

**Commission Members Present:** Bill Szmyd, Dan Herlihey (Vice Chair), Don Cook, Gary Hausman (Chair), Gene Packer, John Butler, Randy Lee Williams

**LUC Commission Members Absent:** Matt Elkins

**Council Liaison Present:** Steve Olson

**Council Liaison Absent:** Jon Mallo

**City Staff Members Present:** Chad Birgenheier, Derek Turner, Donald Cecil, Jim Lees, John Faulkner, Kevin Gertig (Director), Kim Reeves, Lindsey Johansen, Melanie Reeves, Nathan Alburn, Rosalyn Potter, Ryan Van Pelt, Tanner Randall

**Guest Attendance:** Richard Weidelman, Colleen McCroskey, Joe Donnelly

**CALL TO ORDER:** Gary Hausman called the meeting to order at 3:00 PM.

### ADOPTION OF MINUTES

#### Item 2.1: Adoption of Minutes – Gary Hausman

This item requested a motion to approve the minutes of the March 15, 2023 meeting.

**Recommendation:** Adopt A Motion to Approve of the Loveland Utilities Commission Meeting Minutes from March 15, 2023.

**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 Item Only. No Action Required.

**Item 4.2: Electric Legislative Update – Derek Turner**

This item is intended to give a brief update on electric-related legislation at both the state and federal level. Loveland representatives participate in the bi-weekly legislative committee meetings convened by the Colorado Association of Municipal Utilities (CAMU) to track legislative developments related to the electric generation industry.

**Recommendation:** Information Item Only. No Action Required.

**Item 4.3: Water Supply Update – Ryan Van Pelt**

This item provides the raw water supply update.

**Recommendation:** Information Item Only. No Action Required.

**CONSENT AGENDA****Item 5.1: Contract to Western United Electric for PVC & Accessories – Rosalyn Potter**

Award a one-year contract to Western United Electric for PVC & Accessories.

**Recommendation:** Adopt a Motion Awarding a Contract for PVC & Accessories to Western United Electric in an Amount not to Exceed \$1,600,000 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:** John Butler seconded the motion. The minutes were **approved** unanimously with a 7-0 vote.

**REGULAR AGENDA****Item 6.1: Local Government Authority and Wireless Siting – Colleen McCroskey from Kissinger & Fellman, PC**

To provide background information about the laws and regulations related to wireless siting.

**Recommendation:** Motion to Recommend that the City Council refrain from adopting small cell wireless facility setbacks from residential buildings in the City of Loveland.

**Motion:** Dan Herlihey made the motion.

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

**Item 6.2: Water Reclamation Facility Hauling And Land Application Of Liquid Treated Wastewater Biosolids Contract – Chad Birgenheier**

The proposed contract is for Denali Water Solutions LLC to provide hauling and land application of liquid treated wastewater biosolids generated from the Loveland Water Reclamation Facility in compliance with all Federal, State, and EPA regulations. The not to exceed total for the 2023 contract period will be \$1,300,000.00.

**Recommendation:** Adopt a Motion Awarding a Contract For Hauling and Land Application of Liquid Treated Wastewater Biosolids to Denali Water Solutions LLC in an Amount Not To Exceed \$1,300,000.00 for the 2023 contract period 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.

The Commission discussed the verbiage of the recommendation and opted to include the underlined information above.

**Motion:** Dan Herlihey made the motion.

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

**Item 6.3: Appointment of LUC Members as Liaisons for the 2024 Budget Process – Jim Lees**

Staff is seeking two LUC liaisons who are interested in participating in the 2024 budget review meetings for the Water, Raw Water, Wastewater and Power Utilities. The scheduled meetings for the liaisons will be:

- Monday, May 15th from 8:30 am to 11:30 am. Topic: Water, Raw Water and Wastewater
- Thursday, May 18th from 9:00 am to 11:00 am. Topic: Power

The proposed budgets will be presented, and direction will be requested at these meetings.

**Recommendation:** Select Two Liaisons from the Loveland Utilities Commission to Participate in the 2024 Budget Review Meetings.

**Outcome:** Gene Packer and John Butler volunteered to participate.

**STAFF REPORT****Item 7.1: Quarterly Financial Report – Jim Lees**

This item summarizes the preliminary monthly and year-to-date financials for March 2023.

**Recommendation:** Information Item Only. No Action Required.

**Item 7.2: Chimney Hollow Presentation by Northern Water – Joe Donnelly**

The Chimney Hollow Reservoir Project is a collaboration between 12 Northeastern Colorado water providers to improve the reliability of, or make firm, water supplies from the Windy Gap Project. Chimney Hollow Reservoir will be located just west of Carter Lake in Larimer County to provide dedicated storage to supply a reliable 30,000 acre-feet of water each year for future generations.

**Recommendation:** Information Item Only. No Action Required.

**COMMISSION & COUNCIL REPORTS****Item 6.1: Commission Reports**

**Dan Herlihey:** None.

**Gene Packer:** None.

**Bill Szmyd:** Bill has seen a lot in the news regarding lawsuits about PVC. He thinks it will be necessary to address the issue of PVC the same way that we have addressed Fluoride in the past.

**Don Cook:** None.

**Gary Hausman:** None.

**John Butler:** John wanted to know if we had a tour set up at Chimney Hollow. Kevin will address our plans to visit in his Director's report. John also mentioned an article from the Reporter Herald that shows a student from Loveland who will be presenting on water conservation. Kevin will send out information to the group on the details of this presentation.

**Matt Elkins:** N/A.

**Randy Williams:** None.

**Council reports**

**Steve Olson:** None.

**Jon Mallo:** N/A.

**DIRECTOR'S REPORT****Item 7.1: Director's Report – Kevin Gertig**

1. Please see water project updates from March 2023.
2. Lineman Appreciation Day was on April 18, 2023. We gave thanks and celebrated the hard work of our Linemen!
3. Drinking Water Week Proclamation!
  - a. On March 21, 2023, Mayor Jacki Marsh and the City Council proclaimed that May 7-13, 2023 will be Drinking Water Week!
4. Kevin Gertig provided a copy of the LUC Annual Report for 2022. This report lists the major action items and involvements for the LUC in 2022 and was submitted to City Council.

5. On Thursday, April 6<sup>th</sup>, the City Council received a letter from a concerned citizen requesting that we stop putting fluoride in our water. Kevin Gertig responded to this email on Friday, April 7<sup>th</sup>. The original email and the response from the Director were presented to the LUC.
6. We have a Chimney Hollow Overlook tour scheduled for the LUC in September. Details and a final date will be sent out after the May LUC meeting. Per Northern Water, due to the high demand of this tour, individuals are limited to one visit per season.
7. We have vacancies on our Commission! We were notified on Tuesday, March 21<sup>st</sup> that James Laferriere will no longer be able to participate in the Commission. The LUC currently has one vacant Commission position, and two vacant Alternate positions.

ADJOURN: The meeting was adjourned at 5:11 PM.

Respectfully submitted,  
Melanie Reeves  
Recording Secretary  
Loveland Utilities Commission /s/ Gary Hausman, Chair

