

Commission Members Present: Matt Elkins, Clinton O'Neill, Bill Szmyd, Don Cook, Gary Hausman (Chair), Gene Packer, Randy Williams, Dan Herlihey (Vice Chair)

LUC Commission Members Absent: John Butler, Richard Rhoads

Council Liaison Present: None

City Staff Members Present: Lynn Valdez, Tanner Randall, Adrian Yebra, Steve Adams, Christine Schraeder, Kevin Gertig (Director), Derek Turner, Frank Lindauer, Jim Lees, Garth Silvernale, John Faulkner, Todd Hanlin, Tyler Groce, Nathan Alburn, Ryan Van Pelt, John Beckstrom.

Guest Attendance: Mark Beauchamp, Bob Blank.

CALL TO ORDER: Gary Hausman called the meeting to order at 4:00 PM.

Item 2.1: Adoption of Minutes – Gary Hausman

This item requested a motion to approve the minutes of the May 18, 2022 meeting.

Recommendation: Adopt A Motion to Approve of the Loveland Utilities Commission Meeting Minutes from May 18, 2022.

Motion: Dan Herlihey made the motion.

Second: Don Cook seconded the motion. The minutes were **approved** unanimously with a **7-0 vote**.

CITIZENS REPORT

Item 3.1 Citizens Report – None

INFORMATIONAL ITEMS

Item 4.1: Water and Law Legislative Update – Derek Turner

This item provides a brief update on water-related legislation introduced or under discussion by the Colorado General Assembly during the legislative season, water court developments or items of interest in District 4 of Water Division 1 (The Big Thompson and Little Thompson River basins), and Colorado or Loveland-related water news.

Recommendation: Information Only. No Action Required.

Item 4.2: Water Supply Update – Ryan Van Pelt

This item provides the raw water supply update.

Recommendation: Information Only. No Action Required.

Item 4.3: Electric Legislative Update – Lynn Valdez

This item and Attachment A are intended to give a brief update on electric-related legislation at both the state and federal level. Loveland Water and Power works closely with Platte River Power Authority (PRPA) and its sister cities but relies primarily on the Colorado Association of Municipal Utilities (CAMU) for information on electric-related legislation.

Recommendation: Information Only. No Action Required.

Item 4.4: Building Benchmarking – Christine Schraeder

The "Energy Performance for Buildings" Statute (House Bill 21-1286) passed the Colorado General Assembly on June 8, 2021 and went into effect on September 6, 2021.

This law requires owners of large commercial, multi-family, and public buildings 50,000 square feet or more to annually report their whole building energy use to the Colorado Energy Office (CEO). The City of Loveland is required to facilitate this reporting by providing data to customers who are owners of these buildings.

Recommendation: Information Only. No Action Required.

Item 4.5: May 2022 Financial Report Update - Jim Lees

This item summarizes the preliminary monthly and year-to-date financials for May 2022.

Recommendation: Information Only. No Action Required.

Item 4.6: LUC Survey Results – Steve Adams

In partnership with the City Clerk's Office, the City Manager initiated a Boards and Commissions Survey to address some of the interests expressed by board and commission members. The LUC participated in this survey in April and Steve will be attending to present and discuss the results.

Recommendation: Information Only. No Action Required

CONSENT AGENDA

Item 5.1: PRPA Technical Support Services IGA – Frank Lindauer

The purpose of this agreement is to establish a framework and general terms and conditions to govern periodic collaborations where Platte River Power Authority (PRPA) may assist Loveland by providing technical support services such as engineering. As governmental entities in Colorado, Loveland and Platte River are authorized under Colorado Revised Statutes section 29-1-203 to cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each.

Recommendation: Adopt a motion recommending the City Council approve a resolution authorizing the City Manager to execute an Intergovernmental Agreement for Technical Support Services with the Platte River Power Authority.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

Item 5.2: Fire Mitigation Service Contracts – Ryan Van Pelt

In partnership with the Big Thompson Watershed Coalition (BTWC), the City has been awarded more than \$1.5M of grant funds awarded by the Colorado Water Conservation Board (CWCB) and \$2M of grant funds through a participating agreement with the United States Forest Service (USFS). These funds are for the purpose of funding fire recovery and mitigation efforts in the Big Thompson River Basin and improving water quality in the Big Thompson River. The fire mitigation work is intended to include aerial mulching drops to improve the stability of soil in burned areas, prevent damaging runoff, and minimize the impacts

of flooding that could impact the drinking water quality in the Big Thompson River, along with a variety of point mitigation measures (i.e. sediment ponds, etc.). Due to the timeline of City Council appropriations ordinances and the need for work to begin before the monsoon season, staff presented this item to City Council for first reading of the appropriation ordinance on May 17. The second reading at City Council for this item occurred on June 7 and the item was approved on the consent agenda.

In order to accept the grant funds and begin work, the City must appropriate the grant funds to the 2022 City budget, execute grant agreements with the CWCB and USFS, and execute a services contracts with the BTWC and Western States Reclamation, Inc to conduct aerial mulching drops in the summer 2022. City Council, with the LUC's recommendation, approved the appropriations and grant agreements on June 7, 2022.

Recommendation 1: Adopt a motion to award a services contract for fire mitigation coordination, project management, and point mitigation implementation to Big Thompson Watershed Coalition in an amount not to exceed \$496,482.50, and authorize the City Manager to execute the contract on behalf of the City, following consultation with the City Attorney, and to modify the contract in form or substance as deemed necessary to protect the interests of the City.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

Recommendation 2: Adopt a motion to award a services contract for aerial mulching of Cameron Peak wildfire burned areas to Western States Reclamation, LLC. in an amount not to exceed \$2,958,882.50, and authorize the City Manager to execute the contract on behalf of the City, following consultation with the City Attorney, and to modify the contract in form or substance as deemed necessary to protect the interests of the City.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

Item 5.3: Electric Meter Inventory Purchases – Frank Lindauer

On April 27, 2022, the Power Division purchased \$471,386.74 of electric meters from Eaton Cooper Power Systems that was approved through our City-wide routing process. The April 2022 order was placed to supplement inventory and account for the current growth within the City. Weeks after the order was placed, we were notified that the quoted lead time on electric meters had increased more than three (3) months. After receiving the information regarding the estimated 40-week lead time, the Power Division would like to place an additional order to bolster our inventory levels and to be prepared for existing metering needs. The Finance Department has requested that the Power Division seeks approval from the Commission for this purchase since the combined purchases from the sole source would exceed \$500,000. The current quote for additional meters totals \$489,216.00.

Recommendation: Adopt a motion recommending that LUC award the contract for Electric Meter Inventory to Eaton Cooper Power Systems in an amount not to exceed \$960,366.24 and authorize the City Manager to execute the contract on behalf of the City, following consultation with the City Attorney, and to modify the contract in form or substance as deemed necessary to protect the interests of the City.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

Item 5.4: 2022 Cured-In-Place Pipe (CIPP) Project – Adrian Yebra

In an effort to keep underground infrastructure in proper working condition, for the last decade the City of Loveland has been lining sections of the existing sanitary sewer network. Some of the existing sanitary sewer lines consist of vitrified clay pipe (VCP). Even though some sections of sanitary sewer network have withstood the test of time, other sections are in dire need for repair. These sections in need of repair have been identified by the City of Loveland Operations Department and the Project Manager, hence the request for approval of this project to continue improving infrastructure. A total of 12,337 linear feet of existing 8" sanitary sewer pipe have been identified for repair. This is a non-invasive operation because access to sewer lines is achieved through existing manholes. No excavation of any kind will be necessary to place the liner in these lines. In addition, sanitary sewer service to customers will not be interrupted for any period of time. This project will take place on the vicinity of the following areas:

1. Big Barnes Ditch, between N Van Buren Avenue and N Taft Avenue.
2. Southeast of Lake Loveland, between N Colorado Avenue and N Garfield Avenue
3. West of Lake Loveland, North of W 22nd St, between N Empire Avenue and Chama Avenue

The 2022 Cured-In-Place Pipe project involves the following:

1. Clean and video tape 12,337 linear feet of 8" sanitary sewer lines before lining
2. Line 12,337 linear feet of 8" sanitary sewer lines
3. Create perforation (on new liner) for existing sanitary sewer services
4. Install service lateral connection seal on each existing sanitary sewer service
5. Clean 12,337 linear feet of 8" sanitary sewer lines after lining
6. Bypass raw sewage when necessary
7. Provide traffic control when necessary

The City engaged in a public Request For Proposal (RFP) process as required by municipal code. The following project bid was the only one submitted and was opened on Friday, June 3, 2022 for this project: Insituform Technologies, LLC \$842,031.00

Insituform Technologies, LLC has lined sanitary sewer lines for the City of Loveland in the past, and has provided an outstanding level of quality on final product. The City of Loveland Water & Power Department recommends awarding the contract to Insituform Technologies, LLC for the 2022 Cured-In-Place Pipe project.

Recommendation: Adopt a motion recommending that LUC award the contract for 2022 Cured-In-Place Pipe (CIPP) to Insituform Technologies, LLC in an amount not to exceed \$842,031.00 and authorize the City Manager to execute the contract on behalf of the City, following consultation with the City Attorney, and to modify the contract in form or substance as deemed necessary to protect the interests of the City.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

REGULAR AGENDA**Item 6.1: Power Cost-of-Service Rate Study Preliminary Results – Mark Beauchamp**

The purpose of this item is to provide the LUC with an overview of the Power cost-of-service rate study and get recommendations from the Commission on rate design.

Recommendation: Provide direction on rate design for the two key study components outlined earlier.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

Item 6.2: 2023 Proposed Budgets for Water, Wastewater, & Power – Jim Lees

The purpose of this item is to ask the LUC to adopt a motion indicating support for the proposed 2023 Water and Power budget for City Council's consideration.

Recommendation: Adopt A Motion to Support the Proposed 2023 Water And Power Budget For City Council's Consideration.

Motion: Dan Herlihey made the motion.

Second: Don Cook seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

STAFF REPORT

Item 7.1: Water Bank Overview – Nathan Alburn

The City of Loveland (City) Municipal Code Chapter 19.04 describes the Water Bank and its purposes.

"The City has established a Water Bank for the purpose of facilitating transfers of water rights to the City in satisfaction of the City's water rights requirements."

The Water Bank is one of four methods in which developers can satisfy the water rights requirements for a City of Loveland water tap/meter. It has several benefits that help both the City and developers. This item and associated presentation give a brief summary of the Water Bank, the current balances, and transactions that have occurred in recent years.

Recommendation: Information Only. No Action Required.

COMMISSION & COUNCIL REPORTS

Item 8.1: Commission Reports

Dan Herlihey: Dan asked Derek about the rules around taking a tour as a group and having to post it publicly.

Gene Packer: None.

Bill Szmyd: None.

Clinton O'Neill: None.

Don Cook: None.

Gary Hausman: Gary updated everyone about the LUC spring recruitment and appointments to the Commission. Gary also brought in Kevin to a discussion about moving the LUC meetings up one hour.

Motion: Dan Herlihey made a motion to move future Loveland Utilities Commission meetings on the third Wednesday of each month up one hour to 3pm.

Second: Gene Packer seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

John Butler: Not present.

Matt Elkins: None.
Randy Williams: None.
Richard Rhoads: Not present.

Item 8.2: Council reports

Steve Olson: Not present.
Jon Mallo: Not present.

DIRECTOR'S REPORT

Item 9.1: Director's Report

- Kevin updated the LUC on the APPA conference he attended the past few days.
- Kevin reminded the Commission about the Chimney Hollow Tour and offered support in the event that anyone would like to attend.

ADJOURN: The meeting was adjourned at 6:30p.m.

Respectfully submitted,
Tyler Groce
Recording Secretary
Loveland Utilities Commission /s/ Gary Hausman, Chair

