



DOCUMENT ROUTING MEMORANDUM

The purpose of this memorandum is to provide information regarding the attached document routed to you for your signature.

TO: Harold Evans, W&S Board Chairman
{Select Recipients Below - See Signature Authority Requirements}

☐ Doug Marek, City Attorney: Legal.Services@greeleygov.com

☐ John Karner, Finance Director: John.Karner@greeleygov.com

☒ Raymond Lee, City Manager: Val.Scheffer@greeleygov.com

☐ John Gates, Mayor: via CityClerk@greeleygov.com

☐ Heidi Leatherwood, City Clerk (Attest): Heidi.L Leatherwood@greeleygov.com

FROM: Gigi Allen, W&S Office Manager

ON BEHALF OF (If applicable):

Initials of above: ____ (Must be first in signing order)

RE: December 2023 Water and Sewer Board meeting minutes

Executive Summary:

Please see W&S Board minutes approved by the Board and ready for signature.

Time Sensitivity? If yes, deadline date N/A and reason:

Legal Review:

Is this a standard contract as defined by City Code Section 2-184(a)(2) ? ☐ Yes ☒ No ☐ N/A

If this is not a standard contract, and has not been reviewed by CAO, this document may not be routed for signatures.
 Please submit for Legal Review on COGI prior to routing.

If this is not a standard contract, which attorney reviewed the document?

Name: Daniel Biwer

Obtained Approvals, Reviews, or Recommendations (If applicable)

☐ City Council Ord./Res. #: _____ Date: _____	☒ Board or Commission (specify) <u>Water and Sewer</u> Date: <u>1/17/24</u>	☐ Other _____ Date: _____
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Contract Amount: N/A (if applicable)

**City of Greeley
Water and Sewer Board
Minutes of December 20, 2023
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:00 p.m. on Wednesday, December 20, 2023.

1. Roll Call

The Clerk called the roll and those present included:

Board Members:

Chairman Harold Evans, Vice Chairman Mick Todd, Fred Otis, Cheri Witt-Brown, Tony Miller, Joseph Murphy, Manuel Sisneros, and Mayor Gates, Interim Director of Finance Debbie Reid joined virtually

Water and Sewer Department staff:

W&S Director Sean Chambers, Deputy Director Water Resources Ty Bereskie, Deputy Director of Utility Billing and Customer Service Erik Dial, Chief Engineer Adam Prior, Administrative Assistant III Crystal Sanchez, Office Manager Gigi Allen, Rates and Budget Analyst Virgil Pierce, Water Resource Operations Manager Leah Hubbard, W&S Intern I Alex Merklein, Water Resource Administrator II Sam Harshbarger, Water Efficiency Resource Coordinator Margaria Padilla, Water Conservation Manager Dena Egenhoff, W&S Intern Adam Schofield, Water Resource Administrator III Matt Sparacino, Communication Specialist II Cory Channell, Water Resource Administrator II Megan Kramer

Legal Counsel:

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

Guests:

Emeritus Robert Ruyle, Council member Deb DeBoutez, James Sutherland with Wingfoot, Deputy Director of Community Development Don Threewitt

2. Approval of Minutes

Vice Chairman Todd made a motion, seconded by Mr. Murphy, to approve the November 15, 2023 Water and Sewer Board meeting minutes. The motion carried 7-0.

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3. Approval of the Agenda

Director Sean Chambers advised the Board that the Agenda Summary for the 2024 Board meeting dates had to be revised because the date for November 2024 was incorrect in the Board Packet. The correct date was provided on an updated Agenda Summary.

At the end of the meeting the Board noted that the corrected date for November was mistyped by one day. The Board agreed that the correct date for the November 2024 meeting is November 20, 2024.

4. Welcome New Employees and Promotions

Sean Chambers provided an introduction of new Water and Sewer Department employees starting this month as well as announced department promotions.

5. 2024 Board Meeting Dates

Mr. Miller moved to approve the Water and Sewer Board meeting dates and Mr. Otis seconded the motion. The motion carried 7 – 0.

6. Development Code Water Policy Update

Erik Dial discussed with the Water and Sewer Board proposed changes to Title 20 of the Municipal Code. Most of the changes proposed are intended to more closely align the Code with current practices and procedures but staff is proposing a limited number of changes to fees charged that deserve Board deliberation. Staff discussed the changes to what was presented to the Board monthly since September and asked for additional feedback. Additionally, Community Development leadership was introduced and discussed with the Board the development trends impacting Greeley and Northern Colorado.

Water Resource Administrator II Alex Tennant joined the meeting at 2:42 pm

7. Approve 2024 Rates and Fees Resolution

Virgil Pierce went over the water and sewer rates and fees that were developed in response to the 2024 budget that the Board recommended to the City Manager at the July 2023 meeting.

Vice Chairman Todd moved that the Board approve the Resolution to Adopt Rates, Fees, and Charges for Water and Sewer Services in 2024. Mr. Murphy seconded the motion. The motion carried 7-0.

Don Tripp joined the meeting at 3:04 pm.

8. W&S Technology Enablement Initiatives Update

Staff provided presentations updating the board on technology enablement efforts staff are leading or engaging in.

9. Watershed and Wildfire Recovery Projects Update

Matt Sparacino highlighted watershed health and wildfire recovery initiatives undertaken this past year. These initiatives include post-fire point mitigation projects completed at Kyle Gulch and Sevenmile Creek, both in the Poudre River watershed. Increased post-fire erosion continues to negatively affect water quality in all four of Greeley's source watersheds (Poudre River, Big Thompson River, Upper Laramie River, and Colorado River). Matt summarized how Greeley and partners are funding, designing, and implementing projects to address post-fire issues. Additionally, staff highlighted recent collaboration between Greeley and regional stakeholders related to watershed health and fire recovery.

Adam Prior left the meeting at 3:36 pm

Jerrae Swanson left the meeting at 3:54 pm

James Sutherland, Kelen Dowdy, Margarita Padilla, Dena Egenhoff and Adam Schofield left the meeting at 3:57 pm

10. Legal Report

Mr. Noble provided the Legal Report. Based on review of the October 2023 Water Division 1 Resume, he recommended that the Water and Sewer Board file statements of opposition to the following water court applications that would be due at the end of December 2023:

1. **Case No. 23CW3137:** Applicant, City of Fort Collins Natural Areas Department, is seeking a finding of reasonable diligence and to make water rights absolute for eight separate ponds along the Cache la Poudre River. The application also involves diligence on an exchange water right using water released from some of the ponds. Mr. Noble recommended participating in this case to ensure that the claimed absolute amounts are properly quantified and to protect Greeley's water rights from injury.
2. **Case No. 23CW3138:** Applicant, the Town of Eaton, seeks a decree for water rights for two wells and a plan for augmentation for those wells. The applicant proposes to use water supplied by contract with the City of Greeley as the replacement source for the augmentation plan. Mr. Noble recommended participating in this case to ensure that any decree that is entered in this case is consistent with applicant's contract with Greeley and to protect Greeley's water rights from injury.

Mr. Murphy moved that the Board authorize filing statements of opposition in Case Nos. 23CW3137 and 23CW3138, and for staff and legal counsel to seek resolution of issues raised by

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these cases consistent with Water and Sewer Board Resolution No. 3-15. Mr. Miller seconded the motion. Motion carried 7-0.

11. Director's Report

Sean Chambers provided a summary overview of several items of Board interest:

1. City of Greeley and Colorado Water Industry Education and Advocacy Events Calendar
 - a. **Colorado Farm Show** – January 23 – 25th at Island Grove Regional Park, Greeley
<https://coloradofarmshow.com/>
 - b. **Colorado Water Congress Annual Meeting & Legislative Breakfast** – Jan. 31- Feb 2nd at Aurora-Denver Conference Center
<https://www.cowatercongress.org/advocacy/>
 - c. **Subsurface Water Storage Symposium by CSU Water Center** – Feb. 22nd and 23rd, 2024 at CSU Spur Campus Confluence Theater, Denver
<https://watercenter.colostate.edu/ssws/> Presentation on Terry Ranch Aquifer Storage & Recovery (ASR)
 - d. **AWWA and WEF have established The Utility Management Conference™** - February 13 – 16th,
<https://www.awwa.org/Events-Education/Utility-Management>
2. Terry Ranch and Windy Gap Firing Chimney Hollow Project Updates – *Attached*.
3. Update on Colorado River Task Force work and Overview of Colorado River Water Users Association annual meeting
 - a. Colorado River Drought Task Force drafting a report and recommendations for the Colorado General Assembly: more at: <https://crrdroughttaskforce.com/>
 - b. Events taking place in the run up to the US BoR and 7 Colorado River Basin states renegotiating interim operational guidelines to address the operations of Lake Powell and Lake Mead during drought and low reservoir conditions.
 - c. Colorado and the Upper Basin States have maintained strict compliance with the 1922 Colorado River Compact and continue to live within our hydraulic limits
 - d. Greeley's municipal water portfolio is ~ 45% Upper Colorado River Basin resources.
 - e. NCWCD has key staff and legal counsel assigned to participating, monitoring and advocating in support of Colorado's Commissioner Becky Mitchel

12. No other business was brought before the Board.

13. Adjournment

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Chairman Evans adjourned the meeting at 4:02 p.m.

DocuSigned by:

Harold Evans

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Harold Evans, Chairman

DocuSigned by:

Raymond C. Lee III

Raymond Lee, Board Secretary