

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

LUC Commission Members Absent: N/A

Council Liaison Present: Jon Mallo

Council Liaison Absent: Steve Olson

City Staff Members Present: Aaron Rodriguez, Bob Freeman, Chad Birgenheier, Catharine Kellogg, Derek Turner, Jim Lees, John Faulkner, Melanie Reeves, Nathan Alburn, Ryan Van Pelt, Todd Hanlin

Guest Attendance: Rich Bilancia, Roger Weidelman, Christopher Say, Scott Tryggestad

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 April 19, 2023 meeting.

Recommendation: Adopt A Motion to Approve of the Loveland Utilities Commission Meeting Minutes from April 19, 2023.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The minutes were **approved** unanimously with a **7-0 vote** (Gene Packer came in after this 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 April 2023.

Recommendation: Information Item Only. No Action Required.

REGULAR AGENDA**Item 5.1: Public Hearing Procedures for 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 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.

On November 15, 2022, the Loveland City Council approved Resolution #R-92-2022 directing the Loveland Utilities Commission (LUC) to hold a public hearing at the LUC’s regular meeting on June 21, 2023 to hear testimony and evidence from the public related to: (1) electric utility demand response and demand flexibility practices; and (2) measures to promote greater electrification of the transportation sector, as such standards are further described in the IIJA amendments to PURPA. The City Council also directed the LUC, following the hearing, to issue a draft recommended determination on the standards and to transmit such record to the City Council for final action.

This item is intended to guide the LUC’s process for the public hearing and provide notice to interested parties that may wish to participate.

Recommendation: Adopt a Motion: (1) directing the City to provide public notice of the June 21, 2023 public hearing; and (2) adopting the public hearing procedures as described in the agenda item cover sheet.

Motion: Dan Herlihey made the motion.

Second: Don Cook seconded the motion. The motion was **approved** unanimously with an **8-0** vote.

Item 5.2: 2024 Proposed 10-Year Capital Improvement Plans – Adam Bromley, Chad Birgenheier, Jim Lees, John Faulkner

The purpose of this item is to present an overview of the 2024 to 2033 10-year Capital Improvement Plans (CIP) for the Water, Raw Water, Wastewater, and Power Utilities. Staff is requesting that the LUC adopt a motion recommending that City Council approve the proposed 10-Year CIPs.

Recommendation: Adopt A Motion Recommending That City Council Approve the Proposed 2024 10-Year CIPS for the Raw Water, Water, Wastewater and Power Utilities.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The motion was **approved** unanimously with an **8-0 vote**.

STAFF REPORT

Item 6.1: Water Conservation Plan Implementation – Nathan Alburn

The City of Loveland Water Division has many comprehensive plans that have been written as guides for preparing for our future regarding the planning and use of our water resources. The main reports include the City of Loveland 2020 Raw Water Master Plan, the City of Loveland Water Efficiency Plan (Updated May 2020), and the City of Loveland Drought Management Plan (June 4, 2013). Water Efficiency and Conservation will be the main focus for this item. Water Resource Staff will discuss the steps that are currently being taken and the general direction for the future.

Recommendation: Information Item Only. No Action Required.

COMMISSION & COUNCIL REPORTS

Item 7.1: Commission Reports

Dan Herlihey: None.

Gene Packer: None.

Bill Szmyd: None.

Don Cook: None.

Gary Hausman: None.

John Butler: None.

Matt Elkins: None.

Randy Williams: Randy had a question for Ryan Van Pelt wondering if we were pulling water from the river, or if it was too turbid. Ryan estimated about 70% reservoir supply and 30% river supply.

Council reports

Steve Olson: N/A.

Jon Mallo: Jon covered some of the McWhinney Centerra South updates from council. The YAC (a group of high school students) went to Washington, D.C. and went to the National League of Cities and presented to council. Mallo indicated that the YAC students would be distributed to the various commissions and might possibly have voting rights (depending on the group). He mentioned another presentation by private and public childcare providers; it is very expensive and there is not enough availability. Finally, the UDC (Uniform Development Code) is being updated. Our codes need to be updated to accommodate high density housing and smaller lot sizes, etc.

DIRECTOR'S REPORT

Item 8.1: Director's Report – Jim Lees, Acting Director

1. Please see water project updates from April 2023.
2. We have a Chimney Hollow Overlook tour scheduled for the LUC in September. Details and a final date will be sent out via email by Melanie. Per Northern Water, due to the high demand of this tour, individuals are limited to one visit per season.
3. LUC Spring Recruitment closed on Monday, May 15th. The LUC currently has one vacant Commission position (voting position), and two vacant Alternate positions (non-voting positions).
 - a. Interviews for all applicants (including returning applicants) will be conducted May 22nd to June 9th. Melanie will reach out to all applicants directly for scheduling.
4. In order to stay on schedule with the rate study, Jim Lees notified the group that we need to move the start time of the meeting on Wednesday, June 21st from 3:00 p.m. to 1:00 p.m. Melanie will call for a 'Special Meeting' and make any necessary changes to the LUC calendar in accordance with the handbook.

ADJOURN: The meeting was adjourned at 5:14 PM.

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

