

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

**LUC Commission Members Absent:** Dan Herlihey (Chair), John Butler

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

**City Staff Members Present:** Adam Bromley, Andy Fayram, Chief Carie Dann, Chad Birgenheier, Lieutenant Craig Willard, Derek Turner, Jim Lees, John Faulkner, Julia Holland, Kevin Gertig (Director), Melanie Reeves, Nathan Alburn, Robert Freeman, Ryan Van Pelt, Todd Hanlin, Tracey Hewson.

**Guest Attendance:** None.

**CALL TO ORDER:** Don Cook called the meeting to order at **3:02 PM**.

### ADOPTION OF MINUTES

#### Item 2.1: Adoption of Minutes – Dan Cook

This item requested a motion to approve the minutes of the September 20, 2023 meeting.

**Recommendation:** Adopt A Motion to Approve of the Loveland Utilities Commission Meeting Minutes from September 20, 2023.

**Motion:** Gary Hausman made the motion.

**Second:** Bill Szmyd 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.

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**REGULAR AGENDA****Item 5.1: Acceptance of 3.0 Shares of Louden Irrigating Canal and Reservoir Company into the Water Bank – Nathan Alburn**

This item is an application by an entity (Applicant) to the Loveland Utilities Commission (LUC) for a deposit of three (3.0) shares of Louden Irrigating Canal and Reservoir Company into the City's Water Bank in exchange for credit in the City's Water Bank, pursuant to sections 19.04.017 and 19.04.080 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 three (3.0) shares of Louden Irrigating Canal and Reservoir Company that originated from Stock Certificate No. 3688, and accepting such shares into the Water Bank with a conditional 16.7% reduction in Water Bank credit subject to adjustment upon Water Court approval of a change of the shares.

**Motion:** Gary Hausman made the motion.

**Second:** Bill Szmyd seconded the motion. The motion was **approved** unanimously with a **7-0 vote**.

**Item 5.2: Long Term Raw Water Lease for the Town of Windsor – Todd Hanlin**

This presentation will provide some background and an overview of terms agreed to between the City of Loveland and the Town of Windsor for a 10-year lease of raw water. Staff recommend that LUC recommend City Council's approval of the lease.

**Recommendation:** Adopt a motion recommending Loveland City Council approve a Resolution authorizing the City Manager to execute the proposed Water Lease with the Town of Windsor.

Randy Williams recommended that we make a minor change to the Windsor Water Lease agreement; **SECTION 3 Costs, ITEM E which states, 'Lessee shall be responsible for paying any fees imposed by Northern Water for delivery of the leased water, including Rule 11 fees ~~or~~ and annual assessment costs.'** As indicated, Derek Turner made the change from OR to AND in the agreement and the motion was approved with the change.

**Motion:** Gary Hausman made the motion.

**Second:** Bill Szmyd seconded the motion. The motion was **approved** with a **7-0 vote**.

**Item 5.3: Water and Wastewater Plant On-Call Contracting Services – John Faulkner**

The team within the Water Division of the City of Loveland's Water and Power Department take great pride in their facilities, protecting the environmental and public health. They are a talented group of operators and water professionals and yet there are some emergencies, rehabilitation activities, and smaller projects that are outside routine capabilities and duties. To meet this gap between large capital projects and these not routine activities, staff recommend On-Call Contracts with quantifiable and capable general contractors who have proven track records with similar types of work, projects, and activities. The type of work would include emergency services, smaller capital improvements, rehabilitation work, and maintenance activities that exceed staff resources at the Water Reclamation Facility (WRF), Water Treatment Plant (WTP), Pump Stations, and Lift Stations. The Water Division advertised this Request for Proposals (RFP) opportunity in accordance with established policy and received Statements of Qualifications (SOQs) from five (5) General Contractors. Following review of the five (5), the Water Division has selected two (2) qualified General Contractors with proven track records for the Water and Wastewater Plant On-Call Contracting Services.

**Recommendation:** Adopt a motion awarding the contract for Water and Wastewater Plant On-Call Contracting Services to Glacier Construction Company and Hensel Phelps Construction in an amount not to exceed \$1,500,000 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:** Gary Hausman made the motion.

**Second:** Matt Elkins seconded the motion. The motion was **approved** with a **7-0 vote**.

**Item 5.4: Loveland Utilities Commission 2024 Work Plan – Kevin Gertig**

On Friday, October 6, 2023, the commission was invited to participate in a work session to brainstorm an annual work plan for 2024. This work plan is intended to align with the [City of Loveland Strategic Plan](#) and will be used to produce an annual report summarizing accomplishments of the work plan year by March 31 immediately following the work plan year. The City Clerk's Office will provide copies of these documents to City Council and post them to the website for information purposes. The 2024 Work Plan is a proposed draft prepared by staff and the LUC Chair and Vice Chair, presented for consideration and adoption.

**Recommendation:** Adopt a motion approving the Loveland Utilities Commission Work Plan for 2024.

There were discussions about requesting that the Finance department return the Utility Billing group back to the Utility department, but ultimately it was decided that a presentation by the Finance/Utility Billing group would be an adequate way to better understand the relationship between departments in 2024.

**Motion:** Gary Hausman made the motion.

**Second:** Bill Szmyd seconded the motion. The motion was **approved** with a **7-0 vote**.

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**STAFF REPORT****Item 6.1: Loveland Fire Rescue Authority and Wildfire Risk Reduction: The New CWPP and Fire Code Changes – Fire Marshal Carrie Dann**

The crew from Loveland Fire Rescue Authority's (LFRA) Wildland Specialty Station, Engine 47, will discuss the recently completed [Community Wildfire Protection Plan](#) (CWPP) and provide specific wildfire risk recommendations for the City's Water Treatment Plant on N. County Road 29. Fire Marshal Carrie Dann will provide an overview of the new requirements in the Fire Code designed to reduce structure loss from wildfires in the WUI area of LFRA.

**Recommendation:**

Information item only. No action required.

**Item 6.2: Update on City Compensation Study – Julia Holland**

In April of 2022 City Council supported funding for a compensation study to create a classification and compensation plan design that supports the City's initiative of attracting, developing, and retaining employees. In addition to the funding to complete the study, City Council also recognized the importance of budgeting for outcomes and supported funding six percent of current benefit-eligible salaries to address anticipated pay adjustments to ensure equity and retention. As a result of the compensation study, a new Pay Plan, as recommended by our third-party subject matter experts from hrQ, was adopted in May of 2023 to ensure market competitive pay ranges.

**Recommendation:**

Information item only. No action required.

**Item 6.3: Quarterly Financial Report Update – Jim Lees**

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

**Recommendation:**

Information item only. No action required.

**COMMISSION & COUNCIL REPORTS****Item 7.1: Commission Reports**

**Dan Herlihey:** N/A.

**Gene Packer:** Gene Packer appreciated the Loudon Ditch presentation. He also expressed interest in a future tour to the Rawhide Energy Station.

**Bill Szmyd:** Bill Szmyd had questions regarding the Water Master Plan. Director Gertig assured Szmyd that we would make future presentations on the plan.

**Don Cook:** None.

**Gary Hausman:** Gary Hausman gave an update on the Loveland Veteran's Plaza. He stated that they are about a quarter of the way towards their funding goal.

**John Butler:** N/A.

**Matt Elkins:** None.

**Randy Williams:** None.

**Richard Bilancia:** Richard Bilancia gave thanks to staff for arranging the tour to the Rawhide Energy Station.

**Christopher Say:** Christopher Say had concerns that utility accounts receivable for past due/delinquent accounts are not being controlled by the Utilities department, but instead by Finance through Utility Billing.

#### Council reports

**Steve Olson:** Councilor Olson gave a brief overview of recent council events including an increase in Councilor pay, updates on the food tax voting item, and the contingency budget.

**Jon Mallo:** Councilor Mallo gave a brief overview of the addition of red-light cameras at two intersections in the city.

#### DIRECTOR'S REPORT

##### Item 7.1: Director's Report – Kevin Gertig

1. Water Project Updates for September – see **Attachment A**.
2. AMI Monthly Report for October – see **Attachment B**.
3. We encourage you to participate in the Platte River Power Authority Fall Community Engagement Meeting on November 2, 2023 from 6-8 p.m. For more details, FAQs and virtual login, visit [prpa.org/2024IRP](http://prpa.org/2024IRP). See **Attachment C** for additional information.

**ADJOURN:** The meeting was adjourned at 6:07 p.m.

Respectfully submitted,  
Melanie Reeves  
Recording Secretary  
Loveland Utilities Commission /s/ Don Cook, Vice Chair

