

**Commission Members Present:** Clinton O'Neill, Bill Szmyd, Richard Rhoads, John Butler, Dan Herlihey (Vice Chair), Don Cook, Gary Hausman (Chair), Gene Packer, Randy Williams, and Matt Elkins (virtual).

**LUC Commission Members Absent:** None.

**Council Liaison Present:** Councilor Steve Olson, and Councilor Jon Mallo

**City Staff Members Present:** Andy Fayram, Christine Schraeder, Kevin Gertig (Director), Derek Turner, Tracey Hewson, Frank Lindauer, Jim Lees, John Faulkner, Michelle Erickson, Todd Hanlin, Tyler Groce, Donald Cecil, Nathan Alburn, Tyler Groce, Yarani Vazquez, Ryan Van Pelt, and Chad Birgenheier.

**Guest Attendance:** James Laferrier, Bruce Stotts, Jason Frisbie, and Justin Whitesell.

**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 March 16, 2022 meeting.

**Recommendation:** Adopt A Motion to Approve of the Loveland Utilities Commission Meeting Minutes from March 16, 2022.

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

**Second:** John Butler seconded the motion. The minutes were **approved** unanimously with an **8-0** vote. (Randy Williams was late to the meeting).

### **CITIZENS REPORT**

**Item 3.1 Citizens Report** – Bruce Stotts discussed the cost of rate study. He said that the rates of the City of Loveland Water and Power for rooftop solar have significant issues. He has listened to the previous presentations to City Council and the LUC regarding the service upgrade issue, which can add \$4k-\$8k to the cost of adding solar to a house. Renewable energy certificates are not mentioned at all, and there is a cost savings associated with that. The City of Loveland has a renewable energy premium, which charges the customer extra for the renewable energy certification. There is no mention of this certificate in other aspects of Loveland Water and Power documentation. Stotts requested that Water and Power keeps this in mind and possibly change the rates back to a residential rate. An additional citizen, James Laferrier, also commented on the rate study. He recently spoke at City Council regarding how Water and Power does not comply with the way the CRS should be applied. He would like to help Water and Power understand this study better and participate in the meetings, if possible. Kevin Gertig responded to both citizens' comments encouraging them to send an E-mail to articulate their concerns, and they will decide offline how the input will be shared.

### **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 – Laurie Cecere**

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.

**CONSENT AGENDA**

None

**REGULAR AGENDA**

**Item 6.1: Platte River Power Authority Overview – Jason Frisbie**

Jason Frisbie will share an overview of Platte River Power Authority (PRPA) which is such an integral part of how power is supplied throughout Northern Colorado.

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

**Item 6.2: Kruger Mountain Fire Response – Justin Whitesell**

Justin Whitesell, Emergency Operations Director from the Larimer County Sheriff's Office, will provide a briefing on the Kruger Mountain Fire Response and the impact on, and coordination with, public utilities.

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

**Item 6.3: Introduction to the Law and Administration of Water Rights in Colorado – Derek Turner**

This presentation will provide a basic background to Colorado water law and water rights administration, including a high-level discussion of administration of water rights on the Big Thompson River. This is intended as background information to assist the LUC's understanding of the complex subject as it relates to advising the City on the acquisition of native Big Thompson River ditch shares and on other policy advisory matters on the City's operation of its water and wastewater utility systems.

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

**Item 6.4: Acceptance of 8.0 Shares of Buckingham Irrigation Company into the Water Bank. – Nathan Alburn**

This item is an application to the LUC for a deposit of eight (8.0) shares of Buckingham Irrigation Company into the City's Water Bank in exchange for credit in the City's water bank, pursuant to section 19.04.017 of the Loveland Municipal Code.

**Recommendation:** Adopt a motion finding that the requirements of City Municipal Code Section 19.04.080 have been met, finding that it is in the best interest to accept into the City of Loveland Water Bank the eight (8.0) shares of Buckingham Irrigation Company that originated from Stock Certificate No. 206, and accepting such shares into the Water Bank with a temporary and conditional 25% reduction in Water Bank credit subject to adjustment upon water court approval of a change of the shares.

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

**Second:** John Butler seconded the motion. The minutes were **approved** unanimously with an **8-0 vote**. (Don Cook left the meeting before this vote).

**Item 6.5: Appointment of LUC members as liaisons for the 2022 Power Cost-of-Service Rate Study – Jim Lees**

The purpose of this item is to select two Loveland Utilities Commission (LUC) members to serve as liaisons to review the 2022 Power Cost-of-Service Rate Study.

**Recommendation:** Choose two liaisons from the LUC to participate in the 2022 Power Cost-of-Service Rate Study orientation process for Loveland Water and Power.

**Item 6.6: Appointment of LUC Members as Liaisons for the 2023 Budget Process – Jim Lees**

The purpose of this item is to select two Loveland Utilities Commission (LUC) members to serve as liaisons to review the proposed 2023 budgets for the Water, Raw Water, Wastewater, and Power Utilities.

**Recommendation:** Select Two Liaisons from the Loveland Utilities Commission to Participate in the 2023 Budget Review Meetings.

## STAFF REPORT

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

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

**Recommendation:** Staff item only. No action required.

**Item 7.2: Supplemental Budget Appropriation for Utility Billing and Meter Reading Expenses – Jim Lees**

The purpose of this item is to inform the LUC of a supplemental budget appropriation for expenses for the Utility Billing and Meter Reading Divisions that City Council approved on First Reading at their April 5, 2022 meeting.

**Recommendation:** Staff item only. No action required.

**Item 7.3: Loveland Water and Power Source Water Monitoring Program – Andy Fayram**

The Loveland Water and Power (LWP) Source Water Monitoring Program has expanded substantially over the past two years. The program allows us continued opportunities to improve and protect our drinking water. In addition, the data collected allows us to identify issues that may need to be addressed and to document and celebrate water quality successes. This presentation provides an overview of the program and an outline of accomplishments and future efforts.

**Recommendation:** Staff item only. No action required.

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## COMMISSION & COUNCIL REPORTS

### Item 8.1: Commission Reports

**Dan Herlihey:** None.

**Gene Packer:** None.

**Bill Szmyd:** None.

**Clinton O'Neill:** None.

**Don Cook:** None.

**Gary Hausman:** None.

**John Butler:** None.

**Matt Elkins:** None.

**Randy Williams:** Thanked Gertig for the book that was handed out at the last meeting.

**Richard Rhoads:** None.

### Item 8.2: Council reports

**Steve Olson:** Olson said that the budget process is starting with City Council, and they ran out of time before they could be fully briefed. Last year, the Enterprise funds were ignored. Olson said a fresh approach will be taken regarding the budget process with five major funds addressed separately.

**Jon Mallo:** Jon asked a question about the 55% Enterprise funds. What percentage comes from Water and Power? Olson said almost all of it besides the golf fund.

## DIRECTOR'S REPORT

### Item 9.1: Director's Report

- Kevin will update everyone on the recruitment process for the open positions in our workforce.
- Will discuss budget preparation for Loveland Water and Power.
- Northern Water representatives will be providing an update of the Chimney Hollow project at the May LUC meeting.
- Kevin will be giving some information regarding Utility Billing and delinquent accounts.
- On March 25<sup>th</sup> there was a full-scale power outage exercise that Kevin will share information about.
- Kevin will discuss the work staff is doing with NRCS on wildfire mitigation work.
- Reminder about the Boards and Commissions Survey sent out by City Clerk's office and due April 29<sup>th</sup>.
- The spring recruitment cycle for Boards and Commissions will run from April 1, 2022 to May 1, 2022.
  - Applications to join the Loveland Utilities Commission can be found here: <https://cilovelandco.civicweb.net/Portal/BoardApplication>
  - Outgoing members must reapply to serve on the Commission. The following Loveland Utilities Commissioners have terms that expire on June 30, 2022: John Butler, Richard Rhoads, and Randy Williams. If you wish to reapply, please get in touch with Tyler Groce. Please note the following dates:
    - **Saturday, April 30<sup>th</sup>** – 5pm Filing Deadline for applications.
    - **May 1<sup>st</sup> to May 31<sup>st</sup>** - Hold interviews with applicants. Interview panels must include; the council liaison or the alternate, chair or vice chair, and staff liaison or designee.

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**ADJOURN:** The meeting was adjourned at 7:17 p.m.

Respectfully submitted,  
Lynn Valdez  
Recording Secretary  
Loveland Utilities Commission /s/ Gary Hausman, Chair

