

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

LUC Commission Members Absent: John Butler

Council Liaison Present: Steve Olson

Council Liaison Absent: Jon Mallo

City Staff Members Present: Aaron Rodriguez, Adam Bromley, Chad Birgenheier, Cindy Scymanski, Derek Turner, Jim Lees, John Faulkner, Jordan Reif, Kevin Gertig (Director), Melanie Reeves, Molly Elder, Rosalyn Potter, Tracey Hewson, Tyler Groce

Guest Attendance: None

CALL TO ORDER: Dan Herlihey called the meeting to order at **3:01 PM**.

ADOPTION OF MINUTES

Item 2.1: Adoption of Minutes – Dan Herlihey

This item requested a motion to approve the minutes of the October 18, 2023 meeting.

Recommendation: Adopt A Motion to Approve of the Loveland Utilities Commission Meeting Minutes from October 18, 2023.

Motion: Don Cook made the motion.

Second: Bill Szmyd seconded the motion. The minutes were **approved** with a **7-0 vote**. Dan Herlihey recused himself from this vote because he was not in attendance at the October LUC meeting.

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: Financial Report Update – Jim Lees

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

Recommendation: Information Item Only. No Action Required.

CONSENT AGENDA**Item 5.1: Second Amendment for SmartWorks Software as a Service Agreement – Rosalyn Potter**

The City of Loveland entered into an agreement with SmartWorks, a division of N. Harris Computer Corporation for Software as a Service on December 29, 2018. The parties amended the contract with a series of seven (7) change orders executed between February 8, 2022, and September 14, 2023. Due to an inadvertent staff error and misinterpretation of City procurement regulations, the City's execution of the change orders was not consistent with the City's Administrative Regulation AR-000001 (Procurement Regulation) or the Loveland Municipal Code Chapter 3.12 (Procurement). The parties desire to ratify the execution of the Change Orders via an amendment to the contract.

Recommendation:

Adopt a Motion Approving an Amendment to the Contract for Smartworks Software Delivered as a "Software as a Service Solution" with Smartworks, To Increase the Not-To-Exceed Amount to \$1,293,573.60 and Extending the Contract Through December 31, 2027, Authorizing the City Manager to Sign the Amendment 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: Don Cook made the motion.

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

REGULAR AGENDA**Item 6.1: 2024 Requirements for Electric Service Revisions – Tyler Groce**

The purpose of this item is to create a clear approval process for the annual publication of the Requirements for Electric Services (RFES) document and outline several policy changes for the upcoming 2024 RFES edition.

Recommendation: Adopt a Motion Recommending that City Council Approve a Resolution Adopting the Requirements for Electric Service as Presented by Staff.

Motion: Don Cook made the motion.

Second: Matt Elkins seconded the motion. The motion was **approved** with an **8-0** vote.

STAFF REPORT**Item 7.1: Proposed Updates to City of Loveland Procurement Code, Structure & Procedures – Molly Elder**

This is a presentation of proposed updates to City of Loveland Municipal Code Title 3, Chapter 3.12. Procurement.

Recommendation:

Information item only. No action required.

Item 7.2: 2022 Water Loss Audit – Michelle Erickson

This item reviews the results of the Water Loss Audit of 2022, the progress made to improve the water tracking methods, and the actions taken or identified to better manage or reduce non-revenue water.

Recommendation:

Information item only. No action required.

COMMISSION & COUNCIL REPORTS**Item 8.1: Commission Reports**

Dan Herlihey: Dan requested that we check with the Clerks on a financial disclosure regarding water rights that commission members have been required to fill out in years past. Melanie will report back to the group when she has more information.

Gene Packer: Gene noted that his employer recently installed several charging stations and was surprised by the amount of energy required to run those stations.

Bill Szmyd: Bill appreciates that the Commission reviews all the information that they are responsible for and appreciates the due diligence.

Don Cook: None.

Gary Hausman: Gary also attended the PRPA informational session and was pleased with the meeting and what he learned.

John Butler: N/A

Matt Elkins: None.

Randy Williams: None.

Richard Bilancia: Richard notified the commission that he used to share informational articles with LCAB and would like to do the same for the LUC.

Christopher Say: Christopher attended the PRPA informational session a few weeks ago. He was impressed that PRPA is diligently trying to meet their net zero goal by 2030.

Council reports

Steve Olson: Councilor Olson gave an overview of the election and the council meeting on Tuesday. He also notified the group that they had a first reading on the ordinance to add voting youth members to each board and commission. The youth representative will have a one-year membership coinciding with the school year. This will increase the number of LUC members from nine to ten.

Jon Mallo: N/A

DIRECTOR'S REPORT

Item 9.1: Director's Report – Kevin Gertig

1. We are proud to share our 2023-2024 Strategic Plan Update with all of you! Please see the plan on our [website](#).
2. Water Project Updates for October – see **Attachment A**.
3. AMI Monthly Report for November – see **Attachment B**.
4. **Attachment C** is an article featured in the November issue of the Journal AWWA. This article, co-authored by Andy Fayram and Tim Bohling of Loveland Water and Power, highlights the achievements of our source water monitoring programs and the valuable utility such a program could offer to fellow water providers.
5. Monthly Water & Electric Meter Sets - See **Attachment D**.
6. Electric Capital Project Updates - See **Attachment E**.

ADJOURN: The meeting was adjourned at 5:29 p.m.

Respectfully submitted,
Melanie Reeves
Recording Secretary
Loveland Utilities Commission /s/ Dan Herlihey, Chair

