

**City of Greeley
Water and Sewer Board
Minutes of June 26, 2024, 2024
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:05 p.m. on Wednesday, June 26, 2024.

1. Roll Call

The Clerk called the roll and those present included:

Board Members:

Chairman Harold Evans, Vice Chairman Mick Todd, Tony Miller, Matt Anderson, Joseph Murphy, Cheri Witt-Brown, Fred Otis, Finance Director Tyra Litzau

Water and Sewer Department staff:

Director Sean Chambers, Deputy Director of Utility Finance and Customer Service Erik Dial, Chief Engineer Adam Prior, Deputy Director of W&S Operations and Maintenance Rebecca Andrus, Interim Director of Water Resources Randy Gustafson, Office Manager Gigi Allen, Administrative Assistant III Lisa Van Vorous, Utility Finance Manager Virgil Pierce, Water Resource Operations Manager Leah Hubbard, Civil Engineer II Keri Fishlock, Water Enterprise Financial Analyst Crystal Sanchez, Water Resource Administrator II Alex Tennant, Civil Engineer IV Jim Paulson, Water Resources Administrator II Sam Harshbarger, Water Quality Regulatory Compliance Manager Michaela Jackson, Legal Intern II Lama Baddah, Cross Connection Supervisor Tia Miller

Legal Counsel:

Supervising Senior Environmental and Water Resources Attorney Jerrae Swanson, Senior Environmental and Water Resources Attorney Dan Biwer, Environmental and Water Resources Attorney I Arthur Sayre

Guests:

James Sutherland from Wingfoot, Emeritus Robert Ruyle, Manuel Sisneros

2. Approval of Minutes

Mr. Murphy made a motion, seconded by Mr. Otis to approve the May 2024 Water and Sewer Board meeting minutes. The motion carried 7-0.

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.

Chairman Evans also introduced Water and Sewer's new Board member Matt Anderson.

5. Approve Resolution of Appreciation for Board member Sisneros

Director Sean Chambers presented a Resolution of Appreciation with the retirement of Water & Sewer Board member Mr. Manual (Manny) Sisneros. The City recognized Board Member Sisneros for his exemplary service and dedication to the business of the City's water and sewer utilities.

Board member Sisneros served the city in the capacity of Water & Sewer Board member since June of 2014. Over 10 years of service, Mr. Sisneros was an essential voice in the Board's deliberations on utility policy decisions, long-range planning, water storage and acquisitions and prioritization of system rehabilitation and expansion.

Mr. Sisneros' service is greatly appreciated and recognized.

All the Board members personally thanked Mr. Sisneros for his service to the Water and Sewer Board during his 10 years.

Mr. Otis moved that the Board adopt the Resolution of Appreciation to Board member Sisneros for his years of service to the Water and Sewer Department, Water and Sewer Board, and the citizens of the City of Greeley. Mr. Miller seconded the motion. The motion carried 7-0.

6. Approve a Resolution Authorizing and Approving a Loan from the Colorado Water Resources and Power Development Authority for the Lead Service Line Replacement Program.

Virgil Pierce discussed the CWRPDA has authorized a \$21M loan from the Colorado Drinking Water Revolving Fund for the city's Lead Service Line Identification and Replacement efforts. The CDWRPDA provides public drinking water systems in Colorado with low interest loans from federal and state funds for drinking water infrastructure. The CWRPDA approval includes

\$10M in principal forgiveness for the loan. The loan forgiveness is available based upon the use of funds and addressing lead service lines.

Vice Chairman Todd moved that the Board approve the Resolution authorizing a loan from the Colorado Water Resources and Power Development Authority for the Lead Service Line Replacement Program. Mr. Miller seconded the motion. The motion carries 7-0.

7. Recommend Council Approve an Ordinance Prohibiting Lead Pipes

Keri Fisher went presented that the Environmental Protection Agency's (EPA) Lead and Copper Rule Revisions (LCRR) require the city to develop an inventory of all public and private water service line materials and remove lead service lines. Department staff and the City Attorney's Office have prepared a new ordinance to help achieve the City's goal to replace all the lead service lines in the City. Consistent with the proposed ordinance, staff prepared a policy that describes the city's lead pipe service line replacement program and the financial assistance available to the City's residents and private water systems.

Mr. Miller moved that the Board recommend City Council adopt an ordinance prohibiting lead water service lines. Vice Chairman Todd seconded the motion. The motion carried 7-0.

8. Discussion of Backflow Tier 2 Reporting Violation

Rebecca Andrus discussed that the Water and Sewer staff submitted the annual Backflow Prevention and Cross-Connection Control Program (BPCCC) report to CDPHE, and therein self reporting record keeping and testing violations. The self reported violations have since caused CDPHE to issue 2 tier II violations. Water and Sewer staff are responding to the violations and enhancing the BPCCC program to prevent future violations.

It was also briefly discussed that the State of Colorado has passed a new law requiring all backflow tests be done by Master Plumbers with their backflow certifications. If needed, an update about this new requirement will be brought before the Board at a future meeting.

9. Water Supply Runoff Update

Alex Tennant went over that runoff has peaked in the South Platte River basins. So far, the expected flows are at or slightly below average for total runoff. However, due to above average reservoir storage leading into last fall and winter, most of the Northern Colorado reservoirs entered irrigation season at full capacity. As we move through the summer, warm temperatures and variable projections for precipitation indicate abnormally dry to drought conditions could set in to Colorado. Staff is projecting that despite the variability, Greeley's system storage will remain strong and above the action level of 21,300 acre-feet outlined in the Drought Response

Plan.

Crystal Sanchez left the meeting at 3:17 pm

10. Terry Ranch Update

Jim Paulson discussed the City of Greeley Water and Sewer Department is currently working on development of the Terry Ranch Water Supply Project. Five phases are expected as follows:

1. State Land Board Wells
2. Pipeline Construction
3. Well Field Development (TBD)
4. Collection/Distribution Pipeline Network (TBD)
5. Treatment Plant Design and Construction (TBD)

The first phase involves drilling test production wells on State Land Board parcels to affirm the viability of supply from those parcels.

The second phase involves the design and construction of the Terry Ranch Water Supply Pipeline. Pipeline design and construction is further divided into five segments A through F. The first segment is approximately seven miles starting at the southern connection to the existing Bellvue sixty-inch water transmission pipeline located south of Harmony Road in Windsor . The first section will travel northeast and end approximately ½ mile north of Hwy 14 and Weld County Road 19.

The first section is currently broken into three work packages, A, B, and C. Construction began in May 2023 and is nearly complete on all work packages.

The future segments of the pipeline, between Hwy 14 and the treatment plant location located at the Terry Bison Ranch, will have a 60% design completed in 2024. Segment 2 will go to 100% design in 2024 with procurement and construction budgeted and scheduled to start in early 2025.

The next segments of the pipeline, Segments 3, 4, and 5 will be taken to 100% design and construction as funding becomes available and the need for completion becomes clearer.

11. Review Water and Sewer Organizational Chart

Sean Chambers discussed the Water & Sewer Utilities team undertake a wide variety of activities to operate, maintain, protect and plan for the city's water and wastewater facilities, infrastructure and its water resources. Much work goes into attracting, developing, training

and retaining high quality staff that can develop and leverage their institutional knowledge of the Greeley system.

As the water utility regulatory environment has evolved, with more stringent requirements for water quality testing, dam safety, cross connection and backflow prevention testing, utility locating, waste-water nutrient removal, lead identification and contaminants of emerging concern, our utility team has grown to be responsive to meet those obligations. Additionally, the system's aging infrastructure has been requiring more and more attention each year, and with escalating capital project volume and escalating construction costs, we've added significant project management engineering staff and we are in the process of building out our water distribution O&M team with a new construction crew to manage smaller projects and save city resources.

12. Legal Report

Daniel Biwer provided the Legal Report. Based on review of the April 2024 Water Division 1 Resume, staff and water counsel recommend that the Water and Sewer Board authorize filing statements of opposition by the end of June 2024 to the following water court applications:

Case No. 24CW3059: The applicant, the Groundwater Management Subdistrict of the Central Colorado Water Conservancy District (GMS) is seeking a finding of reasonable diligence and to make a water right partially absolute. The water right involved is a junior storage right for La Poudre Reservoir Nos. 3 and 4 in the total amount of 1,600 a.f., with points of diversion from the B.H. Eaton Ditch, the Whitney Ditch, two pumps, and seepage inflows. GMS is seeking to make 674.5 a.f. of the storage right absolute. This case is related to another recent Central application, in which it made absolute a storage right for Jo Dee Reservoir No. 1, which also fills from the B.H. Eaton Ditch and pumps on the Poudre River, and may be stored in La Poudre Reservoir Nos. 3 and 4. Given the total amount of storage being claimed absolute, and Greeley's concerns with Central's accounting in the recent Jo Dee Reservoir case, we recommend that Greeley file a statement of opposition in this case to ensure Central's operation of its junior storage rights does not injure Greeley's rights on the Poudre River.

Case No. 24CW3060 (16CW3059): This case concerns a diligence application filed by United Water & Sanitation District (United) for junior storage rights and exchanges originally decreed in Case No. 16CW3059. United is seeking to make portions of its storage rights in Milliken Reservoir and 70 Ranch Reservoir absolute and to make certain of the exchanges partially absolute. We recommend that Greeley file a statement of opposition in this case to ensure that United's claims to make portions of these water rights absolute are supported, and to continue monitoring United's system-wide operations, which include water resources on the Poudre and South Platte Rivers, to ensure Greeley's rights are not injured.

Mr. Miller moved that the Board authorize filing statements of opposition in Case Nos. 24CW3059 and 24CW3060 and for staff and legal counsel to seek resolution of issues raised by these cases consistent with Water and Sewer Board Resolution No. 3, 2015. Mr. Murphy seconded the motion. The motion carried 7-0.

13. Director's Report

Sean Chambers provided a summary report including educational opportunities and updates on various operations activities

1. Education, Advocacy and Events Calendar

CWCB Colorado River Commissioner's July Webinar

July 11, 2024 <https://cwcb.colorado.gov/events/a-colorado-river-webinar-july-2024>

The Colorado River District's Annual Water Seminar

Friday, September 20th, 2024 at Colorado Mesa University in Grand Junction

<https://www.coloradoriverdistrict.org/annual-water-seminar-2024/>

Colorado Water Conservation Board Annual all basins summit (C-9 Summit) – a meeting of the state's 9 basin roundtables as guided by the Water for the 21st Century Act; Oct. 1-2, 2024, in Crested Butte

<https://cwcb.colorado.gov/events/c9-summit>

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

Mr. Miller announced that the Water Literate Leaders Program is currently accepting applications and he would encourage people interested in the program to look at participating. Applications are due July 19, 2024.

15. Adjournment

The meeting ended at 3:54 p.m.



Harold Evans, Chairman



Raymond Lee, Board Secretary