



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.L 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: April 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)

☐ City Council Ord./Res. #: _____ Date: _____	☐ Board or Commission (specify) <u>W&S Board</u> Date: <u>May 21, 2025</u>	☐ 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 April 14, 2025
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:00 p.m. on Wednesday April 14, 2025.

1. Roll Call

The Clerk called the roll and those present included:

Board Members:

Chairman Harold Evans, Vice Chairman Mick Todd, Fred Otis, Tony Miller, Joseph Murphy, Cheri Witt-Brown, Matt Anderson, Mayor John Gates, Director of Finance Tyra Litzau, Deputy City Manager Rachel Flynn on behalf of City Manager Raymond Lee

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, Office Manager Gigi Allen, Utility Finance Manager Virgil Pierce, Water Resource Administrator I Eric Clark, Plans Examiner Derek Hannon, Administrative Assistant IV Tracy Simon, Administrative Assistant III Lisa Van Vorous, Water Enterprise Financial Analyst Crystal Sanchez, Water Conservation Manager Dena Egenhoff, Project Manager III Kelen Dowdy, Wastewater Treatment Superintendent Tyler Eldridge, Water Resource Planning Manager Matt Sparacino, Water Resource Administrator II Morgan Effrein, Water Resource Administrator III Will Ettema, Water Resource Operations Manager Brian Von Seggern,

Legal Counsel:

Deputy City Attorney Jerrae Swanson, Senior Environmental and Water Resources Attorney Dan Biwer, Counsel to Water & Sewer Board Attorney Carolyn Burr

Guests:

James Sutherland from Wingfoot Water Resources, Dr. Michael Welsh from the University of Northern Colorado, Tyler Ammerman of Gannett Fleming, Helen Seitz, IT PC Technician,

2. Approval of Minutes

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Mr. Miller made a motion, seconded by Mr. Otis to approve the March 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. Approval of Intergovernmental Agreement for Wastewater Treatment Services – Greeley and Evans (35th Avenue)

Tyler Eldridge discussed that several addresses along 35th Avenue, just north of the border between Greeley and Evans, are connected to Evans' sanitary sewer collections system. Evans has been serving four addresses on the west side of 35th Avenue (3101, 3105, 3109, and 3115 35th Avenue) for an undetermined amount of time. Correspondence with Evans indicates the collection system was likely installed in the early 2000's. Four properties on the east side of 35th Avenue currently run on septic, some of which remain in unincorporated Weld County (3190, 3200, 3218 (Greeley), and 3234).

The region's 208 Areawide Water Quality Management Plan indicates that "no overlaps in service area boundaries are allowed unless there is, in existence, an intergovernmental agreement (IGA) between the involved service providers as to how service will be provided to the overlapping areas." The alternative option was to amend the Wastewater Utility Service Area (WUSA or 208) boundaries. Both sides agreed that an IGA would suffice, and Evans supplied Greeley with a draft IGA to meet this requirement. Greeley provided a review and updated draft IGA that both Greeley and Evans have reviewed and discussed. Also of interest were the four properties to the east of 35th Avenue. Should their septic systems fail, this agreement ensures they have a route to connect to Evans via the same line that is servicing the properties West of 35th Avenue, unless those properties have been tied into Greeley's system already.

Vice Chairman Todd moved that the Board approve the Intergovernmental Agreement for Wastewater Treatment Services (35th Avenue) to meet regional 208 Areawide Water Quality Management Plan Requirements. Mr. Otis seconded the motion. The motion carried 7-0.

6. 2026 Preliminary Budget Discussion

Tyler Eldridge left the meeting at 2:28 pm.

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Virgil Pierce provided the Water and Sewer Board an overview of the 2026 Budget preparation process and the department's priorities. In addition, the Water and Sewer Department's 2026 Budget and 2026-2035 Capital Improvement Plan was reviewed.

The Board members shared their thoughts about the projected Budget increases and suggested additional review be done to cut more costs to reduce the projected rate increases.

Staff will follow up with the Board to give clarity to the following items:

- Confirmation of median household income
- A better understanding if the new internal construction crew has provided a cost benefit to the City

7. Bi-Annual Water and Sewer CIP Report

Adam Prior provided an update on some CIP projects that are in progress or completed since the last Bi-Annual CIP Report. The CIP projects discussed included:

- Distribution & Transmission Replacement Projects
- Terry Ranch Water pipeline construction project
- Non-potable expansion project
- Poudre Ponds Projects
- Advanced Meter Infrastructure
- Lead service line inventory and replacement project
- North Greeley Sewer IIA
- 47th Ave Highlands Hill sewer capacity improvements project
- WTRF General Rehabilitation Projects
- WTRF Treatment Phase II
- Others

8. Water Supply Update and Declaration of an Adequate Water Year

Brian Von Seggern reported based on projected storage that staff recommends that the Board declare an "Adequate Water Year," with normal watering restrictions and authorize staff to rent out available excess water supply, so long as the target storage volume of 21,300 acre-feet is maintained.

Vice Chairman Todd moved to approve the staff recommendation of an adequate water year and that supplies are made available for rentals while assuring target storage does not fall below 21,300 acre-feet. Mr. Murphy seconded the motion. The motion carried 7-0.

9. Integrated Water Resource Plan (IWRP) Annual Board Report

Matt Sparacino discussed that to continue the benefits of the Integrated Water Resources Plan (IWRP) beyond the completed plan, an adaptive planning process has been adopted by the

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department. This process includes annually assessing core adaptive planning questions which will help to identify any signposts or triggers for necessary planning action.

Deputy City Manager Allena Portis joined the meeting at 3:51 pm.

Assistant City Manager Blair Snow joined the meeting at 3:54 pm.

10. Legal Report

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

Based on review of the February 2025 Water Division 1 Resume, Ms. Burr reported that staff and water counsel recommended the Water and Sewer Board authorize filing a statement of opposition by the end of April 2025 to the following water court application:

Case No. 25CW3020: This case concerns an application by Martin Marietta Materials, Inc. for reasonable diligence for existing conditional storage rights for Taft Hill Reservoir (1,080 acre feet) and North Shore Reservoir (1,160 acre feet). Applicant is seeking to make 204 acre feet of the North Shore Reservoir right absolute. These reservoirs can be filled by diversions through the Taylor and Gill Ditch, in which Greeley holds substantial ownership interests. The reservoirs are also in close proximity to Greeley's Overland Trail Ponds complex. Counsel recommend that Greeley file a statement of opposition in this case to be fully informed of the current status of this applicant's reservoirs and to protect Greeley's water rights and interests in the related ditch system from injury.

Vice Chairman Todd moved that the Board authorize filing a statement of opposition in Case No. 25CW3020 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. Murphy seconded the motion. The motion carried 6-0. Mr. Otis briefly stepped out of the meeting and was not present to vote.

Ms. Burr also provided a brief summary of the following matter:

Case No. 20CW3208 Application of Montava Partners, LLC– The applicant, Montava, is a developer proposing to develop 1,000 acres of land just west of the Anheuser Busch brewery north of Ft. Collins. They filed an application that included appropriation of tributary ground water rights, and junior surface diversions and storage rights, including the Seaworth Augmentation Pond No. 2, filled via the Taylor and Gill Ditch. They also are seeking to change 3 WSSC (Water Supply and Storage Company) shares for use in their system, including for augmentation purposes. Greeley is an opposer in the case to protect its water rights interest and as an owner of WSSC shares. The trial in the case was vacated following a pre-trial ruling that required the applicant to amend its application.

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The following staff and guests left the meeting at 4:05 pm:

Leah Hubbard, Gigi Allen, Lisa Van Voros, Tracy Simon, Dane Egenhoff, Kelen Dowdy, Crystal Sanchez, Matt Sparacino, Morgan Effrein, Will Ettema, Brian Von Seggern, Eric Clark, James Sutherland, Dr. Michael Welsh, Helen Seitz

11. Executive Session

a. Water and Sewer Infrastructure and Bond Reimbursement

Chairman Evans moved that the Board 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 and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators on matters related to the financing of infrastructure for the proposed West Greeley project.

Vice Chairman Todd seconded the motion. The motion passed.

Roll call was taken and those present were:

Chairman Evans, Vice Chairman Todd, Ms. Witt-Brown, Mr. Otis, Mr. Murphy, Mr. Miller, Mr. Anderson, Mayor Gates, Ms. Flynn on behalf of Mr. Lee, Ms. Litzau

Others present during the Executive Session:

Director of Water and Sewer, Sean Chambers, Deputy Director, Utility Finance and Customer Service, Erik Dial, Deputy Director, Water and Wastewater Operations, Rebecca Andrus, Water and Sewer Chief Engineer, Adam Prior, Utility Finance Manager, Virgil Pierce, Plans Examiner, Derek Hannon, Deputy City Manager Allena Portis, Assistant City Manager Blair Snow

Legal Counsel Present during Executive Session:

Water and Sewer Board Counsel, Carolyn Burr, Environmental and Water Resources Attorney, Jerrea Swanson, Environmental and Water Resources Attorney, Dan Biwer

Jerrea Swansen left the meeting at 4:20 pm.

Gigi Allen, Lisa Van Voros and Tracy Simon returned to the meeting after the Executive Session at 5:13 pm.

12. Approval of 2025 Water Bond Resolution

Virgil Pierce presented a resolution for the Water and Sewer Board to authorize and approve the issuance of water revenue bonds, Series 2025, in an aggregate principal amount not to exceed \$98,500,000, bearing interest at the rates and maturing on the dates in the amounts to be set forth in the final terms certificate, and on the terms and conditions provided in the bond

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ordinance. Terms of payment not to exceed 30 years and an interest rate not to exceed 5.0% in aggregate.

Contained within the water capital program are a number of projects extending or rehabilitating the city's potable water transmission and distribution system, replacing non-potable water infrastructure, and purchasing additional water supplies through the acquisition program.

These projects will be partially funded through bond revenues. The resolution states that the Water and Sewer Board authorizes and approves the issuance of the Series 2025 Water Revenue Bonds, recognizing that the issuance of these bonds will impact the Water Fund's debt service payments and the rates required to support those payments.

Mr. Miller moved that the Board approve a Resolution authorizing the issuance of Water Revenue Bonds and recommend the same to City Council. The motion was not seconded.

The motion failed due to the lack of a second.

Chairman Evans asked if there was another motion.

Mr. Murphy moved that the item be tabled until the next Water and Sewer Board meeting. Vice Chairman Todd seconded the motion. The motion carried 7-0.

13. Approval of 2025 Sewer Bond Resolution

Virgil Pierce presented a resolution for the Water and Sewer Board to authorize and approve the issuance of sewer revenue bonds, Series 2025, in an aggregate principal amount not to exceed \$90,500,000, bearing interest at the rates and maturing on the dates and amounts to be set forth in the final terms certificate, and on the terms and conditions provided in the bond ordinance. Terms of payment not to exceed 30 years and an interest rate not to exceed 5.0% in aggregate.

Contained within the sewer capital program are a number of projects extending or rehabilitating the city's sanitary sewer and upgrading or replacing assets at the Wastewater Treatment and Reclamation Facility that have reached the end of their useful life.

These projects will be partially funded through bond revenues. The resolution states that the Water and Sewer Board authorizes and approves the issuance of the Series 2025 Sewer Revenue Bonds, recognizing that the issuance of these bonds will impact the Sewer Fund's debt service payments and the rates required to support those payments.

Mr. Otis moved that the item be tabled until the next Water and Sewer Board meeting. Mr. Murphy seconded the motion. The motion carried 7-0.

14. Director's Report

The Director will provide 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:

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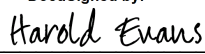
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1. Water Industry Education and Advocacy Events
 - National Water Resource Association on Capital Hill
Mon. April 28 – 30, 2025
www.nwra.org
 - CSU Water Conservation & Sustainability Lecture
Thursday, May 1st 12:30pm – 1:45pm – CSU Natural Resources building or virtual
www.watercenter.coloradostate.edu
 - Water Resources Association and Colorado Groundwater Association Symposium
Friday, May 2nd at Mt. Vernon Country Club, Golden
www.cgwa.co/2025-symposium
 - South Platte Basin Roundtable
Tuesday, May 13th at 4:00 PM at Southwest Weld County Bldg.
Presentations and recommendation of awards for ~ \$210K of WSRF grants
<https://southplattebasin.com/>
 - Interbasin Compact Committee Meeting (CWCB)
June 25th in Grand Junction
 - Colorado Water Congress Summer Conference
Aug. 19-21st – Steamboat Springs
 - Colorado Water Trust River Bank 2025
September 30, 2025 @ 5:30pm at Denver Botanic Gardens
www.coloradowatertrust.org
2. Neff Lake Non-Potable Pipeline Diligence and Closing Update.
3. Update on Greeley's opposition to Northern Water's NISP proposed use of Greeley's Bellvue CO utility property for NISP infrastructure.
4. Report on Dept. of Homeland Security/FEMA Building Resiliency Infrastructure and Communities (BRIC) grant funding for Gold Hill water pipeline.

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

16. Adjournment

The meeting ended at 5:27 p.m.

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Harold Evans, Chairman

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Raymond Lee, Board Secretary