



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}
- Stacey Aurzada, City Attorney: Legal_Services@greeleygov.com
 - Tyra Litzau, Finance Director: Tyra.Litzau@greeleygov.com
 - Raymond Lee, City Manager: CMO.Admin@greeleygov.com
 - John Gates, Mayor: via CityClerk@greeleygov.com
 - Heidi Leatherwood, City Clerk (Attest): Heidi.Leatherwood@greeleygov.com

FROM: Gigi Allen, W&S Executive Assistant
ON BEHALF OF (If applicable):
 Initials of above: ____ *(Must be first in signing order)*

RE: September 2025 Board Meeting Minutes

Executive Summary:

Please see attached 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)

<input type="checkbox"/> City Council Ord./Res. #: _____ Date: _____	<input type="checkbox"/> Board or Commission (specify) <u>W&S Board</u> Date: <u>October 15, 2025</u>	<input type="checkbox"/> Other _____ Date: _____
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Contract Amount: N/A (if applicable)

Send all fully signed documents to City Clerk: CityClerks@greeleygov.com

**City of Greeley
Water and Sewer Board
Minutes of September 17, 2025
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:00 p.m. on Wednesday August 20, 2025.

1. Roll Call

The Clerk called the roll and those in attendance included:

Board Members:

Chairman Harold Evans, Vice Chairman Mick Todd, Fred Otis, Tony Miller, Joseph Murphy, Matt Anderson, Cheri Witt-Brown, Mayor John Gates, Director of Finance 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 Water and Wastewater Operations and Maintenance Rebecca Andrus, Deputy Director of Water Resources Leah Hubbard, Executive Assistant Gigi Allen, Administrative Assistant IV Tracy Simon, Water Resource Administrator II Morgan Effrein, Water Resource Operations Manager Brian Von Seggern, Water Resource Administrator I Eric Clark, Deputy Chief Engineer Cadee Oakleaf, Plans Examiner Derek Hannon, Water Resource Administrator III Travis Gilbertson, Utility Finance Manager Virgil Pierce,

Legal Counsel:

Deputy City Attorney Jerrae Swanson, Senior Environmental and Water Resources Attorney Dan Biwer, Environmental and Water Resources Attorney I Jessie Raybon, Counsel to Water and Sewer Board Attorney Jim Noble

Guests:

Dr. Michael Welsh from the University of Northern Colorado, James Sutherland from Wingfoot

2. Approval of Minutes

Mr. Miller made a motion, seconded by Mr. Otis to approve the August 2025 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.

5. Approve and Recommend to Council Authorization of Eminent Domain for West Greeley Basin Sewer System

Cadee Oakleaf discussed with the Board how the West Greeley development is contingent on the installation of new sewer infrastructure that includes collection interceptors, a lift station, and a force main. During the 2021 Collections Master Plan, the City evaluated interceptor routing for the West Greeley Sewer Basin (WGSB) and planned to continue with sewer flows going to the WWTP per the Greeley and Windsor IGA. The West Greeley Sanitary Sewer project team completed an alternative analysis for interceptor sewer alignments, potential lift station locations, and sewer force main alignments to finalize the proposed locations of this critical infrastructure. The selected interceptor alignment allows for the collection of the entire WGSB with gravity sewer services. The alternative analysis took into account the ability to serve the WGSB, the challenging topography and future development flexibility. The lift station location allows for future connection into the WWTP, as the Maste Plan intended, and for emergency overflow to the WWTP. The force main alignment allows for the connection into the existing Greeley collection system at the Poudre Trunk line, where there is sufficient capacity for these proposed flows. The force main alignment also accounts for constructability, natural areas crossing restrictions, cost, and impacts to property owners.

Vice Chairman Todd moved that the Board adopt the enclosed Resolution Authorizing the Acquisition of Interests in Real Property, by purchase or through the power of eminent domain, for the West Greeley Interceptors, Lift Station, and Force Main and Associated Facilities, and recommend that City Council authorize the same. Mr. Murphy seconded the motion. The motion carried 7-0.

6. Approve Lowell Property Hunting License

Morgan Effrein discussed that the City of Greeley owns the Lowell Property consisting of approximately 135 acres spread across 5 parcels. The hunting licenses utilize the eastern portion of parcel B which consists of approximately 55 acres. After Water & Sewer purchased the Lowell property in 2021, the lessee reached out to staff about hunting waterfowl on the property. W&S has determined that until the City of Greeley identifies a location and begins construction on city facilities within parcel B, hunting on this property can be permitted. The lessee has been hunting at the location outlined in the lease for over 15 years and has maintained a good relationship and operation since they began hunting on the property.

Vice Chairman Todd moved that the Board approve the Hunting License Agreement in the form enclosed and delegate authority to the Director of Water and Sewer or the Director's designee to renew the agreement in the future, provided the material substance remains unchanged. Mr. Murphy seconded the motion. The motion carried 5-2.

It was asked during the discussion what Liability Insurance requirements there are for those hunting on the land. The City Attorney's office stated they would get back with the Board on this requirement.

7. Water Rights Administration Overview

Leah Hubbard reviewed that the City of Greeley manages a diverse water resources portfolio and must track water rights to meet historical return flows to the river. The overview described the basics of water rights accounting and administration.

8. Agricultural and Augmentation Rental Policy Review

Several members of the Water Resources team discussed with the Board that the Water and Sewer Department at the City of Greeley annually evaluates its water supply when Board makes determination of a water sufficient year and rents excess CBT, ditch shares, and wholly consumable effluent water through two primary programs: agricultural and non-agricultural (i.e., augmentation, industrial, and municipal) rentals.

Overall, these programs aim to utilize Greeley's water supply portfolio efficiently, support agriculture, ensure equitable access to non-agricultural users, and generate revenue from excess water supplies while maintaining consistent administration and operational oversight.

Board member Joe Murphy left the meeting at 3:20 pm.

9. Legal Report

James Noble, outside counsel for the Greeley Water & Sewer Board presented the Legal Report for September 2025.

Based on review of the July 2025 Water Division 1 Resume, Mr. Noble recommended that the Water and Sewer Board authorize filing statements of opposition by the end of September 2025 to the water court application filed in Case No. 25CW3105. This case concerns an application by East Cherry Creek Valley Water and Sanitation District ("ECCV") for reasonable diligence for a conditional water storage right in Milton Lake, in the amount of 5,000 acre feet, and for a conditional exchange water right on the South Platte River that operates between the Fort Morgan Canal and the Burlington Ditch, located in the Denver metropolitan area. Applicant also seeks to make a portion of the exchange absolute, including a portion that uses supplies from the Cache la Poudre River. Mr. Noble recommended that Greeley file a statement of

opposition in this case to be fully informed of ECCV's use of supplies from the Cache la Poudre River, and to protect Greeley's water rights from injury.

Vice Chairman Todd moved that the Board authorize filing statements of opposition in Case No. 25CW3105 and for staff and legal counsel to seek resolution of issues raised by this case consistent with Water and Sewer Board Resolution No. 3, 2015. Mr. Otis Seconded the Motion. The motion carried 6-0.

Mr. Noble also provided the board with an update in Water Court Case No. 21CW3056, referred-to as the "Poudre Flows" case. This case is an application by a group of water users on the Cache la Poudre River to augment streamflows when river levels are low. Progress toward settlement with opposers has been significant, but the case is scheduled for trial to begin on October 20, 2025 if settlement is not reached.

10. Director's Report

The Director, Sean Chambers provided the Water & Sewer Board with a summary of water resource policy events, and an update on notable water utility activities. Update Items include the following:

1. Water Industry Education and Advocacy Events
2. Appointment of Director Sean Chambers to HB25-1332 State Trust Lands Conservation and Recreation Work Group.
3. Greeley Water & Sewer Utilities Federal Advocacy Priorities Update
4. Greeley Public Comment to CWCB Re: Shoshone Hydropower Water Rights Instream Flow.

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

No other business was brought before the Board.

The Public Session of the meeting ended at 3:46 pm.

12. Executive Session

Chairman Evans moved that the Board adjourn the public portion of this September 17, 2025 Water & Sewer Board Meeting and hold an executive session to address the following matters as provided by C.R.S. § 24-6-402(4)(b) and (e) and Greeley Municipal Code § 2-151(a)(2) and (5):

1. For the purposes of obtaining legal advice, determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and

instructing negotiators on matters related to the prospective Project T economic development project.

Ms. Witt-Brown seconded the motion. The motion carried.

Roll call was taken and those present were:

Chairman Evans, Vice Chairman Todd, Fred Otis, Cheri Witt-Brown, Tony Miller, Matt Anderson, Ms. Litzau

Others Present during Executive Session:

Director Sean Chambers, Deputy Director of Utility Billing and Customer Service Erik Dial, Chief Engineer Adam Prior, Deputy Director of Water Resources Leah Hubbard, Deputy Director of Operations and Maintenance Rebecca Andrus, Utility Finance Manager Virgil Pierce, Plans Examiner Derek Hannon

Legal Counsel present during Executive Session:

Environmental and Water Resources Attorney Jerrae Swanson, Environmental and Water Resources Attorney Daniel Biwer, Environmental and Water Resources Attorney Jessie Raybon, Counsel to Water & Sewer Board Attorney James Noble

13. Adjournment

The Executive session portion of the meeting ended at 4:26 pm pm

DocuSigned by:
Harold Evans
9A5B721D125E41E
Harold Evans, Chairman

DocuSigned by:
Raymond Lee
989F2074A8A543E
Raymond Lee, Board Secretary