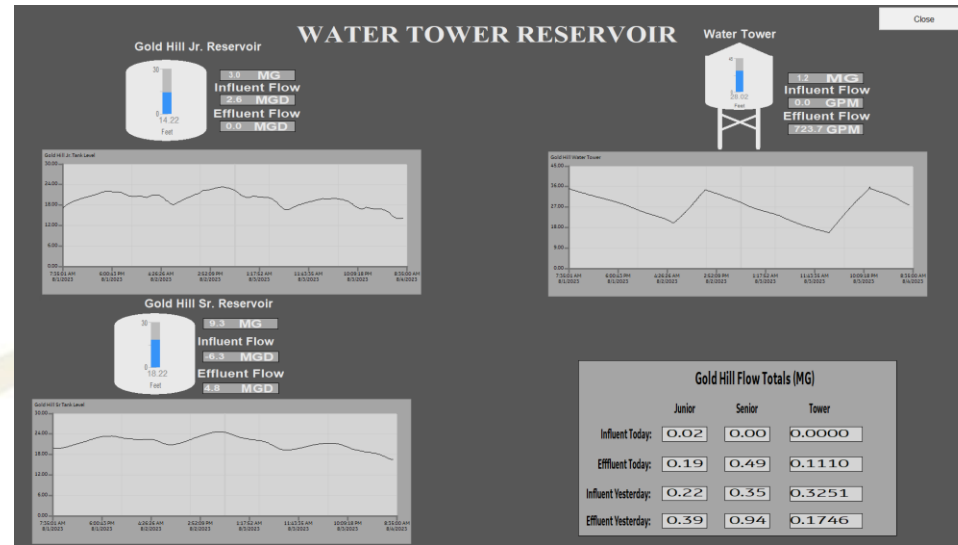


Vision Statement

Become a digitally transformed and commonly focused utility by utilizing technology to improve data quality and availability, to improve operational efficiency, optimize processes, improve decision-making, reduce O&M costs, inform the public, and mitigate potential public health and safety risks.

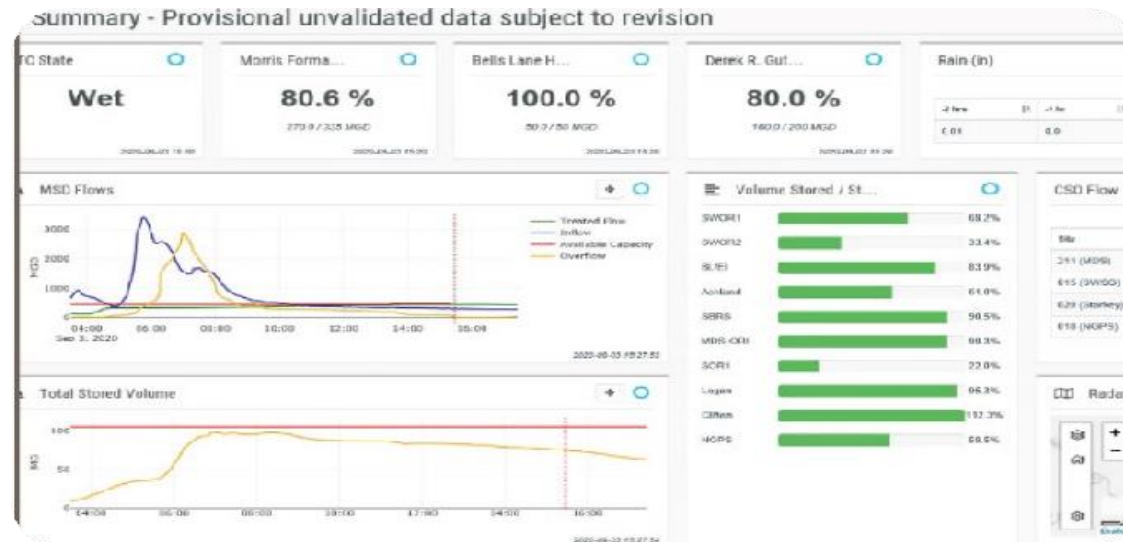


SCADA Master Plan Goals



Alarms

- Lift Station #22 Waste Pump** ▲
Waste Pump is ON
- Raw Materials Hopper #1** ✓
Empty!
- Computer Room Smoke Detector** ▲
Smoke has been detected in the Computer Room, save yo...
- Lift Station #22 Lift Pump** ▲
Lift Pump is On
- Raw Materials Hopper #1** ▲
Nearly Empty!
- HVAC Air Temp** ✓
Air temp is above 80 degrees F
- Lift Station #22 Waste Tank Level** ▲
Above 80 ft.
- Lift Station #22 Waste Tank Level** ▲
Below 20 ft.
- Mechanical Room Chiller Temp** ▲



Control Access to Your ICS

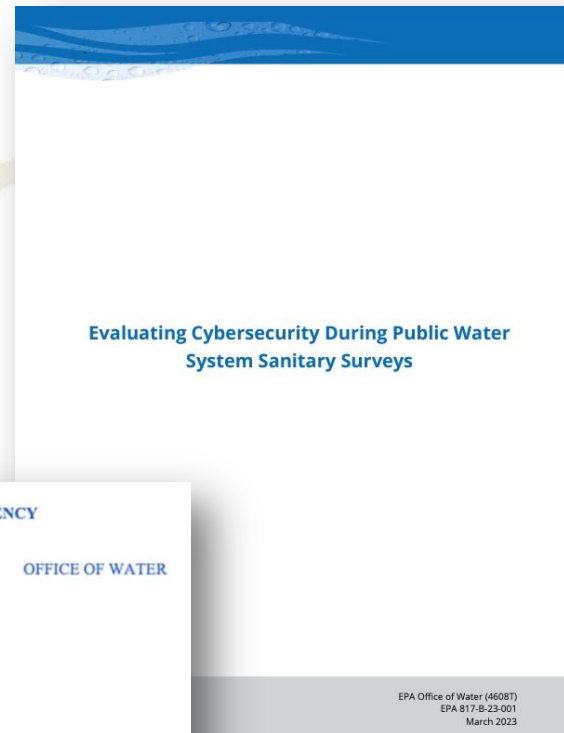


EPA 817-B-23001

Evaluating Cybersecurity During Public Water System Sanitary Surveys

EPA issued a new rule and guidance directing state officials responsible for implementing the Safe Drinking Water Act to assess cybersecurity resilience using the sanitary survey program. This action applies to all public water systems of all sizes effective immediately.

AWWA, 2023



- Issued March 3, 2023
- Provides an implementation framework
- PWS Cybersecurity to be reviewed in Sanitary Surveys or an Alternate Process
- Defines cybersecurity standards applicable to public water systems
- Delegated to the States via the Sanitary Survey program
- ***Enforced as of March 3, date of issuance***

The image is a memorandum from the EPA Office of Water. It features the EPA logo on the left, the agency name and address in the center, and the office name on the right. The date 'March 3, 2023' is centered below the header. The subject line reads 'Addressing PWS Cybersecurity in Sanitary Surveys or an Alternate Process'. The 'FROM' field is signed by Radhika Fox, Assistant Administrator. The 'TO' field is addressed to State Drinking Water Administrators and Water Division Directors in Regions I-X.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF WATER

March 3, 2023

MEMORANDUM

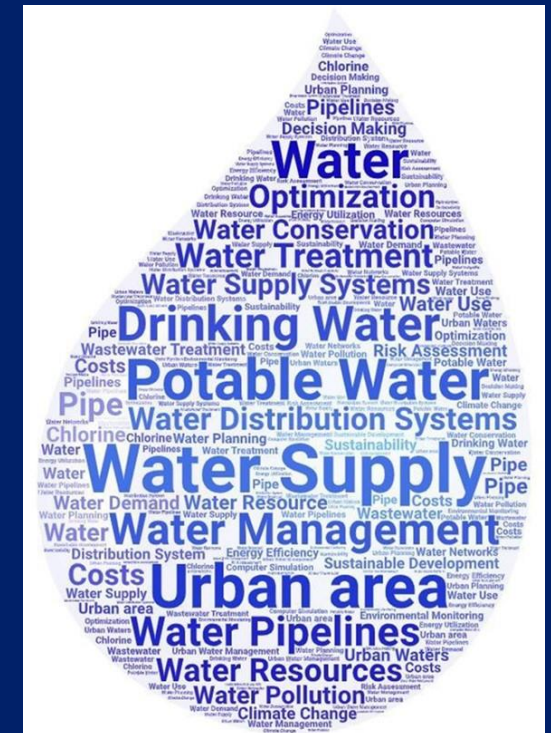
SUBJECT: Addressing PWS Cybersecurity in Sanitary Surveys or an Alternate Process

FROM: Radhika Fox
Assistant Administrator

TO: State Drinking Water Administrators
Water Division Directors, Regions I-X

Questions?

Thank you





Water & Sewer Agenda Summary

August 16, 2023

Key Staff Contact: Leah Hubbard, Water Resource Operations Manager

Title:

Legal Report

Summary:

This report has been provided by Carolyn Burr, outside counsel for the Greeley Water & Sewer Board.

Based on our review of the June, 2023 Water Division 1 Resume, staff and water counsel recommend that the Water and Sewer Board file statements of opposition to the following water court cases.

Case Number: 23CW3074: Applicant, Arapahoe County Water and Wastewater Authority, is seeking a finding of reasonable diligence for the following rights associated with 70 Ranch Reservoir: 100 cfs bi-directional pipeline; 3,000 a.f. first fill and 3,000 a.f. refill storage right. Applicant claims 51.85 cfs of the 100 cfs bi-directional pipeline and 1,596.9 acre feet of the 3,000 acre-foot first fill of 70 Ranch Reservoir absolute. Water stored in ACWWA's 70 Ranch Reservoir can be exchanged up the confluence of the South Platte and Cache la Poudre, and from there up the Cache la Poudre. We recommend filing a statement of opposition to ensure that the water being claimed as absolute has been diverted and stored in the quantities claimed and Applicant is using the water consistent with the terms of its decree.

Case Number: 23CW3075: Applicant, East Cherry Creek Valley Water & Sanitation District, is seeking a finding of reasonable diligence for the following rights associated with 70 Ranch Reservoir: 100 cfs bi-directional pipeline; 3,000 a.f. first fill and 3,000 a.f. refill storage right. Applicant claims 51.85 cfs of the 100 cfs bi-directional pipeline and 1,596.9 acre feet of the 3,000 acre-foot first fill of 70 Ranch Reservoir absolute. Water stored in ACWWA's 70 Ranch Reservoir can be exchanged up the confluence of the South Platte and Cache la Poudre, and from there up the Cache la Poudre. We recommend filing a statement of opposition to ensure that the water being claimed as absolute has been diverted and stored in the quantities claimed and Applicant is using the water consistent with the terms of its decree.

Case Number: 23CW3078: Applicant, the Handy Ditch Company is seeking to make Welch Reservoir an alternate point of storage for Hertha Reservoir. Sources for Hertha Reservoir: Knaus Creek, Dry Creek, tributaries to the Big Thompson. Hertha Reservoir is decreed for 2,729 acre-feet. Pursuant to the application, water delivered to Hertha Reservoir under the Hertha Reservoir Rights may continue to be stored in Hertha or may be delivered via Hertha Reservoir to Welch Reservoir for storage and use within the Handy Ditch System for the presently decreed uses. Applicant does not seek a change in point of diversion, type of use or place of use for the Hertha Reservoir Rights. We recommend filing a statement of opposition to ensure terms and conditions that will protect Greeley's interests in the GLIC system.

Case Number: 23CW3079: Application by Bryant and Kelsey Mundt claiming a 2019 storage right of

80.4 acre feet with one refill in Mundt Reservoir. The source of the water is seepage from the Larimer County Canal and surface inflows from precipitation that would otherwise accrue to the Poudre. Applicants are also claiming a plan for augmentation to replace out of priority depletions caused by the reservoir using water leased from the Lake Canal Reservoir Company. We recommend filing a statement of opposition to protect Greeley's water rights from injury due to out of priority depletions from this project. Statements of opposition are due by August 29, 2023.

Recommended Action:

Staff and water counsel recommend authorizing filing a statement of opposition in Case Numbers 23CW3074, 23CW3075, 23CW3078 and 23CW3079.

Recommended Motion:

"I move that the Board authorize filing statements of opposition in Case Nos. 23CW3074, 23CW3075, 23CW3078 and 23CW3079, and for staff and legal counsel to seek resolution of issues raised by these cases consistent with Water and Sewer Board Resolution No. 3-15."

Attachments:

None



Water & Sewer Agenda Summary

August 16, 2023

Key Staff Contact: Sean Chambers, Water & Sewer Director

Title:

Director's Report

Summary:

The Director will provide the Water & Sewer Board and staff with a brief update on the following items of water utilities policy interest;

1. Revenue and Rates Memo
2. NCWCD Board Vacancy for Larimer County Seat

Recommended Action:

Informational only

Recommended Motion:

N/A

Attachments:

1. WS Memo - Adjust 2024 Water Rate Increase
2. Board Meeting Charts_2023



DATE: August 16, 2023
TO: Water and Sewer Board Members
FROM: Erik Dial, Deputy Director of Utility Finance and Customer Service
RE: Projected 2024 Water Rate Increases

At the July Water and Sewer Board meeting, staff presented the Water and Sewer Department's proposed 2024 operating budget and the 10-year capital plan for Board's review and recommendation to the City Manager. Included within the budget materials were tentative rate increases for 2024 to support the capital and operating budgets. The timing of the rate modeling and budget preparation is primarily before the current year's irrigation season starts, meaning financial staff must make assumptions for revenue collections that will impact the future cash flow for the water fund. The water fund balance is large enough that moderate variations in revenue collections between what is modeled versus reality are easily managed, however, this summer has been unusually wet. Because of the significant rainfall Northern Colorado has received this spring and summer, staff is making a 0.5% upward adjustment to the recommended water rate increase for all customer classes for 2024. This results in an increase in water rate revenue of nearly \$300,000 annually.

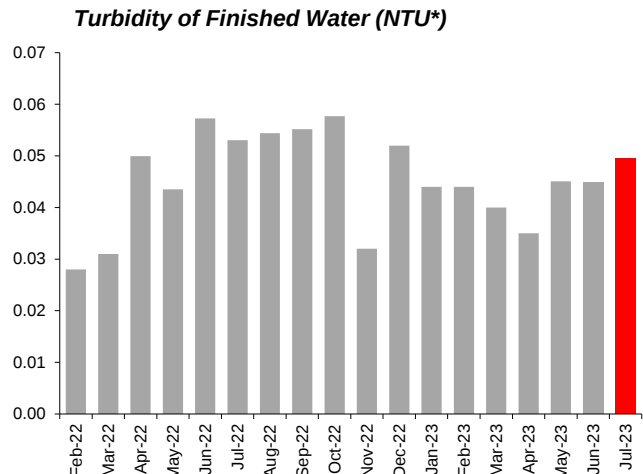
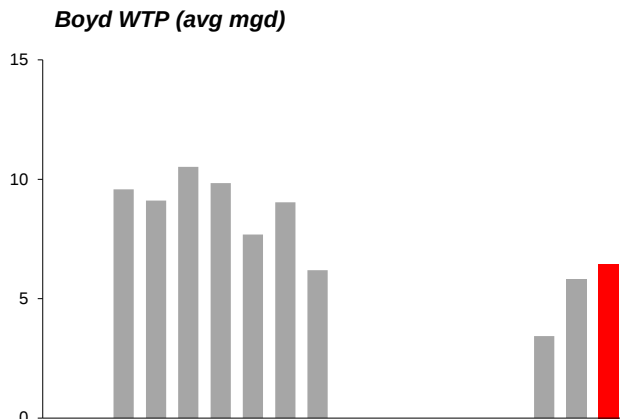
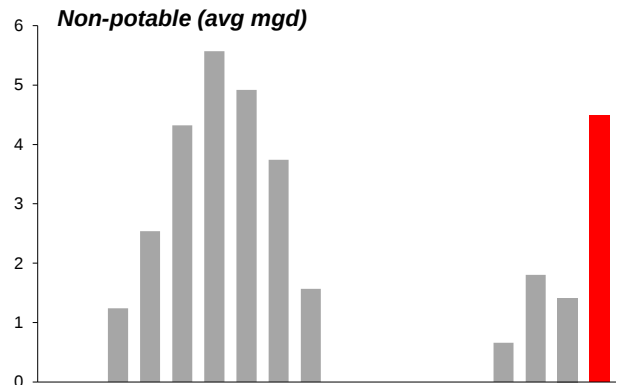
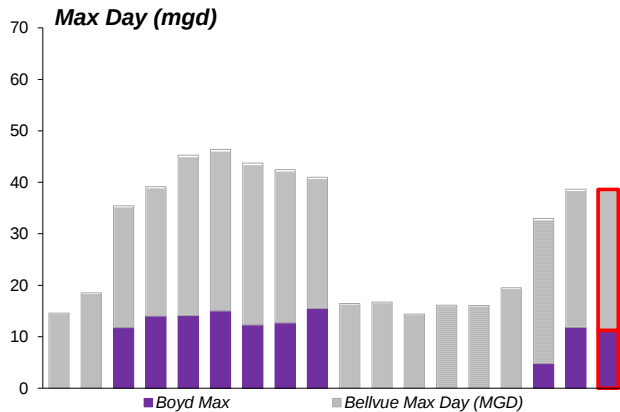
Customer Class	New Rate Increase	New Rate/Kgal	Previous Rate/Kgal
<i>Inside Residential</i>	3.5%	\$5.88	\$5.84
<i>Inside Commercial</i>	1.5%	\$5.69	\$5.66
<i>Inside Industrial</i>	5.5%	\$4.77	\$4.75
<i>Evans</i>	8.5%	\$5.39	\$5.36
<i>Windsor</i>	5.5%	\$5.61	\$5.58
<i>Milliken</i>	5.5%	\$6.39	\$6.36

Water Treatment

Bellvue Water Treatment Plant operates year-round with a transmission capacity of 29.1 million gallons per day (mgd) (plant capacity is 32 to 35 mgd). Water sources include Poudre River direct flows, Colorado-Big Thompson (C-BT), Windy Gap, High Mountain Reservoirs, Laramie-Poudre Tunnel, and Water Supply and Storage. Average volume is 19,000 acre-feet a year (2000-2011). The plant was built in 1907, with its last treatment upgrade in 2009. Solar panels were added in 2014.

Boyd Water Treatment Plant operates normally from April to October with a plant capacity of 38 mgd (transmission capacity is 40 mgd). Water sources include Greeley-Loveland Irrigation Company, C-BT, and Windy Gap. Average Volume is 8,200 acre-feet (2000-2011). The current plant was built in 1974, with its last treatment upgrade in 1999. Solar panels were added at Boyd in 2014. In 2016, tube settlers and platte settlers were replaced in the sedimentation basins. In 2018, all old existing chemical lines were replaced with new lines and the piping was up-sized to carry more chemical. A PLC upgrade was done on the SCADA system. Sludge pumps were replaced and hooked into the Trac Vac system that pulls sludge out of the sedimentation basins.

Combined, Bellvue and Boyd can treat a maximum of 70-73 million gallons per day.



Starting May 2016 Bellvue turbidity measurements will use a new method resulting in more accurate readings.

*Turbidity limit: 95% of samples must be below 0.3 NTU.

Turbidity is the measure of relative clarity of a liquid. Clarity is important when producing drinking water for human consumption and in many manufacturing uses. Turbidity is measured in Nephelometric Turbidity Units (NTU).

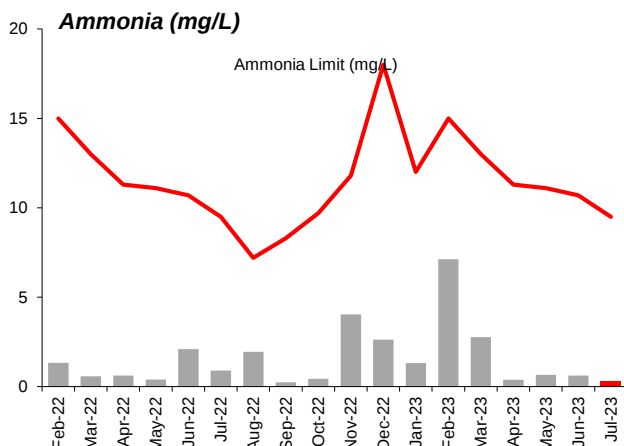
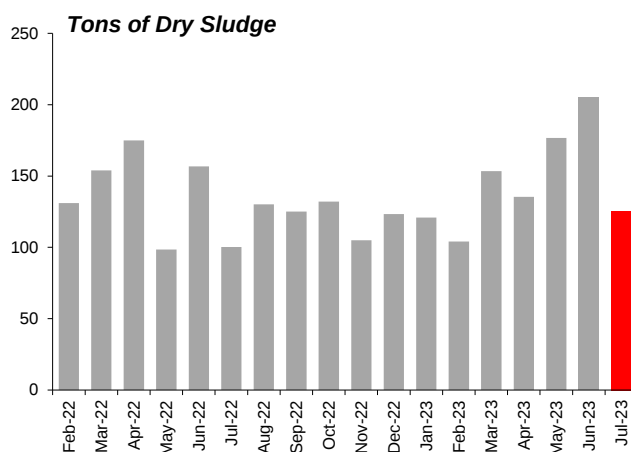
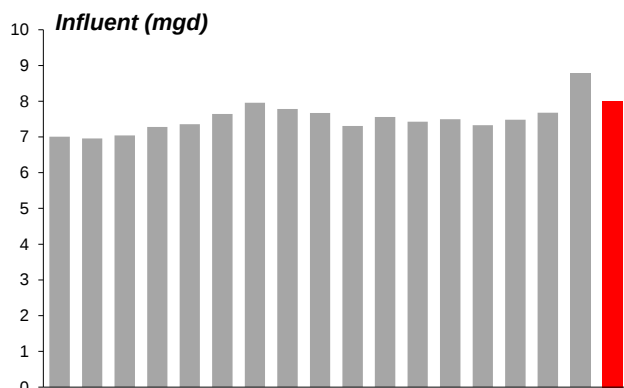
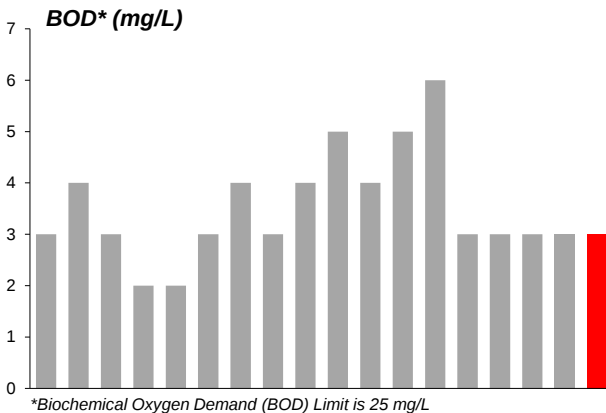
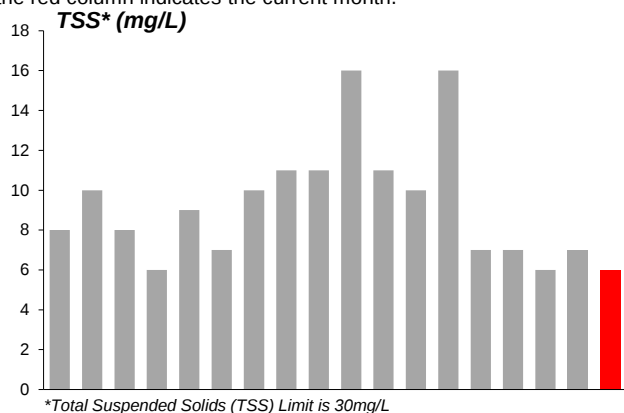


Wastewater Treatment

The Water Pollution Control Facility (WPCF) staff are dedicated environmental professionals who provide quality, safe and cost-effective wastewater treatment services for the citizens of Greeley. The WPCF treats wastewater to meet or exceed Environmental Protection Agency (EPA) and Colorado Department of Public Health & Environment requirements.

In 2011, the WPCF received an Xcel Energy Custom Efficiency Achievement Award for saving 2.78 million kWh and reducing CO2 emissions by 1,584 tons. In 2012, the WPCF received the Rocky Mountain Water Environment Association's (RMWEA) Sustainability Award for Colorado demonstrating excellence in programs that enhanced the principles of sustainability. A Certificate of Achievement from the Colorado Industrial Energy Challenge program managed through the Colorado Energy Office was received in the same year. In 2013, the plant received the City of Greeley's Environmental Stewardship Award for outstanding efforts to reduce energy (watts), conserve energy and water, reduce air and water pollution, and educate and encourage others to be environmental stewards. Also, in 2013, the plant was the recipient of a Bronze Award from the Colorado Environmental Leadership Program. In 2015, after having 5 years without a plant violation, the plant received the 2015 National Association of Clean Water Agencies (NACWA) Platinum Peak Performance award for the City of Greeley Water and Sewer Department.

Note: the red column indicates the current month.



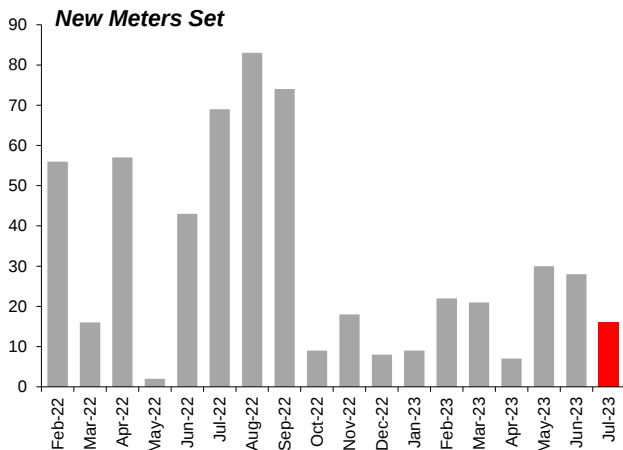
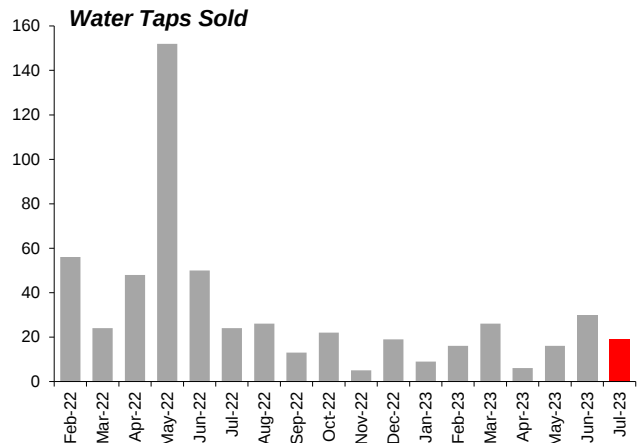
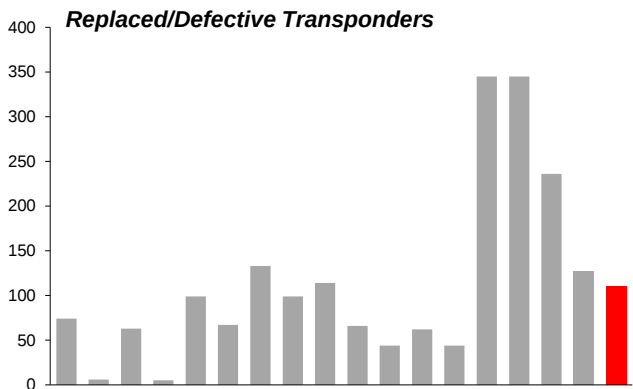
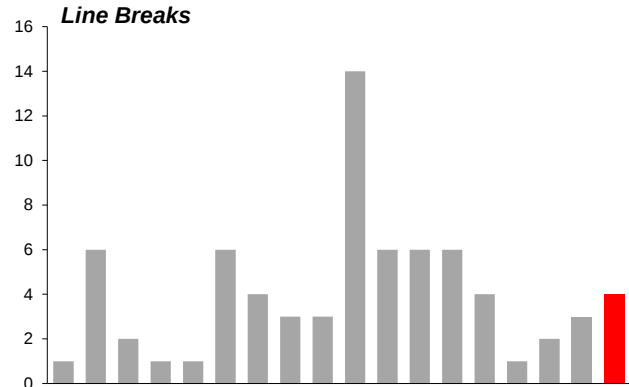
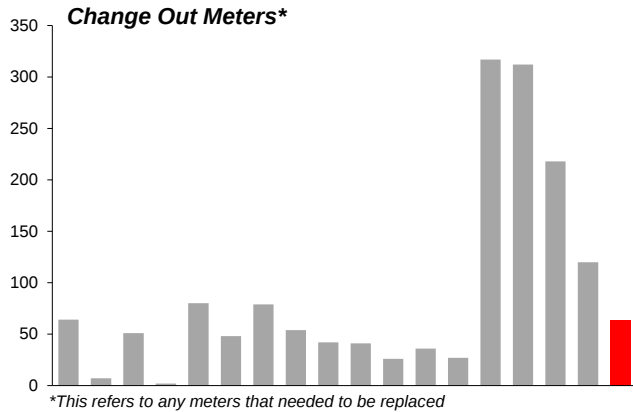
Water Distribution

The Greeley water distribution system consists of various sizes of pipes that generally follow the streets within the City. The distribution system serves residences and businesses in Greeley, Evans and Garden City, and the system is divided into four pressure zones.

There are 69.75 million gallons of potable water storage in Greeley. The water is stored within three covered reservoirs and one elevated tank; 23rd Avenue - 37.5 million gallons, Mosier Hill - 15 million gallons, and Gold Hill - 15 million gallons. The system also has 476 miles of pipeline, 24,233 water meters and 3,378 fire hydrants.

The water pipes in the distribution system vary in size from 4" to 36". Pipe material is steel, ductile iron, cast iron, or polyvinyl chloride. The age of the pipes varies from the 1890's to new installations.

Note: the red column indicates the current month.



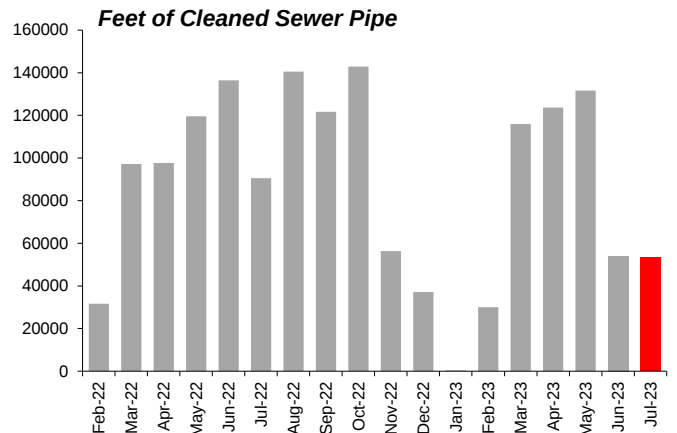
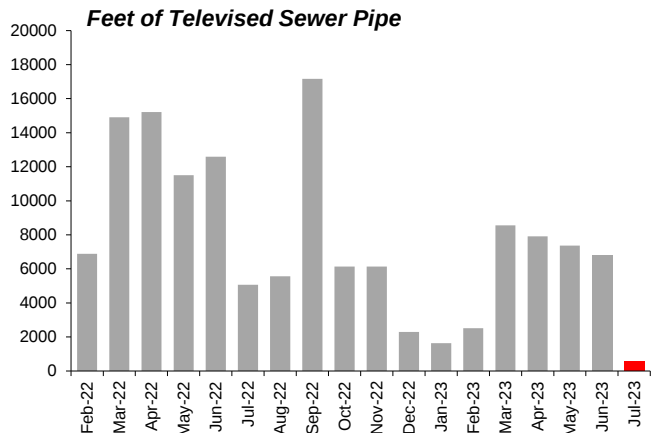
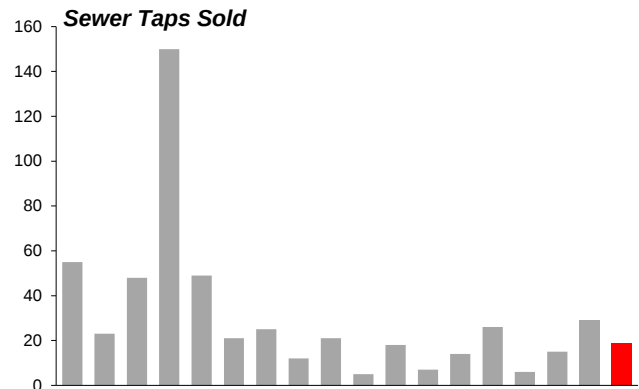
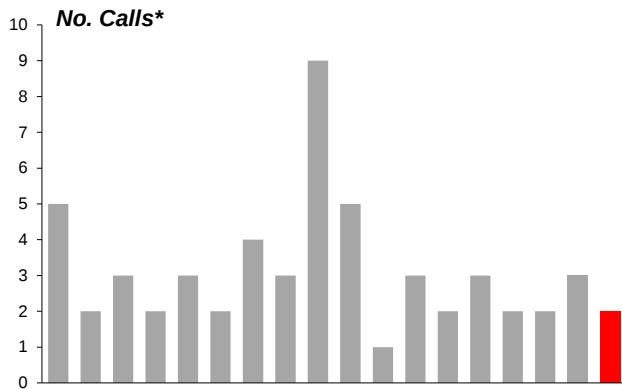
Wastewater Collection

The mission of the Wastewater Collection Division of the Water and Sewer Department is to protect community health by transporting wastewater away from homes and businesses. This includes respecting property values and public safety by reducing the frequency of blockages in the sanitary sewer lines.

A wide variety of work is performed including routine cleaning of sewer lines, inspection of sewer lines, maintenance of the sewage pumping stations, rehabilitation of the system and responding to emergencies.

The wastewater collection system dates back to 1889. At the end of 2017, the system had a total of 364.8 miles of line and 10 sewage pumping stations. The sewer service area is approximately 51 square miles. Over the last 10 years, the system has grown by 17 miles.

Note: the red column indicates the current month.

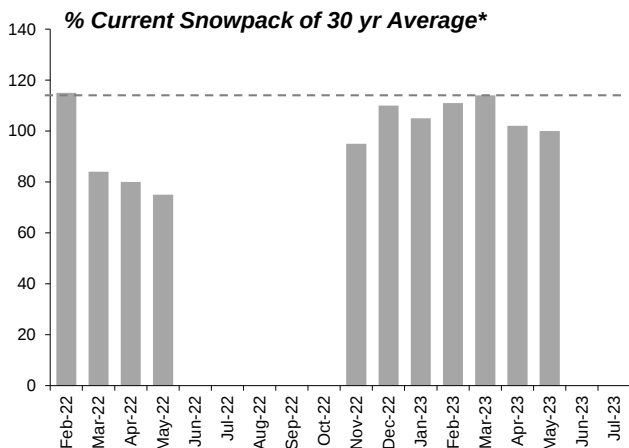
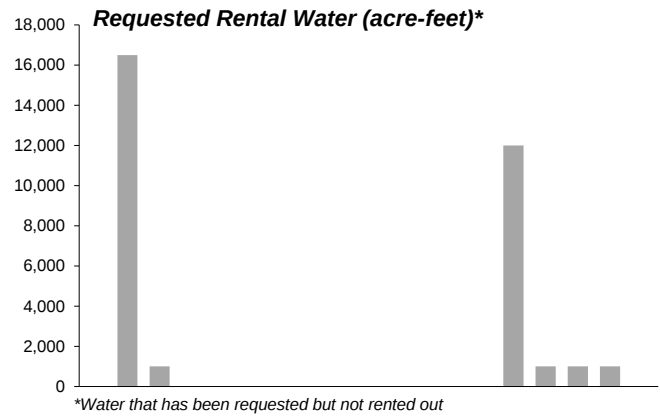
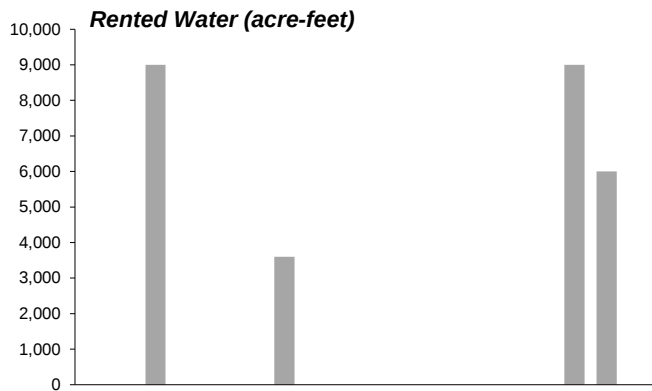
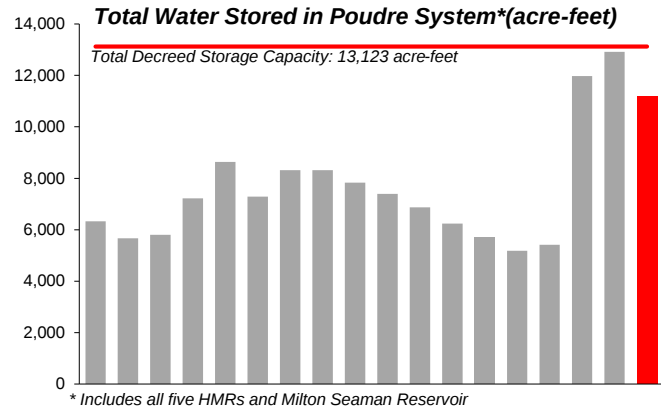
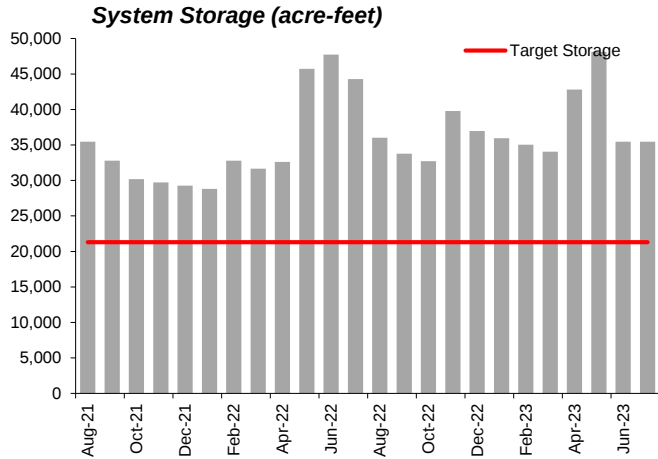


Water Resources

Greeley has numerous water rights in four river basins; the Upper Colorado River, Cache La Poudre, Big Thompson and Laramie River. The Water Resource staff must account for all of this water and comply with the rules of the Colorado Water Court and the State Engineer's Office which is in charge of allocating all of Colorado's water resources. Approximately one-third of the City's water supply comes from agricultural water rights. These water rights must be formally changed to municipal use by a special legal process through the Water Court. In this court, Water Resource staff and attorneys also defend the City's water rights against adverse claims from other parties.

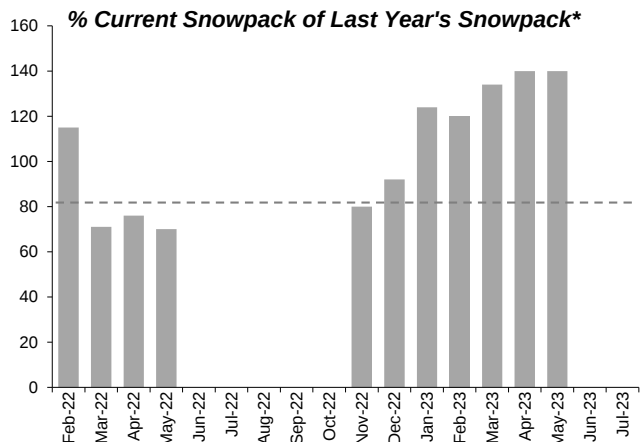
Greeley's goal is to have enough water in carry-over storage to sustain Greeley through a 50-year critical drought. Water in excess of this carry-over drought supply can be leased to agriculture, both for revenue and to support our local agricultural community. Modeling has shown that, given existing population and demand factors, Greeley will have sufficient water for citizens, if at the beginning of the 6-year long, 50-year critical drought, there is 20,000 acre-feet in storage on April 1st of the following year.

Note: the red column indicates the current month.



*Data is from the 1st of the month

**Average of Deadman Hill and Joe Wright



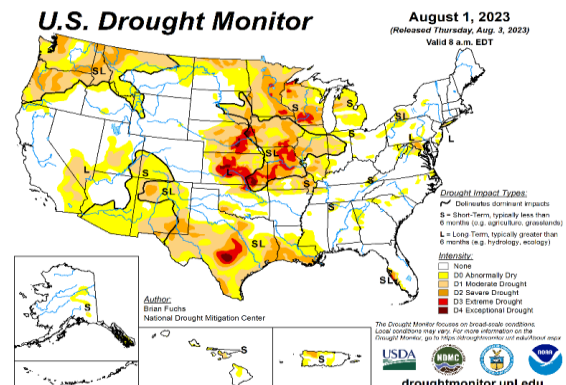
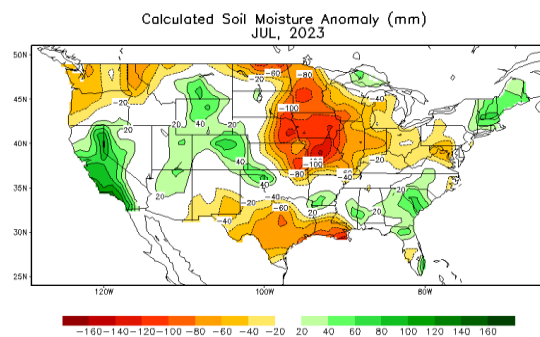
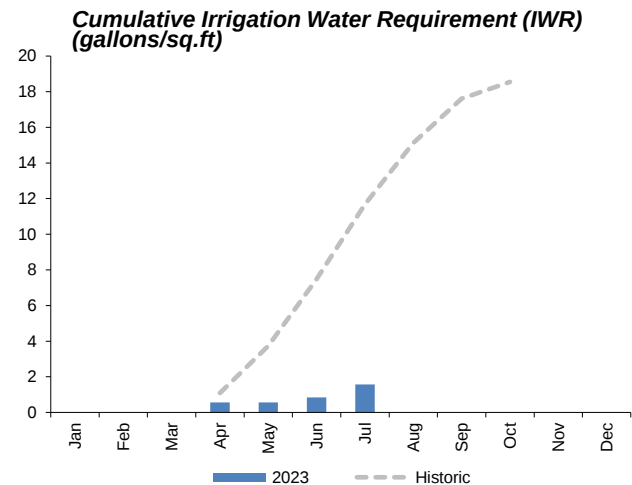
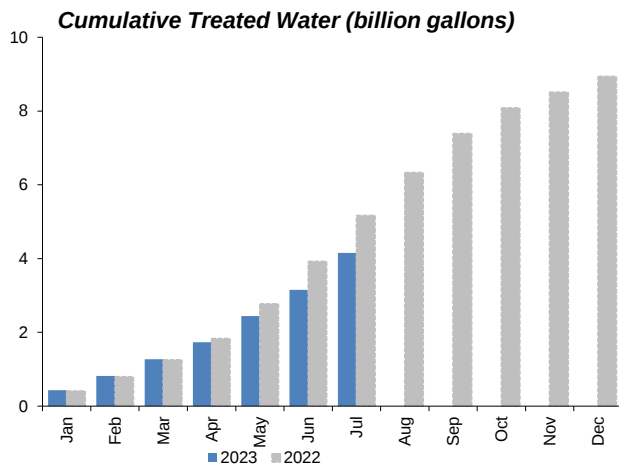
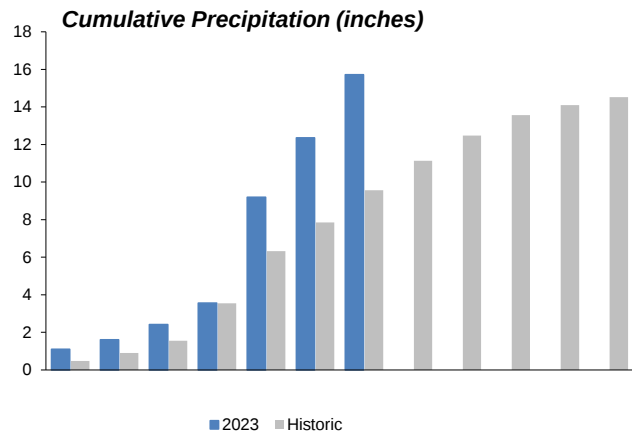
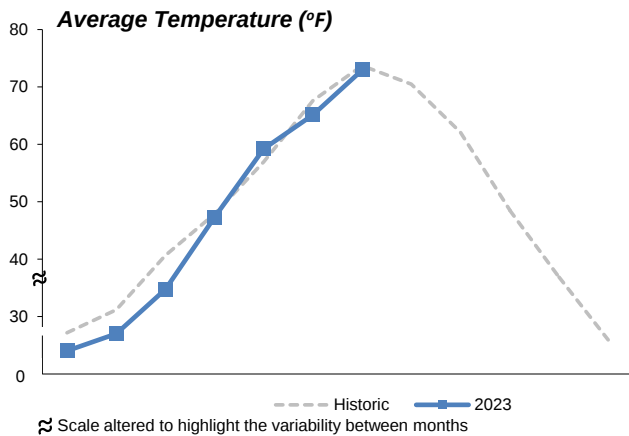
*Data is from the 1st of the month

**Average of Deadman Hill and Joe Wright

Treated Water and Weather Data

January was a cold month with an average temperature of 24°F. The average temperature for February was 27°, about 4° lower than the historical. It's been another cold month in March with an average temperature of 34.8°F, which is still 4° lower than the historical average. The average temperature in April was 47.33°F which is very close to the historical average. May's average temperature was slightly above average at 59.23°. June's average temperature was 65.15°F, about 2° lower than the historical average. The average temperature in July was 72.95°F, which was very close to the historical average.

Greeley received 1.1 inches of precipitation in January, this is more than double the historical average for this month. February brought 0.51 inches of precipitation. Total precipitation for March was 0.81 inches, bringing the total so far this year to 2.42. Greeley received 1.14 inches of precip in April, bringing the cumulative precip very close to the historical. Greeley received an astonishing 5.63 inches of precipitation in May, this is close to 3 inches above average. Another 3.16 inches of precipitation fell in June, which is more than double what has historically been received. In June 3.37 inches of rain fell in July, bringing the annual total to 15.72 inches.





Water & Sewer Agenda Summary

August 16, 2023

Key Staff Contact:

Title:

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

Summary:

Recommended Action:

Recommended Motion:

Attachments:

None