

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

LUC Commission Members Absent: None

Council Liaison Present: Steve Olson

Council Liaison Absent: Jon Mallo

City Staff Members Present: Ryan Van Pelt, Nathan Alburn, Kerri Burchett, Aaron Rodriguez, Andy Fayram, Tim Bohling, Tracey Hewson, Rebecca Howe, Brian Nunnery, Robert Freeman, Todd Hanlin, Catharine Kellogg, Adam Bromley, Tanner Randall, Jim Lees, Vincent Junglas, Kevin Gertig, Melanie Reeves.

Guest Attendance: Jason Mumm, Roger Weidelman, Colton Richard, Caleb Hansen, David Gregg, Reese Borchett, Jammie Sabin.

CALL TO ORDER: Gary Hausman called the 'Special Meeting' of the Loveland Utilities Commission to order at 1:00 PM.

ADOPTION OF MINUTES

Item 2.1: Adoption of Minutes – Gary Hausman

This item requested a motion to approve the minutes of the June 21, 2023 meeting.

Recommendation: Adopt A Motion to Approve of the Loveland Utilities Commission Meeting Minutes from June 21, 2023.

Motion: Dan Herlihey made the motion.

Second: Gene Packer seconded the motion. The minutes were **approved** unanimously with an **8-0** vote. Randy Lee Williams 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.

REGULAR AGENDA**Item 5.1: 2023 Water and Wastewater Cost-of-Service Rate Study Results – Jason Mumm, FCS Group**

The purpose of this item is to receive feedback from the Loveland Utilities Commission (LUC) and a recommendation to City Council on three items:

- 1) Rates by customer class for 2024 for both the Water and Wastewater Utilities
- 2) 10-year rate tracks and programmed borrowing for both the Water and Wastewater Utilities
- 3) A window of time to use for the Wastewater Winter Quarter Average (WQA) calculation for Residential customers' monthly bills

There will also be an informational presentation on Customer Assistance Programs (CAP), which are intended to provide financial assistance for low-income customers. We will be coming back to the LUC later in the rate study seeking a recommendation on implementing a CAP.

Recommendation:

Adopt a motion recommending the City Council approve the following items, as presented by staff:

- 1) Rates by customer class for 2024 for both Water and Wastewater
- 2) 10-year rate tracks and borrowing alternatives for both Water and Wastewater
- 3) Continuing with December – February as the time window for calculating the Wastewater Winter Quarter Average usage

Motion: Dan Herlihey made the motion.

Second: John Butler seconded the motion. The motion was **approved** unanimously with a **9-0 vote**.

Item 5.2: Acceptance of 5.2 Shares of Buckingham Irrigation Company into the Water Bank – Nathan Alburn

This item is an application to the LUC for a deposit of five and two-tenths (5.2) 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 five and two-tenths (5.2) shares of Buckingham Irrigation Company that originated from Stock Certificate No. 208, and accepting such shares into the Water Bank with a 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: Gene Packer seconded the motion. The motion was **approved** with a **7-2 vote**.

Matt Elkins and **Bill Szmyd** had some reservations and further questions before they would approve. **Szmyd** wanted to know the water court and legal costs and **Elkins** wanted to know the percentage of risk.

Item 5.3: Proposed Amendment to Title 19, Section 19.04.020 “Water rights required for development” – Kerri Burchett

The City of Loveland Strategic Planning Division, within Development Services, is proposing amendments to Title 18, which is the City’s Unified Development Code (UDC). The amendments focus on expanding opportunities for affordable and attainable housing to address the housing challenges facing the community. Two components of the amendment include modifications to the square footage allowance for cottage homes to correspond with development trends and a consolidation of micro homes and cottages into one category to simplify the provisions. As the micro home and cottage terms and square footages are also used in Title 19 in establishing the water rights requirements, an amendment to Title 19 is needed to align with the proposed changes to the UDC. The amendment will allow detached “cottage homes” of 1,150 square feet or less to dedicate 0.16 AF per dwelling rather than 0.22 AF, which corresponds to City studies of water usage by homes of that size.

Recommendation: Adopt a motion recommending that the City Council adopt an Ordinance revising Section 19.04.020 to conform with the UDC Amendments related to the size of cottage homes.

Motion: Dan Herlihey made the motion.

Second: Bill Szmyd seconded the motion. The motion was **approved** unanimously with a **9-0 vote**.

STAFF REPORTS

Item 6.1: Loveland Water and Power Source Water Protection Plan – Andy Fayram and Tim Bohling

In 2022, Loveland Water and Power finalized a Source Water Protection Plan which outlines potential vulnerabilities and risk reduction actions associated with drinking water sources for the City of Loveland. Substantial progress has been made in addressing identified issues with recommended actions. However, additional time and/or resources are needed to continue to implement this plan. This presentation outlines the plan itself as well as progress to date and future activities that was presented to the City of Loveland Water Vulnerability Task Force on Thursday June 15th.

Recommendation: Information item only. No action required.

Item 6.2: Water and Power Survey Presentation – Tracey Hewson and Brian Nunnery

Customer Relations launched a utility customer survey in 2023. This presentation outlines survey responses, key takeaways, and action items for Customer Relations in the coming months.

Recommendation: Information item only. No action required.

Item 6.3: Quarterly Financial Report – Jim Lees

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

Recommendation: Information item only. No action required.

COMMISSION & COUNCIL REPORTS

Item 7.1: Commission Reports

Dan Herlihey: None.

Gene Packer: Gene Packer visited the liquid natural gas facility this week and appreciated the tour.

Bill Szmyd: None.

Don Cook: None.

Gary Hausman: None.

John Butler: None.

Matt Elkins: None.

Randy Williams: None.

Richard Bilancia: Richard introduced himself and expressed his appreciation to serve on the board.

Christopher Say: None.

Council reports

Steve Olson: Councilor Olsen shared that the Centerra South project continues to have difficulties. He also mentioned two legislative concerns: URA's would have to be approved by citizens in an election, and the issue of food tax. He also mentioned some concerns with the group gathering signatures for the elimination of the food tax and inaccurate information. He also mentioned some of the homeless concerns in downtown.

Jon Mallo: N/A.

DIRECTOR'S REPORT

Item 8.1: Director's Report – Kevin Gertig

1. Director, **Kevin Gertig** would like to suggest a vote on the Chairperson and Vice Chairperson positions at the upcoming August LUC meeting, and then have a yearly vote each August. Chair **Gary Hausman** agreed with the suggestion and notified the board that if they have someone they would like to nominate we will be taking nominations next month.
2. Youth Members: The Clerk's office will be requesting to add a voting Youth Member to each Board and Commission (with the exception of Planning Commission) in August. City staff member Vincent Junglas provided some additional background information regarding the reasoning behind not allowing youth members to vote on the Planning Commission.
3. Please see water project updates for May 2023.

4. Please see the following webpage updates that relate to our low-income assistance programs:
 - a. We have updated our [Residential webpage](#).
 - b. [Residential Programs](#) designed to improve your home's efficiency and save you money.
 - c. [Residential Rebates](#) highlights all rebates available to our residential customers.
 - d. [Utility Financial Assistance](#) highlights all programs available to help assist those who need help paying their utility bills.

Our updates have made each webpage more mobile compatible, as well as adding significant detail to our Programs and Rebates!

5. We have a Chimney Hollow Overlook tour scheduled for the LUC on September 11, 2023. Details and instructions to register for this date have been emailed to you. If you have questions regarding this tour, please contact **Melanie Reeves**.

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

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

