

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

LUC Commission Members Absent: Don Cook

Council Liaison Present: Steve Olson

Council Liaison Absent: Jon Mallo

City Staff Members Present: Nathan Alburn, Todd Hanlin, Catherine Kellogg, Bob Freeman, Donald Cecil, Clinton O'Neill, Ryan Van Pelt, Lynn Valdez, Aaron Rodriguez, Tanner Randall, Christine Schraeder, Adam Bromley, Cree Goodwin, Jim Lees, Derek Turner, Kevin Gertig, Melanie Reeves.

Guest Attendance: Bruce Croissant, Christopher Say, Jason Mumm, Melanie Hobart, Dr. James Clegern, Ryan Nelson, Stan Hightower, Bruce Croissant, Jackie Hutchins.

CALL TO ORDER: Gary Hausman called the 'Special Meeting' of the Loveland Utilities Commission to order at 1:03 PM.

ADOPTION OF MINUTES

Item 2.1: Adoption of Minutes – Gary Hausman

This item requested a motion to approve the minutes of the May 17, 2023 meeting.

Recommendation: Adopt A Motion to Approve of the Loveland Utilities Commission Meeting Minutes from May 17, 2023.

Motion: Dan Herlihey made the motion.

Second: Gene Packer 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.

Item 4.4: Financial Report Update – Jim Lees

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

Recommendation: Information Item Only. No Action Required.

CONSENT AGENDA**Item 5.1: Time Change for the LUC Meeting on Wednesday, July 19, 2023 – Kevin Gertig**

This item is requesting Commission approval to change the start time of the LUC Meeting on Wednesday, July 19th from 3:00 p.m. to 1:00 p.m.

Recommendation: Adopt a motion that the LUC approve a time change for the LUC Meeting on Wednesday, July 19th from 3:00 p.m. to 1:00 p.m.

Motion: Dan Herlihey made the motion.

Second: John Butler seconded the motion. The motion was **approved** unanimously with an **7-0 vote**.

Item 5.2: Date Change for the LUC Meeting on Wednesday, August 16, 2023 – Kevin Gertig

This item is requesting Commission approval to change the date of the August LUC Meeting from Wednesday, August 16, 2023, to Wednesday, August 23, 2023.

Recommendation: Adopt a motion that the LUC approve a date change to the August LUC Meeting from August 16, 2023 to August 23, 2023.

Motion: Dan Herlihey made the motion.

Second: John Butler seconded the motion. The motion was **approved** unanimously with an **7-0 vote**.

REGULAR AGENDA**Item 6.1: Water and Wastewater Cost-of-Service Rate Study Preliminary Results – Jason Mumm, FCS Group**

The purpose of this item is to ask the LUC to adopt a motion indicating support for the proposed 10-year rate tracks and planned borrowing for both the Water and Wastewater Utilities to bring back to the July 19, 2023 LUC meeting to get a formal recommendation in conjunction with the cost-of-service results.

Recommendation: Adopt a Motion Indicating Support for the Proposed 10-Year Rate Tracks and Planned Borrowing for both the Water and Wastewater Utilities.

Motion: Dan Herlihey made the motion.

Second: John Butler seconded the motion. The motion was **approved** unanimously with an **7-0 vote**.

Item 6.2: Public Hearing – 2023 Public Utility Regulatory Policy Act (PURPA) Determinations – Derek Turner

Congress passed the Infrastructure Investment and Jobs Act (IIJA) in 2021, which included amendments to the Public Utility Regulatory Policy Act of 1978 (PURPA). The amendments require the City of Loveland (“Loveland”), as a “nonregulated electric utility,” to hold a public hearing to consider and determine the appropriateness of adopting two standards relating to the utility’s operations and planning: electricity demand response actions, and electric vehicle infrastructure and charging programs.

Recommendation: Adopt Resolution #R-1-2023U, Recommended Determinations Of The Loveland Utilities Commission For Consideration By The Loveland City Council Related To Two Electric Utility Standards Within The Public Utility Regulatory Policies Act Of 1978, As Amended By The Infrastructure Investment And Jobs Act Of 2021, Following Public Notice And Hearing Before The Loveland Utilities Commission On Such Electric Utility Standards.

Motion: Dan Herlihey made the motion.

Second: Randy Williams seconded the motion. The motion was **approved** unanimously with an **7-0 vote**.

Item 6.3: Sweetheart Alley Sanitary Sewer Replacement Project – Donald Cecil

The Sweetheart Alley Sanitary Sewer Replacement Project will replace a portion of aging and undersized sanitary sewer main downtown within the alley between E 4th and E 5th Streets from N. Washington Avenue and N. Lincoln Avenue. With future development and growth downtown, the project will upsize the main from 10” to 12” to provide additional capacity and reliability.

Recommendation: Adopt a Motion Awarding the Contract for Sweetheart Alley Sanitary Sewer Replacement to Global Underground Corp as Construction Manager-At-Risk in an Amount not to Exceed \$1,569,391.81 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: Gene Packer seconded the motion. The motion was **approved** unanimously with an **7-0** vote.

Item 6.4: 2024 Proposed Budgets for Water, Wastewater and Power – Jim Lees

The purpose of this item is to ask the LUC to adopt a motion indicating support for the proposed 2024 Water and Power budget for City Council's consideration.

Recommendation: Adopt A Motion to Support the Proposed 2024 Water and Power Budget For City Council's Consideration.

Motion: Dan Herlihey made the motion.

Second: Randy Williams seconded the motion. The motion was **approved** with an **6-1** vote.

Comments: Bill Szmyd believes that our raw water costs are still too low, he believes that the City of Loveland is giving away its raw water, and that is why he is not supporting this vote.

STAFF REPORTS

Item 7.1: Loveland's Advanced Metering Program Phase 3 Update – Adam Bromley

The purpose of this item is to provide information to the Loveland Utilities Commission regarding the AMI Deployment Project in the City of Loveland. AMI stands for Advanced Metering Infrastructure. AMI is a system of meters, communications networks and data management that allows two-way communication between a customer's meter and Loveland Water and Power.

Recommendation: Information item only. No action required.

COMMISSION & COUNCIL REPORTS

Item 8.1: Commission Reports

Dan Herlihey: None.

Gene Packer: Gene Packer appreciated his reappointment to the LUC. He expressed his passion for the environment and protecting natural resources.

Bill Szmyd: Bill Szmyd shared his experience at the Chimney Hollow overlook tour.

Don Cook: N/A.

Gary Hausman: Gary Hausman introduced Christopher Say as a new alternate to the LUC and welcomed him to the Commission. His term will begin on July 1st.

John Butler: None.

Matt Elkins: None.

Randy Williams: None.

Council reports

Steve Olson: Councilor Olson gave an update on the rezoning discussions at the City Council meeting last night. Olson also wanted to know if the presentation regarding RF/AMI could be brought before Council. Adam Bromley notified the group that this presentation will be available in video format on the website in the coming months.

Jon Mallo: N/A.

DIRECTOR'S REPORT**Item 9.1: Director's Report – Jim Lees, Acting Director**

1. Director, Kevin Gertig and Chair, Gary Hausman will give an update on the outcome of the LUC Spring Recruitment and interviews.
2. Please see water project updates for May 2023.
3. We have a Chimney Hollow Overlook tour scheduled for the LUC on September 11, 2023. Details and instructions to register for this date will be emailed to you.
4. Kevin provided an opportunity for the Water Education Colorado webinar event on June 28, 2023.

ADJOURN: The meeting was adjourned at **3:30 PM**.

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

