

Commission Members Present: David Schneider, Gary Hausman (Chair), Gene Packer, Larry Roos, John Butler, Randy Williams, Stephanie Fancher-English

Commission Members Absent: Dan Herlihey, Sean Cronin, Tom Vail

Council Liaison: Steve Olson

City Staff Members Present: Brieana Reed-Harmel, Courtney Whittet, Daniel Daneshka, Derek Turner, Jim Lees, Joe Bernosky, Joe Creaghe, Kim Reeves, Larry Howard, Michelle Erickson, Nathan Alburn, Roger Berg, Ryan Greene, Ryan Van Pelt, Tom Greene

Guest Attendance: Greg Dewey, Gale Burnheart

CALL TO ORDER: Gary Hausman called the meeting to order at 4:01 pm.

APPROVAL OF MINUTES: Hausman asked for a motion to approve the minutes of the September 19, 2018 meeting.

Motion: Dave Schneider made the motion to approve the minutes with the correction of attendance.

Second: John Butler seconded the motion. The minutes were approved unanimously.

CITIZENS REPORT

CONSENT AGENDA

Item 1: 2018 Annual Directional Boring Projects Contract Renewal – Kim Reeves

The Department of Water & Power reviewed the Annual Power Directional Bore Contract. We use a Directional Bore Contractor to bore underneath canals, railroad tracks, and streets that cannot be open cut and in other inaccessible areas where we are extending underground electrical power lines. After consideration of the excellent work being done by our current contractor during 2018, the decision was made to recommend renewing this contract for calendar year 2019 which is allowed in the contract documents. The work was bid, and the original contract term began January 1, 2018 and will end December 31, 2018. This is the first renewal of this contract.

Recommendation: Adopt a motion to renew the 2018 Annual Directional Boring Contract to Colorado Boring, Inc. for 2019 in an amount not to exceed \$750,000 and authorizing the City Manager to sign the contract on behalf of the City.

Item 2: 2018 Annual Substructure Projects Contract Renewal – Kim Reeves

The annual substructure contract allows contractor augmentation of City crew efforts to install underground conduit systems, streetlight wires, streetlights and vaults. The Department of Water & Power reviewed the annual substructure contract and after consideration of the excellent work being done by our current contractor during 2018 and in prior years, the decision was made to recommend renewing this contract for a second term for calendar year 2019, which is allowed in the contract documents. The work was bid, and the original contract term began January 1, 2018 and will end December 31, 2018. This is the first renewal of the contract.

Recommendation: Adopt a motion to renew the 2018 Annual Substructure Contract to G.E. Construction for 2019 in an amount not to exceed \$1,000,000 and authorizing the City Manager to sign the contract on behalf of the City.

Motion: John Butler made the motion to accept consent agenda items as written.

Second: Dave Schneider seconded the motion. The motion was approved unanimously.

REGULAR AGENDA

Item 3: Agreement between Southside Ditch Company and City of Loveland concerning the O'Hara – Larry Howard
City's Golf Enterprise (Golf) owns interest in an agreement made between the South Side Ditch Company (SSDC) and Patrick O'Hara dated December 13, 1881. Golf and SSDC wish to dissolve this contract for various reasons and benefits to both parties. SSDC has presented a proposal in order to dissolve the agreement between Golf and SSDC in exchange for: (1) the City receiving two shares of SSDC stock for the benefit of Golf, and (2) a commitment that the City will accept four shares of SSDC stock into the City's Water Bank if the owners apply to the City to deposit those shares within five years.

Recommendation: Adopt a motion recommending that the City Council approve an agreement with the South Side Ditch Company concerning the conveyance of the O'Hara contract water right to South Side Ditch Company in exchange for two shares of South Side Ditch Company and additional consideration.

As a shareholder of Southside Ditch Company, Gary Hausman excused himself from the room during discussion and the motion.

Motion: Stephane Fancher-English made the motion to approve the item.

Second: Randy Williams seconded the motion. The motion was approved unanimously.

Item 4: Consideration of PRPA Notice of Transfer for Windy Gap Units – Proposed Executive Session pursuant to City Charter Section 4-4(c) and Section 24-6-402(4)(a)(e) & (g), C.R.S. – Derek Turner

Pursuant to the December 14, 2017 Agreement Regarding Exercise of Rights of First Refusal to Acquire Windy Gap Water Units from Platte River Power Authority, the City received on September 17, 2018 a Notice of Transfer of Windy Gap Units by PRPA, initiating a 63-day period during which the City of Loveland must exercise or waive its right of first refusal to the units proposed for transfer

Recommendation: Adopt a Motion Recommending that the City Manager waive the City's right of first refusal for the Windy Gap Units that are the subject of the September 17, 2018 Notice of Transfer.

John Butler made the motion to move to Executive Session at 4:23pm.

Dave Schneider seconded the motion, motion was approved unanimously to move to Executive Session.

John Butler made the motion to recess from Executive Session at 4:32pm.

Dave Schneider seconded the motion, motion was approved unanimously to recess from Executive Session.

Motion: John Butler made the motion to approve the item.

Second: Randy Williams seconded the motion. The motion was approved unanimously.

STAFF REPORTS

Item 5: Quarterly Financial Report Update – Jim Lees

This item summarizes the monthly and year-to date Preliminary financials for September 2018.

Staff Report only. No action required.

COMMISSION/COUNCIL REPORTS

Item 7: Commission/Council Reports

Discuss events that the Loveland Utility Commission Board members attended, special topics and any City Council items related to the Water and Power Department from the past month.

Dan Herlihey:

Dave Schneider: Gary Hausman presented Dave Schneider with a letter and a plaque of appreciation

Gene Packer:

Gary Hausman: Would like to put the mission statement and goals in the packet

John Butler: Wonderful tour up at Rawhide, hats off to the guys that put on the tour

Larry Roos:

Randy Williams:

Sean Cronin:

Stephanie Fancher-English:

Tom Vail:

Council Report: Tour of the WWTP, Tour of Rawhide, Water/Wastewater Enterprise Funding

DIRECTOR'S REPORT

Item 8: Director's Report – Joe Bernosky

ADJOURN The meeting was adjourned at 4:57pm. The next LUC Meeting will be November 28, 2018 at 4:00 pm.

Respectfully submitted,

Courtney Whittet

Recording Secretary

Loveland Utilities Commission

/s/ Gary Hausman, LUC Chairman