



**LOVELAND UTILITIES COMMISSION  
REGULAR MEETING  
February 17, 2016 - 4:00 p.m.  
Service Center Board Room  
200 North Wilson Avenue**



**AGENDA**

- 4:00 pm - **CALL TO ORDER**  
4:05 pm - **APPROVAL OF MINUTES - 1/20/2016**  
**NEW EMPLOYEE INTRODUCTION – John Beckstrom, Amanda Dwight**  
**CITIZENS REPORTS**

*Anyone in the audience may address the LUC on any topic relevant to the commission. If the topic is an item on the Consent Agenda, please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the Regular Agenda. Members of the public will be given an opportunity to speak to any item on the Regular Agenda during the Regular Agenda portion of the meeting before the LUC acts upon it. If the topic is an item on the Staff Report, members of the public should address the Commission during this portion of the meeting as no public comment is accepted during the Staff Report portion of the meeting.*

*Anyone making comment during any portion of tonight's meeting should identify himself or herself and be recognized by the LUC chairman. Please do not interrupt other speakers. Side conversations should be moved outside the Service Center Board Room. Please limit comments to no more than three minutes.*

- 4:15 pm - **REGULAR AGENDA**
1. Contract for Design Services for the WWTP Biological Nutrient Removal (BNR) and Step Screen Installation – Roger Berg
  2. Contract for Design Services for WWTP New Anaerobic Digestion Facility and Rehabilitation of Existing Digestion Facility– Brian Gandy
- 4:45 pm - **STAFF REPORT**
3. 2015 Efficiency Program and Outreach Wrap-up – Adam Perry, Lindsey Bashline, Tracey Hewson
  4. Addressing Non-Revenue Water – Michelle Stalker
  5. Quarterly Financial Report Update (4<sup>th</sup> Quarter 2015) – Jim Lees
  6. Electric Legislative Update – Kim O'Field
  7. Water Legislative Update – Michelle Stalker
- 6:00 pm - **8. COMMISSION / COUNCIL REPORTS**
- Colorado Water Congress 2016 Annual Convention – January 27-29, 2016
  - City Council Annual Workshop – January 23, 2016
- 6:15 pm - **9. DIRECTOR'S REPORT – Steve Adams**
- 6:30 pm - **INFORMATION ITEMS**
10. Water Supply Update – Larry Howard
- 6:45 pm - **ADJOURN**

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The password to the public access wireless network (colguest) is accesswifi.



**Commission Members Present:** Dan Herlihey, Dave Kavanagh, David Schneider (Vice Chair), Gary Hausman, Gene Packer (Chairman), Larry Roos, Jennifer Gramling, Randy Williams

**Commission Members Absent:** John Rust Jr. (excused)

**City Staff Members:** Alicia Calderón, Allison Bohling, Bob Miller, Briana Reed-Harmel, Chad Riess (left after introductions), Chris Matkins, Darcy Hodge, Greg Dewey, Gretchen Stanford, Jim Lees, Kent Aspinall (left after introductions), Kim Frick, Larry Howard, Michael McCrary, Steve Adams, Tom Greene

**CALL TO ORDER:** Gene Packer called the meeting to order at 4:05 pm.

**APPROVAL OF MINUTES:** Gene Packer asked for a motion to approve the minutes of the November 18, 2015 meeting.

**Motion:** Dan Herlihey made the motion to approve the minutes of the November 18, 2015 meeting.

**Second:** Dave Schneider seconded the motion. The minutes were approved unanimously.

The board congratulated Dave Kavanagh on this his recent appointment to the Loveland Utilities Commission (LUC). At the December 1, 2015 meeting, the Loveland City Council unanimously approved Kavanagh's appointment to the LUC for a partial term effective until June 30, 2018. The LUC did not have a December 2015 meeting so this was his first board meeting as an appointed member. Kavanagh had previously served as an alternate board member.

## **NEW EMPLOYEE INTRODUCTION – Kent Aspinall & Chad Riess**

### **CONSENT AGENDA**

Larry Roos pulled Item 1 from the consent agenda. Gene Packer pulled Item 4 from the consent agenda.

**Item 2: Approval of WWTP Biosolids Contract with Veris LLC – Michael McCrary** For the Water and Power Department when a construction bid exceeds \$500,000, by the City's Municipal Code a contract above this threshold can be approved by the LUC. The City Council can also approve construction contracts above **\$500,000**. When contract approval occurs by the LUC in most circumstances a recommendation is made for the City Manager to also sign the construction contract.

The not-to-exceed total in the new Liquid Waste Management (LWM) biosolids hauling contract for 2016 will be \$545,300. Because this contract exceeds \$500,000 LUC approval is needed to execute the contract. This administrative action is to provide for this approval.

**Recommendation:** Adopt a motion approving the 2016 Contract for Veris Environmental LLC for Hauling and Land Application of Biosolids with a "Not to Exceed" contract price of \$545,000 and authorizing the City Manager to execute the renewal for service contract.

**Item 3: Conversion of 50 C-BT Units from a Temporary Use Permit to a Permanent Section 131 Contract – Kim Frick** Conversion 50 C-BT Units from a Temporary Use Permit (TUP) to a Permanent Section 131 Contract

**Recommendation:** Recommend that City Council adopt the attached resolution authorizing the Director of the Department of Water and Power to sign the application for the Section 131 Contract.

**Amended Motion:** Dan Herlihey made the motion to accept consent agenda items 2 and 3 as written.

**Second:** Dave Schneider seconded the motion. The motion was approved unanimously.

## REGULAR AGENDA

**Item 1: 2015 4th Quarter Goal Updates – Steve Adams** This is a quarterly review of our progress on our 2015 utility goals.

**Recommendation:** Approve the 4th Quarter 2015 Goals and Quarterly Update Report.

**Comments:** Roos referenced goal 3 on page 11, he asked for more information on the “Construction Manager at Risk” (CMAR) approach. Chris Matkins reviewed the CMAR approach. He highlighted the benefits of this including that LWP can get started on construction earlier and can get a better product. Also, that the bids still retain a competitive nature. Adams reviewed the other departments who have used this process and the benefits they have seen. Staff and board discussed the process of competitive bidding. Challenges with this method include more time from staff. Herlihey mentioned he has recently become familiar with this method and mentioned that Denver Water used it for recent project. Packer also reviewed his experience and knowledge with this method.

Roos enquired about information on Page 12 goal 7. He asked if the Foothills FEMA Alternate Project was the same as the Boedecker FEMA Alternate Project. He suggested the old name be changed to the new location of the site. Adams mentioned that Boedecker was the original site chosen for the FEMA alternate Project. FEMA recently approved a change of location request for the Foothills site. This information will be updated on the 2016 Goals.

**Motion:** Dan Herlihey made the motion to accept the item 1 recommendation as written.

**Second:** Randy Williams seconded the motion. The motion was approved unanimously.

**Item 4: Fifth Interim Agreement between the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firing Project Water Activity Enterprise, and the City of Loveland**  
**Larry Howard** Windy Gap Firing Project participants desire to begin the Fifth Phase of the Project, which will continue and complete the work of obtaining all permits and approvals and also move ahead into detailed engineering design. Approval of this proposed Fifth Interim Agreement between the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firing Project Water Activity Enterprise and the City of Loveland (Fifth Interim Agreement) will allow this work to proceed.

**Recommendation:** That City Council adopt the attached resolution authorizing the City Manager to sign and enter into the Fifth Interim Agreement between the Municipal Subdistrict, Northern Colorado Water Conservancy District Windy Gap Firing Project Water Activity Enterprise and the City of Loveland.

**Comments regarding Item 4:** Packer asked for more information about the table of estimated costs and the timing in which payment is expected. Larry Howard reviewed the factors contributing to this total cost including Loveland’s contributions and the timing of the phases of the project. He mentioned that the cost estimates have come from Northern Water, and that these costs include the design and engineering phase of the project. He added that the idea here was to do a single contract that covers a few years’ worth of work. He reviewed the process of the Forth Interim Agreement and the following amendments. He added that the fifth interim agreement signifies that the project is going into the next phase. He explained possible future changes in levels of participation.

Staff and board discussed other contributors, their levels of participation, current water supplies of participants, and project infrastructure. Williams stated that the word National Environmental Policy Act (NEPA) needs to be removed from title of the estimated cost sheet. Howard said he will make the appropriate change.



**Motion:** Dan Herlihey made the motion to accept the recommendation on item 4 as written.

**Second:** Gene Packer seconded the motion. The motion was approved unanimously.

**Item 5: LUC 2015 Accomplishments and 2016 Goals – Steve Adams** This item is to set new 2016 goals and review and update a staff compilation of the Utilities' 2015 accomplishments.

**Recommendation:** That the LUC approve the list of 2015 accomplishments and 2016 Goals determined through discussion at this LUC meeting for use at the 2015 Boards & Commissions Summit on March 3, 2016.

**Motion:** Dave Schneider made the motion.

**Second:** Dave Kavanagh seconded the motion. The motion was approved unanimously.

**Comments:** Roos asked about the 2015 accomplishments, he stated that Loveland Water and Power (LWP) may want to add an accomplishment regarding the quality control at the Water Treatment Plant (WTP), focusing on the improvements have been made regarding asset management. Gary Hausman agreed that operational and monitoring improvements should be added as an accomplishment separate from the goal regarding asset management or highlighted as a portion of this goal.

Gene Packer asked for an update about the lead concerns from Little Thompson Water District (LTWD). Matkins discussed the cause and the improvements that have been made. Adams reviewed how this impacted LWP and the actions that were taken to communicate to the public. Staff and board discussed lead piping, and residential plumbing code and the efforts to remove lead piping from our distribution system.

Packer mentioned that LWP may be able to communicate these goals in a more detailed, focused manner, Roos added that large projects within the goals can also be highlighted and described.

Roos discussed the research he has done related to climate control and climate change. Roos mentioned that he thinks LWP needs to focus on climate control education. He would like LWP to focus more on energy efficiency and water conservation.

Williams asked if updating the Raw Water Master Plan (RWMP) also entails reviewing the yield analysis. Howard mentioned that indeed that will be one of the first steps in this process. Howard added that there will be a session on climate control at the 2016 Colorado Water Congress (CWC). There may be ideas from that discussion the LWP can use in future plans. Williams and Roos discussed the changes regarding the 100-year flood plan. Schneider expressed his opinions about the reach and predictions regarding climate control. He mentioned that the data is hard to make certain predictions and thus makes it very challenging to plan for the future. He continued to discuss data and research he has read and the acquisition of scientific data. The board continued to express their thoughts on climate control and resources they have reviewed regarding this topic. Packer mentioned that in goal 11, he would like to add some language about creating excitement or a sentence about highlighting education regarding renewables. Staff continued to discuss this topic and the responsibilities of a utilities commission.

Schneider asked about the 2016 goal number 8. He expressed that he thinks LWP leads by example when it comes to Priority Based Budgeting (PBB). He would like us to evaluate the current statistics of the other departments that are supposed to be doing this and encourage others to follow in our footsteps. Adams mentioned that PBB is Citywide and highlighted that City Council members have expressed the importance of the analysis of results and making budgeting decisions based on the PBB. He concluded by saying that PBB is a great tool and LWP is waiting to move forward after a staff

member gets hired and Council direction is given. He stated that because there are a lot of unknown factors that at this point he is hesitant to add more to this goal. Schneider continued to discuss the challenges for LWP, including that we are an enterprise fund, and he contrasted W&P to other departments who are a part of the general fund. He would also like to add a goal regarding increasing xeric landscapes and smart irrigation. He suggested that LWP work with planning to find site standards and/or maintenance requirements that focus on lower water use and help increase interdepartmental collaboration with the planning commission.

Packer mentioned that it might be beneficial to add language to each goal highlighting the benefits or outcome of the goals, to help keep "the big picture" in perspective. Dave Kavanagh asked if number 9 on the 2015 accomplishments, is included within number 4 on the 2015 goals. Adams stated that indeed this is referencing the same project

Adams added the LWP would like to add a goal that states that LWP will assist in development of the Integrated Resource Plan (IRP). He reviewed which topics this will include such as load demand control, and conservation. Adams spoke to the suggestion regarding xeric landscape and added that the Planning Commission and developers have resources to make these water conscious choices currently. He addressed that the city offers both xeric and non-xeric options and what this entails. He reviewed sites that have taken advantages of the xeric options. Schneider added that he would like to see LWP help increase the receptiveness to the xeric options and keep the conversation going. Adams highlighted that HOAs have come and requested information about converting to xeric landscapes.

Stanford highlighted the efforts that have been made regarding commercial and residential water conservation programs. This included the hydrozone program for commercial customers and Key Accounts. She also emphasized the high-level of outreach surrounding the residential Irrigation Audit program and Home Energy Audit program. She discussed the feedback she has received regarding the priority of Key Accounts to conserve water and how this impacts the utility financially. Stanford stated that a lot of the comments made regarding renewables and water conservation will be part of the development of a strategic plan. Staff can incorporate some of these important comments and topics into the development of the Strategic Plan. Staff and board continued to discuss the importance of these topics and how LWP can incorporate them into future goals. Adams highlighted the importance of this topic and LWP's potential future role in how the utility can make sure we are making the correct decisions for the future.

Schneider asked why creating the marketing and improving communication have not been a higher priority. Stanford mentioned that there have been other priorities including the 2013 flood recovery, broadband, and economic development. Williams mentioned he agrees with staff that these ideas are incorporated within other goals and within the development of the IRP and Strategic Plan. The board agreed to have Gretchen Stanford modify the goals based upon the feedback and discussion that occurred at this meeting.

**Item 6: Opportunities for Revenue through Long Term Water Right Leasing – Chris Matkins** The Water Division has been approached by other Northern Colorado water providers with proposals to lease City water rights for a minimum 10-year term, with a 5-year renewal option. Under terms of this proposal, the lessees would increase the dependability of their water supply until the Northern Integrated Supply Project (NISP) is completed. This proposal offers the Water Utility an opportunity to increase revenues, thereby reducing future customer rate increases associated with increased construction costs for the pending Windy Gap Firing Project (Chimney Hollow reservoir). This item outlines the risks and benefits of this proposal for LUC consideration and input. Staff respectfully requests LUC input regarding potential policy on leasing of portions of the Water Portfolio. Currently the City has more water than it needs, so leasing out excess CBT or Windy Gap water does not affect our ability to provide adequate water supplies for our current population. Since this excess water is not being utilized by the City, it is leased out to agriculture on an annual basis. This excess

water will eventually be used by the City as we grow into our future water demand. Per City Code, leases exceeding 3 years must be approved by Council.

**Recommendation:** Give feedback to Staff concerning LUC support, or not, of generating policy to accommodate long-term leasing of portions of the Water Rights Portfolio.

If supported, staff will return with various lease alternative evaluations at a future LUC meeting.

**Comments:** Kavanagh asked if those interested in leasing water have other opportunities elsewhere and if LWP has any competition. Howard stated that there are not many other options; however, one group has reached out and is now participating in the WGFP as well as in the Northern Integrated Supply Project (NISP). Roos enquired how many acre feet (AF) were requested. Matkins informed the board that 300 AF were requested or about 1% of LWP's 100-year supply. Packer requested that moving forward the graph displayed be adjusted to include this information.

Discussion began regarding the lease terms. Packer highlighted the lease term, "*Interruptible during a severe drought, with no Lease payment during these instances*" and mentioned how important this could possibly become to LWP in a drought situation. Roos asked if the pricing structure includes annual increases, Matkins informed Roos that this decision has not been made yet. Williams asked if there was a preference between Windy Gap or Colorado Big Thompson (CBT) water. Matkins stated that LWP would prefer to lease Windy Gap, but the lessee would prefer CBT. Howard reviewed the advantages of using Windy Gap water for leasing. Williams mentioned the importance of the potential opportunities for re-use. Roos asked how much profit LWP would make and if others would be interested in leasing besides those currently interested. Matkins mentioned these financial contributions would be a significant benefit to LWP. Schneider asked how the revenue would be distributed. Matkins reviewed the potential options for this extra revenue and the long-term advantages for LWP.

Matkins informed the board of the importance of the 10-year term for the lessee. Schneider asked how this would affect the current lease agreements. He asked for more information about how much interest there is from municipal users versus agriculture. Howard stated that currently there is interest from the residential side. The board discussed the differences in leasing to municipal users versus agriculture. Kim Frick mentioned that currently LWP leases out between 500 - 1500 AF of CBT. Howard added that currently LWP does not lease any Windy Gap water, so, this lease really would have no impact on the current leases.

Howard and Schneider discussed storage, delivery systems, and timing of water transfers. Kavanagh asked how much water is currently leased to agriculture. Howard reviewed the current decrees and how water that isn't used is distributed in ditches. Staff and board mentioned that this water will have to stay within our district boundaries, contingences of re-use and first and second-use water rights. Matkins reviewed the details of attachment A. Staff and board reviewed the implications and possible projections of the chart. Williams suggested that we make a few amendments to the contract to protect LWP and make sure they have the funds and plans for a future water source.

Adams concluded by informing the board that this decision could potentially impact agriculture. Board and staff discussed the differences, including the advantages and disadvantages of leasing to municipal use versus agriculture. He also highlighted that currently any leases longer than 3-years need to go to City Council for approval. Adams addressed the impact to our customers if LWP moves forward with leasing and Loveland goes into a drought. He reviewed details of the 4-year drought response plan.

The board decided they would like to hear more details about this topic, specifically in leasing WGFP and how this could impact rates and would like to explore potential opportunities to use this money to benefit to LWP.

**Item 7: Acceptance of 9.75 shares of Buckingham Irrigation Company and 7.5 shares of South Side Ditch shares – Kim Frick** Request to deposit 9.75 shares of Buckingham Irrigation Company and 7.5 shares of South Side Ditch shares into the City's Water Bank.

**Recommendation:** Adopt a motion finding that the requirements set forth in City Code Section 19.04.080 have been met, and that acceptance of the 9.75 shares of Buckingham Irrigation Company and 7.5 shares of South Side Ditch shares into the City of Loveland Water Bank is in the city's best interest and should be completed.

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

**Second:** Randy Williams seconded the motion. The motion was approved unanimously.

**Comments:** Howard provided the board with an overview of the Water Bank and Water Court process. Dave Kavanagh asked how much money a share is worth. Larry stated each ditch has a different way of measuring its value. Frick provided an overview of the total cost with and without the storage fee. Staff explained that paying the storage fees includes getting more yield.

## COMMISSION/COUNCIL REPORTS

### Item 8: Commission/Council Reports

- Activity board members attended since last meeting – November 18, 2015

**Dan Herlihey:** nothing

**Dave Kavanagh:** He asked staff for more information about the federal government shutting down leases for coal from Powder River Basin, Wyoming. Adams added that the federal government is responding to a lawsuit on environmental work that was done a few years ago and that it might have an environmental impact on the mines in Craig, Colorado and that the lawsuit is currently in the process of discovery. Adams stated that this is an ongoing litigation issue.

**Dave Schneider:** He stated that he just completed a lighting project in his warehouse and installed several LED lights. He added that the lighting is better and the project overall was very neat and fun to complete.

**Gene Packer:** He stated that John Rust had surgery about 2 weeks ago. John may have about a 6 month recovery, but is in good spirits.

**Gary Hausman:** nothing

**Jennifer Gramling:** nothing

**Larry Roos:** He stated that he recently went to a Platte River Power Authority (PRPA) meeting. He said he is very glad Steve Adams is on this board. He also commended Jackie Sargent on her professionalism and mentioned the potential to expand or move PRPA's headquarters. Board continued to discuss the details of this project.

**Randy Williams:** He complimented LWP staff on their work regarding the water main break outside of his office. He stated that the staff were very knowledgeable and courteous.

**Council Report:** On Councilor Troy Krenning's behalf, Steve Adams provided an update on City Council items related to the Water and Power Department which have been seen by the City Council during their normal meetings schedule since the last LUC meeting.

***Regular Meeting – January 19, 2016***

Emergency Ordinance enacting a supplemental budget and appropriation to the 2015 City of Loveland Budget for design and construction of the Solar Field. This is just an administrative item as the funds were approved in 2015 and just being re-appropriated for 2016.

**DIRECTOR'S REPORT**

**Item 9: Director's Report – Steve Adams**

**Comments:** Schneider asked about the timeline with the Planning Commission regarding the FEMA Alternate Project. He asked for staff feedback on whether plans may get delayed. Stanford, mentioned there is one party interested in appealing the project and then reviewed the consequences that could have for meeting project deadlines.

**INFORMATION ITEMS**

**Item 10: Water Supply Update – Larry Howard** Projection for raw water supply in 2016.

Staff Report only. No action required.

**Comments:** Board and staff discussed the Snow - Water Equivalent at Bear Lake attachment. Roos discussed research he has read on El Niño.

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**ADJOURN** The meeting was adjourned at 6:58 pm. The next LUC Meeting will be February 17, 2016 at 4:00 pm.

Respectfully submitted,

Allison Bohling  
Recording Secretary  
Loveland Utilities Commission





**AGENDA ITEM:** 1  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Roger Berg, Senior Civil Engineer *ln b. B*

**TITLE:** Contract for Design Services for the WWTP Biological Nutrient Removal (BNR) and Step Screen Installation

**DESCRIPTION:**

Through the Municipal Code, City Council has previously authorized LUC the option of approving contracts exceeding \$500,000. This authorization reduces the number of items that go to Council for consideration and increases the City's efficiency. Under these circumstances, the City Manager then signs the construction contract after LUC approval. This contract approval is being brought forward for LUC action.

**SUMMARY:**

This is a contract for final design services with Carollo Engineering in the amount of \$891,342 related to the wastewater treatment plant improvement and expansion project. Specifically, this contract is for the biological nutrient removal improvements (BNR) and for the installation of new screens in the existing headworks building. See attachment A and B for a detailed breakdown of the proposed scope of work and fee, respectively.

**RECOMMENDATION:**

Adopt a motion recommending that Loveland Utilities Commission award the contract for Final Design Services to Carollo Engineers in an amount not-to-exceed \$891,342 and authorize the City Manager to sign the contract on behalf of the City.

**REVIEWED BY DIRECTOR:**

*AB for SA*

**ATTACHMENTS:**

- **Attachment A:** Final Design Scope
- **Attachment B:** Final Design Budget





# Attachment A

## EXHIBIT A

### ENGINEERING AGREEMENT SCOPE OF SERVICES BNR AND SCREENING PROJECT

#### FINAL DESIGN SERVICES

CITY OF LOVELAND (OWNER)  
AND  
CAROLLO ENGINEERS, INC. (ENGINEER)

#### PURPOSE

The purpose of this Agreement is to provide final design services in connection with the City of Loveland (City) Wastewater Treatment Plant (WWTP) Biological Nutrient Removal (BNR) and Screening Project (BNR Project or Project). This scope of work includes coordination with the Construction Manager at Risk (CMAR) Contractor and the Digester Project Design Engineer.

#### ENGINEER'S SERVICES

##### **TASK 700 – DESIGN SERVICES**

**Subtask 710 – Final Design Report.** ENGINEER will prepare a Final Design Report (FDR) documenting design direction for several components of the project. The FDR serves to supplement the information provided in the PDR completed as part of the Preliminary Design Services. The FDR will include sections covering the following topics:

- Summary of hydraulic evaluation recommendations and next steps, including influent channel modifications, aeration basin baffle wall design, modifications to the channel between Aeration Basins 3 and 4 and Aeration Basins 5 and 6, Secondary Clarifier 3 influent pipe and flow split limitations, and UV channel hydraulics.
- Evaluation and recommendation of potential improvements to scum and surface wasting in the aeration basins.
- Summary of process operation recommendations, including analysis of primary clarifier performance impacts on secondary treatment capacity and process operation with individual basins out of service.
- Evaluation and recommendation of chemical feed system for phosphorus removal backup, including identification of dosing points, storage and dosing volumes, and location for chemical storage and pumping equipment.
- Conceptual layout and recommendations for future secondary treatment facilities to provide build out capacity of 16 mgd and tertiary facilities for future nutrient removal requirements.
- Evaluation and recommendation of approaches to diversification of influent pump electrical loads on MCC-1.
- Evaluation of apparent water damage to the north masonry wall of the Headworks building, including optical camera investigation of steel angle condition, with recommendations for repair and/or replacement.

- Potential architectural treatments on the west face of the RAS Anoxic Zone, including a coordination meeting with City and CMAR Contractor to review options and select design approach.

A Draft version of the Final Design Report will be prepared and submitted to the City. The OWNER will review the Draft FDR, compile all review comments into one set of coordinated documents, and submit comments to the ENGINEER within fourteen (14) working days after receipt of draft. ENGINEER will incorporate and respond to comments, and issue Final FDR.

**Subtask 720 – Permitting Support.** ENGINEER will provide the building department and fire marshal with contract documents as required for agency review. ENGINEER will attend up to one (1) meeting each with the building department and fire marshal to coordinate review and approval of the project. ENGINEER will coordinate with CDPHE regarding previously submitted Process Design Report and follow up on comments from CDPHE.

**Subtask 730 – Secondary Clarifier Procurement Final Package.** ENGINEER will prepare final procurement documents for secondary clarifier mechanism replacement components at a 100% design level, to include technical specifications and plan and section drawings of modifications. ENGINEER will coordinate with OWNER and Manufacturer to issue City purchase order and review shop drawings, and assist in the City's procurement of secondary clarifier mechanism components.

**Subtask 740 – Survey and Geotechnical Evaluations.** ENGINEER will engage and coordinate with a Geotechnical SUBCONTRACTOR to refine geotechnical investigation as necessary to accommodate final design adjustments. ENGINEER will engage and coordinate with a Survey SUBCONTRACTOR to refine survey information obtained in preliminary design as necessary to accommodate final design adjustments, including potholing of buried piping in the areas of new construction.

## **TASK 800 – FINAL DESIGN**

**Subtask 810 – Drawings.** ENGINEER shall prepare drawings on 22" x 34" sheet size (11" x 17" half-size) and deliver drawings in MicroStation v8 XM and AutoCAD (AutoCAD version at direction of City). Drawings will be based off existing CAD files, to be provided by the OWNER. A list of anticipated drawings required for adequate representation of the project elements is included in Exhibit B. Mechanical, electrical, and instrumentation drawings shall accurately depict required building systems including connections to existing systems. Demolition drawings will include information related to structural, mechanical, electrical, and instrumentation components.

Design drawings will include the following basic design elements as defined in the Preliminary Design phase:

- Sequential demolition of existing augers, grinders, and screenings conveyance equipment in the Headworks. Demolition of ancillary systems related to ductwork, including electrical and instrumentation components.
- Sequential demolition of existing RAS pumps and air compressors in the Administration Building basement. Demolition of ancillary systems related to these systems, including electrical and instrumentation components.

- Sequential demolition of existing aeration diffusers and anoxic mixers in the Aeration Basins. Demolition of ancillary systems related to these systems, including electrical and instrumentation components.
- Demolition of existing secondary clarifier mechanism components to be replaced with new components.
- Installation of two new influent screens and screenings conveyance equipment in the Headworks building, including lifting equipment and modifications to existing HVAC ductwork.
- Installation of four new RAS pumps in the administration building basement, including replacement of isolation valves and check valves. Installation of ancillary systems related to these systems, including seal water system and electrical and instrumentation components.
- Installation of a new large bubble compressed air mixing system for anaerobic and anoxic zones in the Aeration Basins and RAS Anoxic Zone, including air compressors located in the Administration Building basement, and control panels and air distributors at the mixing locations.
- Installation of six new FRP baffle walls in existing aeration basins, new aeration diffuser equipment, and modification of aeration air piping and control valves.
- Modifications to increase the height of the channel walls between Aeration Basins 3 and 4 and Aeration Basins 5 and 6.
- Installation of new secondary clarifier mechanism components procured separately and blasting and recoating of remaining coated steel secondary clarifier mechanism components.
- Construction of a new RAS Anoxic Zone, with two separate passes for redundancy, influent RAS flow split, large bubble compressed gas mixing system, and isolation gates.
- Yard piping and site grading modifications.
- Electrical, instrumentation, and control modifications to handle the process improvements and improve site lighting at the Aeration Basins and RAS Anoxic Zone. These improvements will include construction sequencing of modifications to Switchboard-1, MCC-1, MCC-1A, and PLC cabinets in the Administration Building Electrical Room to provide electrical power and control for new RAS Pump VFDs. These modifications will include removing loads from MCC-1 and demolishing MCC-1 to make room for new electrical power components.

At the direction of the OWNER, some or all typical details may be coordinated with Digester Project Design Engineer. Efforts to coordinate and combine typical details will be tracked under Subtask 930.

**Subtask 820 – Specifications.** Project specifications shall be prepared using an appropriate combination of OWNER's and ENGINEER's standard front-end documents and ENGINEER's technical specifications. Specifications will include development of control descriptions for process operation and programming. Technical Specifications shall be in Master Format 2014. At the direction of the OWNER, some or all specifications may be coordinated with Digester Project Design Engineer. Efforts to coordinate and combine specifications will be tracked under Subtask 930.

**Subtask 830 – Design Workshops.** ENGINEER shall prepare for and attend four (4) Design Element Review Meetings (DERMs) prior to the 60 percent submittal to allow focused City review of design concepts for the RAS Anoxic Zone, Aeration Basins, Influent Screening, and Electrical, Instrumentation, and Control. ENGINEER shall prepare for and attend 60 percent and 90 percent design workshops to review progress submittals. All design workshops are

anticipated to be up to four (4) hours in length. ENGINEER will compile meeting notes for each meeting and submit to OWNER.

**Subtask 840 – Progress Submittals.** ENGINEER will submit progress submittal drawings and specifications at 60 percent and 90 percent for OWNER review.

The 60 percent drawings will generally include demolition plans, floor plans, major process sections, and initial P&IDs. The 60 percent set of specifications will generally include major equipment draft specifications and initial front-end documents. The 60 percent documents will reflect the comments received during the preliminary design phase and at the DERMs. The OWNER will review the 60 percent document package, compile all review comments into one set of coordinated documents, and submit comments to the ENGINEER within fourteen (14) working days after receipt of document package submittal.

The 90 percent drawings and specifications will incorporate the comments received on the 60 percent progress submittal and during the 60 percent workshop. The OWNER will review the 90 percent document package, compile all review comments into one set of coordinated documents, and submit comments to the ENGINEER within fourteen (14) working days after receipt of document package submittal.

**Subtask 850 – Cost Estimate.** ENGINEER shall review and provide comments on CMAR Contractor Cost Estimates at 60 percent, 90 percent, and 100 percent submittals.

**Subtask 860 – QC Review.** ENGINEER shall provide a final in-house quality check of the drawings and specifications using an independent multi-discipline team at 90 percent design. Appropriate check comments will be incorporated into the final bid drawings and specifications.

## **TASK 900 – PROJECT MANAGEMENT**

**Subtask 910 – Monthly Reporting and Log Updates.** ENGINEER shall prepare monthly progress reports, and maintain and monitor project scope, budget, and schedule. ENGINEER shall maintain and distribute Action Item and Decision Logs. ENGINEER shall provide administrative guidance and supervision of staff, including project planning.

**Subtask 920 – CMAR Coordination.** ENGINEER will coordinate with City staff to select a Construction Manager at Risk (CMAR) Contractor. ENGINEER will coordinate with CMAR Contractor to review design progression and progress submittals, responding to and implementing suggestions and recommendations. It is assumed that the CMAR Contractor will conduct constructability reviews and provide timely comments on DERM packages and submittals. ENGINEER's Project Manager and appropriate design and discipline engineers will attend six (6) coordination meetings with CMAR Contractor.

**Subtask 930 – Design Coordination with Digester Project.** ENGINEER will coordinate with Digester Project Design Engineer (Brown & Caldwell) to review concurrent design progression and interaction. Coordination may include jointly preparing some design approaches, specifications, typical details, and other design components to provide consistent designs for implementation by the CMAR Contractor. ENGINEER's Project Manager and appropriate design and discipline engineers will attend six (6) coordination meetings with Digester Project Design Engineer.

## DELIVERABLES

Deliverables for this project include the following:

- Monthly Progress Reports and Invoices; one (1) copy to be provided to the OWNER's Project Manager.
- Meeting agenda and meeting minutes; PDF files via e-mail.
- Final Design Report in PDF format, draft and final versions.
- Secondary Clarifier Early Procurement Package; one (1) full-size and five (5) half-size sets of Drawings and five (5) sets of Specifications each will be provided along with PDF files.
- Design Workshop progress submittals in PDF format, including applicable drawings in 11x17 PDF format.
- 60% and 90% Progress Submittals; five (5) half-size sets of Drawings and five (5) sets of Specifications each will be provided along with PDF files.
- 100% Construction Set; two (2) full-size and ten (10) half-size sets of Drawings and ten (10) sets of Specifications each will be provided along with PDF files.
- Comments log, with response to City comments, in PDF format for each submittal.

## ASSUMPTIONS

Subsequent tasks including engineering services during construction, development of training and operations and maintenance materials, conformed and record drawings, and construction administration will be scoped, budgeted, and negotiated as a contract amendment during final design.

## TIME OF PERFORMANCE

ENGINEER shall complete all services identified in this Agreement by December 31, 2016 in accordance with the schedule outlined below:

- |   |                  |
|---|------------------|
| • Secondary Clarifier Early Procurement Package | March 31, 2016   |
| • Draft Final Design Report                     | April 1, 2016    |
| • Final Design Report                           | April 30, 2016   |
| • 60% Progress Submittal                        | June 15, 2016    |
| • 90% Progress Submittal                        | October 15, 2016 |
| • 100% Construction Set                         | December 1, 2016 |

This schedule assumes written authorization to proceed by February 17, 2016; schedule dates will be adjusted accordingly if authorization is issued after this date. Exact dates for interim

deliverables, meetings, and site visits will be identified and adjusted in consultation with the OWNER as the project progresses.

### PAYMENT

ENGINEER will perform the Scope of Services described in Tasks 700, 800, and 900 for a not-to-exceed amount of \$891,342, inclusive of all labor, expenses, and subcontract work on the project. The cost associated with each Task is summarized below and will be billed monthly per the 2015 Fee Schedule attached. Actual expenditures may vary from the task-level budgets, but in no case will the total fee for the project exceed the total not-to-exceed amount for all tasks unless specifically authorized in writing by the OWNER.

Attachment B

Biological Nutrient Removal Project - Final Design Phase					Matt Larson Kevin Love			Becky Luna Tanja Rauch-Will.		Ron Burdick Mark Keller		Jason Till Tyler Dougherty Bryan Coday		Cynthia Pollard				
	Team Member	Senior Professional - Technical Advisor	Lead Project Professional - Operations Lead	Project Professional - Project Manager	Professional - Project Engineer	Project Professional - Process Engineer	Project Professional - Lead Discipline Engineer	Professional - Discipline Engineer	Assistant Professional II - Engineer	Senior Technician - CAD	Technician - CAD	Document Processing/ Clerical	Carollo Hours	Carollo Labor Cost	PECE	Subconsultants	Carollo ODCs	Total Engineering Cost
Task	Description	\$ 245	\$ 225	\$ 195	\$ 171	\$ 195	\$ 195	\$ 171	\$ 147	\$ 162	\$ 110	\$ 96			\$ 11.7			
700	DESIGN SERVICES																	
710	Final Design Report	0	8	60	8	40	32	40	60	0	8	8	264	\$ 46,216	\$ 3,089	\$ 3,850	\$ 240	\$ 53,395
720	Permitting Support (Bldg, Fire)	0	0	8	0	8	2	2	0	0	0	2	22	\$ 4,044	\$ 257	\$ -	\$ 160	\$ 4,461
730	Secondary Clarifier Procurement Final Package	2	0	40	48	0	8	0	16	0	16	8	138	\$ 22,938	\$ 1,615	\$ -	\$ 160	\$ 24,713
740	Survey and Geotechnical Evaluations	0	0	8	0	0	8	0	16	0	0	0	32	\$ 5,472	\$ 374	\$ 11,000	\$ 120	\$ 16,966
	Subtotal Task 700 Hours	2	8	116	56	48	50	42	92	0	24	18	456					
	Subtotal Task 700 Costs	\$ 490	\$ 1,800	\$ 22,620	\$ 9,576	\$ 9,360	\$ 9,750	\$ 7,182	\$ 13,524	\$ -	\$ 2,640	\$ 1,728		\$ 78,670	\$ 5,335	\$ 14,850	\$ 680	\$ 99,535
800	FINAL DESIGN																	
810	Drawings	0	0	378	378	95	189	284	567	146	1314	0	3,350	\$ 493,650	\$ 39,195	\$ -	\$ 720	\$ 533,565
820	Specifications	0	8	64	40	0	64	60	64	0	0	60	360	\$ 59,028	\$ 4,212	\$ -	\$ 120	\$ 63,360
830	Design Workshops (DERMs, 60%, 90%)	8	16	64	32	8	32	24	32	0	0	8	224	\$ 40,888	\$ 2,621	\$ -	\$ 1,260	\$ 44,769
840	Progress Submittals (60%, 90%, 100%)	0	0	24	32	0	0	8	24	8	0	32	128	\$ 19,416	\$ 1,498	\$ -	\$ 2,000	\$ 22,914
850	Cost Estimate (CMAR Estimate Review)	0	0	24	8	0	8	8	0	0	0	0	48	\$ 8,976	\$ 562	\$ -	\$ 60	\$ 9,598
860	QC Review	16	16	4	231	0	0	0	0	0	0	0	267	\$ 47,801	\$ 3,124	\$ -	\$ 250	\$ 51,175
	Subtotal Task 800 Hours	24	40	558	721	103	293	384	687	154	1314	100	4,377					
	Subtotal Task 800 Costs	\$ 5,880	\$ 9,000	\$ 108,810	\$ 123,291	\$ 19,988	\$ 57,135	\$ 65,579	\$ 100,989	\$ 24,948	\$ 144,540	\$ 9,600		\$ 669,759	\$ 51,211	\$ 0	\$ 4,410	\$ 725,380
900	PROJECT MANAGEMENT																	
910	Monthly Reporting & Log Updates	0	0	32	0	0	0	0	0	0	0	0	32	\$ 6,240	\$ 374	\$ -	\$ 180	\$ 6,794
920	CMAR Coordination	0	0	64	32	0	24	24	0	0	0	4	148	\$ 27,120	\$ 1,732	\$ -	\$ 360	\$ 29,212
930	Design Coordination with B&C	0	0	64	32	0	24	24	0	8	0	4	156	\$ 28,416	\$ 1,825	\$ -	\$ 180	\$ 30,421
	Subtotal Task 900 Hours	0	0	160	64	0	48	48	0	8	0	8	336					
	Subtotal Task 900 Costs	\$ -	\$ -	\$ 31,200	\$ 10,944	\$ -	\$ 9,360	\$ 8,208	\$ -	\$ 1,296	\$ -	\$ 768		\$ 61,776	\$ 3,931	\$ 0	\$ 720	\$ 66,427
	Total Project Hours	26	48	834	841	151	391	474	779	162	1,338	126	5,169					\$ 891,342
	Total Dollars	\$ 6,370	\$ 10,800	\$ 162,630	\$ 143,811	\$ 29,348	\$ 76,245	\$ 80,969	\$ 114,513	\$ 26,244	\$ 147,180	\$ 12,096		\$ 810,205	\$ 60,477	\$ 14,850	\$ 5,810	\$ 891,342







**AGENDA ITEM:** 2  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Brian Gandy, Special Projects Manager

**TITLE:** Contract for Design Services for the New Anaerobic Digester Facility & Rehabilitation of the Existing Digester Facility

**DESCRIPTION:**

Through the Municipal Code, City Council has previously authorized LUC the option of approving contracts exceeding \$500,000. This authorization reduces the number of items that go to Council for consideration and increases the City's efficiency. Under these circumstances, the City Manager then signs the construction contract after LUC approval. This contract approval is being brought forward for LUC action.

**SUMMARY:**

This is a contract for final design services with Brown and Caldwell Engineering in the amount of \$1,646,517 related to the wastewater treatment plant improvement and expansion project. Specifically, this contract is for the new anaerobic digester facility and the rehabilitation of the existing digester facility. See Exhibit A for a detailed breakdown of the proposed scope of work and fee, respectively.

**RECOMMENDATION:**

Adopt a motion recommending that Loveland Utilities Commission award the contract for Final Design Services to Brown and Caldwell Engineers in an amount not-to-exceed \$1,646,517 and authorize the City Manager to sign the contract on behalf of the City.

**REVIEWED BY DIRECTOR:**

**ATTACHMENTS:**

- **Attachment A:** Final Design Scope
- **Attachment B:** Final Design Budget



# **Attachment A**

CITY OF LOVELAND WWTP  
NEW ANAEROBIC DIGESTION FACILITY AND  
REHABILITATION OF EXISTING DIGESTION FACILITY  
FINAL DESIGN SERVICES

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PROPOSED SCOPE OF SERVICES  
February 2016

## Project Overview

The anaerobic digesters (digesters) at the City of Loveland (City) Wastewater Treatment Plant (WWTP) require expansion to meet the current loading rates and to provide additional capacity for future growth. The existing digesters do not have sufficient capacity with one tank out of service to meet the state redundancy requirements, which limits the ability to complete routine operations and maintenance activities. In addition, the digesters do not provide adequate reserve storage for times when inclement weather prevents sludge hauling (i.e. the City is not able to haul sludge if the fields are too wet or covered by snow). This project will include one new digester tank, control building, and associated process equipment sized to meet the redundancy requirements as well as an increase in solids handling capacity to 12 mgd, which will be in line with the next incremental liquid stream capacity expansion. Rehabilitation of the existing anaerobic digester complex and primary sludge pump station will also be addressed. This project will also include provisions for the addition of a fourth digester tank in the future to increase the solids capacity to the ultimate buildout capacity of 16 mgd.

This Scope of Services is supplementary to the original Scope of Services dated August 2015 for the New Anaerobic Digestion Facility, and is for engineering services from preliminary through final design.

## Project Objectives

The following specific project objectives have been identified:

- Complete plans and specifications to construct 2 new digesters and associated mechanical and electrical rooms. Design will include both digesters to account for future expansion, and provide flexibility for construction of a single new digester, rehabilitation of the existing digesters, construction of the second new digester, or any combination thereof.
- Complete plans and specifications for rehabilitation of the existing primary sludge pump station to replace pumps and improve the layout of piping and appurtenances.
- Complete plans and specifications for a new maintenance building to replace the existing maintenance building that will be demolished as part of construction of the new digester complex.
- Modify and incorporate the plans and specifications from the Digester Rehabilitation Project to complete the rehabilitation of the two existing digesters and support facilities.
- Coordinate plans and specifications with the City selected Construction Manager at Risk (CMAR). The CMAR is anticipated to be selected prior to completion of preliminary design at the end of February.
- Coordinate plans and specifications with the concurrent BNR Improvements project, designed by others, also to be built by the CMAR at the same time as this project.
- Complete all design efforts based on the decisions established in the basis of design report completed as part of preliminary design.

## City Responsibilities

The City's responsibilities include but are not limited to:

- Representation at all workshops to provide timely input and feedback
- Provide timely decisions and assist with holding to decisions made.
- Facilitate coordination with CMAR contractor and other design efforts including the BNR Improvements Project.

- Provide to ENGINEER process modeling information from ongoing Nutrient Upgrades Project
- Provide access to the plant site as needed
- Review and provide a single comment review package to deliverables within the agreed upon schedule

## Project Assumptions

The following assumptions were made in the development of this Scope of Work:

- Final design efforts will continue from preliminary work done and decisions made as part of the Basis of Design Report.
- Review comments from City, CMAR, and 3<sup>rd</sup> Party Construction Manager (Ditesco) will be consolidated by the City into a single package.
- All submittal packages will be reviewed within 4 weeks of submittal.
- All full-size drawings will be based on standard Size D, 22"x34" paper and half size drawings shall be standard tabloid size, 11"x17" paper.
- Final design deliverables will be developed in Revit Building Information Modeling (BIM) software, with 2D CAD and PDF deliverables for bid and construction sets. Preliminary design deliverables will be limited to general layouts, site plans, and process flow diagrams in 2D CAD.
- Process and Instrumentation Diagrams (P&ID) will be prepared in conformance with City standards, similar to the 2014 Digester Rehabilitation Project designed by Brown and Caldwell.
- Plans and specifications will be completed to include rehabilitation of the existing digesters, both the third and fourth digesters, the maintenance building, primary sludge pump station improvements, and ancillary facilities. Delineation between the project segments will be shown to facilitate packaging of individual facilities as bid alternatives.
- CMAR will not require additional delineation of the specifications or plans to facilitate work between different bid packages with the exception of the maintenance building, which will be packaged separately.
- Cost estimating will be completed by CMAR and reviewed by 3<sup>rd</sup> party cost estimator. BC will not review CMAR's cost estimate and provide comments. A separate cost estimate will not be prepared.
- Final pipe supports will be designed by CMAR. BC will provide guidance on number, type and location of pipe supports to allow for accurate bidding.
- The project budget assumes project completion in January of 2017.
- BC will provide contract documents for review by the City and CMAR at 4 milestones; Preliminary Design, Intermediate Design, Final Design, Construction Documents.
- PLC panel layouts, elevations, and power distribution will be designed in detail by vendors. BC will describe requirements in specifications for vendor design.
- LCP rack layouts will be designed in detail by vendors. BC will describe requirements in specifications for vendor design.
- Vendor equipment control schematics will be designed in detail by vendors. BC will describe requirements in specifications for vendor design.
- BC can rely on the accuracy of the existing plant as-builts or record drawings.
- All comments regarding plant preferences for maintenance and operations work space, equipment spacing and location, vendor preferences, safety considerations beyond code

requirements and other layout preferences will be made during the preliminary design review.

- No additional site lighting will be required.
- No permanent stormwater treatment facilities will be required.
- All coordination with the CMAR and designers (Carollo) for other projects will be done at the City meetings and workshops scoped herein.
- The City will facilitate the effort between BC and Carollo to combine specifications.
- Services to answer bidder questions and prepare addendum from bidder questions will be negotiated as part of a Services During Construction contract.
- All pipes, conduits and utilities between digesters 1-2 and 3-4 and associated facilities will be direct bury or in duct banks. No utilidoors or pipe chases are anticipated or scoped.
- Existing piping for in-plant sewer and sludge transfer piping is assumed to be functional. This piping will be modified as needed to provide tie-ins, but redesign for replacement of the piping is not included.
- Electrical loads will be limited to the equipment associated with the primary sludge pump station and digester complexes. Additional loads for other services are not included.

## Detailed Scope of Services

### Phase 110 - Project Management

The Project Management Phase includes all tasks related to the management and administration, including Project Control and Reporting and Project Close-out.

#### Task 111: Project Control and Reporting

ENGINEER will be responsible for management of the ENGINEER team's overall project controls, actively coordinating with the City's Project Manager to manage:

- Project Costs
- Project Schedule
- Document Control

Monthly invoices will be prepared and submitted to the City in an approved format. Invoices shall include:

- Total contract amount
- Detailed charges for the current invoice period, broken down by phase and subconsultant
- Total charges to date
- Previous billings
- Outstanding balance
- Current amount remaining
- Total amount due

Monthly project status reports will be prepared and submitted to the City along with the monthly invoices. These reports will include:

- Summary of services completed since the previous report
- Current Project Schedule and Budget status
- Earned value analysis and graph
- Project issues and potential change logs
- Milestones and/or deliverables scheduled in the coming month

This task also includes periodic project review by ENGINEER management to assure that the project is meeting the City's critical success factors, is on schedule, and within budget.

### Phase 110 Deliverables

The following deliverables will be provided as part of the project management phase:

- Monthly invoices and project status reports
- Decision and change logs and resolutions

### Phase 130- CMAR Coordination

#### Task 131 – CMAR Proposal Review and Interview

The CMAR proposals will be reviewed by BC's project manager. Comments on the proposals will be summarized and returned to the City. The CMAR interviews will be attended by BC's project manager. A final recommendation letter will be provided to the City to support selection of the CMAR.

## Phase 130 Deliverables

The following deliverables will be provided as part of the project management phase:

- CMAR proposal review comments
- CMAR recommendation letter

## Phase 140 – Meetings and Workshops

Regular meetings and review workshops will be conducted with ENGINEER, OWNER's staff, CMAR and other stakeholders as required. These meetings will promote open communication of design goals and progress throughout the project, and provide a venue to gain valuable input from City staff.

### Task 141: Internal Coordination Meetings

Weekly meetings with ENGINEER's design team will be conducted. Each meeting will last for approximately 1-hour and have a standing agenda to make efficient use of the time. Discipline leads will attend the meeting perform model coordination, to raise coordination issues and report on progress each week. Other staff will attend as required.

### Task 142: Progress Workshops

Progress workshops will be conducted every other week at the OWNER's offices with representatives from the ENGINEER, OWNER, CMAR, and other stakeholders as required. Each progress workshop will include a report on a specific subject.

Each workshop will be attended by up to 2 members of the ENGINEER's staff, and are anticipated to last for 3 hours, with up to 2 hours of travel, per workshop. For each workshop, an additional 8 hours of preparation time are included for preparing meeting materials, agenda, and meeting minutes.

## Phase 140 Deliverables

There are no specific deliverables for Phase 140. Agendas and minutes will be provided by Ditesco.



## Phase 300 – Preliminary Design

This phase will involve the detailed design work to advance the project to a preliminary design level. All disciplines will coordinate their work to show design progress based on the Basis of Design Report and the comments and decisions made by the City. In general the preliminary Design will communicate at least the following:

1. Design standards have been established.
2. Design Data Table is complete.
3. Process Flow Diagram complete.
4. Treatment Processes have been finalized.
5. Digester and Equipment room dimensions have been established.
6. Equipment has been sized with power requirements.
7. HVAC space draft requirements determined.
8. Preliminary P&ID's complete.
9. Electrical single-line drawings started and site power changes established.
10. Initial layout of all site civil features.
11. All areas have established code classifications.
12. Site Surveys complete.
13. Geotechnical and other site investigations complete.
14. Organization of Specifications has been determined and list of required specifications has been established. Discussions of Div 00 and Div 01 has started with the City.

The following are the task numbers that will be used for each discipline to manage and track the budget to progress the design as described above.

- Task 301 – Process Mechanical Design
- Task 302 – Process Mechanical CADD
- Task 303 – Structural Design (include Architect's scope and fee here)
- Task 304 – Structural CADD
- Task 305 – Site/Civil Design
- Task 306 – EPAS Design
- Task 307 – EPAS CADD
- Task 308 – HVAC/Plumbing Design
- Task 309 – General CADD
- Task 310 – Permitting
- Task 311 – Preliminary Design Review Workshop

## Phase 300 Deliverables

The following deliverables will be submitted to the City for review and comment:

1. Complete preliminary Design Package (plans and specification outline)

## Phase 400 – 60% Design

This phase will involve the detailed design work to advance the project to a 60% design level. All disciplines will coordinate their work to show design progress based on the preliminary Design and the comments and decisions made by the City.

In general the 60% Design should communicate at least the following:

1. All specifications have been drafted and sent out for vendor review.
2. All plan sheets including detail sheets have been drafted for initial review.
3. All details will be shown, but will not be considered final or complete.
4. All specifications will be included with an initial effort to tailor the specification to the project. The Division 00 and Division 01 specifications will be developed with the City. Initial coordination of Div 00 and Div 01 Specifications with the City selected CMAR contractor and other design projects will be started.
5. Update and final any process design changes resulting from preliminary comments.
6. Long lead items have been determined.
7. Approach to bid packages has been coordinated with CMAR.
8. Bidding and procurement issues have been flagged for resolution.
9. Design Data Table is complete.
10. Process Flow Diagram update if necessary.
11. Digester and Equipment room dimensions final.
12. Structural plans have dimensions and all details drafted.
13. Draft of Demo drawings complete.
14. Define electrical equipment heat losses.
15. Initial HVAC design coordinated with other disciplines.
16. Draft HVAC related specifications.
17. Final selection of all equipment and development of draft specifications.
18. P&ID's show all equipment and instruments with initial connection/landing point.
19. Routing of all piping and conduits is drafted to verify spacing and begin clash detection.
20. Electrical single-line drawings essentially complete.
21. All site civil features shown and all details drafted for review. Initial elevations and profiles complete.
22. Preliminary landscape plans complete.
23. Site Civil to coordinate utilities and duct banks for conflicts.
24. All areas have been verified that no change to code classifications has occurred.
25. Fire protection system approach final.

The following are the task numbers that will be used for each discipline to manage and track the budget to progress the design as described above.

- Task 401 – Process Mechanical Design
- Task 402 – Process Mechanical CADD
- Task 403 – Structural Design (include Architect's scope and fee here)
- Task 404 – Structural CADD
- Task 405 – Site/Civil Design
- Task 406 – Site/Civil CADD
- Task 407 – EPAS Design
- Task 408 – EPAS CADD
- Task 409 – HVAC/Plumbing Design
- Task 410 – HVAC/Plumbing CADD
- Task 411 – General CADD
- Task 412 – Permitting
- Task 413 – 60% Design Review Workshop

## Phase 400 Deliverables

The following deliverables will be submitted to the City for review and comment:

1. Complete 60% Design Package (plans and specifications)

## Phase 500 – 90% Design

Complete 90% Design activities.

### Task 500 – 90% Design Progression

This phase will involve the detailed design work to advance the project to a 90% design level. All disciplines will coordinate their work to show design progress based on the 60% Design and the comments and decisions made by the City.

At the 90% Design submittal the contract documents should represent the following level of completion and effort:

1. All specifications are essentially complete and ready for final review by the City. Any outstanding issues should already have been sent out for resolution.
2. All plan sheets and details are essentially complete.
3. Procurement approach has been finalized for all long lead items.

The following are the task numbers that will be used for each discipline to manage and track the budget to progress the design as described above.

- Task 501 – Process Mechanical Design
- Task 502 – Process Mechanical CADD
- Task 503 – Structural Design (include Architect's scope and fee here)
- Task 504 – Structural CADD
- Task 505 – Site/Civil Design
- Task 506 – Site/Civil CADD
- Task 507 – EPAS Design
- Task 508 – EPAS CADD
- Task 509 – HVAC/Plumbing Design
- Task 510 – HVAC/Plumbing CADD
- Task 511 – General CADD
- Task 512 – Permitting
- Task 513 – 90% Design Review Workshop

## Phase 500 Deliverables

The following deliverables will be submitted to the City for review and comment:

1. Complete 90% Design Package (plans and specifications)

## Phase 600 – Final Design- Bid Documents

This phase will involve the detailed design work to complete the project contract documents. All disciplines will coordinate their work to show design progress based on the 90% Design and the comments and decisions made by the City. Most of the work at this phase will come from project changes and comments that are made at the 90% Design review submittal.

### Task 600- Complete Design- Contract Documents submitted for bidding

- Task 601 – Process Mechanical Design
- Task 602 – Process Mechanical CADD
- Task 603 – Structural Design (include Architect's scope and fee here)
- Task 604 – Structural CADD
- Task 605 – Site/Civil Design
- Task 606 – Site/Civil CADD
- Task 607 – EPAS Design
- Task 608 – EPAS CADD
- Task 609 – HVAC/Plumbing Design
- Task 610 – HVAC/Plumbing CADD
- Task 611 – General CADD
- Task 612 – Permitting
- Task 613 – 90% Design Review Workshop

## Phase 600 Deliverables

The following deliverables will be submitted to the City for review and comment:

1. Complete Bid Ready Contract Documents
2. 3D Models



## Attachment B

## PROPOSAL BUDGET

[illegible]







**AGENDA ITEM:** 3  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Paul Davis, Customer Services Manager, Platte River Power Authority,  
Adam Perry, Customer Services Supervisor, Platte River Power Authority  
Lindsey Bashline, Customer Relations Specialist  
Tracey Hewson, Customer Relations Business Specialist

**TITLE:** 2015 Efficiency Program and Outreach Wrap-up

**DESCRIPTION:**

Platte River Power Authority and Loveland Water and Power (LWP) Customer Relations will provide an overview of participation in residential and commercial energy efficiency and water conservation programs, associated savings, outreach tools and 2016 initiatives.

**SUMMARY:**

The purpose of this item is to review and summarize the residential and commercial energy efficiency and water conservation programs offered by LWP. A short summary of program goals, participation and energy savings can be found in Attachment A – Program Dashboard 2013 - 2015. Staff will discuss how programs fit into Platte River resource planning and discuss 2016 initiatives. A PowerPoint presentation will be given at the meeting.

Additionally, an overview of the variety of tools LWP uses to effectively communicate programs and services to the public will be provided for the LUC. Tools include print and electronic media, community events, and collaboration with community groups, organizations, companies and staff within the city.

**RECOMMENDATION:**

Staff item only. No action required.

**REVIEWED BY DIRECTOR:**

AB for SA

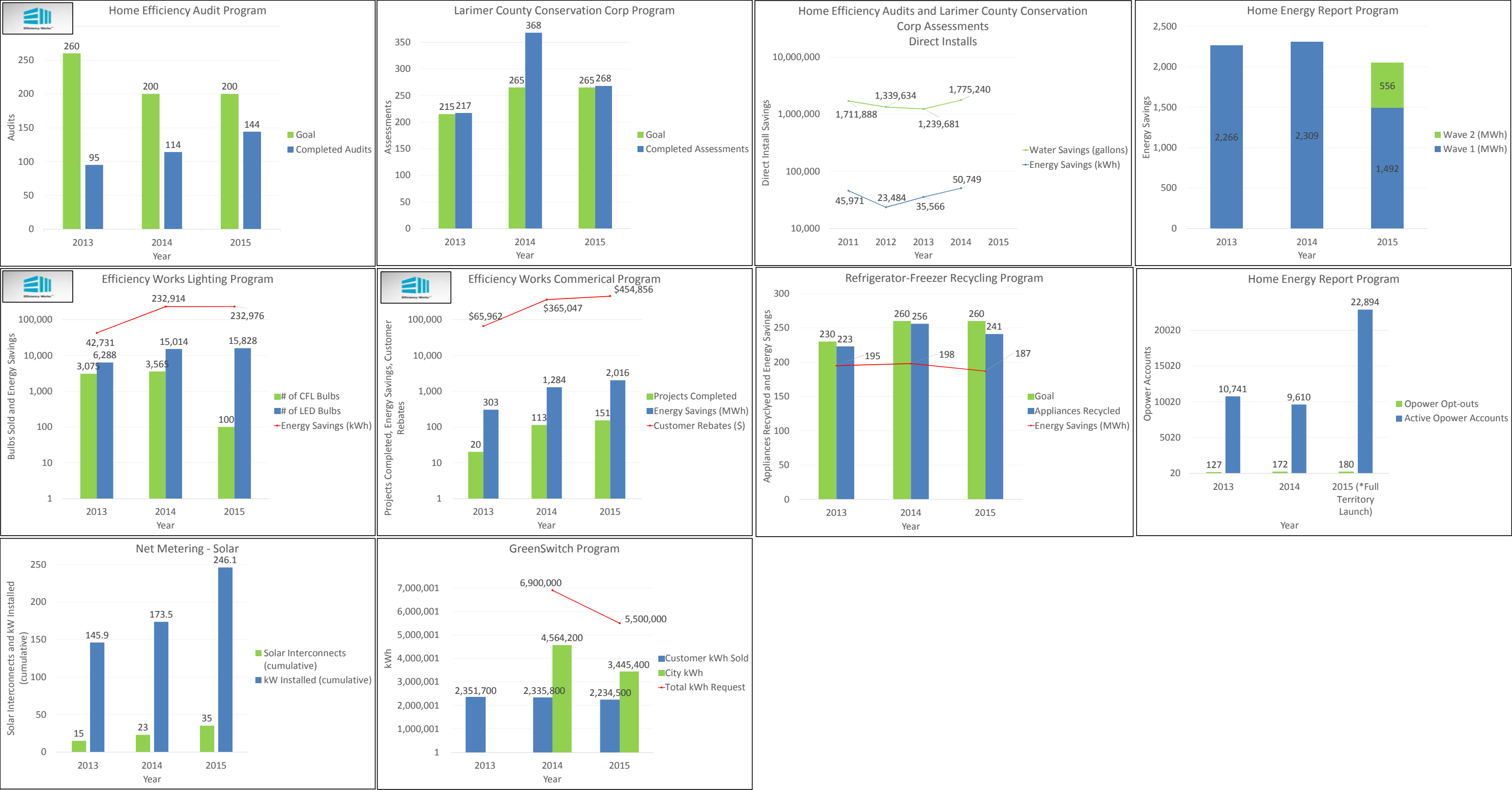
**ATTACHMENTS:**

- **Attachment A:** Program Dashboard 2013 - 2015



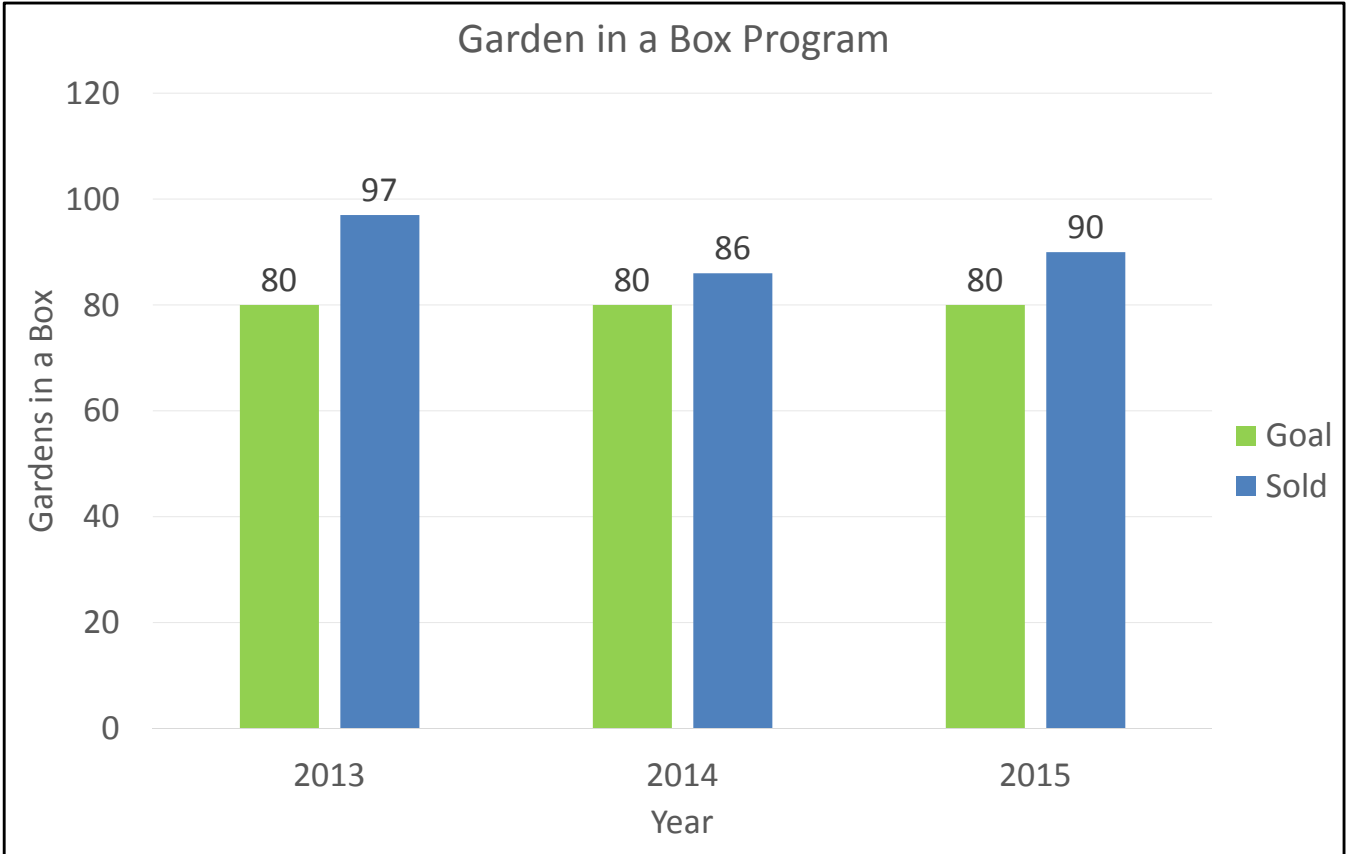
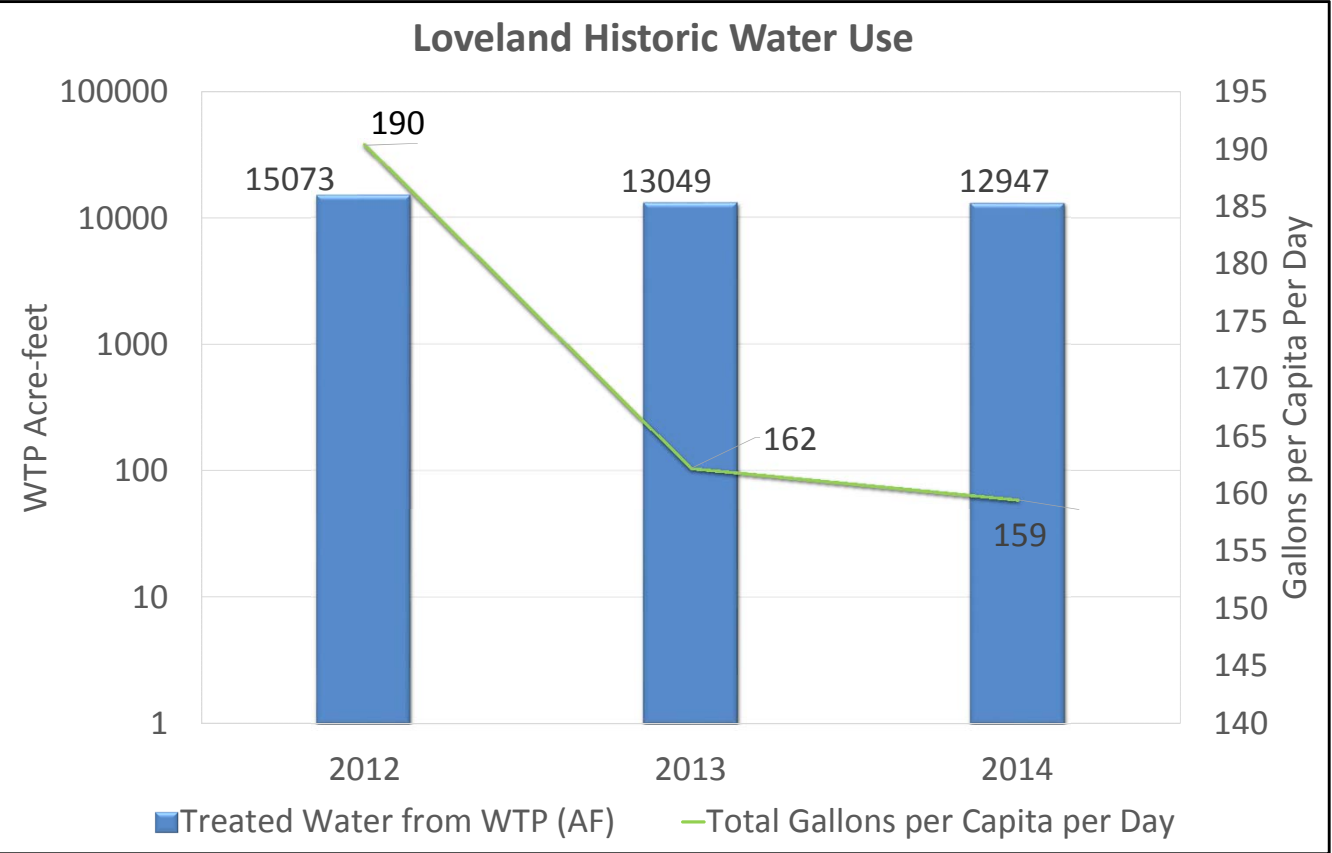
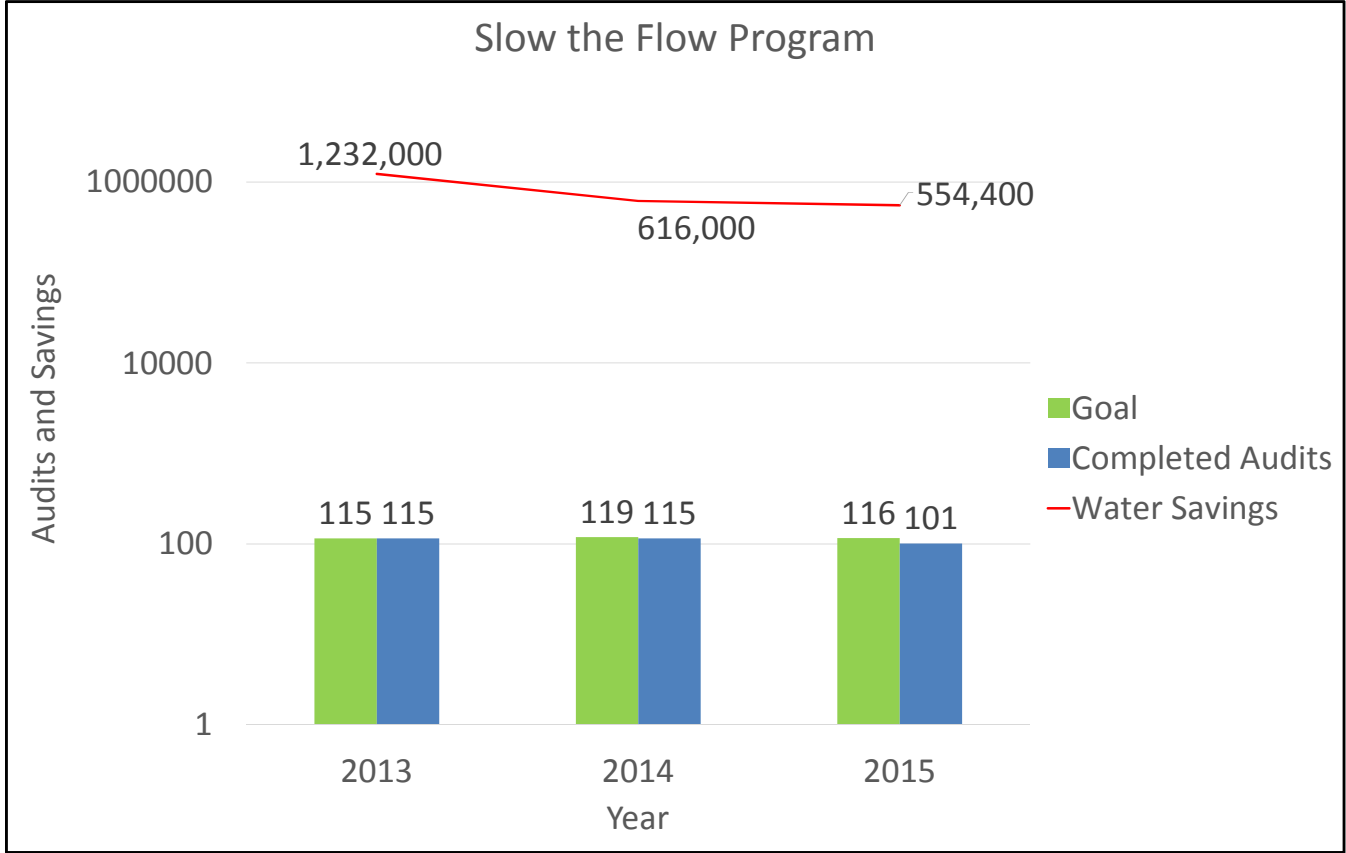
Attachment A

LWP CUSTOMER RELATIONS - ENERGY PROGRAMS DASHBOARD (12/30/2015)





LWP CUSTOMER RELATIONS - WATER PROGRAMS DASHBOARD (12/30/2015)





LWP CUSTOMER RELATIONS - OUTREACH DASHBOARD (12/30/2015)









**AGENDA ITEM:** 4  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Michelle Stalker, Technical Specialist

*Michelle Stalker*

**TITLE:** Addressing Non-Revenue Water

**DESCRIPTION:**

This item reviews what Loveland Water and Power (LWP) does to manage and reduce Non-Revenue Water losses.

**SUMMARY:**

Because of the increasing demands on water supplies, there is a greater need to responsibly and wisely use water resources. All water systems experience water losses to some degree. Instead of calculating our unaccounted for water, starting in 2016, LWP will be completing annual M36 Water Loss Audits. We will be employing the methodology found in the American Water Works Association's (AWWA's), Water Audits and Loss Control Programs, Manual of Water Supply Practices M36. We have begun by performing a top-down audit approach, to gather information from existing records, procedures, and databases to help categorize where the water that entered our distribution system during 2015 went. This information will be summarized in AWWA's Water Balance Table (see next page), which will help us obtain preliminary quantities of losses and their associated costs. The sum of each column of components in the Water Balance Table are equal and therefore "balance". The Water Balance Table is based on that the theory that all water placed into a distribution system would equal all the water taken out of a distribution system.

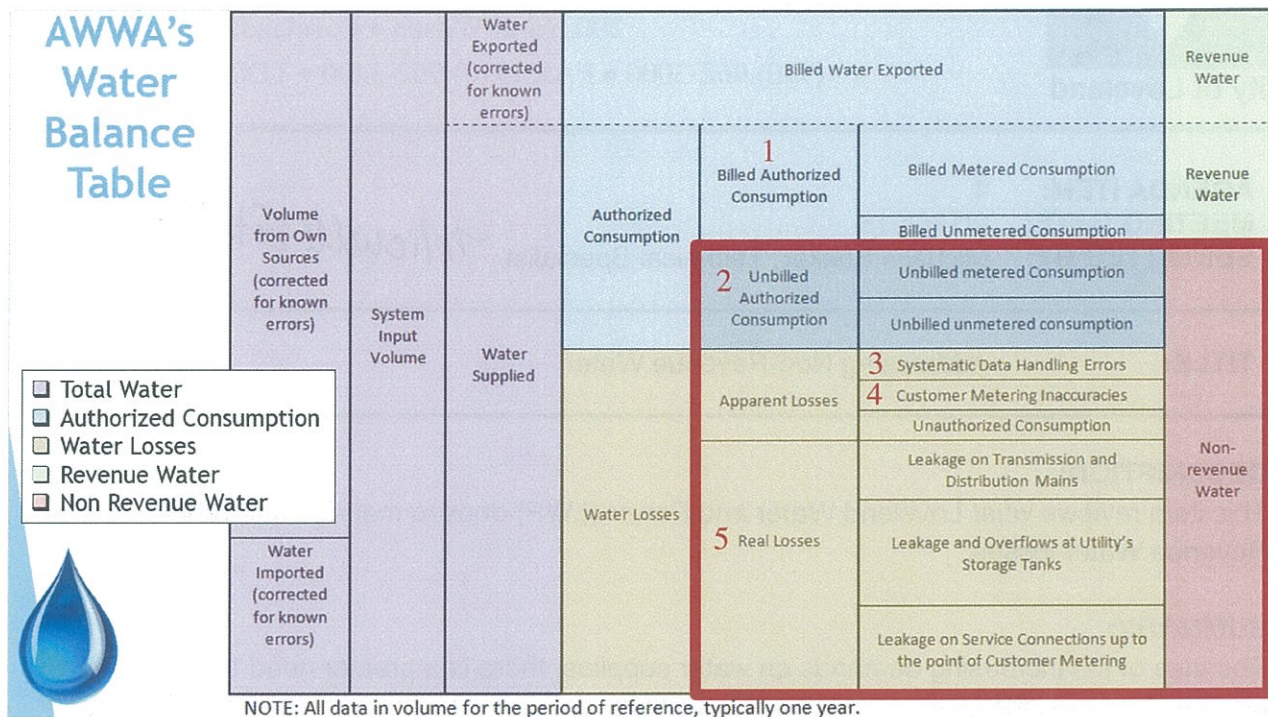
We will particularly focus on the categories of unbilled authorized consumption, apparent losses and real losses.

**Unbilled Authorized Consumption:** This is typically for water taken irregularly in a variety of manners from nonaccount connections that do not typically supply permanent structures.

**Apparent Losses Definition:** Nonphysical or "paper" water losses. No water is physically lost from the water supply process. These losses include unauthorized consumption, metering inaccuracies and systematic data handling errors.

**Real Losses Definition:** Physical water losses of treated, energized water from the water distribution system from breaks, leaks and overflows.





Going forward, each year we will work to refine our investigations by using more component analysis, a technique that models leakage volumes based on the nature of leak occurrences and the duration of the leak, as well as field investigations. These bottom-up audit approaches will help to validate and refine the findings from the desktop approach and help to further categories areas of Non-revenue Water (see outlined red box above). The red numbered above correspond to the red numbers below and each section describes in further detail what is included in this category of water use and what LWP is doing to manage these water uses.

**1. Billed Authorized Consumption:** The majority of our accounts are both metered and billed on a regular basis. LWP is working toward having more of the water uses be metered, particularly for internal City customers such as with Public Works:

- Most of the vehicles used for Street Sweeping, Streets and Storm Drainage now have water meters on the trucks and are billed quarterly for the water they use.
- There are 3 unmetered vehicles in Public Works that use water (rotomill, chemical Weed Sprayer, and a dump truck with large water tank). For these vehicles, we track the water used through a log based on the water tank capacity of the individual vehicles and this estimated consumption is billed quarterly.
- Providing temporary hydrant meter rentals for construction needs

**2. Unbilled Authorized Consumption:** Most utilities have some unbilled authorized uses of water, particularly for internal City customers such as for hydrant flushing, fire-fighting and sanitizing of new water lines. LWP has been making great strides in this area to better account for this water by installing more meters to more closely account for the water used. We are working to have more of the historically non-metered unbilled areas be metered by employing practices such as:

- Perform a thorough analysis of all points where we do not charge for water and researching why they are uncharged. The majority of these are internal City customers



for activities such as watering landscaping in the down town area, parks usage, and detention pond irrigation, etc.

- Improve water consumption tracking and estimations for situations in which it would be impractical to meter the water consumption such as for flushing of hydrants, sanitizing of lines, firefighting, hydrant flow tests, etc.
- Work toward transitioning to billing for internal City consumption.
- For water consumed at public events, we track water consumption through temporary meters. Any free water for these events requires the approval of the director of LWP.

**3. Systematic Data Handling Errors:** Water & Power and Public Works are working with our Finance Department on the development of a Request for Proposal (RFP) for a consultant to look for billing errors for water, wastewater, power, stormwater and solid waste. The consultant will work to find areas in which we may be able to recapture revenue such as when a City rate structure was misapplied, finding billing system inaccuracies, detecting unknown connections, finding account coding errors, flagging chronic meter reading errors, etc. Some of this work may lead to corrections in the actual number of the gallons of water consumed to help us more accurately reflect our true water consumption. This is an important component identified in the AWWA M36 Water Loss Audit Program.

**4. Customer Meter Inaccuracies:** Water Meters are like the cash registers for the Water Utility. It is important that they accurately record water usage, particularly for customers that use a lot of water, so that the utility is paid for the water that customers use and so that each customer pays their fair share of the cost of the utility. LWP works hard to test our meters on an ongoing bases.

- **Large Meters:** 1-1/2" and greater sized meters are tested every 5 years.
- **Account Anomalies:** 5/8" and 3/4" meters are tested when there is some type of anomaly recorded such a big change in consumption or a problem with the actual meter (high bill, meter stuck, non-consumption read, meter malfunction, etc.)
- **Interconnect Meters:** In 2015, we tested the 6" interconnect meter with the Fort Collins-Loveland Water District. Last year, we installed a new meter on the Little Thompson Water District interconnection.

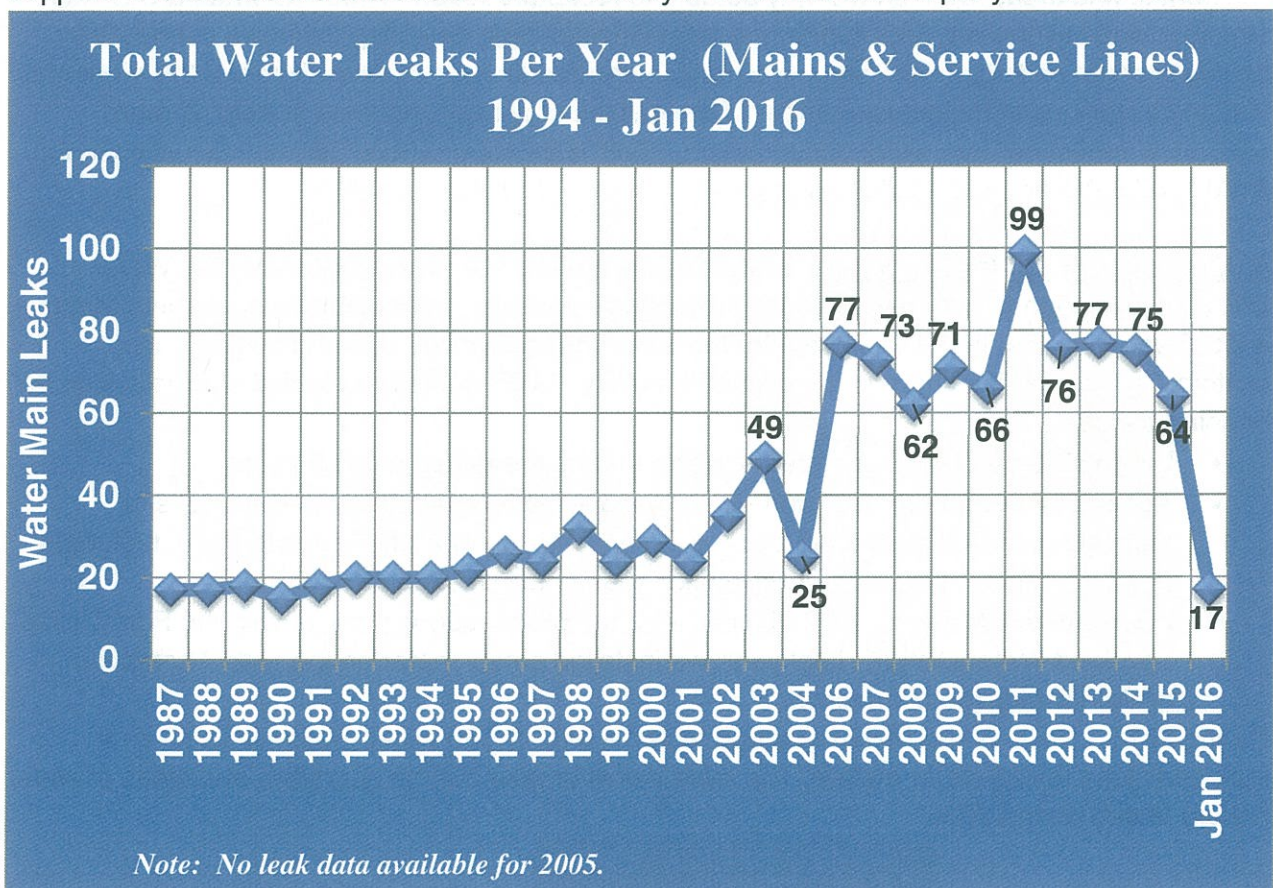
During 2015, LWP's Water Metering group tested a total of 680 water meters in 2015 and replaced close to 530 water meters. The table below breaks out the quantities and types of water meters tested during 2015.

Size of Meter	Quantity Tested in 2015
3/4"	392
1"	191
1.5"	59
2"	16
3"	16
4"	3
6"	3
<b>Total</b>	<b>680</b>



**5. Real Water Losses:** Real Water Losses are physical water losses of treated, energized water from the water distribution system from breaks, leaks and overflows. From 2004 to 2011, we saw an overall increase in water leaks with an all-time high in 2011 of 99 leaks (82 water main leaks and 17 service line leaks). City Council approved the Water Division's request for additional investment through rate increases starting in 2014 to help us address leaks associated with aging and failing infrastructure, and we were given a \$6 million program budget to put toward these efforts.

We are now starting the third phase of our waterline replacement and rehabilitation program in which we have focused our efforts on the worst performing water lines in the water distribution system. Through these efforts, we have seen a dramatic decrease in our leak rates at about two thirds of what it was in 2011. We are pleased to share these results and grateful for continued support. Please see the chart below LWP's history of waterline breaks per year since 1987.



On the next 2 pages is a table that breaks down where the \$6 Million funding from City Council has been used or is scheduled to be used to replace or rehabilitate waterlines. The majority of these water lines experienced external corrosions.

We employed the following combination of types of construction methods to rehabilitate or replace these water lines:

**Open Cut:** This is the traditional approach and includes cutting out a section of the street, excavating around the leaking pipe and replace the damaged pipe section with a new pipe.

**Caste in Place Pipe (CIPP):** This is a trenchless rehabilitation technique that lines the inside of the pipe with a cured in place pipe liner.

**Pipe Burst:** This is a trenchless method of replacing buried pipes that involves launching and receiving pits at the ends of a section of pipe and pulling a structure through the pipe and applying outward pressure to burst open the existing pipe underground and to pull through a new intact pipe to take its place.

Phase 1 - 2013 Waterline Replacement Project				
Location	Type of Construction	Approx. Length	Original Pipe Diameter/Type	New Pipe Diameter/Type
Butternut Dr.	Open cut	1210'	6"	8" PVC
Greeley Dr.	Open cut	700'	6"	8" PVC
Katie Dr. & Jill Dr.	Open cut	2,200'	6" and 8"	8" PVC
E. 2 <sup>nd</sup> St. between Washington Ave. & Monroe Ave. & Monroe Ave. between E. 1 <sup>st</sup> St. and 4 <sup>th</sup> St. SW	Open cut	1,860'	3" & 6"	8" PVC
Phase 2 - 2014 Waterline Replacement Project				
Location	Type of Construction	Approx. Length	Original Pipe Diameter/Type	New Pipe Diameter/Type
Jefferson Drive & Jefferson Court	Open cut	1065' 110'		8" PVC 6" PVC
Fairplay Drive	Open cut	1,630' 40'		8" PVC 6" PVC
Village Avenue & W 16 <sup>th</sup> Street	Pipe burst	1,065' 50'	8" 6"	8" PVC 6" PVC
N. Jefferson Ave. between Hwy 34 and E. 16 <sup>th</sup> St.	Open cut	614' 50'	2" 2"	8" PVC 6" PVC
SW 6 <sup>th</sup> St. east of Dotsero Dr.	Pipe burst	525' 50'	4" 4"	8" PVC 6" PVC
SW 35 <sup>th</sup> St. off S. Garfield Ave.	Pipe burst	720' 35'	6" 6"	8" PVC 6" PVC
Van Buren Avenue & Joselyn Drive	Open cut	1,200'	6"	8" PVC

Phase 3 - 2015 Waterline Replacement Project				
Location	Type of Construction	Approx. Length	Original Pipe Diameter/Type	New Pipe Diameter/Type
*E. 2 <sup>nd</sup> St. between St. Louis Ave. and Madison Ave.	Open cut	1,330'	2"	8" PVC
*SW 10 <sup>th</sup> St. between Dotsero Dr. and Heather Dr.	CIPP	1,660'	6"	6"
SW 14 <sup>th</sup> St. between Dotsero Dr. and Wilson Ave.	Mostly CIPP	1,900' 900' 80'	12" 8" 6"	12" 8" 6"
Francis Dr. between SW 23 <sup>rd</sup> St. and Gail Ct.	Mostly CIPP (391' open cut)	1,600' 275'	6" 4"	6" 4"
Good Samaritan Campus on the west edge	CIPP	215'	8"	8"
*Under BNSF Railroad between Aurthur Dr. and E. 15 <sup>th</sup> St.	CIPP	160'	10"	10"
* Note: Construction on these sections are scheduled to start in the spring of 2016 and conclude in the summer of 2016.				
Summary of Work 2013-2016 YTD				
<ul style="list-style-type: none"> <li>•Spent \$5.4 million to date</li> <li>•Replaced/rehabbed just over 5 miles of waterlines</li> </ul>				

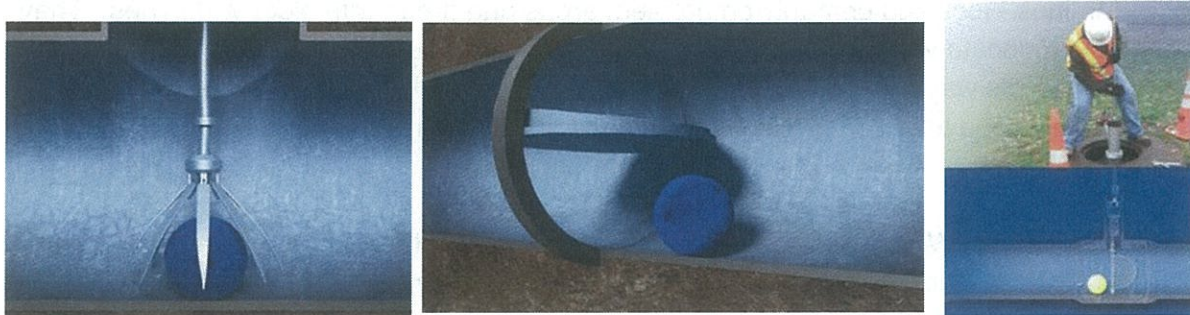
**Non-revenue Water Study:** In August 2015, City Council approved a non-revenue water study for \$150,000 as part of a Supplemental Appropriation Request. The City has a 36" diameter steel water transmission line constructed in 1961 west of town. Due to flood related work, it was discovered that water was leaking from this pipe somewhere along a 14,500' stretch between the Water Treatment Plant Meadow and the City Mod-Valve and that the exterior of pipe was seen to have areas of corrosion and exterior coating damages. This waterline crosses State Highway 34 in three locations and the Big Thompson River in four locations, and is located in fields and near residences throughout the stretch, all which make access to evaluating the pipe much more challenging. This pipe connects to a critical 34" diameter steel water transmission line installed in 1962 that continues along an old railroad south of Highway 34. It is the City's intent to use the supplemental request to help fund a leak detection and condition assessment study to better understand the extent and severity of damage to these water transmission lines between the Meadow and Wilson Avenue.

Staff put out a Request for Qualifications and received responses from three firms, each of which employ various technologies. Staff has selected Pure Technologies as the consultant to perform this leak detection and condition assessment. The following are the two basic applications that Pure Technologies employs that could perform this work.

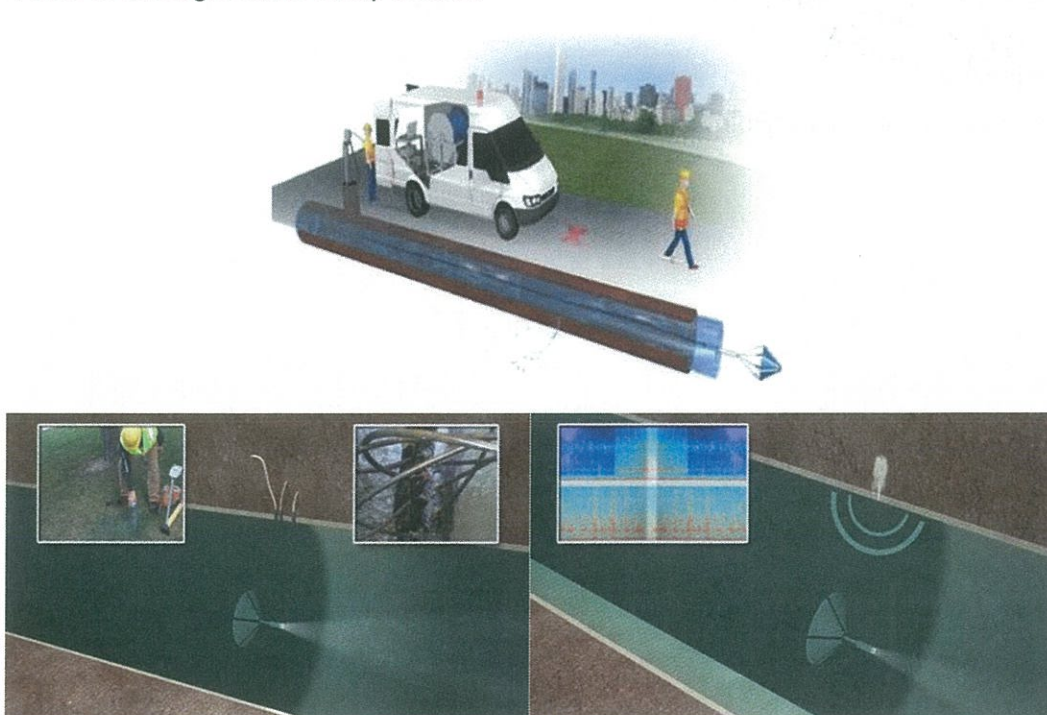
Staff reviewed Statement of Qualifications from three firms, each of which employ various technologies that can address the condition of these water transmission lines. Staff has selected Pure Technologies to perform this work. They have the following two primary methods that may be used to evaluate this transmission line.



**Option 1 – SmartBall:** This technology uses a free-swimming ball that is inserted into the water transmission line that travels through the water main while in operation and detects information during its journey. The ball is inserted and retrieved through 4" wide full port valves. The watertight core of the ball houses instruments with an acoustic sensor, accelerometer, magnetometer, GPS synchronized ultrasonic transmitter and temperature sensor. All of this is enclosed in an outer foam shell. A SmartBall can flow through many miles of pipelines in a single deployment and can also flow through butterfly valves. After the SmartBall is retrieved, the data collected helps to identify locations of leaks, air pockets, areas of pipe wall stress and other pipe anomalies. It is accurate to within 6' and can identify leaks as small as 0.28 gallons per minute.



**Option 2 – Sahara:** This is a tethered technology in which an acoustic sensor and HDTV camera are inserted into the transmission main. A small parachute uses the flow of the water to draw the sensor and camera through the pipeline while an operator monitors the progress. The tethered sensor and camera send signals to the surface and allow for real time results. This technology is able to find and locate leaks and gas pockets, inline valves, branches, redundant connections, illegal connections, tuberculation, debris and partial blockages. The equipment (cable drum, computers, generator, and power pack) is contained in a truck parked near the access point to the line. The Sahara II equipment can be used to inspect between 2,500 to 5,000 feet of pipelines per day. Due to this equipment being tethered, it is not able to pass through butterfly valves or through some sharp bends.



**In-House Leak Detection:** LWP's Water Operations group owns LC-2500 Leak Noise Correlators - contractor grade leak detection and locating equipment. Acoustic sound sensors are placed in contact with the pipe, at two points, to record the sound emitted by a leak (e.g. a hissing noise) somewhere between the points. The sound data is processed through a mathematical algorithm that compares or correlates the two recordings to determine the difference in the times it takes noise to travel from the site of the leak to each of the sensors. The primary purposes of this equipment is to first detect the presence of leaks on section of line, and second to pinpoint the location of leaks for repair. Over the last 5 years, from 2011 to 2015, the Water Operations group has performed acoustic leak detection on 87.5 miles of our 437.5 total miles of water lines - focusing primarily on problem areas and areas with older waterlines. They have been able to locate various non-surfacing leaks with this equipment such as when the leaking water finds its way to a storm drain, a sewer manhole, a river crossing or into a high water table. They hope to increase the number of miles they listen to each year as staffing and resources will allow.

**Conclusion:** Overall, LWP is working hard to track, manage and reduce our non-revenue water through a thorough audit of the water entering and existing our water distribution system, working in collaboration with other departments to have an audit performed of our billing system, continuing with our proactive meter testing and acoustic leak detection programs, continuing to work on water line rehabilitation and replacement projects on the most needed areas and through a leak detection and condition assessment of approximately 5 miles of one of our primary water transmission mains. LWP staff will continue to provide periodic updates in this area to the LUC.

**RECOMMENDATION:**

Staff item only. Not action required.

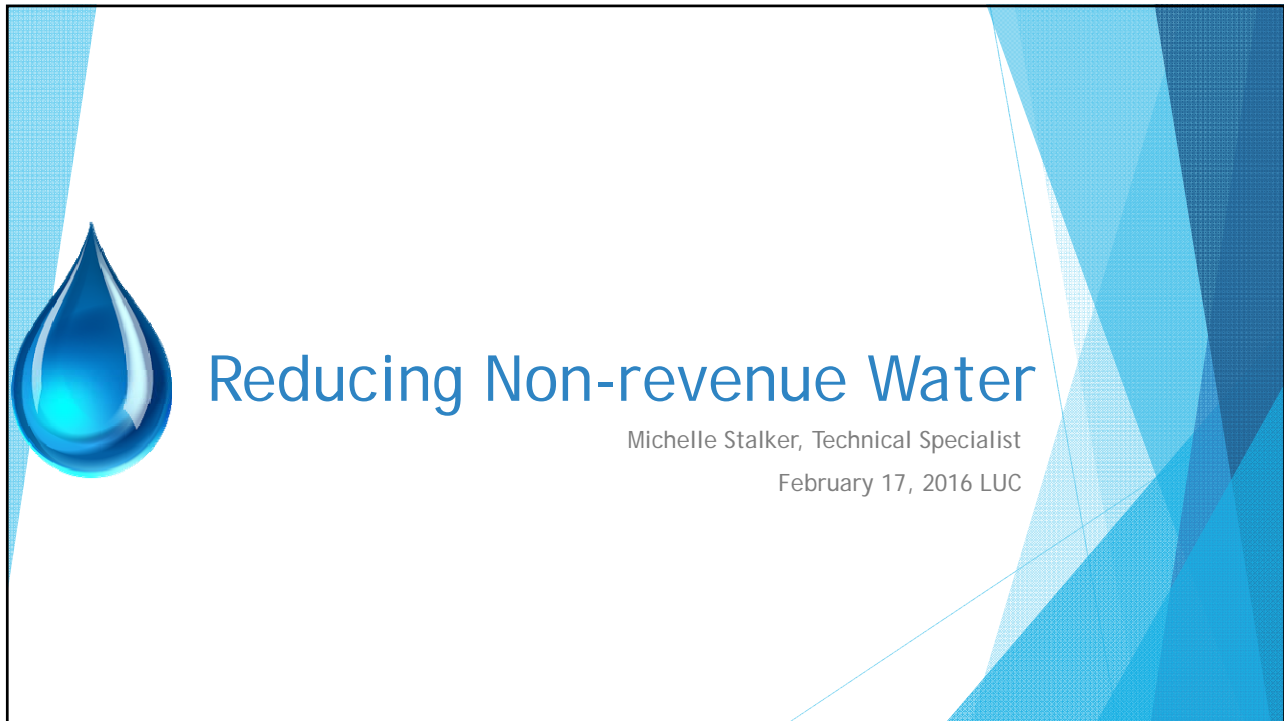
**REVIEWED BY DIRECTOR:**

*AB for SA*

**ATTACHMENTS**


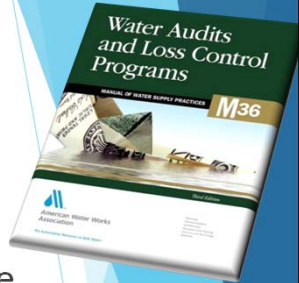
- **Attachment A:** PowerPoint slides





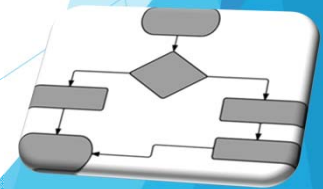
### What is an M36 Water Loss Audit

- ▶ **Water Audit:** Traces the flow of water from water treatment through the water distribution system and into customer properties
- ▶ **Water Balance Table:** Based on the theory that all water placed into a distribution system would equal all the water taken out of a distribution system
  - ▶ Summarizes water audit findings
  - ▶ The sum of each column are equal and therefore "balance"
  - ▶ **Note:** *Because all water is quantified (by measurement or estimate) as either authorized consumption or losses, we no longer use the term "Unaccounted for Water". The focus is now on reducing and managing "Non-revenue Water".*



### 3 Levels of Water Auditing Process

- ▶ **Top-down Approach:** Desktop process of gathering information from existing records, procedures, data and other information systems.
- ▶ **Component Analysis:** Technique that models leakage volumes based on the nature of leak occurrences and duration and is used to model various occurrences of apparent losses.
- ▶ **Bottom-up Approach:** Validates the top-down results with actual field measurements, physical inspections, and process flowcharting of customer billing systems.

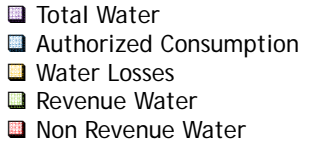


Water Balance Table		Volume from Own Sources (corrected for known errors)	System Input Volume	Water Exported (corrected for known errors)	Billed Water Exported			Revenue Water
<div><div></div> Total Water</div> <div><div></div> Authorized Consumption</div> <div><div></div> Water Losses</div> <div><div></div> Revenue Water</div> <div><div></div> Non Revenue Water</div>	Authorized Consumption				Billed Authorized Consumption	Billed Metered Consumption	Revenue Water	
		Unbilled Authorized Consumption	Billed Unmetered Consumption	Non-revenue Water				
	Water Losses		Apparent Losses		Unbilled metered Consumption			
		Real Losses			Unbilled unmetered consumption			
					Systematic Data Handling Errors			
	Water Imported (corrected for known errors)	Water Supplied	Water Losses	Apparent Losses	Customer Metering Inaccuracies			
Real Losses					Unauthorized Consumption			
					Leakage on Transmission and Distribution Mains			
				Leakage and Overflows at Utility's Storage Tanks				
				Leakage on Service Connections up to the point of Customer Metering				

NOTE: All data in volume for the period of reference, typically one year.





Water Balance Table		Water Exported (corrected for known errors)		Billed Water Exported		Revenue Water
 <ul style="list-style-type: none"> <li>Total Water</li> <li>Authorized Consumption</li> <li>Water Losses</li> <li>Revenue Water</li> <li>Non Revenue Water</li> </ul>	Volume from Own Sources (corrected for known errors)	System Input Volume	Water Supplied	Authorized Consumption	Billed Authorized Consumption	Revenue Water
					Billed Metered Consumption	Revenue Water
					Billed Unmetered Consumption	Revenue Water
					Unbilled Authorized Consumption	Non-revenue Water
Water Imported (corrected for known errors)	Water Supplied	System Input Volume	Water Losses	Apparent Losses	Unbilled metered Consumption	Non-revenue Water
					Unbilled unmetered consumption	
					Systematic Data Handling Errors	
					Customer Metering Inaccuracies	
Water Supplied	Water Losses	System Input Volume	Real Losses	Leakage on Transmission and Distribution Mains	Unauthorized Consumption	Non-revenue Water
					Leakage and Overflows at Utility's Storage Tanks	
					Leakage on Service Connections up to the point of Customer Metering	

NOTE: All data in volume for the period of reference, typically one year.

## Unbilled Authorized Consumption

Unbilled Authorized Consumption	Unbilled metered Consumption
	Unbilled unmetered consumption

### ► Typical types of water uses in these categories:

- Fire fighting and fire training grounds
- Street cleaning
- Hydrant/line flushing
- Water quality testing
- Construction sites and sanitizing lines
- Water used in the treatment process
- Landscaping/irrigation in public areas
- Water for some public events

### ► Goals:

- Quantify Usage: Ensure water is not wastefully used - to the extent practical
  - Install meters when possible
  - Estimate water usage when not metered
- Safety: Ensure these types of water consumption do not pose safety concerns
- Revenue Recovery: Change to billed status when possible even if through flat fees



## Apparent Losses: System Data Handling Errors

Auditing and flowcharting the customer billing system to determine the potential for apparent losses from data handling errors such as:

### ► Data Transfer Errors

- Meters reading errors
- Procedural/data entry errors during meter change-outs

### ► Data Analysis Errors

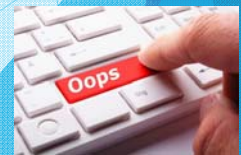
- Poorly estimated volumes in lieu of actual readings
- Billing adjustments that manipulate actual metered consumption data
- Poor customer account management (accounts not activated, lost or transferred erroneously)

### ► Policy and Procedure Shortcomings

- Customers intentionally left unmeasured or unread or that enter nonbilled status
- Adjustment policies that do not preserve actual customer consumption data
- Bureaucratic regulations or performances lapses resulting in delays to permit, meter or bill
- Organization divisions or tensions that do not recognize the importance of water loss control



Apparent Losses	Systematic Data Handling Errors
	Customer Metering Inaccuracies
	Unauthorized Consumption



## Apparent Losses: Customer Metering Inaccuracies

### ► Addressing Customer Metering Inaccuracies: Rotate and test meters and review customer account demographics for anomalies

#### ► Physical accuracy

- Is it measuring correctly and functioning properly?

#### ► Appropriate sizing

- Is the meter sized for the most usually encountered flow range rather just peak flow sizing?

#### ► Appropriate type

- Is the correct type of meter being used?
  - Turbine Meter: For continuous moderate and high flows (periodic low flows result in apparent losses)
  - Compound Meters: For variable flows



Apparent Losses	Systematic Data Handling Errors
	Customer Metering Inaccuracies
	Unauthorized Consumption



## Apparent Losses: Unauthorized Consumption

- ▶ **Nature and extent of unauthorized consumption** largely dependent on economic health of community, value of water to the community, strength and consistency of enforcement.
- ▶ **Types of unauthorized usage to look for:**
  - ▶ Illegal connections and open bypasses
  - ▶ Buried or obscured meters
  - ▶ Misused fire hydrants and fire-fighting systems
  - ▶ Tampered meters or meter reading equipment
  - ▶ Illegal opening of intentionally closed valves
    - ▶ Customers that discontinued services or were shut off for non-payment
    - ▶ To neighboring water distribution systems
  - ▶ Failure to notify water utility to activate an account after water use has been initiated



Apparent Losses	Systematic Data Handling Errors
	Customer Metering Inaccuracies
	Unauthorized Consumption



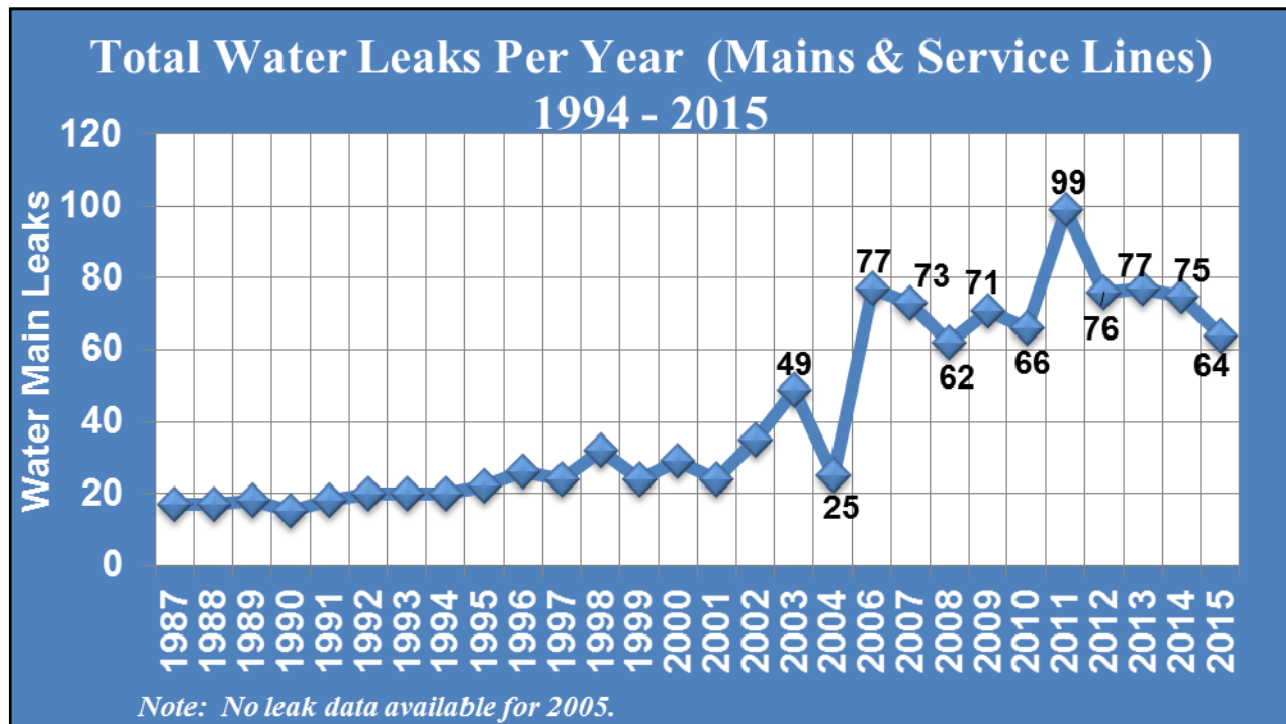
## Real Losses: Leakages & Overflows

- ▶ **Real Losses** are physical losses of treated, energized water from the distributions system
- ▶ **Volume of Loss Affected By**
  - ▶ Number of leaks
  - ▶ Magnitude of leaks
  - ▶ Operating pressures
  - ▶ Total time leaks are permitted to run

→ Real Losses

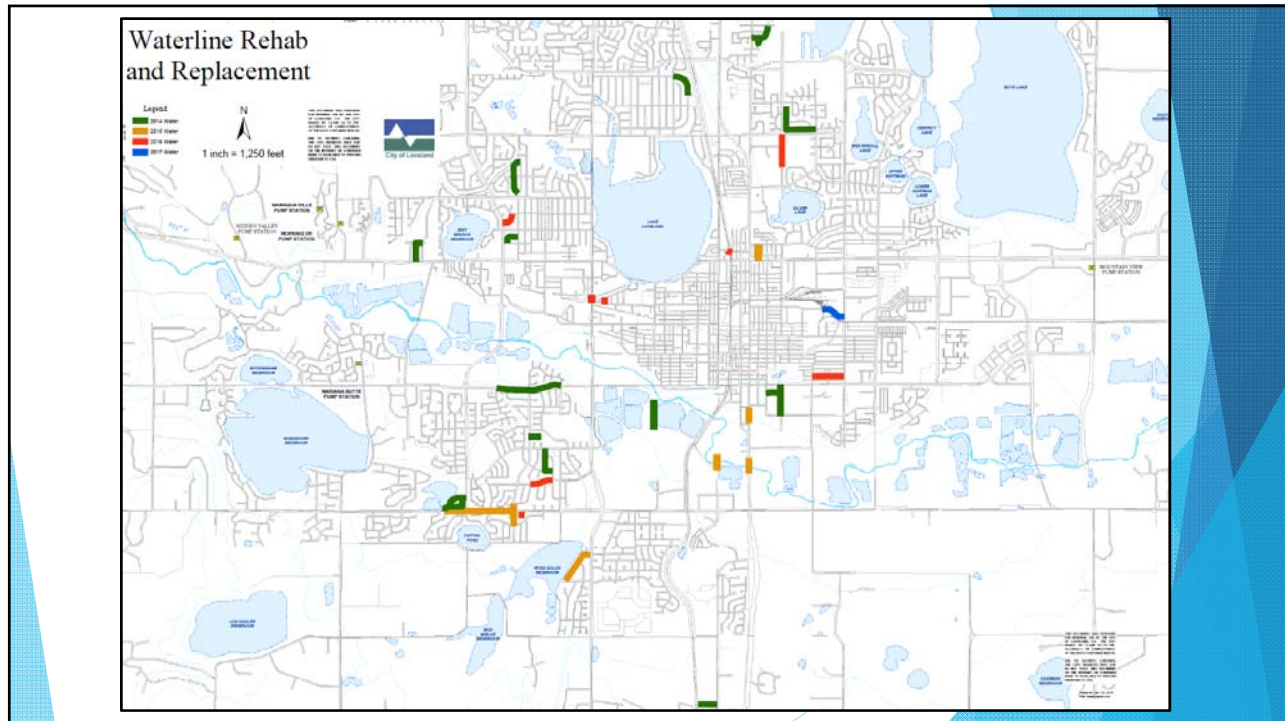
Real Losses	Leakage on Transmission and Distribution Mains
	Leakage and Overflows at Utility's Storage Tanks
	Leakage on Service Connections up to the point of Customer Metering





## Signs of Failing Infrastructure





## Open Cut:

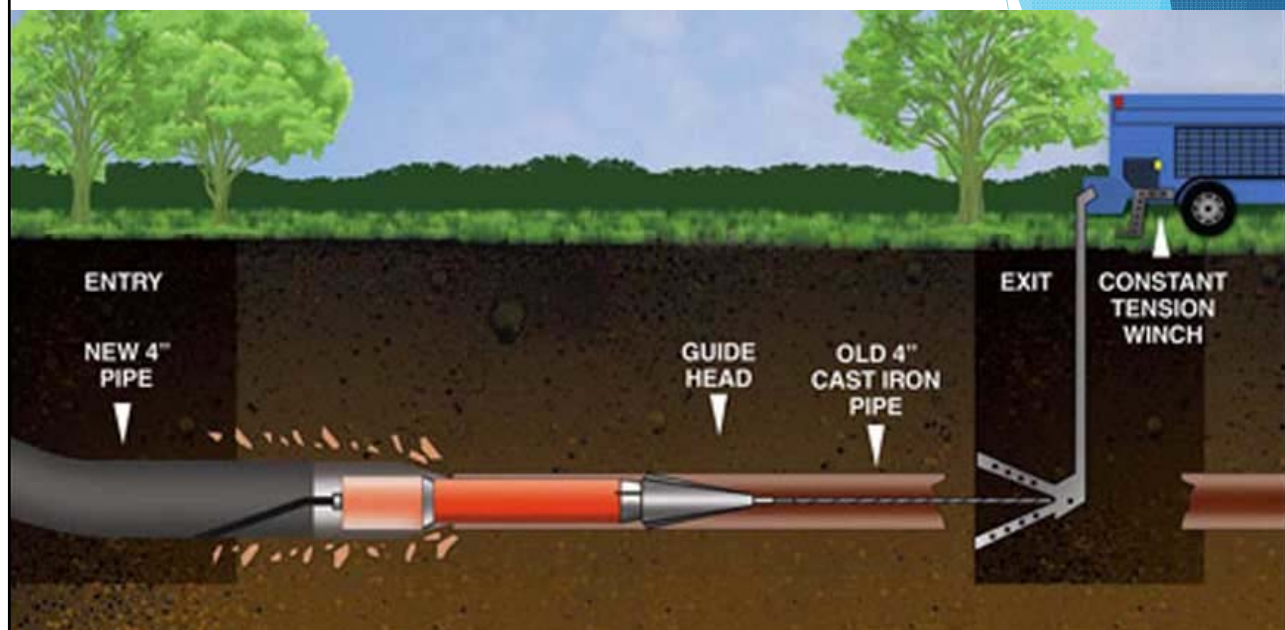




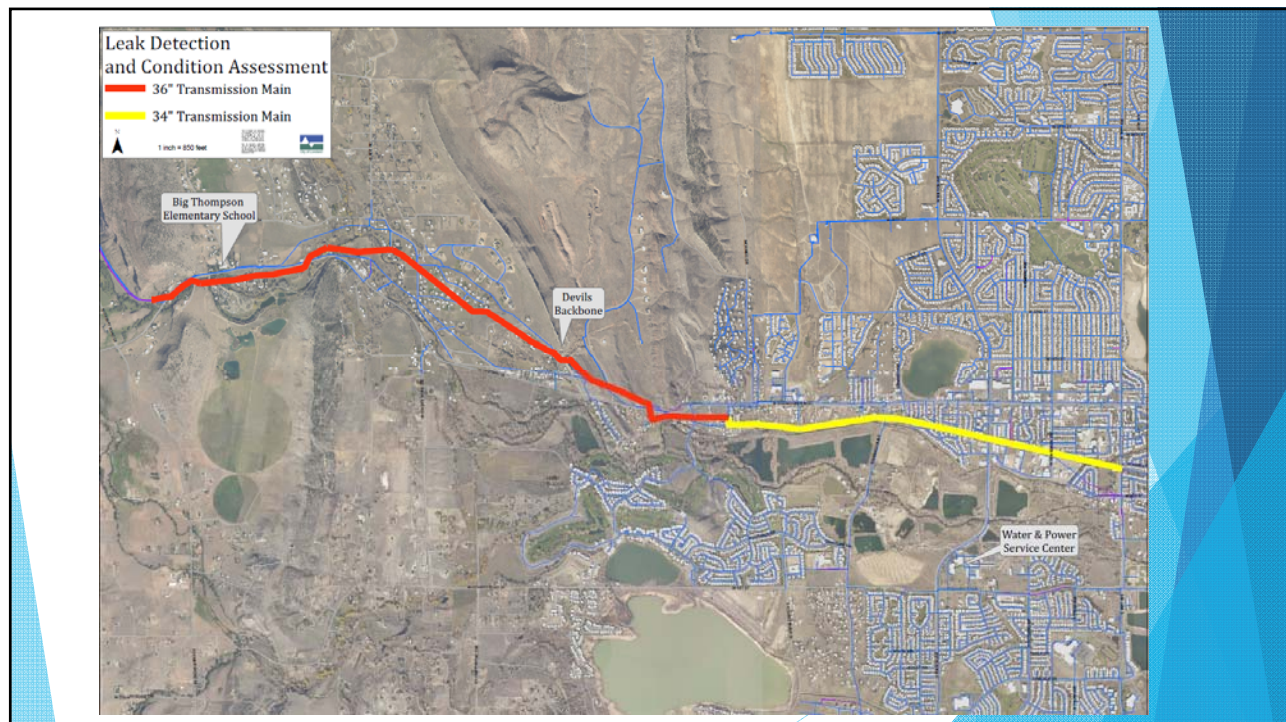
## Cured in Place Pipe (CIPP):



## Pipe Burst:







## Smart Ball Option

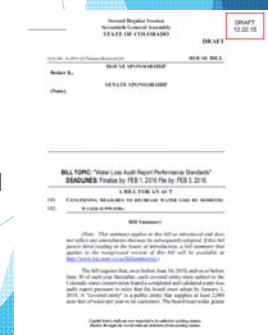


## Sahara Option



## Going forward...

- ▶ **By the end of 2016:**
  - ▶ Complete 1st year of M36 water loss audit and identify areas for improvement
  - ▶ Finish the \$6 Million water line/rehabilitation project
- ▶ **Annually perform water loss audits** to make improvements to:
  - ▶ Address issues that are found
  - ▶ Incorporate more bottom-up audit approaches
  - ▶ Improve the tracking of water throughout the distribution system
  - ▶ Reduce non-revenue water where practical
- ▶ **Continue Proactive Approaches:**
  - ▶ Meter testing program
  - ▶ Line rehabilitation and replacements
  - ▶ Condition assessments
- ▶ **Possible 2016 Legislation:** Water Loss Audit Report Performance Standards Bill
  - ▶ Perform annual water loss audits starting with 2017 water consumption
  - ▶ Validate water loss finding by 3<sup>rd</sup> party and submit to the state by June 30<sup>th</sup> of each year for the previous year's water consumption data





Questions?







**AGENDA ITEM:** 5  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Jim Lees, Utility Accounting Manager

**TITLE:** Quarterly Financial Report Update (4th Quarter 2015)

**DESCRIPTION:**

This item summarizes the monthly and year-to-date Preliminary financials for December 2015.

**SUMMARY:**

The December 2015 financial reports are submitted for Commission review. The following table summarizes the sales and expense results for the month of December, and the December Year-To-Date results in comparison to the same periods from 2014. The summarized and detailed monthly financial statements that compare December Year-To-Date actuals to the 2015 budgeted figures are attached.

	December				December Year-To-Date			
	2015	2014	\$ Ovr/(Und) vs. 2014	% Ovr/(Und) vs. 2014	2015	2014	\$ Ovr/(Und) vs. 2014	% Ovr/(Und) vs. 2014
<b>WATER</b>								
Sales	\$676,753	\$660,845	\$15,908	2.4%	\$11,947,460	\$10,773,505	\$1,173,955	10.9%
Operating Expenses	\$1,008,191	\$1,742,534	(\$734,343)	-42.1%	\$11,030,849	\$10,916,936	\$113,912	1.0%
Capital (Unrestricted)	\$1,958,645	\$2,877,490	(\$918,845)	-31.9%	\$10,367,221	\$8,555,335	\$1,811,886	21.2%
<b>WASTEWATER</b>								
Sales	\$760,186	\$676,053	\$84,132	12.4%	\$9,057,418	\$8,229,133	\$828,285	10.1%
Operating Expenses	\$607,108	\$460,609	\$146,499	31.8%	\$6,123,987	\$6,009,646	\$114,341	1.9%
Capital (Unrestricted)	\$299,933	\$70,501	\$229,432	325.4%	\$2,503,907	\$1,776,282	\$727,624	41.0%
<b>POWER</b>								
Sales	\$4,407,776	\$4,250,082	\$157,694	3.7%	\$55,971,562	\$52,507,782	\$3,463,780	6.6%
Operating Expenses	\$4,645,925	\$4,813,444	(\$167,519)	-3.5%	\$52,390,890	\$51,861,552	\$529,338	1.0%
Capital (Unrestricted)	\$615,098	\$1,029,929	(\$414,831)	-40.3%	\$5,826,323	\$6,956,354	(\$1,130,031)	-16.2%

**RECOMMENDATION:**

Staff report only. No action required.

**REVIEWED BY DIRECTOR:**

  
**LIST OF ATTACHMENTS:**

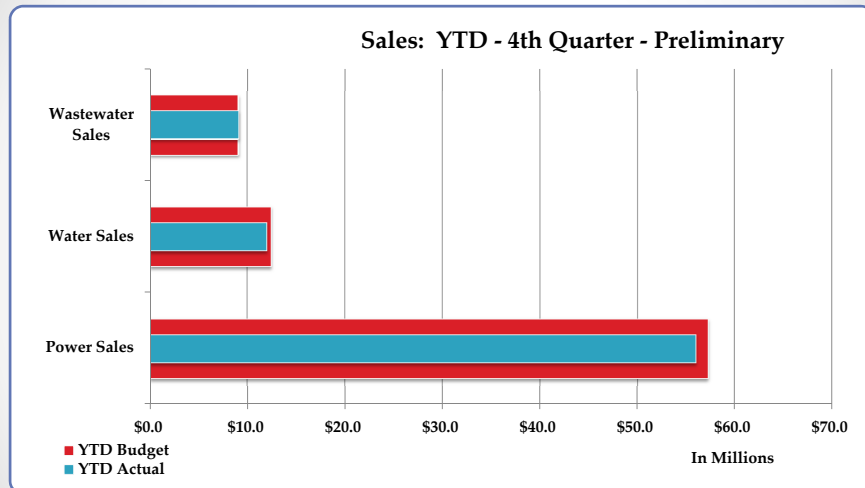
- **Attachment A:** PowerPoint Slides
- **Attachment B:**
  - City of Loveland Financial Statement-Raw Water
  - City of Loveland Financial Statement-Water
  - City of Loveland Financial Statement-Wastewater
  - City of Loveland Financial Statement-Power

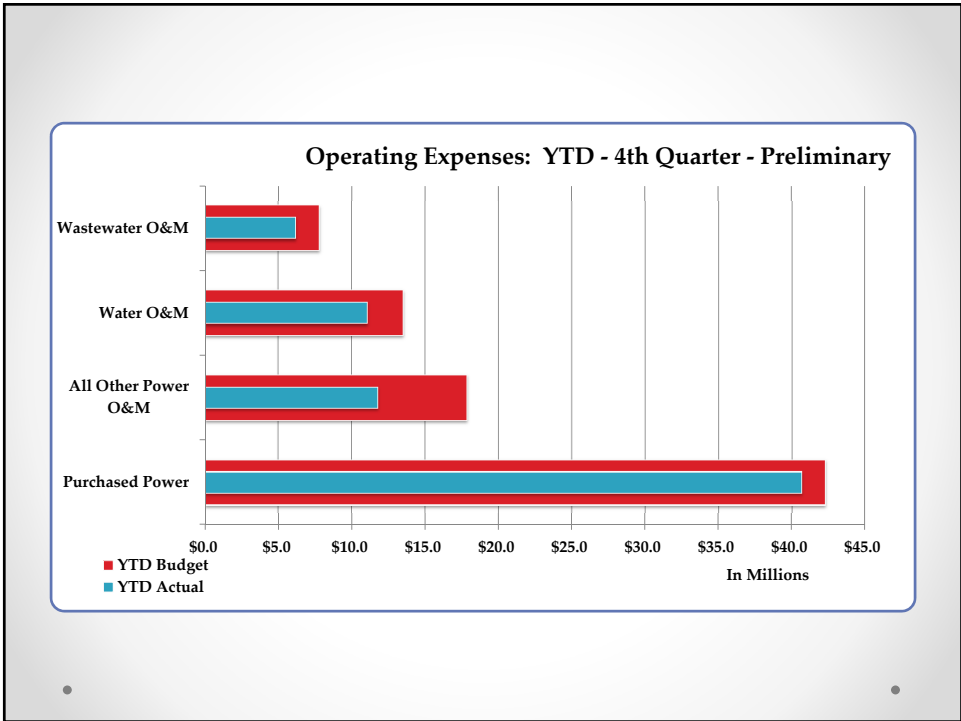
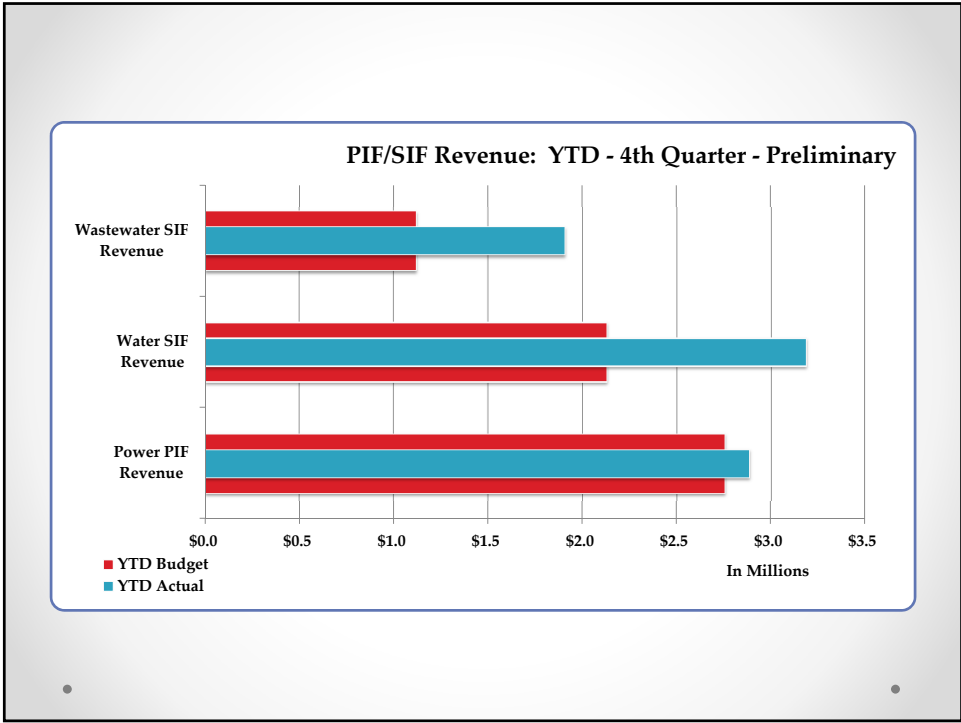




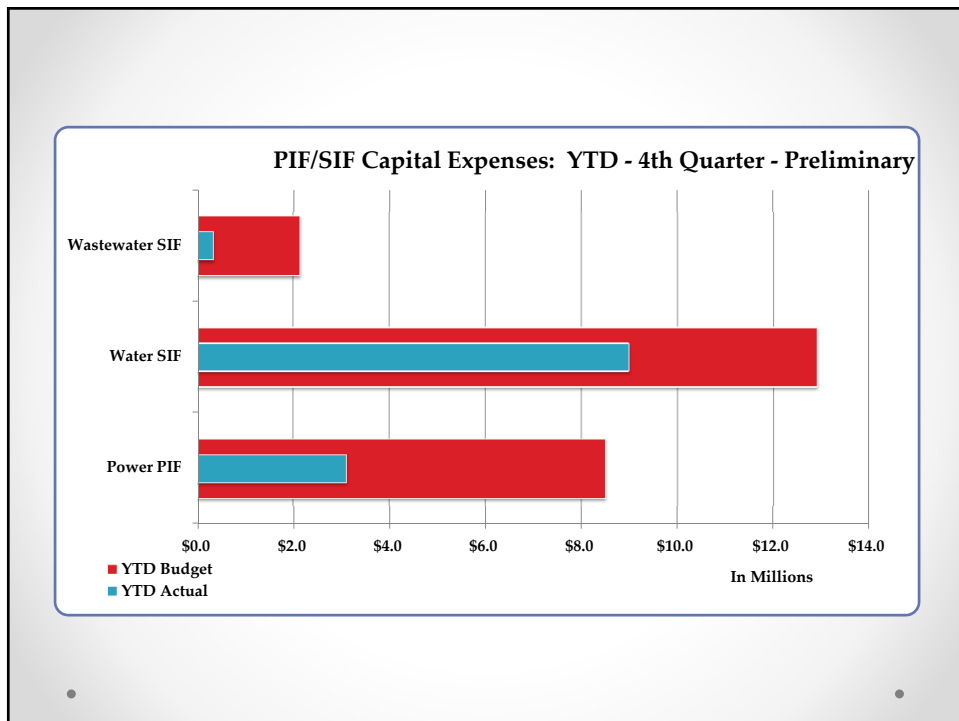
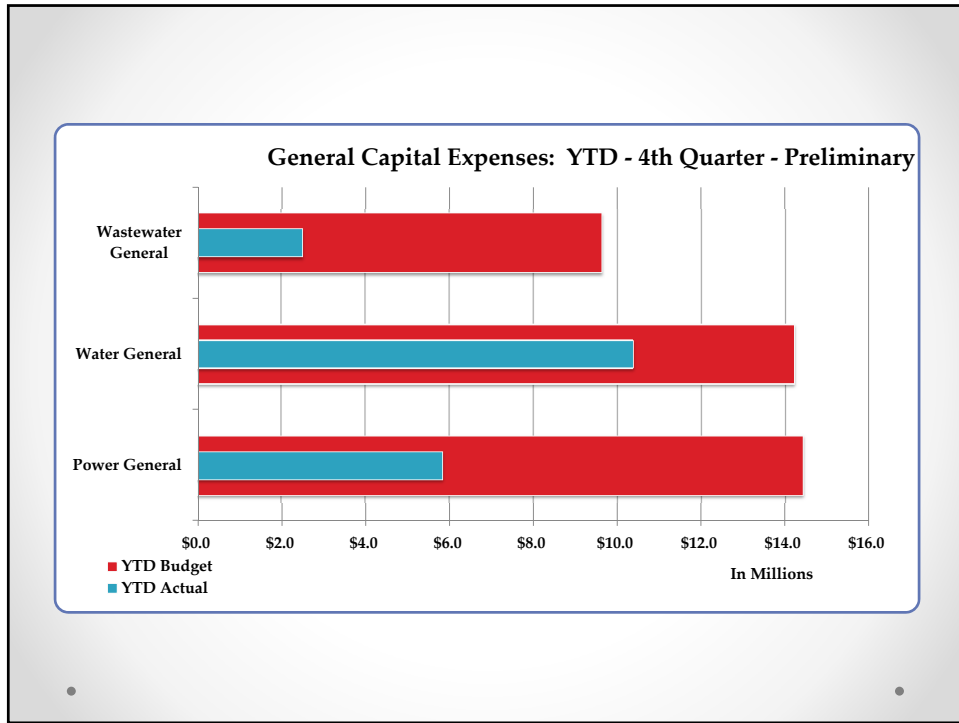
## Water & Power Quarterly Financial Report

Loveland Utilities Commission  
February 17, 2016











# Attachment B

**City of Loveland**  
**Financial Statement-Raw Water**  
For Period Ending 12/31/2015  
Preliminary as of 2/4/2015

	* TOTAL BUDGET *				OVER	
	FYE 12/31/2015	YTD ACTUAL	YTD BUDGET	<UNDER>	VARIANCE	
<b>1 REVENUES &amp; SOURCES</b>	*	*				
2 Hi-Use Surcharge	* 52,500 *	69,159	52,500	16,659	31.7%	
3 Raw Water Development Fees/Cap Rec Surcharge	* 337,588 *	724,640	337,588	387,052	114.7%	
4 Cash-In-Lieu of Water Rights	* 250,000 *	1,336,438	250,000	1,086,438	434.6%	
5 Native Raw Water Storage Fees	* 5,000 *	31,598	5,000	26,598	532.0%	
6 Loan Payback from Water	* 137,800 *	0	137,800	(137,800)	-100.0%	
7 Raw Water 1% Transfer In	* 1,140,840 *	1,207,116	1,140,840	66,276	5.8%	
8 Interest on Investments	* 81,600 *	260,258	81,600	178,658	218.9%	
<b>9 TOTAL REVENUES &amp; SOURCES</b>	* <b>2,005,328</b> *	<b>3,629,209</b>	<b>2,005,328</b>	<b>1,623,881</b>	<b>81.0%</b>	
<b>10 OPERATING EXPENSES</b>	*	*				
11 Loan to Water	* 13,000,000 *	4,000,000	13,000,000	(9,000,000)	-69.2%	
12 Windy Gap Payments	* 834,600 *	834,546	834,600	(54)	0.0%	
<b>13 TOTAL OPERATING EXPENSES</b>	* <b>13,834,600</b> *	<b>4,834,546</b>	<b>13,834,600</b>	<b>(9,000,054)</b>	<b>-65.1%</b>	
<b>14 NET OPERATING REVENUE/(LOSS) (excl depr)</b>	* <b>(11,829,272)</b> *	<b>(1,205,337)</b>	<b>(11,829,272)</b>	10,623,935	-89.8%	
<b>15 RAW WATER CAPITAL EXPENDITURES</b>	* 1,200,000 *	1,192,955	1,200,000	(7,045)	-0.6%	
<b>16 ENDING CASH BALANCES</b>	*	*				
17 Total Available Funds	* *	12,917,289				
18 Reserve - Windy Gap Cash	* *	1,700,281				
19 Reserve - 1% Transfer From Rates	* *	5,053,273				
20 Reserve - Native Raw Water Storage Interest	* *	1,587,226				
<b>21 TOTAL RAW WATER CASH</b>	* *	<b>21,258,069</b>				
22 MINIMUM BALANCE (15% OF OPER EXP)	* *	2,075,190				
<b>23 OVER/(UNDER) MINIMUM BALANCE</b>	* *	<b>19,182,879</b>				

NOTE: YTD ACTUAL DOES NOT INCLUDE ENCUMBRANCES TOTALING: 0



**City of Loveland**  
**Financial Statement-Water**  
For Period Ending 12/31/2015  
Preliminary as of 2/8/2015

	TOTAL BUDGET		YTD ACTUAL	YTD BUDGET	OVER	
	FYE 12/31/2015				<UNDER>	VARIANCE
1 **UNRESTRICTED FUNDS**	*	*				
2 REVENUES & SOURCES	*	*				
3 Water Sales	*	12,431,660	*	11,947,460	12,431,660	(484,200) -3.9%
4 Raw Water Transfer Out	*	(1,140,840)	*	(1,207,116)	(1,140,840)	(66,276) 5.8%
5 Wholesale Sales	*	120,850	*	209,943	120,850	89,093 73.7%
6 Meter Sales	*	41,850	*	130,257	41,850	88,407 211.2%
7 Interest on Investments	*	37,040	*	48,115	37,040	11,075 29.9%
8 Other Revenue	*	549,390	*	574,171	549,390	24,781 4.5%
9 Federal and State Grants	*	5,560,580	*	817,513	5,560,580	(4,743,067) -85.3%
10 Internal Loan Monies Received	*	5,838,767	*	4,753,971	5,838,767	(1,084,796) -18.6%
11 External Loan Monies Received	*	12,900,000	*	10,046,394	12,900,000	(2,853,606) -22.1%
12 TOTAL REVENUES & SOURCES	*	36,339,297	*	27,320,708	36,339,297	(9,018,589) -24.8%
13 OPERATING EXPENSES	*	*	*			
14 Source of Supply	*	3,309,250	*	2,407,745	3,309,250	(901,505) -27.2%
15 Treatment	*	2,784,680	*	2,361,790	2,784,680	(422,890) -15.2%
16 Distribution Operation & Maintenance	*	3,062,627	*	2,656,668	3,062,627	(405,959) -13.3%
17 Administration	*	556,719	*	444,715	556,719	(112,004) -20.1%
18 Customer Relations	*	326,150	*	236,171	326,150	(89,979) -27.6%
19 PILT	*	790,360	*	751,824	790,360	(38,536) -4.9%
20 1% for Arts Transfer	*	98,030	*	74,805	98,030	(23,225) -23.7%
21 Services Rendered-Other Departments	*	1,566,077	*	1,109,416	1,566,077	(456,661) -29.2%
22 Internal Loan Debt Expense	*	966,550	*	801,450	966,550	(165,100) -17.1%
23 External Loan Debt Expense	*	6,840	*	186,265	6,840	179,425 2623.2%
24 TOTAL OPERATING EXPENSES	*	13,467,283	*	11,030,849	13,467,283	(2,436,434) -18.1%
25 NET OPERATING REVENUE/(LOSS)(excl depr)	*	22,872,014	*	16,289,859	22,872,014	(6,582,155) -28.8%
26 CAPITAL EXPENDITURES	*	14,208,836	*	10,367,221	14,208,836	(3,841,615) -27.0%
27 ENDING CASH BALANCE	*		*	8,503,943		
28 WATER DEBT FUNDS ENDING CASH BALANCE	*		*	122,090		
29 MINIMUM BALANCE (15% OF OPER EXP)	*		*	2,020,092		
30 OVER/(UNDER) MINIMUM BALANCE	*		*	6,483,851		
31 **RESTRICTED FUNDS**	*	*	*			
32 REVENUES & SOURCES	*	*	*			
33 SIF Collections	*	2,129,228	*	3,184,400	2,129,228	1,055,172 49.6%
34 SIF Interest Income	*	46,830	*	50,465	46,830	3,635 7.8%
35 SIF Federal and State Grants	*	2,662,510	*	(362,181)	2,662,510	(3,024,691) -113.6%
36 Internal Loan Monies Received	*	8,420,000	*	0	8,420,000	(8,420,000) -100.0%
37 TOTAL SIF REVENUES & SOURCES	*	13,258,568	*	2,872,685	13,258,568	(10,385,883) -78.3%
38 SIF Capital Expenditures	*	12,896,330	*	8,980,050	12,896,330	(3,916,280) -30.4%
39 1% for Arts Transfer	*	115,020	*	88,263	115,020	(26,757) -23.3%
40 Internal Loan Debt Expense	*	86,200	*	0	86,200	(86,200) -100.0%
41 SIF ENDING CASH BALANCE	*		*	3,007,957		
42 TOTAL ENDING CASH BALANCE	*		*	11,511,900		
NOTE: YTD ACTUAL DOES NOT INCLUDE ENCUMBRANCES TOTALING:			7,284,050			
43 Water Treated at WTP (in million gallons)	*	N/A	*	4,341	N/A	
44 Water Sold To Customers (in million gallons, includes Ranch Water & Hydrant Sales)	*	3,720	*	3,651	3,720	(69) -1.9%



**City of Loveland-LIVE**  
**Financial Statement-Wastewater**  
For Period Ending 12/31/2015  
Preliminary as of 2/3/2015

		TOTAL BUDGET			OVER	
		FYE 12/31/2015	* YTD ACTUAL	YTD BUDGET	<UNDER>	VARIANCE
1 **UNRESTRICTED FUNDS**	*	*	*			
2 REVENUES & SOURCES	*	*	*			
3 Sanitary Sewer Charges	*	9,031,400	9,057,418	9,031,400	26,018	0.3%
4 High Strength Surcharge	*	335,040	399,783	335,040	64,743	19.3%
5 Interest on Investments	*	26,520	90,139	26,520	63,619	239.9%
6 Other Revenue	*	53,920	114,111	53,920	60,191	111.6%
7 Federal Grants	*	432,090	138,170	432,090	(293,920)	-68.0%
8 State Grants	*	1,000,000	315,819	1,000,000	(684,181)	-68.4%
9 TOTAL REVENUES & SOURCES	*	10,878,970	10,115,442	10,878,970	(763,528)	-7.0%
10 OPERATING EXPENSES	*	*	*			
11 Treatment	*	3,524,213	2,724,453	3,524,213	(799,760)	-22.7%
12 Collection System Maintenance	*	2,421,685	1,860,845	2,421,685	(560,840)	-23.2%
13 Administration	*	516,992	287,867	516,992	(229,125)	-44.3%
14 Customer Relations	*	57,420	53,872	57,420	(3,548)	-6.2%
15 PILT	*	655,650	662,004	655,650	6,354	1.0%
16 1% for Arts Transfer	*	41,070	13,099	41,070	(27,971)	-68.1%
17 Services Rendered-Other Departments	*	543,446	521,847	543,446	(21,599)	-4.0%
18 TOTAL OPERATING EXPENSES	*	7,760,476	6,123,987	7,760,476	(1,636,490)	-21.1%
19 NET OPERATING REVENUE/(LOSS)(excl depr)	*	3,118,494	3,991,455	3,118,494	872,961	28.0%
20 CAPITAL EXPENDITURES	*	9,626,746	2,503,907	9,626,746	(7,122,839)	-74.0%
21 ENDING CASH BALANCE	*	*	10,311,290			
22 MINIMUM BALANCE (15% OF OPER EXP)	*	*	1,164,071			
23 OVER/(UNDER) MINIMUM BALANCE	*	*	9,147,219			
24 **RESTRICTED FUNDS**	*	*	*			
25 REVENUES & SOURCES	*	*	*			
26 SIF Collections	*	1,118,720	1,905,928	1,118,720	787,208	70.4%
27 SIF Interest Income	*	58,440	71,500	58,440	13,060	22.3%
28 SIF Bond Proceeds	*	10,000,000	0	10,000,000	(10,000,000)	-100.0%
29 TOTAL SIF REVENUES & SOURCES	*	11,177,160	1,977,428	11,177,160	(9,199,732)	-82.3%
30 SIF Capital Expenditures	*	2,135,504	331,558	2,135,504	(1,803,946)	-84.5%
31 1% for Arts Transfer	*	14,600	0	14,600	(14,600)	-100.0%
32 SIF ENDING CASH BALANCE	*	*	8,275,646			
33 TOTAL ENDING CASH BALANCE	*	*	18,586,935			
NOTE: YTD ACTUAL DOES NOT INCLUDE ENCUMBRANCES			1,805,745			
34 gallons)	*	N/A	2,464	N/A		
35 gallons)	*	1,727	1,739	1,727	13	0.7%





**City of Loveland**  
**Financial Statement-Power**  
For Period Ending 12/31/2015  
*Preliminary as of 2/4/2015*

	* TOTAL BUDGET	* YTD ACTUAL	YTD BUDGET	OVER <UNDER>	VARIANCE
<b>**UNRESTRICTED FUNDS**</b>					
1 REVENUES & SOURCES:					
2 Electric revenues	\$57,180,680	\$55,971,562	\$57,180,680	(\$1,209,118)	-2.1%
3 Wheeling charges	\$240,000	\$266,352	\$240,000	\$26,352	11.0%
4 Interest on investments	\$128,910	\$226,330	\$128,910	\$97,420	75.6%
5 Aid-to-construction deposits	\$1,000,000	\$987,581	\$1,000,000	(\$12,419)	-1.2%
6 Customer deposit-services	\$220,000	\$326,891	\$220,000	\$106,891	48.6%
7 Late Payment Penalty Fees	\$420,000	\$494,362	\$420,000	\$74,362	17.7%
8 Connect Fees	\$160,000	\$177,366	\$160,000	\$17,366	10.9%
9 Services rendered to other depts.	\$4,551	\$4,565	\$4,551	\$14	0.3%
10 Other revenues	\$356,140	\$322,054	\$356,140	(\$34,086)	-9.6%
11 Year-end cash adjustments	\$0	\$0	\$0	\$0	0.0%
12 <b>TOTAL NORMAL REVENUES &amp; SOURCES</b>	<b>\$59,710,281</b>	<b>\$58,777,062</b>	<b>\$59,710,281</b>	<b>(\$933,219)</b>	<b>-1.6%</b>
13 FLOOD REVENUE	\$4,812,500	(\$4,695)	\$4,812,500	(\$4,817,195)	-100.1%
14 <b>TOTAL REVENUES &amp; SOURCES</b>	<b>\$64,522,781</b>	<b>58,772,367</b>	<b>\$64,522,781</b>	<b>(\$5,750,414)</b>	<b>-8.9%</b>
15 OPERATING EXPENSES:					
16 Hydro oper. & maint.	\$4,888,424	\$37,170	\$4,888,424	(\$4,851,254)	-99.2%
17 Purchased power	\$42,259,770	\$40,629,266	\$42,259,770	(\$1,630,504)	-3.9%
18 Distribution oper. & maint.	\$4,581,001	\$3,909,761	\$4,581,001	(\$671,240)	-14.7%
19 Customer Relations	\$1,242,590	\$1,020,418	\$1,242,590	(\$222,172)	-17.9%
20 Administration	\$747,638	\$575,011	\$747,638	(\$172,627)	-23.1%
21 Payment in-lieu-of taxes	\$4,002,650	\$3,886,434	\$4,002,650	(\$116,216)	-2.9%
22 1% for Arts Transfer	\$66,760	\$54,509	\$66,760	(\$12,251)	-18.4%
23 Services rendered-other depts.	\$2,278,320	\$2,278,320	\$2,278,320	\$0	0.0%
24 <b>TOTAL OPERATING EXPENSES (excl depn)</b>	<b>\$60,067,153</b>	<b>\$52,390,890</b>	<b>\$60,067,153</b>	<b>(\$7,676,263)</b>	<b>-12.8%</b>
25 <b>NET OPERATING REVENUE/(LOSS) (excl depn)</b>	<b>\$4,455,628</b>	<b>\$6,381,478</b>	<b>\$4,455,628</b>	<b>\$1,925,850</b>	<b>43.2%</b>
26 CAPITAL EXPENDITURES:					
27 General Plant/Other Generation & Distribution	\$13,153,800	\$4,102,095	\$13,153,800	(\$9,051,705)	-68.8%
28 Aid-to-construction	\$1,000,000	\$1,424,397	\$1,000,000	\$424,397	42.4%
29 Service installations	\$250,000	\$299,830	\$250,000	\$49,830	19.9%
30 <b>TOTAL CAPITAL EXPENDITURES</b>	<b>\$14,403,800</b>	<b>\$5,826,323</b>	<b>\$14,403,800</b>	<b>(\$8,577,477)</b>	<b>-59.6%</b>
31 <b>ENDING CASH BALANCE</b>		<b>\$21,347,357</b>			
32 MINIMUM BAL. (15% of OPER EXP excl depn)		\$9,010,073			
33 <b>OVER/(UNDER) MINIMUM BALANCE</b>		<b>\$12,337,284</b>			
34 <b>**RESTRICTED FUNDS**</b>					
35 PIF Collections	\$2,751,917	\$2,883,501	\$2,751,917	\$131,584	4.8%
36 PIF Interest Income	\$33,250	\$47,580	\$33,250	\$14,330	43.1%
37 Water Loan Payback	\$966,550	\$801,450	\$966,550	(\$165,100)	-17.1%
38 <b>TOTAL REVENUES</b>	<b>\$3,751,717</b>	<b>\$3,732,531</b>	<b>\$3,751,717</b>	<b>(\$19,186)</b>	<b>-0.5%</b>
39 PIF Feeders	\$1,551,570	\$2,078,820	\$1,551,570	\$527,250	34.0%
40 PIF Substations	\$6,941,798	\$1,017,594	\$6,941,798	(\$5,924,204)	-85.3%
41 <b>TOTAL EXPENDITURES</b>	<b>\$8,493,368</b>	<b>\$3,096,414</b>	<b>\$8,493,368</b>	<b>(\$5,396,954)</b>	<b>-63.5%</b>
42 <b>ENDING PIF CASH BALANCE</b>		<b>\$3,062,746</b>			
43 <b>TOTAL ENDING CASH BALANCE</b>		<b>\$24,410,103</b>			

NOTE: YTD ACTUAL does NOT include encumbrances totalling \$1,517,860.44

44 Energy Purchased (in million kWh) from PRPA	* 772	* 757	772	(15)	2.1%
45 Energy Sold to Customers (in million kWh)	* 741	* 727	741	(14)	-1.9%





**AGENDA ITEM:** 6  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Kim O'Field, Technical Specialist

✓

**TITLE:** Electric Legislative Update

**DESCRIPTION:**

This item and the attachment 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.

**SUMMARY:**

Please see Attachment A for a list of the 2016 CAMU Colorado Legislators for both the Senate and the House. Please see Attachment B for the legislative tracking sheet of current state bills from CAMU.

**State Update:**

Some recent activity and key state legislation affecting electric utilities are:

***Measurable Goals Deadlines CO Climate Action Plan*** – HB16-1004 seeks to require the state climate action plan to include specific measurable goals for the reduction of Colorado's greenhouse gas emissions or increase of Colorado's capability to respond to climate change, along with deadlines to achieve these goals. CAMU believes if passed, this bill could create a situation where there are conflicting carbon goals at the state and federal levels which should be avoided. CAMU is monitoring this bill currently.

***Changes to the Colorado Open Records Act*** – SB16-037 modifies and expands the existing legal requirements under the Colorado Open Records Act (CORA) pertaining to the inspection of public records. The Colorado Municipal League (CML) has actively lead the opposition of this bill and CAMU is in support of that opposition.

***Bills Related to EPA's Clean Power Plan*** – SB16-046 and SB16-061 are bills that were introduced in response to EPA's Clean Power Plan. These bills are intended to communicate several Senator's dissatisfaction with Colorado Department of Public Health and Environment's (CDPHE's) plan to roll out public input on the Clean Power Plan for Colorado. CAMU is monitoring these bills currently.

**Federal Update:**

**Clean Power Plan** – On February 9, 2016 the Supreme Court voted 5-4 to stay the Environmental Protection Agency's (EPA's) Clean Power Plan. The Clean Power Plan intends to reduce carbon dioxide emissions from existing power plants. This stay is in effect pending Supreme Court review. The CDPHE has been working since the summer of 2015 to develop a state plan for Colorado to achieve the carbon dioxide emissions target for the state. The CDPHE has issued a statement that they intend to continue to coordinate with stakeholders on developing Colorado's plan during the litigation. They believe it is important for Colorado to move forward in order to not lose valuable time if the Clean Power Plan is ultimately upheld and the compliance deadlines remain the same. CAMU, in representation of the Colorado municipalities and joint-action agencies is continuing to monitor this issue. Please see Attachment C for an article published by APPA as well as the statement from CDPHE regarding the topic.

**Energy Policy Modernization Act** - A series of votes on whether to limit further debate on the Energy Policy Modernization Act of 2015 have failed; effectively blocking the energy bill from moving. The agreement to move the bill broke down due to disputes over financial aid to Flint, MI. However, outside groups have also tried to stall the measure, citing in some instances the bill's authorization of new federal spending programs and in others, the bill's streamlining of environmental reviews. Of the 279 amendments filed on this bill, the American Public Power Association (APPA) only supported 7, but several of the proposed amendments could have negative impact on electric operations. There is most likely no time this year to resolve the issues blocking the bill and move it forward but CAMU and APPA will be monitoring this closely.

**Other Federal Legislation** - The number one federal issue related to electric legislation is to preserve the tax exemption for local governments and APPA and CAMU will be staying diligent on this topic at the federal level. The City has and continues to offer our support of this issue.

**RECOMMENDATION:**

Staff item only. No action required.

**REVIEWED BY DIRECTOR:**

*AB for SA*

**ATTACHMENTS:**

- **Attachment A:** 2016 CAMU Legislators
- **Attachment B:** CAMU Legislative Tracking Sheet
- **Attachment C:** Clean Power Plan Articles

# 2016 CAMU LEGISLATORS

## SENATE

MEMBER	DISTRICT	CAMU COMMUNITIES
<b>Jerry Sonnenberg (R)</b>	01	Burlington, Fleming, Fort Morgan, Haxtun, Holyoke, Julesburg, Wray, Yuma
<b>Kevin J. Grantham (R)</b>	02	Colorado Springs Utilities, Fountain
<b>Kerry Donovan (D)</b>	05	Aspen, Delta, Gunnison
<b>Randy Baumgardner (R)</b>	08	Glenwood Springs, Oak Creek
<b>Kent Lambert (R)</b>	09	Colorado Springs Utilities
<b>Owen Hill (R)</b>	10	Colorado Springs Utilities
<b>Michael Merrifield (D)</b>	11	Colorado Springs Utilities
<b>Bill Cadman (R) *Senate President</b>	12	Colorado Springs Utilities
<b>John Kefalas (D)</b>	14	Fort Collins
<b>Kevin Lundberg (R)</b>	15	Estes Park, Loveland
<b>Matt Jones (D)</b>	17	Longmont
<b>Rollie Heath (D)</b>	18	Lyons
<b>Vicki Marble (R)</b>	23	Frederick
<b>Larry Crowder (R)</b>	35	Center, Granada, Holly, La Junta, Lamar, Las Animas, Springfield, Trinidad

# 2016 CAMU LEGISLATORS

## HOUSE

MEMBER	DISTRICT	CAMU COMMUNITIES
<b>Jonathan Singer (D)</b>	11	Lyons, Longmont
<b>Mike Foote (D)</b>	12	Longmont
<b>Dan Nordberg (R)</b>	14	Colorado Springs Utilities
<b>Gordon Klingenschmitt (R)</b>	15	Colorado Springs Utilities
<b>Janak Joshi (R)</b>	16	Colorado Springs Utilities
<b>Catherine M. Roupe (R)</b>	17	Colorado Springs Utilities
<b>Pete Lee (D)</b>	18	Colorado Springs Utilities
<b>Paul Lundeen (R)</b>	19	Colorado Springs Utilities
<b>Terri Carver (R)</b>	20	Colorado Springs Utilities
<b>Lois Landgraf (R)</b>	21	Colorado Springs Utilities, Fountain
<b>Diane Mitsch Bush (D)</b>	26	Oak Creek
<b>Clarice Navarro-Ratzlaff (R)</b>	47	La Junta
<b>Perry Buck (R)</b>	49	Estes Park
<b>Brian Delgrosso (R)</b>	51	Loveland
<b>Joann Ginal (D)</b>	52	Fort Collins
<b>Jeni Arndt (D)</b>	53	Fort Collins
<b>Yeulin Willett (R)</b>	54	Delta
<b>Robert E. Rankin (R)</b>	57	Glenwood Springs
<b>J. Paul Brown (R)</b>	59	Gunnison



# 2016 CAMU LEGISLATORS

## HOUSE

MEMBER	DISTRICT	CAMU COMMUNITIES
<b>Millie Hamner (D)</b>	61	Aspen, Gunnison
<b>Edward Vigil (D)</b>	62	Center
<b>Lori Saine (R)</b>	63	Frederick
<b>Timothy Dore (R)</b>	64	Granada, Holly, Lamar, Las Animas, Springfield, Trinidad
<b>Jon Becker (R)</b>	65	Burlington, Fleming, Fort Morgan, Haxtun, Holyoke, Julesburg, Wray, Yuma

[WWW.COLORADOPUBLICPOWER.ORG](http://WWW.COLORADOPUBLICPOWER.ORG)





# Attachment B



## Colorado Association of Municipal Utilities 2016 State Legislative Tracking Sheet

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**HB16-1004**

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**Measurable Goals Deadlines CO Climate Action Plan**

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**Comment:**

**Position:** **Monitor**

**Short Title:** Measurable Goals Deadlines CO Climate Action Plan

**Summary:** The bill requires:  
\* The state climate action plan to include specific measurable goals, the achievement of which will either reduce Colorado's greenhouse gas emissions or increase Colorado's adaptive capability to respond to climate change, along with associated near-term, mid-term, and long-term deadlines to achieve the goals; and  
\* The annual climate report to the general assembly to include an analysis of the progress made in meeting the measurable goals and deadlines specified in the plan.

**Status:** 01/13/2016 00:10 Introduced In House - Assigned to Health, Insurance, & Environment  
01/13/2016 Introduced In House - Assigned to Health, Insurance, & Environment  
02/04/2016 House Committee on Health, Insurance, & Environment Refer Amended to House Committee of the Whole  
02/08/2016 House Second Reading Passed with Amendments - Committee, Floor  
02/09/2016 House Third Reading Passed - No Amendments

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**HB16-1035**

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**PUC Approval Of Securities Only For Gas & Electric**

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**Comment:**

**Position:** **Monitor**

**Short Title:** PUC Approval Of Securities Only For Gas & Electric

**Summary:** The bill specifies that the statute requiring advance approval by the public utilities commission for the issuance of securities to fund property acquisitions, facilities, repairs, and other expenditures applies only to electric and gas utilities.

**Status:** 01/13/2016 00:10 Introduced In House - Assigned to State, Veterans, & Military Affairs  
01/13/2016 Introduced In House - Assigned to State, Veterans, & Military Affairs

HB16-1073

Electrical Industry Safety And Training Act

Comment:	
Position:	Monitor
Short Title:	Electrical Industry Safety And Training Act
Summary:	<p>Under current law, an applicant seeking renewal of a license to be a journeyman electrician, a master electrician, or a residential wireman must demonstrate competency through an assessment performed by a private company in compliance with state electrical board (board) rules. Section 1 of the bill modifies the competency requirement by requiring an applicant seeking renewal or reinstatement of his or her license to complete 24 hours of continuing education during each cycle of his or her license in compliance with board rules. The continuing education requirements established by the board must include course work related to the National Electrical Code, including core competencies as determined by the board. Section 2 requires that each inspection performed by an incorporated town or city, a county, a city and county, or a qualified state institution of higher education include a contemporaneous review to ensure compliance with electrician licensure and inspection requirements. Each incorporated town or city, county, city and county, or qualified state institution of higher education conducting inspections is required to develop standard procedures to advise its inspectors how to conduct a contemporaneous review and to post its current procedures on its web site.</p>
Status:	<p>01/13/2016 00:10 Introduced In House - Assigned to Business Affairs and Labor</p> <p>01/13/2016 Introduced In House - Assigned to Business Affairs and Labor</p> <p>01/26/2016 House Committee on Business Affairs and Labor Refer Amended to House Committee of the Whole</p> <p>02/03/2016 House Second Reading Passed with Amendments - Committee, Floor</p> <p>02/04/2016 House Third Reading Passed - No Amendments</p> <p>02/05/2016 Introduced In Senate - Assigned to Business, Labor, &amp; Technology</p>

HB16-1091

Change Due Dates For Elec Util Transmission Plans

Comment:	
Position:	Monitor
Short Title:	Change Due Dates For Elec Util Transmission Plans
Summary:	<p>Legislation adopted in 2007 required rate-regulated electric utilities to conduct biennial reviews, on or before October 31 of each odd-numbered year, in which the utilities developed plans for transmitting electricity from geographic areas in which energy resources were likely to be available to where the electricity would be needed. The bill preserves the requirement for biennial review but changes the due date for those reviews from October 31 to another date determined by the Colorado public utilities commission. The bill also deletes existing requirements that:</p> <ul style="list-style-type: none"><li>* Reviews be simultaneously conducted by the Colorado public utilities commission; and</li><li>* The commission issue an order approving or rejecting an application for a certificate of public convenience and necessity for construction or expansion of transmission facilities within 180 days.</li></ul>
Status:	01/19/2016 Introduced In House - Assigned to Transportation & Energy

02/03/2016 House Committee on Transportation & Energy Refer Unamended to House Committee of the Whole  
02/08/2016 House Second Reading Passed - No Amendments  
02/09/2016 House Third Reading Passed - No Amendments

<b>HB16-1182</b>	<b>Sunset Commodity Metals Theft Task Force</b>
<b>Comment:</b>	
<b>Position:</b>	<b>Support</b>
<b>Short Title:</b>	Sunset Commodity Metals Theft Task Force
<b>Summary:</b>	Sunset Process - House Judiciary Committee. The bill extends the repeal of the commodity metals theft task force to September 1, 2025.
<b>Status:</b>	02/02/2016 Introduced In House - Assigned to Business Affairs and Labor

<b>HB16-1208</b>	<b>Create Data Privacy Subcommittee</b>
<b>Comment:</b>	
<b>Position:</b>	<b>Monitor</b>
<b>Short Title:</b>	Create Data Privacy Subcommittee
<b>Summary:</b>	<p>The bill creates within the joint technology committee a subcommittee on data privacy and cyber-security (subcommittee) to consider:</p> <ul style="list-style-type: none"><li>* Whether state governmental agencies are collecting or retaining data that exceed what is necessary and appropriate for such agencies to perform their functions;</li><li>* Who has access to such data, the extent of such access, and appropriate measures to protect sensitive data; and</li><li>* Measures to protect such data against unauthorized access, disclosure, use, modification, or destruction. The subcommittee shall submit its findings to the joint technology committee and to the general assembly, by January 1, 2018. The subcommittee is repealed, effective July 1, 2018.</li></ul>
<b>Status:</b>	02/04/2016 Introduced In House - Assigned to State, Veterans, & Military Affairs

<b>SB16-007</b>	<b>Biomass Renewable Energy Wildfire High Risk Areas</b>
<b>Comment:</b>	
<b>Position:</b>	<b>Monitor</b>
<b>Short Title:</b>	Biomass Renewable Energy Wildfire High Risk Areas
<b>Summary:</b>	Current law requires a provider of retail electric service in Colorado to generate, or cause to be generated, a certain portion of its retail electric sales from renewable energy resources. The bill creates an incentive for a retail electric service provider to utilize certain biomass to meet the renewable energy requirements. For a period of up to 30 years, a retail electric service provider that generates electricity from a biomass source that uses forest materials located in areas with a high risk of wildfire may count each kilowatt-hour generated as 3 kilowatt-hours for purposes of complying with the renewable energy standard.

Status:	01/13/2016 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy
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SB16-037	Public Access Digitally Stored Data Under CORA
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Comment:	
Position:	Oppose
Short Title:	Public Access Digitally Stored Data Under CORA
Summary:	<p>The bill makes the following modifications to existing legal requirements under the "Colorado Open Records Act" (CORA) pertaining to the inspection of public records:</p> <ul style="list-style-type: none"><li>* Updates outmoded statutory language used to describe public records kept in miniaturized, electronic, or digital form as a foundation for inspection requirements in connection with such records;</li><li>* Deletes existing language requiring the official custodian to take such measures as are necessary to assist the public in locating the specific records sought and to ensure public access to the public records without unreasonable delay or cost. In place of such language, the bill substitutes provisions requiring the official custodian to provide records, or any portion of such records, in any nonproprietary file format and storage medium specified by a records requestor including digital copies of any computer files on any digital storage medium in common usage at the time of the request, via electronic mail, records uploaded to an online storage location shared with the requestor, access through viewing stations for public records kept on microfiche, or, in the discretion of the official custodian, direct electronic access. If requested, the official custodian must provide the records, or any portion of such records, in the same database or other file format in which the records are maintained by the official custodian unless, in the sole discretion of the official custodian, providing the records or any portion of such records, in the same database or other file format in which the records are maintained by the official custodian will result in the public disclosure of confidential or proprietary information of third parties or specialized details of security arrangements or investigations. In such cases, the official custodian is required to export the data into an alternative machine-readable digital format in common usage at the time of the request.</li><li>* Requires the official custodian to manipulate electronically or digitally stored data in order to delete any confidential data in response to a records request. Removal of confidential information or data does not trigger certain requirements specified in CORA for the payment of fees for the generation or copy of a public record. However, the official custodian may charge the requestor for the actual cost of the digital storage medium used, if any, and a research and retrieval fee for the time spent removing such information.</li></ul>
Status:	01/13/2016 Introduced In Senate - Assigned to State, Veterans, & Military Affairs

SB16-038	Transparency Of Community-centered Boards
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Comment:	Monitoring per advice of CML. Language on public funding could pose difficult precedent for organizations like CML and CAMU.
Position:	Monitor
Short Title:	Transparency Of Community-centered Boards



<b>Summary:</b>	Section 2 of the bill makes all writings made, maintained, or kept by a community-centered board (CCB) that receives more than 75% of its funding on an annual basis from the federal, the state, or a local government or from any combination of such governmental entities subject to public inspection as a "public record" under "Colorado Open Records Act". Section 3 of the bill requires the state auditor, at least once every 5 years or more frequently at the state auditor's discretion, to conduct or cause to be conducted a performance audit of each CCB that receives more than 75% of its funding on an annual basis from federal, state, or local government, or from any combination of such governmental entities, to determine whether such CCB is effectively and efficiently fulfilling its statutory obligations. A CCB becomes subject to the audit requirement when the CCB initially satisfies the 75% funding requirement for any one year regardless of whether or not the funding level decreases below 75% in any subsequent year. Section 3 of the bill further requires the state auditor to submit a written report and recommendations on each audit conducted and to present the report and recommendations to the legislative audit committee. The cost of any performance audit undertaken is imposed on the CCB. Section 2 of the bill also makes each CCB subject to the requirements of the "Colorado Local Government Audit Law".
<b>Status:</b>	01/13/2016 Introduced In Senate - Assigned to State, Veterans, & Military Affairs 02/01/2016 Senate Committee on State, Veterans, & Military Affairs Witness Testimony and/or Committee Discussion Only

<b>SB16-046</b>	<b>Preserve Options Respond EPA Clean Power Plan Rule</b>
<b>Comment:</b>	
<b>Position:</b>	<b>Monitor</b>
<b>Short Title:</b>	Preserve Options Respond EPA Clean Power Plan Rule
<b>Summary:</b>	<p>The federal environmental protection agency (EPA) has promulgated rules to regulate carbon dioxide emissions from existing fossil-fuel-fired electric generating units (the "clean power plan"). The rules require states to submit a plan to the EPA detailing how they will comply with the clean power plan, but allow states to qualify for a 2-year extension on filing a plan by filing an "initial submittal". The bill directs the air quality control commission (AQCC) to:</p> <ul style="list-style-type: none"><li>* Conduct a public input process necessary to make the initial submittal and thereby qualify for the 2-year extension without making any binding commitments in any way not required by the express provisions of the clean power plan, including to submit a state plan in the future;</li><li>* Consider specific factors in developing the state plan; and</li><li>* Submit a report, prepared jointly with the public utilities commission, to the general assembly that discusses the proposed state plan in connection with the factors. Once the AQCC prepares a draft plan, it must submit it to the general assembly. The AQCC cannot submit the plan to the EPA unless the general assembly has approved it by adoption of a joint resolution. If a court stays the clean power plan or holds that it is invalid, implementation of the state plan must be suspended or terminated, as appropriate. The existing process for legislative review of state implementation plans is expanded to include a state plan as required by the clean power plan.</li></ul>
<b>Status:</b>	01/19/2016 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy

SB16-055 Rural Electric Cooperative Election Procedures	
Comment:	
Position:	Monitor
Short Title:	Rural Electric Cooperative Election Procedures
Summary:	Under current law, a cooperative electric association may hire an independent third party, such as an accounting firm, to collect and count the ballots for executive board elections. Candidates have the right to observe the counting process, and mailed ballots must include an inner envelope to preserve secrecy. The bill specifies that a mailed ballot that is received without an inner envelope or secrecy sleeve is not invalid for that reason, and that if the association contracts with an independent third party that will count ballots, the ballots must be made available to the candidates for inspection after the election.
Status:	01/19/2016 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy 02/04/2016 Senate Committee on Agriculture, Natural Resources, & Energy Refer Unamended - Consent Calendar to Senate Committee of the Whole 02/09/2016 Senate Second Reading Passed - No Amendments

SB16-061 Ratepayer Protection Carbon Dioxide Increased Cost	
Comment:	
Position:	Monitor
Short Title:	Ratepayer Protection Carbon Dioxide Increased Cost
Summary:	The bill directs the public utilities commission to create a ratepayer protection program, pursuant to which an electric utility's increased costs attributable to compliance with the federal environmental protection agency's regulations that limit carbon dioxide emissions from existing fossil-fuel-fired electric generating units are paid from a state fund rather than by the utility's customers. The fund is financed by appropriations from the stationary sources control fund.
Status:	01/19/2016 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy

[APPA > News > Public Power Daily/Weekly](#)

## PublicPowerDaily

### APPA backs high court's decision to stay EPA rule on CO2

From the February 11, 2016 issue of *Public Power Daily*

Originally published February 10, 2016

By [Jeannine Anderson](#)

News Editor

The American Public Power Association supports the U.S. Supreme Court's decision to allow the U.S. Court of Appeals for the District of Columbia Circuit to review the legal challenges to the Environmental Protection Agency's Clean Power Plan, or CPP, prior to its implementation, the public power organization said Feb. 10.

On Feb. 9, the Supreme Court voted 5-4 to grant motions filed by states and industry — including APPA — that sought to put the EPA's final CPP rule on hold while the court hears legal challenges to it. The CPP aims to reduce carbon dioxide emissions from existing power plants.

"Regardless of their position on these issues, almost all parties agree that implementation of the CPP will result in broad and transformative changes to the electricity industry," APPA said in a Feb. 10 statement. "Thus, resolving these highly controversial issues will significantly reduce the uncertainty of the program and, ultimately, the costs to consumers. APPA looks forward to a meticulous review and consideration of these matters by the court."

In the interim, APPA said, "public power utilities will continue their substantial progress in reducing greenhouse gas emissions through greater use of renewable, nuclear, and other low- and non-emitting sources of electricity generation, and the implementation of energy efficiency and conservation programs."

The National Rural Electric Cooperative Association also welcomed the U.S. Supreme Court's decision to freeze the EPA rule while the courts review it.

"Charging ahead with implementation of the Clean Power Plan would have caused irreparable harm to America's electric co-ops," said NRECA Interim CEO Jeffrey Connor. "Had the stay not been granted, co-ops would have been forced to take costly and irreversible steps to comply with the rule." Connor called the EPA rule "a huge overreach of EPA's legal authority."

## **Upton, Whitfield: 'This decision is huge'**

House Energy and Commerce Committee Chairman Fred Upton, R-Mich., and Ed Whitfield, R-Ky., who chairs the Energy and Power Subcommittee, issued a statement welcoming the court's decision to issue a stay of the Clean Power Plan.

"This decision is huge as the court essentially hit the brakes on the EPA's version of Obamacare," said Upton and Whitfield. "The court's stay reaffirms the committee's work to protect ratepayers everywhere from the administration's unprecedented regulatory attack on affordable and reliable electricity. Our oversight shined a bright light on the serious legal questions and the rule's shaky ground, and we are pleased the Supreme Court agreed. Our work to protect American ratepayers continues."

## **Inhofe sees 'a sign the court recognizes' overreach by EPA**

Sen. Jim Inhofe, R-Okla., chairman of the Senate Environment and Public Works Committee, also issued a statement on the high court's decision to grant a stay, saying that the court "has delivered a major blow to President Obama's legacy on climate change."

"The U.S. Supreme Court's decision to stay the implementation of the so-called Clean Power Plan while the legal challenges to that plan are proceeding is a sign the court recognizes that the Obama administration has overreached its authority," said Inhofe. "Over half of the states, 24 national trade associations, 37 rural electric cooperatives, and three labor unions representing 900,000 members have sued the EPA over these rules. These challenges highlight the enforceability problems, encroachment on state authority, skyrocketing electricity prices, and job losses during an already anemic economy that these regulations will cause."

In the Senate Environment and Public Works Committee, "we have held six hearings highlighting these problems," Inhofe said, noting that last fall, Congress passed two resolutions, introduced under the Congressional Review Act, against the EPA rule. Those resolutions were vetoed by President Obama.

Inhofe pointed out that the Clean Power Plan regulations "were the foundation of the president's commitment to the Paris Climate Agreement" and said the Supreme Court's action "should demonstrate once again to the world that this president has committed the U.S. to actions that are unenforceable and legally questionable."

## **Supreme Court action in this case 'unprecedented'**

The Supreme Court's 5-4 vote to stay the CPP "was unprecedented," The New York Times reported. The court "had never before granted a request to halt a regulation before review by a federal appeals court," the newspaper said.

On Jan. 21, a three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit declined to issue a stay of the EPA's Section 111(d) rule.

## **White House, environmental groups express disappointment**

In a Feb. 9 statement, the White House said it disagrees with the Supreme Court's decision to stay the Clean Power Plan while litigation proceeds and said, "We remain confident that we will prevail on the merits."

"The Clean Power Plan is based on a strong legal and technical foundation, gives states the time and flexibility they need to develop tailored, cost-effective plans to reduce their emissions, and will deliver better air quality, improved public health, clean energy investment and jobs across the country, and major progress in our efforts to confront the risks posed by climate change," the White House said. "Even while the litigation proceeds, EPA has indicated it will work with states that choose to continue plan development and will prepare the tools those states will need. At the same time, the Administration will continue to take aggressive steps to make forward progress to reduce carbon emissions."

Environmental groups, including the Natural Resources Defense Council, the Sierra Club and EDF, voiced disappointment with the Supreme Court's decision, but said they believed the courts would uphold the EPA rule.

"We are confident the courts will ultimately uphold the Clean Power Plan on its merits," said David Doniger, director of the NRDC's climate and clean air program. "The electricity sector has embarked on an unstoppable shift from its high-pollution, dirty-fueled past to a safer, cleaner-powered future, and the stay cannot reverse that trend," he said. "Nor can it dampen the overwhelming public support for action on climate change and clean energy."

### **Conference of Mayors: Action is a letdown to thousands of cities**

The U.S. Conference of Mayors said it is disappointed with the Supreme Court's issuance of a stay in this case.

"This is a surprising ruling given the fact that the court earlier ruled that greenhouse gas emissions are considered an air pollutant and therefore subject to regulation under the Clean Air Act," said Tom Cochran, CEO and executive director of the Conference of Mayors. "More importantly, this is disappointing to the thousands of cities that are already doing their part to reduce greenhouse gas emissions and were looking to the utilities to become partners in the fight to reduce greenhouse gas emissions," he said.

The Alliance to Save Energy also expressed misgivings.

"While it is unfortunate to see a legal 'pause' button pushed for states already underway with their planning processes, it is important to recognize that this in no way reflects a final decision on the merits or legality of the Clean Power Plan," said Kelly Speakes-Backman, senior vice president of policy and research for the alliance. "The good news is that the Clean Power Plan has prompted hundreds of public meetings, forums and discussions around the country on how to harness the benefits of an already emerging modern energy economy," she said. "As states continue their everyday work to ensure reliable, clean and safe energy for Americans, their planning can continue in the direction of compliance, as the electricity power sector continues to evolve."

The EPA's final Clean Power Plan rule was issued on Aug. 3, 2015, and was published in the Federal Register on Oct. 23, clearing the way for parties to file legal action related to it. On Oct. 23, APPA and the Utility Air Regulatory Group filed a petition with the U.S. Court of Appeals for the District of Columbia Circuit asking it to review the rule. Separately, APPA, UARG and several other parties on Oct. 23 asked the U.S. Court of Appeals for the District of Columbia Circuit to stay the final rule.

In late January, 25 states, led by West Virginia and Texas, asked the Supreme Court to stay the EPA rule.







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## Clean Power Plan

### Statement on U.S. Supreme Court Decision Regarding the Clean Power Plan

Yesterday, the United States Supreme Court stayed the U.S. Environmental Protection Agency's (EPA) Clean Power Plan, a rule designed to reduce nationwide emissions of carbon dioxide from power plants by about one-third. The stay is a temporary measure while the federal courts review the merits of the rule.

The Colorado Department of Public Health and Environment has been working since last summer to develop a state plan to achieve the Clean Power Plan's carbon reduction targets for Colorado. The department will continue to coordinate with stakeholders to develop this state plan during the litigation. The Court of Appeals for the District of Columbia Circuit will hear oral arguments on the rule in June.

It is prudent for Colorado to move forward during the litigation to ensure that the state is not left at a disadvantage if the courts uphold all or part of the Clean Power Plan. Because the Supreme Court did not say whether the stay would change the rule's compliance deadlines, Colorado could lose valuable time if it delays its work on the state plan and the rule is ultimately upheld.

Colorado's utilities, local governments, nongovernmental organizations, and other stakeholders have provided valuable input on the development of the state plan. The department will

evaluate the decision and coordinate with stakeholders to assess how the stay might impact the timing and substance of the state plan.

Climate change remains both a critical environmental and public health and welfare issue. Colorado has and will continue to develop cost-effective strategies to diversify our energy mix, strengthen our economy and lower our greenhouse gas emissions. Through the Colorado Climate Plan, state agencies also will develop and implement innovative strategies to mitigate the impacts of climate change.

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**AGENDA ITEM:** 7  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Michelle Stalker, Technical Specialist

*Michelle Stalker*

**TITLE:** Water Legislative Update

**DESCRIPTION:**

This item and the attachment are intended to give a brief update on water-related legislation being contemplated by the Colorado General Assembly. Loveland Water and Power relies primarily on the Colorado Water Congress (CWC) for information on water-related legislation.

**SUMMARY:**

The Second Regular Session of the Seventieth Colorado General Assembly convened on January 13, 2016 and will run through May 11, 2016. The Colorado Water Congress, through its State Affairs Committee, is currently tracking Colorado state house and senate bills related to water. This committee meets each Monday morning during the legislative session. After a bill is first introduced, they cover that bill at the next committee meeting to learn about it. Usually, this committee votes on whether to take a position on the bill at the following State Affairs Committee meeting. The voting may be delayed another week if more time is needed on a bill. For CWC to take a position on a bill, the bill must have at least a 2/3 vote from the State Affairs Committee. Once CWC takes a position, they then advocate on behalf of their members to policy makers. Of the state bills that CWC takes a position, their success rate in either killing bills that they oppose or passing bills that they support is in the high nineties.

While the state legislature is in session, each month in the LUC packet there will be a Water Bill Summary (See attachment A) that will provide a brief description of the bills that are currently being considered in the State legislature in which the Colorado Water Congress (CWC) has taken a position to support, oppose or monitor. Once a bill is killed in a committee or lost in a floor vote, it will be removed from this summary. There will also be a Bill Status Sheet (See attachment B) that will show how far along each bill has progressed. A couple of state legislative items of interest to be aware of this legislative session are as follows:

**Rain Barrels:** HB 16-1005 is similar from last year's bill that sought to legalize the use of residential rain barrels. Sponsors of this bill are optimistic the bill will not meet the same fate as last year for the following two main reasons: 1) the bill is close to adding Republican sponsors; and 2) recent research from Colorado State University indicates that rain barrels have no impact on stormwater runoff (i.e., no impact to downstream water users). This bill continues to be popular with the general public and has broad support from water providers



across the state. (Source: *Legislative Watch* by Drew Beckwith, Western Resource Advocates)

**Water Loss Audits:** Taking a cue from the Colorado Water Plan, Representative KC Becker (D-Boulder) is exploring legislation that would require all “covered entities” (water providers that serve more than 2,000 AF of water per year) to follow the AWWA water loss methodology for completing water loss audits. Colorado’s Water Plan estimates that municipal providers lose 76,000 AF of water annually, representing about 8% of total production. Although water loss auditing is a foundational best practice in Colorado, most water providers do not complete loss audits using a standardized process. Sponsors of the bill estimate conservation savings potential of 20,000 AF through the implementation of this bill. (Source: *Legislative Watch* by Drew Beckwith, Western Resource Advocates)

The Colorado Water Congress, through its Federal Affairs Committee, provides the principal voice of Colorado’s water community on federal issues that may affect Colorado or that are important to its members. The Federal Affairs Committee works closely with the National Water Resource Association (NWRA), a federation of state water organizations concerned with appropriate management, conservation and use of water resources. In the Federal Affairs section of the CWC website it lists a brief description of some key federal legislative items they are tracking (see attachment C). Also attached is a Federal Bill Status Sheet (see Attachment D). A couple of federal legislative items of interest are as follows:

**Health Forest Management and Wildfire Prevention Act (H.R 695):** This bill is designed to protect against the bark beetle epidemic, drought, deteriorating forest conditions and high risk of wildfires on USFS land under BLM jurisdiction.

**Waters of the U.S. S. 1140:** This was drafted to revise the definition of the term “waters of the United States”, defined in the Federal Register in April 2014. This bill provides an explanation of the hydrologic cycle that is crucial to Colorado’s prior appropriation system.

Please visit [www.cowatercongress.org](http://www.cowatercongress.org) if you would like additional information regarding federal or state bills related to water.

**RECOMMENDATION:**

Staff item only. No action required.

**REVIEWED BY DIRECTOR:**



**ATTACHMENTS:**

- **Attachment A:** CWC, State Affairs Committee, Water Bill Summary
- **Attachment B:** CWC, State Affairs 2016 Bill Status Sheet
- **Attachment C:** CWC, Federal Affairs 2016 Water Legislation
- **Attachment D:** CWC, Federal Affairs 2016 Bill Status Sheet

# Attachment A



## Colorado Water Congress

STATE AFFAIRS COMMITTEE

WATER BILL SUMMARY

JANUARY 21, 2016

*For purpose of accuracy and clarity of intent, the initial summaries of bills are those prepared by the legislative staff bill drafter and are noted "As introduced". When amended in committee or during floor debate, the summaries are revised to reflect those changes with amendments noted in an "Amended" comment following the basic summary. Summaries will be removed when the bills are killed in committee or lost in floor vote. Summaries are intended to be descriptive and are not a legal analysis. For up to date bill status, please refer to the CWC status sheet. These bill summaries are current as of January 21, 2016.*

### **BILL HB16-1004 CONCERNING A REQUIREMENT TO INCLUDE MEASURABLE GOALS THAT ARE SUBJECT TO DEADLINES IN COLORADO'S CLIMATE ACTION PLAN.**

**As introduced:** The bill requires:

- The state climate action plan to include specific measurable goals, the achievement of which will either reduce Colorado's greenhouse gas emissions or increase Colorado's adaptive capability to respond to climate change, along with associated near-term, mid-term, and long-term deadlines to achieve the goals; and
- The annual climate report to the general assembly to include an analysis of the progress made in meeting the measurable goals and deadlines specified in the plan.

**Sponsor(s):** Representatives Winter and Arndt

### **BILL HB16-1005 CONCERNING THE USE OF RAIN BARRELS TO COLLECT PRECIPITATION FROM A RESIDENTIAL ROOFTOP FOR NONPOTABLE OUTDOOR USES.**

**As introduced:** Section 1 allows the collection of precipitation from a residential rooftop if:

- A maximum of 2 rain barrels with a combined storage capacity of 110 gallons or less are used;
- Precipitation is collected from the rooftop of a building that multi-family residence with 4 or fewer units;
- The collected precipitation is used on the residential property on which the precipitation is collected; and
- The collected precipitation is applied to outdoor purposes such as lawn irrigation and gardening.

The bill also requires the state engineer, to the extent practicable within existing resources, to provide information on the permitted use of rain barrels on the state engineer's website.

Section 2 requires the department of public health and environment, to the extent practicable within existing resources, to develop best practices for nonpotable usage of collected precipitation and vector control and to post any best practices developed on the department's website.

Section 3 prevents a homeowners' association from prohibiting a unit owner from using rain barrels for precipitation collection.

**Sponsors:** Representatives Esgar and Danielson/Sen. Merrifield

**BILL [HB16-1109](#) CONCERNING LIMITS THAT THE BASIC TENETS OF COLORADO WATER LAW PLACE ON THE ABILITY OF CERTAIN FEDERAL AGENCIES TO IMPOSE CONDITIONS ON A WATER RIGHT OWNER IN EXCHANGE FOR PERMISSION TO USE FEDERAL LAND.**

**As introduced:** The bill states basic tenets of Colorado water law concerning water as a transferable property right. The bill specifies that the United States forest service (USFS) or the bill states basic tenets of Colorado water law concerning water as a transferable property right. It further specifies that the United States forest service (USFS) the federal bureau of land management (bureau) shall establish federal water rights in accordance with the federal reserved water rights doctrine or Colorado water law. Section 2 prohibits the state and division engineers from enforcing or administering any USFS or bureau effort that:

- Requires a full or partial transfer of ownership in a water right to the USFS or the bureau;
- Restricts the use or alienability of the water right; or
- Requires a third party that supplies water to a federal special use permit holder to supply the water for a set period of time or in a set amount.

Sections 1 and 2 clarify that the bill does not impact any federal government authority to impose bypass flow requirements in connection with a special use permit or other authorization.

**Sponsors:** Representatives J. Becker and K. Becker/Senators Sonnenberg and Donovan

**BILL [SB16-003](#) CONCERNING INCREASED AUTHORITY TO USE BROADCAST BURNING AS AN OPTIONAL TOOL TO REDUCE WILDFIRE RISK, AND, IN CONNECTION THEREWITH, PROVIDING ADDITIONAL FUNDING FOR WILDFIRE RISK REDUCTION EFFORTS.**

**As introduced and recommended by the Wildfire Matters Review Committee:** The bill adds broadcast burning, the method by which fire is applied generally to most or all of an area within well-defined boundaries with well-defined conditions, as an optional method for which the department of natural resources may award grants from the wildfire risk reduction fund to reduce wildfire risk in the wildland-urban interface. The bill transfers \$3 million to the wildfire risk reduction fund, half from tier 2 of the severance tax operational fund and half from the general fund.

**Sponsors:** Sen. Roberts and Rep. K. Becker

**BILL [SB16-037](#) CONCERNING REQUIRED PUBLIC ACCESS UNDER THE "COLORADO OPEN RECORDS ACT" TO PUBLIC RECORDS AS DEFINED BY SUCH ACT CONTAINED IN DIGITALLY STORED DATA MAINTAINED BY GOVERNMENTAL BODIES.**

**As introduced:** Updates outmoded statutory language used to describe public records kept in miniaturized, electronic, or digital form as a foundation for inspection requirements in connection with such records;



Deletes existing language requiring the official custodian to take such measures as are necessary to assist the public in locating the specific records sought and to ensure public access to the public records without unreasonable delay or cost. In place of such language, the bill substitutes provisions requiring the official custodian to provide records, or any portion of such records, in any nonproprietary file format and storage medium specified by a records requestor including digital copies of any computer files on any digital storage medium in common usage at the time of the request, via electronic mail, records uploaded to an online storage location shared with the requestor, access through viewing stations for public records kept on microfiche, or, in the discretion of the official custodian, direct electronic access.

If requested, the official custodian must provide the records, or any portion of such records, in the same database or other file format in which the records are maintained by the official custodian unless, in the sole discretion of the official custodian, providing the records or any portion of such records, in the same database or other file format in which the records are maintained by the official custodian will result in the public disclosure of confidential or proprietary information of third parties or specialized details of security arrangements or investigations. In such cases, the official custodian is required to export the data into an alternative machine-readable digital format in common usage at the time of the request.

Requires the official custodian to manipulate electronically or digitally stored data in order to delete any confidential data in response to a records request. Removal of confidential information or data does not trigger certain requirements specified in CORA for the payment of fees for the generation or copy of a public record. However, the official custodian may charge the requestor for the actual cost of the digital storage medium used, if any, and a research and retrieval fee for the time spent removing such information.

**Sponsors:** Sen. Kefalas and Rep. Pabon

**BILL [HJR16-1002](#) CONCERNING TIMELY ACCESS TO FEDERAL LANDS FOR DAM RESTORATION PROJECTS.**

**As introduced and recommended by the Water Resources Review Committee:** The resolution recites the importance of maximizing storage capacity and rehabilitating dams under restriction; recognizes the need for permission from federal agencies to access dams on federal lands; and the importance of timely access to those dams to ensure public safety and to avoid increasing costs of repair. The resolution requests the Forest Service and BLM to promptly respond to requests for permission to access dams on lands under their jurisdiction for maintenance, repair or rehabilitation.

**Sponsor:** Sen. Baumgardner

**BILL [SJM16-001](#) CONCERNING PROTECTION FROM LIABILITY FOR VOLUNTARY RECLAMATION OF ABANDONED HARD ROCK MINES.**

**As introduced and recommended by the Water Resources Review Committee:** The measure sets forth the importance of dealing with pollution generated by abandoned hardrock mines which existed prior to modern mining laws and discusses the barriers to clean up, including liability under CERCLA and the Clean Water Act. The memorial (resolution) urges Congress to pass legislation establishing a Good Samaritan exemption from liability under the CWA and CERCLA as an important step toward preventing another disaster like the Gold King Mine spill and remediating all other draining abandoned hard rock mines in Colorado.

**Sponsors:** Sen. Roberts/Representatives Coram and Mitch Bush.

**BILL SJM16-002 CONCERNING THE NEED FOR CONGRESS TO FUND CATASTROPHIC WILDFIRE RESPONSE COSTS OUTSIDE OF FEDERAL FOREST MANAGEMENT AGENCIES' NORMAL BUDGETS.**

**As introduced and recommended by the Wildfire Matters Review Committee and the Water Resources Review Committee:** the resolution sets forth the challenges faced by the Forest Service in borrowing from the regular budget to cover catastrophic wildfire suppression after the wildfire budget was depleted, and stresses the importance of funding fire risk mitigation, watershed restoration, forest planning and other activities. It states that paying for catastrophic wildfire response should not come at the expense of programs that reduce the risk of wildfires because doing so plainly creates a feedback loop that increases the frequency and severity of catastrophic wildfires. The resolution states that Congress should enact laws necessary to protect federal land management agencies' ability to mitigate the risk of catastrophic wildfires and manage the lands within their jurisdiction by funding catastrophic wildfire response in a manner analogous to that used for natural disasters.

**Sponsor(s):** Senators Jones and Roberts/Representatives Coram and Vigil

**Bill SJR16-003 CONCERNING APPROVAL OF WATER PROJECT REVOLVING FUND ELIGIBILITY LISTS ADMINISTERED BY THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY.**

**As introduced:** This is the annual resolution containing the water pollution control project eligibility list adopted by the Commission of water projects and stating that the additions, modifications, and deletions to the drinking water project eligibility list are deemed to be in the interest and to the advantage of the people of the state (thus giving legislative approval to the expenditure of funds stated therein).

**Sponsor(s):** Sen. Sonnenberg/Rep. Vigil

**NOT YET INTRODUCED**

**Bill \_\_\_\_\_ CONCERNING MEASURES TO DECREASE WATER LOSS BY DOMESTIC WATER SUPPLIERS.**

As drafted: The bill requires that, on or before June 30, 2018, and on or before June 30 of each year thereafter, each covered entity must submit to the Colorado water conservation board a completed and validated water loss audit report pursuant to guidelines that the board must adopt by January 1, 2018. A "covered entity" is a public entity that supplies at least 2,000 acre-feet of water per year to its customers. The board must make grants from the water efficiency grant program cash fund to provide water loss audit report validation assistance to covered entities. No earlier than January 1, 2020, and no later than July 1, 2021, the board must adopt guidelines establishing a score that a covered entity's validated audit report should attain. If a covered entity fails to submit a required audit report, neither the Colorado water conservation board nor the Colorado water resources and power development authority may release financial assistance to the covered entity.

**Sponsor(s):** Rep. K. Becker

1

# Attachment B

## CWC State Affairs 2015 Bill Status Sheet

Bill No.	Short Title	CWC Position	First House					Second House					First House Repass	Conference Committee	Governor
			Introduced	1st Committee	2nd Committee	2nd Reading	3rd Reading	Introduced	1st Committee	2nd Committee	2nd Reading	3rd Reading			
HB16-1004	Measurable Goals Deadlines CO Climate Action Plan	Oppose	HIE 1/13	HIE 2/4 @ 1:30											
HB16-1005	Residential Precipitation Collection		Ag 1/13												
HB16-1019	Broadcast Burns Watershed Protection	Monitor	Ag 1/13	Ag 1/27 @ UA											
HB16-1109	Application of State Water Law to Federal Agencies	Support	Ag 1/20	Ag 2/1 @ 1:30											
HJR16-1002	Dam Restoration Access to Federal Lands	Support	Ag 1/13	Ag 1/27 @ UA											
SB16-037	Public Access Digitally Stored Data Under CORA	Oppose	SVMA 1/13												
SJM16-001	Good Samaritan Remediation Abandoned Mines	Support	Ag 1/13												
SJM16-002	Federal Funding for Catastrophic Wildfire Response	Support	Ag 1/13	Ag 1/21			1/22								
SJM16-003	Water Projects Eligibility Lists	Support	Ag 1/20	Ag 1/28 @ 1:30											





# Attachment C



## 2016 FEDERAL WATER LEGISLATION



[FEDERAL BILL STATUS SHEET](#)

[CWC 2015 FEDERAL PRIORITIES](#)

Part of the Water Congress role as the principal voice of Colorado's water community is to stay on top of federal issues and legislation that may affect Colorado and are important to our members.

We accomplish this in large part through our active membership in the National Water Resource Association (NWRA), a federation of state water organizations concerned with appropriate management, conservation and use of water resources. The Water Congress Federal Affairs Committee works closely with NWRA, enabling us to provide our members greater access to federal water actions and breaking news that may impact our state. Federal legislation that CWC currently supports is below.

[JOIN TODAY](#)

[MEMBER LOGIN](#)

### Quicklinks

- [Committees](#)
- [State Issues](#)
- [Federal Issues](#)
- [Special Projects](#)

## FEDERAL LEGISLATION CWC SUPPORTS



### WATERSHED PROTECTION

**H.R. 695**, the Healthy Forest Management and Wildfire Prevention Act is designed to protect against the bark beetle epidemic, drought, deteriorating forest conditions, and high risk of wildfires on USFS land under BLM jurisdiction.

[CWC LETTER OF SUPPORT](#)



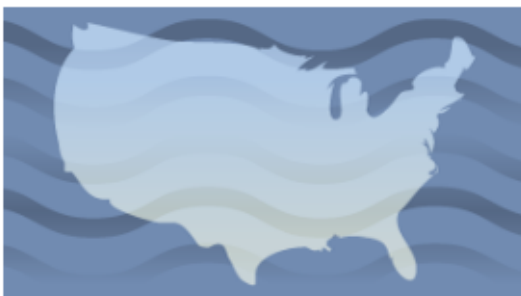
### ENDANGERED SPECIES

**S. 1036**, the Sage Grouse Protection and Conservation Act allows states to create and implement state-specific conservation and management plans that will protect and restore the sage grouse in lieu of listing under the Endangered Species Act.

[CWC LETTER OF SUPPORT](#)

**H.R. 2647** the Resilient Federal Forests Act of 2015 which could expedite under the National Environmental Policy Act and improve forest management activities in regions of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, etc.

CWC LETTER OF SUPPORT



### WATERS OF THE U.S.

**S. 1140** is drafted to to revise the definition of the term “waters of the United States”, defined in the Federal Register in April 2014. The bill also provides an explanation of the hydrologic cycle that is crucial to Colorado's prior appropriation system.

CWC LETTER OF SUPPORT

WOTUS ANALYSIS



### SKI AREA WATER RIGHTS

**H.R. 1830**, the Water Rights Protection Act was introduced to protect Colorado's ski area's water rights. Safeguarding privately held water rights is a top priority for the Colorado Water Congress and is vital to the western economy and culture.

CWC LETTER OF SUPPORT



# Attachment D

			First House				Second House						
Bill No.	Bill Title	CWC Position	Introduction	1st Committee	Subcommittee	Committee Action	Introduced	1st Committee	Subcommittee	Committee Action	First House Repass	Conference Committee	President Signed
<a href="#">H.R. 695</a>	Healthy Forest Management and Wildfire Prevention Act	Support	2/3/15	2/3 Ag + NR	3/16 FL								
<a href="#">H.R. 1732</a>	Regulatory Integrity Protection Act of 2015	Support	4/13/15	4/13 TI	4/14 EWR	5/12 TI	5/13						
<a href="#">H.R. 2028</a>	Energy and Water Development and Related Agencies Appropriations Act, 2016	Support	4/24/15	5/5 Ap									
<a href="#">H.R. 2554</a>	Continental Divide Wilderness and Recreation Act	Support	5/21/15	5/21 NR	6/10 FL								
<a href="#">H.R. 2647</a>	Resilient Federal Forests Act of 2015	Support	6/4/15	6/9 Ag	6/9/15 FL + IIANA								
<a href="#">S. 972</a>	Browns Canyon National Monument Clarification Act	Support	4/16/15	4/16 ENGR									
<a href="#">S. 1036</a>	Sage-Grouse Protection and Conservation Act	Support	4/22/15	5/6 EPW									
<a href="#">S. 1140</a>	Federal Water Quality Protection Act	Support	4/30/15	5/19 EPW	FWW	6/10 EPW							
			First House				Second House						

Bill No.	Short Title	CWC Position	Introduced	1st Committee	Subcommittee	2nd Committee	Introduced	1st Committee	2nd Committee	2nd Reading	First House Repass	Conference Committee	Governor
Bill Passed, date of action			TI = Transportation and Infrastructure (House)										
Bill no longer active			NR = Natural Resources (House)										
Bill Postponed Indefinitely, Lost or Laid Over to end of session			EWR = Energy and Water Resources (House Subcommittee)										
Bill did not go to second committee or no action required (black)			CF = Conservation and Forestry (House Subcommittee)										
			ENGNR = Energy and Natural Resources (Senate)										
<b>CWC POSITION</b>			PWE = Public Works and Environment										
Bill scheduled for activity in committee or subcommittee			FWW = Fisheries Water and Wildlife (Senate Subcommittee)										
Support			FL = Federal Lands (Senate Subcommittee)										
Oppose			IIANA = Indian, Insular and Alaska Native Affair (Senate Subcommittee)										
Amend			TE = Transportation and Energy Committee (Senate)										
Monitor, Neutral, No Position			UA = Upon Adjournment										
			UR = Upon Recess										



**AGENDA ITEM:** 8  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Steve Adams, Director

*AB for SA*

**TITLE:** Commission/Council Report

**SUMMARY:**

Discuss events that the Loveland Utility Commission Board members attended and any City Council items related to the Water and Power Department from the past month.

- Colorado Water Congress 2016 Annual Convention – January 27-29, 2016
- City Council Annual Workshop – January 23, 2016. Please see attachment A-D for supporting documents

**RECOMMENDATION:**

Commission/Council report only.

**REVIEWED BY DIRECTOR:**

*AB for SA*

**ATTACHMENTS:**

- **Attachment A:** City Council Annual Workshop Agenda
- **Attachment B:** Possible Projects and Topics for Council Workshop Discussion, Non-Capital Projects
- **Attachment C:** January 23, 2016 City Council Workshop Debrief prepared by the City Manager
- **Attachment D:** Council & Management Team Work Session: Roles and Responsibilities prepared by Gregg Piburn from Leader's Edge Consulting



# Attachment A

## AGENDA

LOVELAND CITY COUNCIL WORK SESSION  
SATURDAY, JANUARY 23, 2016  
GROUP PUBLISHING BUILDING  
1515 CASCADE AVENUE  
LOVELAND, COLORADO 80538

The City of Loveland is committed to providing an equal opportunity for services, programs and activities and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. For more information on non-discrimination or for translation assistance, please contact the City's Title VI Coordinator at [TitleSix@cityofloveland.org](mailto:TitleSix@cityofloveland.org) or 970-962-2372. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA). For more information on ADA or accommodations, please contact the City's ADA Coordinator at [bettie.greenberg@cityofloveland.org](mailto:bettie.greenberg@cityofloveland.org) or 970-962-3319.

"La Ciudad de Loveland está comprometida a proporcionar igualdad de oportunidades para los servicios, programas y actividades y no discriminar en base a discapacidad, raza, edad, color, origen nacional, religión, orientación sexual o género. Para más información sobre la no discriminación o para asistencia en traducción, favor contacte al Coordinador Título VI de la Ciudad al [TitleSix@cityofloveland.org](mailto:TitleSix@cityofloveland.org) o al 970-962-2372. La Ciudad realizará las acomodaciones razonables para los ciudadanos de acuerdo con la Ley de Discapacidades para americanos (ADA). Para más información sobre ADA o acomodaciones, favor contacte al Coordinador de ADA de la Ciudad en [bettie.greenberg@cityofloveland.org](mailto:bettie.greenberg@cityofloveland.org) o al 970-962-3319".

### 8:00 A.M. Meeting

1. Call to Order
2. City Council Workshop Discussion

5:00 P.M. ADJOURN





## Possible Projects and Topics for Council Workshop Discussion

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### Non-Capital Projects

- (1) Discussion and direction on economic development, particularly the extent the Council is willing to go on incentive packages
- (2) The RTA initiatives and in particular the cumulative impact on our community.
- (3) Development Services and if we want our community to be below average, average, or excel as a community where businesses want to locate and builders want to build. Residential-Commercial- Retail. This would also include discussion on various incentive tools at our disposal.

### Major Capital Projects that are not Budgeted or Planned in the 10-Year CIP

Museum Expansion

New Recreation Center

Branch Library

HIP Streets Downtown

Pulliam Building

Fire Station 10

Fire Training Facility

Highway 287 Strategic Plan Projects

City Council Chambers Building

Airport Tower

Airport Terminal

Airport Development Infrastructure

Transportation:

- Additional Highway 34 capacity
- Taft Avenue Widening
- 402 Widening and Improvement
- 71<sup>st</sup> Street/County Road 30



# Attachment C

## January 23 City Council Workshop Debrief

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### Stage-Setting

Four kinds of light: rich light, breakthrough light, harsh light, and false light

Two-word sayings: realistic optimism, confident humility, noble selfishness

### Roles, Responsibilities, Operations Discussion

Focus on roles of Council, Councilors, Manager, Attorney, Management Team

- Extensive discussions of what our roles are
- Role conflict: representing principles (or constituents) v. team “kumbaya”

### Operating Principles

Respect for all

Avoid labels (“politically partisan”, not just “partisan”)

### Things that Drive Each Other Crazy

#### Council

Lack of history in reports

Lack of explanation: Why recommend something?

Inaccurate numbers

Last-minute items or additions

#### Staff

Lack of respect (“harsh light”)

Long meetings

Ask us first, don’t assume

Police each other

Don’t “reply all”

Stay on task

Surprises

### Projects, Plans, Programs Discussion

Economic Development Incentives: schedule a study session/executive session on parameters; evaluate our “market share” trends in sales tax revenues

RTA: do a guest op-ed in the R-H; schedule Johnny Olsen (CDOT) for an I-25 study session; do preparation for analysis of RTA impacts

Development Services: keep on course for change and improvement; listen to customer and community feedback; pay attention to countering perception

### Capital projects and funding:

- Compile more information and priority “scoring” on capital projects list
- Don’t go to voters in 2016; go in 2017
- Engage the public and interest groups in evaluating priorities
- Schedule a study session on this



# Attachment D

## City of Loveland

### *Council & Management Team work session (1/23/16)*

#### **Who is supposed to do (& not do) what?**

Small mixed groups of participants rotated through the room to establish the role/responsibility clarity noted below.

#### ***The role/responsibility of the Council (CC) ...***

- Is: + Set policy + Adopt legislation & code + Represent voters + Listen  
+ Accomplish business + Make good decisions + Allocate resources + Set goals  
+ Set a good example + Ensure policies are implemented + Respect the position  
+ Research issues/positions + Be a cooperative body with respectful discussions  
+ Understand issues + Clear interpretation + Police/govern themselves  
+ Supervise/direct City Manager, City Attorney & Judge + Prioritize
- Is NOT: + Implementation + Direct Staff + Deal in minutiae + Management  
+ Accusatory + Interfere in personnel issues + Place City in legal jeopardy  
+ Undermining + Uncooperative

#### ***The role/responsibility of a Councilor ...***

- Is: + Communicate with City Manager, City Attorney & Judge  
+ Represent citizens + To listen & hold each other accountable + Study the issues  
+ Make decisions for the community as a whole based on information available  
+ Respect Staff individually & collectively + Collaboration + Be constructive  
+ Respect the public & other Councilors + Stay true to principles + Big-picture thinking  
+ Respect confidential matters + Read the packet + Seek clarification for information  
+ Study the packet + Execute duties under the charter
- Is NOT: + To make economic development commitments + Provide direction to Staff  
+ Self interest + Be uninformed + To break confidentiality + Be uninformed  
+ Be independent/maverick + Be constructive + Act contrary to a CC decision  
+ Be in the weeds + Undermine Staff + Act alone

#### ***The role/responsibility of the Mayor ...***

- Is: + Facilitate + Ceremonial representation with public + Manage meetings  
+ One vote + Key communicator between the Council & Staff + Help organize CC  
+ Spokesperson for the community – especially during emergencies + Set an example  
+ Keep control of meetings (CC & public) + Represent CC when authorized  
+ Fills designated seats & roles (i.e. PRPA) + Advocate for/promote Loveland
- Is NOT: + Direct the organization + Dominate discussions + Act on own initiative  
+ To make deals on the CC's behalf + Vested with authority of CC + Veto power  
+ Management + Act for CC

#### ***The role/responsibility of the City Manager ...***

- Is: + Give direction to Staff + Operational vision + Implement CC policy

- + Overall perspective of City functions + Represent the City organization to public
- + Clarity of communication + Oversee the budget process + Manage dept. directors
- + Champion City Staff culture/morale + Recommend policy to CC
- + Promptly inform CC with important news + Clarify information from Staff
- + Manage department directors + Manage/hire/discipline Staff
- + Provide accurate information to the CC & serve as relay person between CC & Staff
- Is NOT: + Give direction to CC + Unilaterally set governing policy + To steer policy
- + Micromanage departmental functions + Make economic development commitments
- + Boss of the City Attorney or Judge + Manage below director levels

***The role/responsibility of the City Attorney ...***

- Is: + Ensure compliance with current law + Advice CC, City & Staff + Manage legal staff
- + Take directions from CC + Protect CC & Staff (from themselves) + Trusted advisor
- + Ensure alignment with legal staff + Allocate staff to departments + Unbiased, impartial
- + Legal representation (defends against lawsuit) + Voice of restraint + Legal interpretation
- + Works for CC
- Is NOT: + Direct CC, City or Staff + Establish direction + Drive policy
- + Allowed to break law regardless of direction + Business or policy decision maker
- + An advocate while giving legal advice + Subject-matter expert
- + Public or Staff's attorney

***The role/responsibility of the M-Team ...***

- Is: Be effective managers and leaders + Implementation + Visioning & planning
- + Brainstorming + Publicly support the CC + Collaboration + Problem solving
- + Act in the best interests of the City + Take CC direction through the City Manager
- + Provide information to CC/Council member(s) + Communicate policy to Staff
- + Stay on the cutting edge + Be the face of the department & set good examples
- + Be a supportive peer + Serve the public
- Is NOT: + To set or direct organizational policy + Self serving
- + To take direction from an individual CC member + To be spokesperson for the City
- + To advocate for the department at the expense of the City
- + To question or resist CC policy decisions

**CC operating principles**

The 6 Councilors present agreed to the following operating principles.

- 1: Acknowledge we have different world views (partisan) ... but we don't want to be politically partisan so want to eliminate political labels from our conversations).
- 2: Seek first to understand and then to be understood (using body language and voice inflection that enhances that interaction).
- 3: Respect who we are as individuals (even if there are disagreements).
- 4: Respect the actions/decisions of the CC (even if there is disagreement).
- 5: Respect the Staff (even if there is disagreement).



Asked what would be the potential ramifications if these principles were adhered to in a significant degree, the responses were:

- Get more of our time back.
- Tangible financial benefits.
- Feel better about our accomplishments irrespective of the CC decision.
- Greater personal satisfaction of being part of a productive elected body.

### **Non-capital projects**

1: Economic development – what is the extent the CC is willing to go with an incentive package?

- The result of the discussion today was that Staff will get more information for the CC to consider and schedule a study session.

2: Regional Tourism Authority (RTA) initiatives – what will be the impact on the community?

- The public is starting to ask questions about impacts.
- In today's discussion there was agreement to focus on I-25 and have Johnny come to Loveland and give a presentation.
- Cecil will write a guest opinion on the topic for the Reporter-Herald.

3: Development services – how do we want Loveland to be considered in the realm of development??

As the City seeks to select and hire a new Development Services Director. Four key factors/goals for that new director are:

- Great leadership and communication skills,
- A customer-service focus,
- An effective representative of the department in the public's eye, and
- A pursuit of excellence.

Note: Keeping in mind the session's theme of respect, Councilor Johnson noted the City needs to treat potential developers with respect, not communicating in "false light" or "harsh light."

### **Major potential capital projects (not in CIP)**

Session participants discussed the 13 items on the list. Of those, the museum expansion (#1), new Rec Center (#2), Fire Station 10 (#6) and fire training facility (#7) are at least partially funded. The branch library (#3) and Fire Station 10 (#6) have partial CEF funding.

Points of agreement during the discussion were:

- If CC chooses to go to the public with a ballot issue for funding it would be in 2017.
- We need to engage the public in the process to get the discussions going.
- Staff will provide more information (including costs) on the projects to help CC's decision making.

### **3 top requests from M-Team to CC**

- 1: Respect – professional and personal.
- 2: Realistic expectations to match resources.

3: No surprises!

### 3 top questions from M-Team to CC

I saw several M-Team members taking notes as various CC members responded to these questions and encourage them to share them with your peers.

1: How can we support you in decision making?

2: What do we do that drives you nuts?

3: What can we do to prevent surprises?

It was great to have Council members ask M-Team members what about Councilors drive those nuts. M-Team responses were:

+ “Harsh light” + late meetings + “Rabbit holes”/diversions + policing each other

+ If you don’t tell us you don’t have all the info you need + when it feels like we are 2 teams

+ When you criticize Staff member via email and send “reply all”

### Final go-round

*What was the 1 most significant and/or memorable thing for you in this session?*

Rich: Help me, Hugh or Troy, understand what you mean?

Don: partisan is great; political part is not.

Tim: both groups acknowledging mutual respect as an area for improvement.

Terri: Extend appreciation to CC to work for solutions today.

Steve: The role/responsibility discussion.

Brent: Increase clarity.

Leah B.: Hope and renewal.

Bill: Mutual respect.

Mark: 4 Light Model – interpretation importance

Susan: constant need for clarity and communication and also being mindful of being respectful.

Marcia: The red flag of interpretation.

Geri: Do the right thing with respect and candor.

Elizabeth: The point that Mark brought up that we all work on the same team and bridge that gap.

Bob: Shared need for clear and complete information.

Rod: The critical discussion we had and I appreciate it.

Julia: Common mission we all have.

Roger (citizen): I need a broader picture.

Alan: Understand the penetration model informs our strategic path to protect our sales tax.

Gary (citizen): Seeing this many people work this long on a Saturday to serve Loveland.

Dave: The discussion on the role of government.

Tammi: The mutual respect piece and that both Staff and Council need to support Council decisions.

John: Every one of us in this room realize we all are cheerleaders for the City in everything we say and do; respect – everybody wants it and deserves it.

Leah J.: Respect.

Bill: The development of mutual expectations for everyone in the group.

Cecil: Coming to mutual agreement on operational objectives.

#### **Miscellaneous items from various session discussions**

- Management: The science of administration. Leadership: The art of inspiring strategic progress.
- The Results Model: Event → Interpretation → Response → Result
- Clarity brings ... truth, collaboration, trust, realism, results, answers, understanding, efficiency, compromise, respect, power, solutions & empowerment.

#### **How is bull riding similar to being a Councilor?**

- + Never know what's next + High pressure + sometimes you hit the ground
- + Some are cheering for the bull + Are we trained for this???

#### **How is bull riding similar to being an M-Team member?**

- + Everyone is watching whether we “nod” or not + Hope we leave with all our parts intact
- + 8 seconds can break you + there are some clowns around + Watch where you step
- + Can be a rough ride but you have to get back up

#### **Final facilitator thoughts**

I ended the session with a quotation from writer W.H. Auden: “You owe it to us all to get on with what you’re good at.” I believe you set everyone to do that better when there is clarity (of roles and responsibilities, among other things), rich-light communication and the recognition that you are all part of the same team.

Thanks for being leaders of the community my wife and I have lived in since 1977 and I hope there is greater success AND satisfaction that ever before in the future of this team.

*Gregg Piburn*

*Leader’s Edge Consulting*

*Submitted 1/25/16*





**AGENDA ITEM:** 9  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Steve Adams, Director

*AB for SA*

**TITLE:** Director's Report

**SUMMARY:**

- **FEMA Alternate Project Update** — The deadline to appeal the Foothills Substation and Solar project was January 28, 2016 and LWP was notified by Planning that we did not receive an appeal for the project. The emergency ordinance was approved by City Council on January 19, 2016 and the contract with Namaste was completed and signed on January 28, 2016. Namaste has been coordinating with United Civil on construction schedules, site work and grading of the site. Site grading will start in the spring with construction work on the solar project starting in late summer. Namaste has also started working with staff to finalize the design of the solar facility. Staff and PRPA will begin the bidding process for substation materials and equipment in March. – Gretchen Stanford
- **LUC Tour of Water and Power Service Center Facilities** — You are invited to join us for a walking tour of the Water and Power Service Center facilities including administration/engineering, dispatch/SCADA, crew areas, metering and technical services, the City's warehouse and our heated storage/parking. Staff are in the process of setting a date and time for the tour. More information will be provided closer to the event date. If you have questions about this tour please contact Kathy Gross at [Kathy.Gross@cityofloveland.org](mailto:Kathy.Gross@cityofloveland.org) or at 970-962-3543. – Kathy Gross
- **Broadband Update** — At the City Council Study Session on February 9, 2016, city councilors heard a presentation on broadband next steps for the City of Loveland which included:
  - implementing a communication plan,
  - finalizing and releasing an RFP for a broadband assessment and feasibility analysis,
  - inventorying assets,
  - participation in regional collaboration meetings with Fort Collins, Estes Park, Longmont and Larimer County,
  - researching potential grant opportunities,
  - and developing a task force to assist staff, city council and the consultant in studying options for municipal broadband.

The Broadband Project Team received direction from Council to move forward with the proposed communication plan, task force development, asset inventory and regional collaboration. Following the receipt of Council feedback on the RFP document, the RFP for the assessment and feasibility analysis will be released. Councilors offered support for Councilor John Fogle to be the Council liaison for the broadband task force. This will be voted on formally at a future regular City Council meeting. For information on Loveland's broadband initiative please see the City's website at [www.cityofloveland.org/broadband](http://www.cityofloveland.org/broadband) – Kim O'Field

- **Passport to Water & Power** – Loveland Water and Power is proud to be hosting the 3rd annual Passport to Water and Power event. This outdoor event allows Loveland residents the chance to tour their local municipal utility - Loveland Water and Power. Customers can interact with each aspect of their municipal utility, in order to learn who we are, what we do, where we work, and how we, as a municipal utility, provide water and power to the Loveland community. Join us June 9, 2016 from 3:30 pm - 7:00 pm for family, fun, food and prizes. LUC board members are invited to attend and serve as resource for the public to discuss the utility. If you are interested in attending as a resource, please let Allison Bohling know. – Lindsey Bashline
- **Tri-City Meeting** — In order to move forward with the event planning process staff would like feedback from the LUC on the following items:
  - **Speaker Topics:** Patty Limerick has agreed to attend and speak at the 2016 event. Below you will find a list of current suggestions for possible presentation topics. Staff would like to gather any additional suggestions from LUC. Then, get a general consensus from the board on what topics we would like to have Patty present on for the event.
    - Option 1: Understanding our water—users and creating a new way of thinking for municipal water planners
    - Option 2: Land Use and Water Conservation
    - Option 3: Patty's career, experience, and professional growth
    - Option 4: Explore the option of offering a book signing and distribution at the closing of the event for her 2012 book A Ditch in Time: *The City, the West, and Water*.
  - **Theme:** Below you will find a list of theme suggestions given by staff. We would like to gather any additional suggestions from LUC regarding the theme. Then, based off that feedback we would like to pick a theme for the event.
    - Option 1: Exploring The Colorado Water Plan - People love Colorado. Our iconic mountains, rivers, minerals, plains, communities, forests, snow, wildlife, and wilderness have drawn people by the millions to our centennial state. Our population has ballooned from 1 million in 1930 to over 5 million today, and could nearly double by 2050. Sustaining this growth requires water. While we grow at this pace, how do we preserve what we love about our state? Colorado's Water Plan has answers.
    - Option 2: Colorado Water Live Like you Love it Campaign - Colorado WaterWise launched Colorado Water – Live Like You Love It (LLYLI) in 2014. This statewide campaign is designed to deliver a unified, consistent message about the value of Colorado water and the need to conserve, care for and commit to becoming more informed about this critical resource.
    - Staff recommendation: Staff recommends that the primary event theme reflect ideas and concepts surrounding the Exploration of the Colorado Water Plan while including branding and marketing material, where possible, for the Colorado Water Live Like you Love it Campaign.
  - **Menu:** Please see attachment A for the menu options. The green heightened sections are staff recommendations. Staff would like feedback from LUC on any objections or section changes. Then, staff would like to have final consensus of the menu and bar options for the event.



- **Community Stewardship Lecture Series** – High Plains Environmental Center has partnered with Loveland Water and Power to bring you a free lecture series you won't want to miss! Every second Tuesday throughout the year, the public is invited to go to Grimm Brothers Brewhouse, 623 Denver Avenue Loveland, CO 80537 and learn from experts in the field about horticulture, energy, water, sustainability and more. Pre-registration is required. New topics announced monthly. For more information about the lecture series and how to sign-up, check out [www.cityofloveland.org/LWPLectures](http://www.cityofloveland.org/LWPLectures). – Lindsey Bashline



Calendar of Upcoming Lectures:

- March 8, 2016 - Growing Your Own Vegetables from Seeds and Transplants
  - April 12, 2016 - Native Pollinators and their Habitats
- **Upcoming Spring and Summer 2016 Events** – Below you will find a list of the upcoming Spring and Summer 2016 events that LWP is planning to participate in.

Event	Date	Location
Landscaping with Colorado Native Plants Conference	3/12/2016	The Ranch
Children's Day	4/18/2016	Civic Center
City of Loveland Spring into Green	4/30/2016	Civic Center
Children's Water Festival	5/12/2016	Good Shepherd Church
Garden-In-A-Box Set-up/Pick-Up	5/14/2016	Service Center
Public Works Day	5/17/2016	Fairgrounds Park
Loveland Youth Gardeners: Garden and Art Tour	6/18/2016	TBD

- **Boards & Commission Summit** — The LUC is on the agenda to have a brief speaking part at the 2016 Boards & Commission Summit (5 minutes or less). The LUC representatives for the 2016 Boards and Commissions Summit are Gene Packer, Dave Schneider and Steve Adams. Please see attachment B for a copy of the Boards & Commission Summit presentation. Staff would like to preview the current draft of the presentation for this event with LUC and gather feedback. – Steve Adams

***Boards & Commission Summit***  
 Thursday, March 3, 2016 5:00 pm to 9:00 pm  
 Rialto Theater Center  
 228 East 4<sup>th</sup> Street  
 Loveland, CO 80537

**RECOMMENDATION:**

Director's report only.

**REVIEWED BY DIRECTOR:**

*AB for SA*





# Attachment A

## Hors d'oeuvres



### Cold Options - Served in Trays of 50 Pieces

Blue Cheese and Walnut Canapé	\$175.00
Balsamic Grilled Beef with Tomato Basil Relish On Elegant Tasting Spoons	\$175.00
BBQ Pork On Cheddar Biscuit	\$175.00
Belgium Endive Spears topped with Chicken Salad and Red Peppers	\$175.00
Goat Cheese and Balsamic Syrup On Parmesan Olive Shortbread	\$175.00
Jamaican Jerk Shrimp On Coconut Crusted Banana	\$175.00
Mexican Chicken Tortilla Cup with Black Beans and Jack Cheese	\$175.00
Beef Carpaccio On A Potato Rosti	\$195.00
Seared Ahi Tuna with Wasabi In A Poppy Seed Cup	\$195.00
Jumbo Shrimp Cocktail with Remoulade and Sweet Vermouth Horseradish	\$220.00
Ahi Tuna Tartar On Elegant Tasting Spoons	\$220.00

### Hot Options - Served in Trays of 50 Pieces

Mozzarella Stuffed Meatballs with Roasted Pepper Marinara	\$132.00
Risotto Rice and Fontina Cheese Rice Ball	\$132.00
Vegetarian Spring Rolls with Spicy Chili Sauce	\$132.00
Pork and Vegetable Egg Rolls with Sweet and Sour Sauce	\$142.00
Asparagus and Three-Cheese Tart	\$175.00
Chicken Breast and Pineapple Teriyaki Brochette	\$175.00
Goat Cheese and Pear Filo Purse	\$175.00
Greek Lamb and Feta Cheese Filo Bundles	\$175.00
Mini Chicken Wellingtons with Mushroom Duxelle	\$175.00
Shrimp Stuffed Jalapeno Poppers	\$175.00
Wild Mushroom and Brie Cheese Tart	\$175.00
Teriyaki Beef Sate with Peanut Sauce	\$185.00
Apple Wood Bacon Wrapped Sea Scallops	\$198.00
Cajun Shrimp and Andouille Sausage Kabob	\$198.00
Coconut Shrimp with Green Curry Lemongrass Sauce	\$198.00
Mini Beef Wellingtons with Mushroom Duxelle	\$198.00

### Platters and Displays Trays Serve 50

#### Gourmet Butcher Block Cheese Display - \$345.00

A Selection of the Highest Quality Cheeses Available (Based on Availability)  
Spanish Manchego, Vermont Cheddar, Maytag Blue, Baked Brie in Puff Pastry, Asiago, English Sage Derby, Drunken Goat, Irish Dubliner Cheddar, Beemster Gouda XO, Horseradish Chive Havarti and Spreadable Southern Pimento Cheese  
Local Nita Crisp Crackers, Grilled Flatbreads, and Baguettes

#### Fresh Fruit Display - \$240.00

Seasonal Fresh Fruit and Berries with a Raspberry Honey Yogurt for Dipping

#### Vegetable Crudité - \$215.00

A Selection of the Season's Fresh Vegetables with French Onion and Avocado Ranch Dip

### Carving Stations - as an "add-on" item, not intended to be served as an entree

#### Baron of Beef - \$350.00 (serves 50)

Slow Roasted Top Round of Angus Beef Served with Creamy Horseradish, Mustard, Mayonnaise, and BBQ Sauces

#### Porcini Crusted Beef Tender Loin - \$385 (Serves 30)

Seared and Served Medium-Rare with Creamy Horseradish, and Chive Mayonnaise

#### Roasted Breast of Turkey - \$340.00 (serves 50)

Served with Cranberry Orange Sauce, Mustard, Mayonnaise

#### Local Wild Game Trio - \$625.00 (serves approximately 45)

Buffalo Rib Eye, Elk Strip Loin and Wild Boar Sausage Served with Appropriate Condiments

#### Colorado Buffalo Strip Loin - \$350.00 (serves 35)

Lean Buffalo Strip Loin Seasoned and Roasted Served with Cranberry Mayonnaise, Creamy Horseradish, and BBQ Sauces

#### Baked Sugar Glazed Ham - \$310.00 (serves 40)

Served with Assorted Mustards, Mayonnaise

-Our most popular selections

-Vegetarian Option

All Food and Beverage Pricing is Subject to 24% Service Charge and 6.55% Sales Tax





## Dinner Buffet Selections

### Terra Tomah Italian Buffet - 49.00

Caesar Salad with Brioche Croutons and Shaved Parmesan Cheese  
Heirloom Tomato Salad with Fresh Mozzarella, Garden Basil Pesto and Aged Balsamic  
Feta and Slow Roasted Tomato Salad with French Green Beans  
Pepperoni Arrostiti Sotto Olio (Roasted Peppers in Olive Oil)  
Garlic Bread and Focaccia with Flavored Oil for Dipping

Red Bird Farm Chicken Breast with Hazel Dell Mushrooms, Sweet Marsala and Garden Fresh Basil  
Baked Ziti Pasta with Ground Beef in a Spicy Tomato Cream Sauce  
Roasted Pork Loin with Fennel  
Fresh Local Vegetables  
Fontina Cheese and Prosciutto Panini  
Roasted Yukon Rosemary Lemon Potatoes  
Tiramisu and Flourless Chocolate Cake

### Boyd Lake Barbecue - \$47.50

Sweet Corn and Roasted Poblano Chowder  
The Wedge Salad  
Coleslaw  
Roasted Red "B" Potato Salad  
Mint Infused Fruit Salad

Raspberry-Chipotle Barbecue Chicken  
Marinated Grilled Rib Eye Steak with Onions & Mushrooms  
Bacon Wrapped BBQ Shrimp Skewer

Poblano Corn Bread with Whipped Butter  
Corn on the Cob and Fat Tire Baked Beans  
Salt Roasted Yukon Potatoes

Bourbon Pecan and Apple-Cinnamon Pies

### Grand Lake Buffet



Two Entrée Selection \$46.00 Three Entrée Selection \$50.00

#### Salads (Choose Three Selections)

Mixed Field Greens, Duo of Dressing  
Caesar, Brioche Croutons, Parmesan Crisp, House and Chipotle Caesar Dressing  
Tri-Color Fruit Salad with Mint Infusion  
Farfalle Pasta Salad with Fire Roasted Peppers, Black Olives and Feta Cheese  
Cucumber Tomato Salad  
Coleslaw

Warm Bread and Butter

#### Entrees (Choose Two or Three Selections)

Roast Beef Tri-Tip, Cowboy Rub with Shanahan's Colorado Whiskey Barbecue Sauce   
Grilled Flat Iron Steak Teriyaki  
Stuffed Pork Loin with Apricot, Blue Cheese, and Bacon  
Chicken Picatta  
Chicken Saltimbocca with Prosciutto and Sage   
Red Bird Chicken Roulade filled with Jumbo Shrimp Topped with Lobster Cognac Sauce  
Filet of Salmon Stuffed with Crabmeat, Spinach and Pine Nuts  
Spanish Paella with Shrimp, Chicken and Sausage with Saffron Rice  
Shrimp and Penne Pasta with Baby Spinach, Garlic Cream and Roasted Tomatoes

All Entrees Served with Chef's Choice Complimenting Seasonal Vegetable and Starch

Assorted Dessert Buffet

All Buffets Served with Ice Water, Coffee and Assorted Hot Teas  
MINIMUM OF 30 GUESTS REQUIRED FOR BUFFET SELECTIONS

MINIMUM OF 30 GUESTS REQUIRED FOR BUFFET SELECTIONS

 - Our most popular selections

 - Vegetarian Option

All Food and Beverage Pricing is Subject to 24% Service Charge and 6.55% Sales Tax





# Beverage Service

## liquor selections

### premium bar

- New Amsterdam Vodka
- Cruzan - Estate Light Rum
- New Amsterdam Gin
- Jim Beam 4Y Bourbon
- Johnnie Walker Red Scotch
- Canadian Club Whisky
- Sauza Extra Gold Tequila

*selection of beers  
and Canyon Road wines*

### super premium bar

- Grey Goose Vodka
- Tanqueray Gin
- Captain Morgan Rum
- Maker's Mark Bourbon
- Chivas Regal 12Y Scotch
- Crown Royal Whisky
- Jose Cuervo Gold Tequila

*selection of beers  
and Select wines*

## beer selections

- Bud Light
- Coors Light
- New Belgium 1554
- Odell Easy Street Wheat
- Stella Artois
- Corona

## host bar – by the hour (2 hour minimum)

per person	beer & house wine only	beer & select wine only	premium bar	super premium bar
1 hour	\$11	\$14	\$12	\$15
2 hour	\$22	\$28	\$24	\$30
3 hour	\$30	\$36	\$33	\$41
4 hour	\$38	\$45	\$42	\$54

## wine selections

Canyon Road  
wines by the glass

chardonnay, pinot grigio,  
merlot, cabernet

### Select

wines by the glass

Kendall Jackson Chardonnay

Ecco Domani Pinot Grigio

Apothic Red Blend

Louis Martini Cabernet Sauvignon

## consumption bar

per drink	host / ticket	cash
premium bar or premium cordials	\$5.50	\$6
super premium bar, signature craft bar or classic cordial	\$6.50	\$7
beer	\$5	\$5.50
canyon road wines by the glass	\$6	\$6.50
select wines by the glass	\$8.25	\$9



## cordial selections

### Premium Bar:

Dekuyper Amaretto Liqueur,  
Dekuyper Triple Sec,  
Kamora Coffee,  
E&J Brandy

### Super Premium Bar:

Disaronno Amaretto,  
Bailey's Irish Cream,  
Grand Marnier,  
Kahlua Coffee Liqueur,  
Courvoisier VS Cognac

**Any beer or wine substitutions to our standard pours must be purchased by the case with a one (1) case minimum.**

**Any liquor substitutions to our standard pours must be purchased by the bottle.**

We will require one (1) bar/bartender per 100 people. A bartender fee of \$100.00 per bar will apply.

Bartender Service is provided for up to four (4) hours. A charge of \$25 per bartender will apply for each hour thereafter.

All guests must show proof of identification with a valid picture driver's license prior to receiving alcoholic beverages.

The hotel reserves the right to refuse service to any person who may be intoxicated, even if that person is a guest in the hotel.

All liquor, beer and wine consumed and/or sold on the premises must be purchased from and served by the hotel.

**E** -Our most popular selections

 -Vegetarian Option

All Food and Beverage Pricing is Subject to 24% Service Charge and 6.55% Sales Tax





# Attachment B

## **LOVELAND WATER AND POWER PRESENTATION TO THE CITY OF LOVELAND BOARDS & COMMISSION SUMMIT**

Loveland Utilities Commission

March 3, 2016

# AWARDS & ACCOMPLISHMENTS

## Awards

1. American Public Power Association RP3 Award – **Platinum Reliable Public Power Provider**
2. Alliance for Innovation – Outstanding Achievement Award in Local Government Innovation



## Loveland Utilities Commission

### Top 5 Accomplishments

1. FEMA Alternate Project – Foothills Substation and Solar
2. Water Treatment Plant expansion
3. Evaluate and recommend WWTP improvements
4. Water and Wastewater Cost of Service Study
5. Support City Council's direction on Broadband



## 2015 Awards

1. American Public Power RP3 – one of the 191 of 2000 public power utilities to earn this award for providing the highest degree of reliable and safe electric service.
2. Alliance for Innovation – for creating a replicable model for electric vehicles through public private partnerships
3. 9 members, accumulated experience – Over 140 years total of experience.

## Top 5 2015 Accomplishments of the Loveland Utilities Commission

As you can see the LUC has had a very busy year in 2015 working on the listed projects.

1. FEMA Alternate Project – Foothills Substation and Solar
2. Water Treatment Plant expansion
3. Evaluate and recommend WWTP improvements
4. Water and Wastewater Cost of Service Study
5. Support City Council's direction on Broadband

## FEMA ALTERNATE PROJECT FOOTHILLS SOLAR AND SUBSTATION



### FEMA Alternate Project Foothills Solar and Substation: Project Highlights

1. On May 30, 2014, Loveland received confirmation that FEMA had determined the City was eligible to receive a subgrant for an alternate FEMA project to replace the Idylwilde Dam and Penstock facilities lost in the September 2013 Flood.
2. The project has been through an extensive development review process including a special review and approval of re-zoning received from the planning commission and City Council.
3. The solar facility will approximately 3 MW which will replace the 900 kW hydroelectric facility. The solar will be added to our distribution system and serve the entire community as part of our resource mix.
4. The substation will serve the northwest part of town and will offer more capacity to the entire system and will eventually replace the West substation on Namaqua Rd.

### Cost

\$5.1 million for the solar facility  
\$4 million for the substation

### Schedule

Solar will be installed by December 2016. The entire project will be completed by September 2017.



## WATER TREATMENT PLANT EXPANSION



### Water Treatment Plant Expansion: Project Highlights

1. Adding a new 8 million gallons per day Filter Plant Building with provisions to expand in the future
2. A new Chemical building that is sized to treat 46 million gallons per day
3. Construction of a new Soda Ash silo to help staff meet high Water Quality standards
4. A Fire pump building is currently under construction, to provide fire protection to the chemical storage facility
5. New sludge drying beds and polymer building for processing solids removed from raw water during the treatment process. The solids will be skimmed from the drying beds and used as topsoil amendment for agricultural and landscape use.
6. New water sampling station to measure the point of compliance for treated water
7. The design team also needed to replace certain aging infrastructure and bring facilities up to newer building codes.

### Cost

\$24.2 million

### Schedule

1. The Construction is 80% complete
2. The new WTP facilities will be placed into service in May of 2016 and final completion is scheduled for July 30, 2016.

## HOME SUPPLY BIG DAM



### Home Supply Big Dam: Project Highlights

1. Reconstruction of the top 5 courses of the Dam face
2. Construction of a new overflow structure on City Side
3. Reconstruction of diversion structure on Home Supply side

### Cost

\$2 million – shared 50/50 between Home Supply and City of Loveland

### Schedule

1. Project completed September 25, 2015

# WASTEWATER TREATMENT PLANT IMPROVEMENTS



## Wastewater Treatment Plant Improvements: Project Highlights

1. Headworks screening improvements
2. Biological Nutrient Removal to meet new phosphorus and nitrogen limits
3. Additional anaerobic digester tank and control facility
4. Renovation of existing digester facility built in 1986
5. Increase in overall plant capacity from 10 mgd to 12 mgd

## Cost

\$37 million

## Schedule

1. Design is currently underway
2. Construction – Fall 2016
3. Construction end date – December 2018





**AGENDA ITEM:** 10  
**MEETING DATE:** 2/17/2016  
**SUBMITTED BY:** Larry Howard, Senior Civil Engineer

**TITLE:** Water Supply Update

**DESCRIPTION:**

Projection for raw water supply in 2016.

**SUMMARY:**

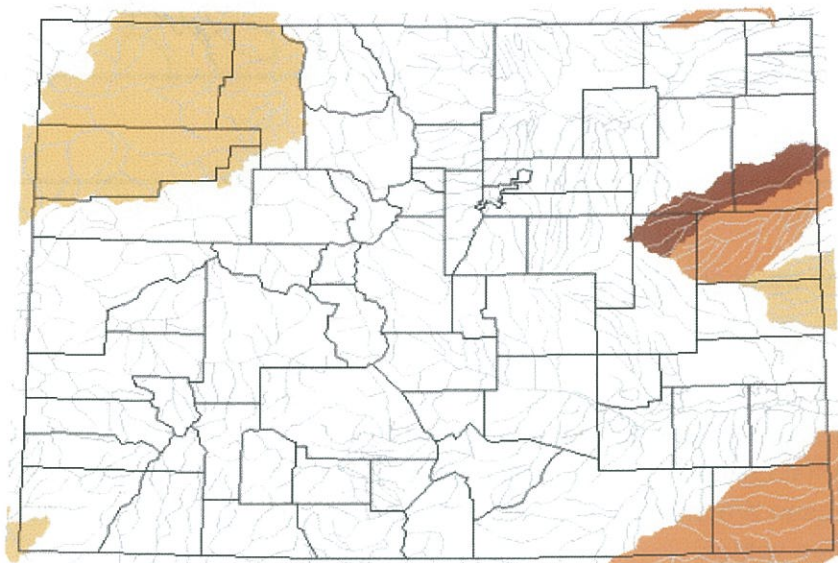
Attachment A is the Snow–Water Equivalent chart for Bear Lake station as of February 17, 2016. Water Resources Staff generated this chart to show a range of low, median, and high years as well as the current year-to-date snow accumulation for the Bear Lake SNOTEL station in the Big Thompson Watershed. Snowpack for the Bear Lake station continues to chart along average or median values.

Attachment B is the snow updates from SNOTEL sites in the South Platte River Basin and the Upper Colorado River Basin.

Attachment C shows snowpack and streamflow comparisons as of February 1, 2016 throughout the CBT system as produced by Northern Water. Snow water content on the Upper Colorado was 109% with stream flow forecast of 98%. Big Thompson River content was 101% with streamflow forecast of 92%.

Long range forecasts do not currently indicate any drier than normal conditions setting up for the spring, but that can always change. Below is a clip from the Drought Monitor.

Monday, February 08, 2016



Explanation - Percentile classes				
Low	<=5	6-9	10-24	Insufficient data for a hydrologic region
Extreme hydrologic drought	Severe hydrologic drought	Moderate hydrologic drought	Below normal	

(US Drought Watch Web site) depicts 7-day average streamflow conditions as measured at USGS gaging stations. The flow for the week of the year.

#### RECOMMENDATION:

Information item only. No action required.

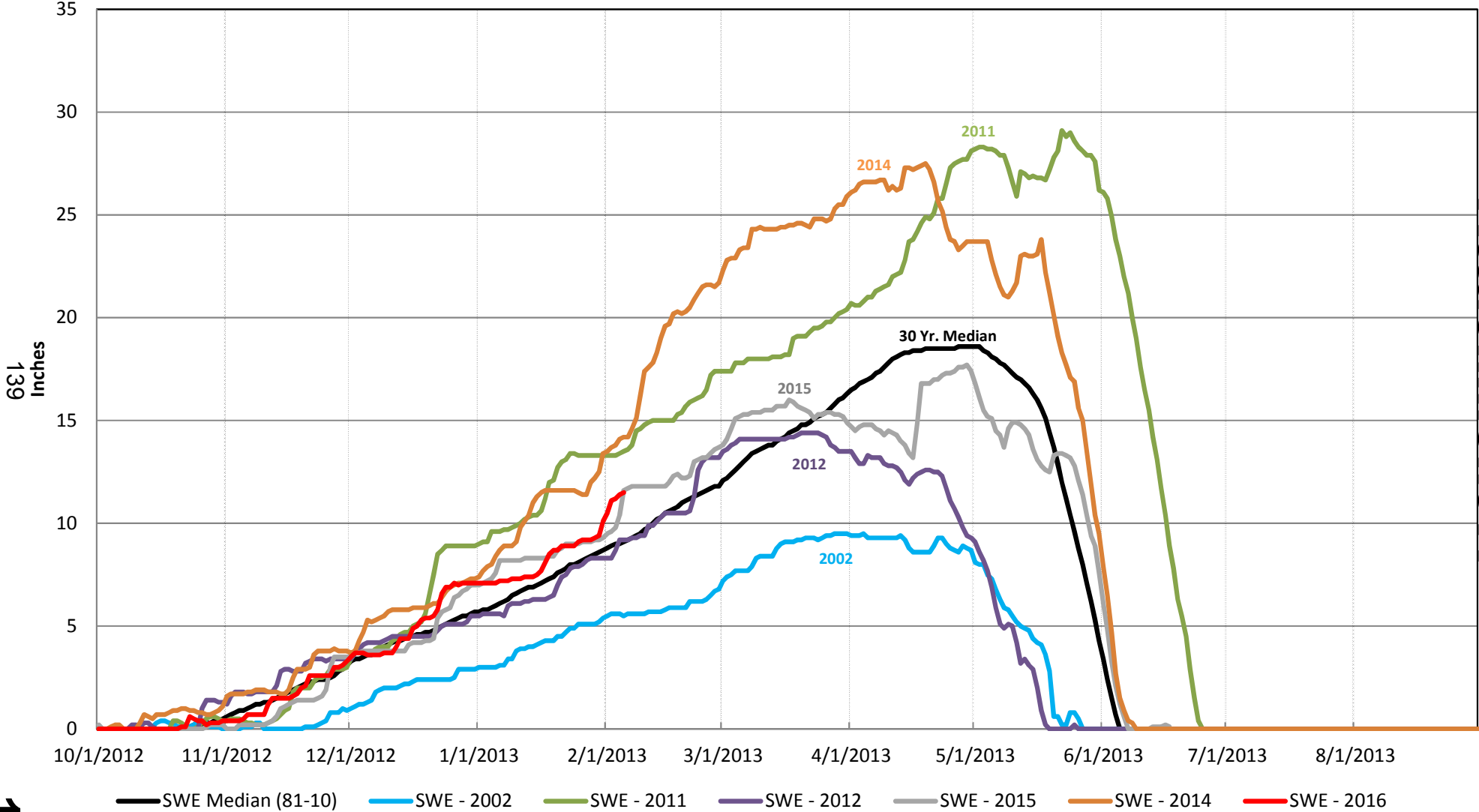
#### REVIEWED BY DIRECTOR:

*AB for SA*

#### ATTACHMENTS:

- **Attachment A:** Snow–Water Equivalent Chart for Bear Lake SNOTEL Station
- **Attachment B:** Snowpack Updates for South Platte Basin and Upper Colorado
- **Attachment C:** February 1, 2016 Northern Water’s Snowpack and Streamflow Comparisons

Snow - Water Equivalent at Bear Lake: February 17, 2016



Attachment A



# Attachment B

## Snow Update

Based on Data from NRCS SNOTEL Sites

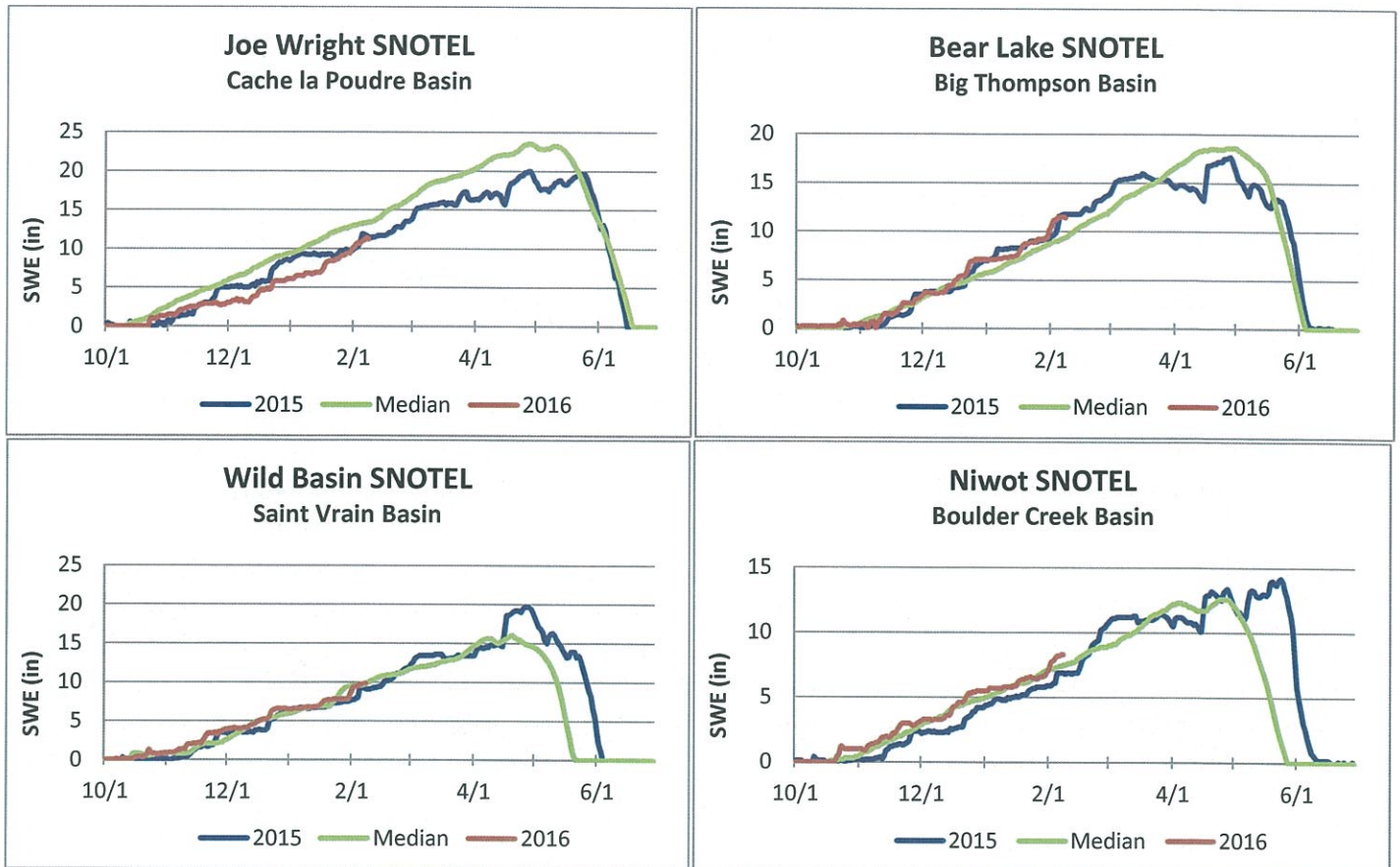
2/8/2016

South Platte River Basin						
Station Name	Basin	Elevation (ft)	Snow Water Equivalent (SWE)			
			Current (in)	Last Year (in)	Median (in) <sup>1</sup>	Current as % of Median
Bear Lake	Big Thompson	9,500	11.4	11.8	9.4	121%
Copeland Lake	Saint Vrain	8,600	4.3	5.7	3.5	123%
Deadman Hill	Cache la Poudre	10,220	11.9	10.7	10.6	112%
Hourglass Lake	Cache la Poudre	9,380	7.9	6.6	--	--
Joe Wright	Cache la Poudre	10,120	11.2	11.5	13.4	84%
Lake Eldora	Boulder Creek	9,700	8.2	7.8	7.1	115%
Niwot	Boulder Creek	9,910	8.3	6.9	7.5	111%
University Camp	Boulder Creek	10,300	10.1	9.2	9.4	107%
Wild Basin	Saint Vrain	9,560	9.8	9.1	9.8	100%
Willow Park	Big Thompson	10,700	10.4	11.3	10.6	98%

<sup>1</sup> Median Snow Water Equivalent (1981-2010)

Notes:

-Hourglass Lake Station began data collection October 2008; there is not enough data to compute a median.





# Snow Update

Based on Data from NRCS SNOTEL Sites

2/8/2016

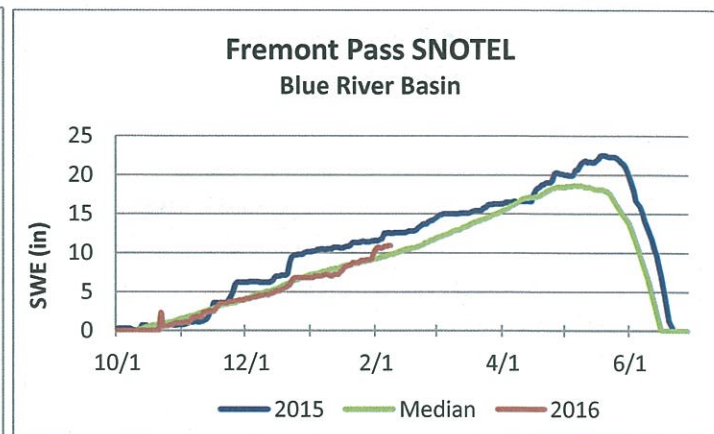
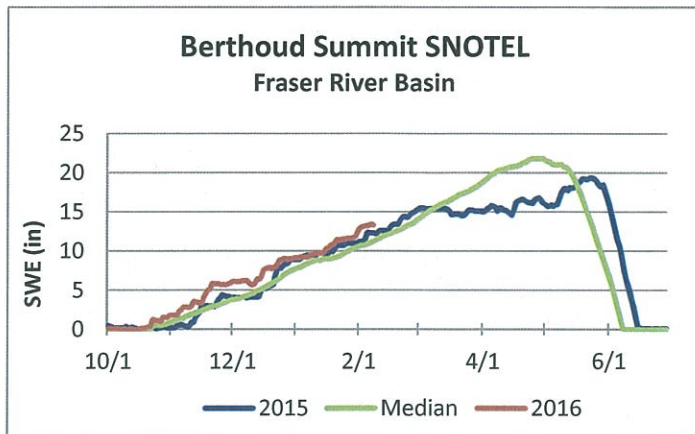
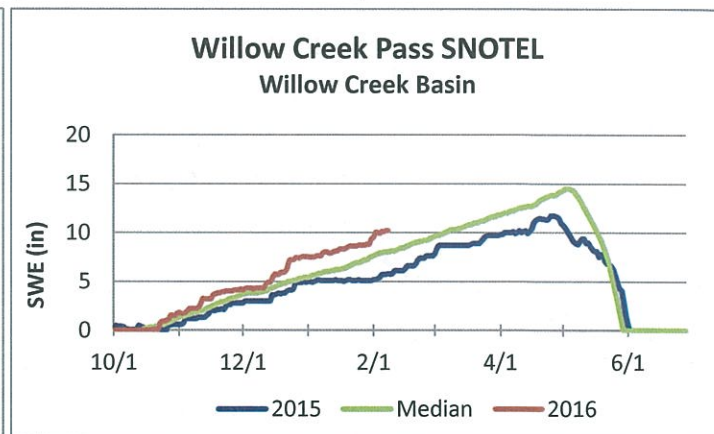
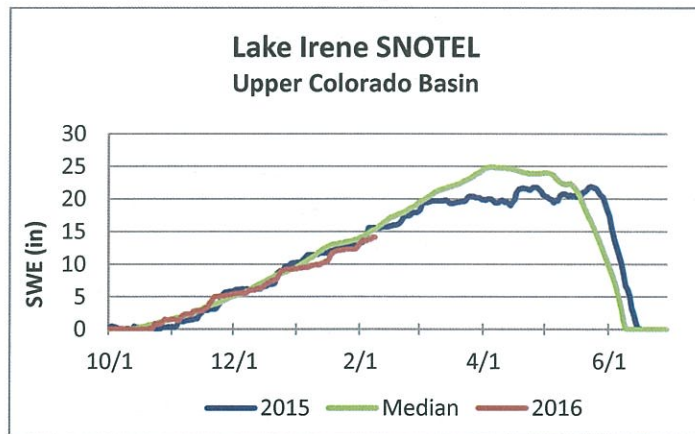
Upper Colorado River Basin						
Station Name	Basin	Elevation (ft)	Snow Water Equivalent (SWE)			
			Current (in)	Last Year (in)	Median (in) <sup>1</sup>	Current as % of Median
Berthoud Summit	Fraser	11,300	13.3	12.3	11.2	119%
Fool Creek	Fraser	11,150	13.5	12.8	--	--
Fremont Pass	Blue	11,400	10.9	12.5	9.8	111%
Grizzly Peak	Blue	11,100	12.2	12.3	9.7	126%
High Lonesome	Upper Colorado	10,620	12.8	10.8	--	--
Hoosier Pass	Blue <sup>2</sup>	11,400	10.7	0.0	9.2	116%
Jones Pass	Fraser <sup>2</sup>	10,400	11	10.2	8.5	129%
Lake Irene	Upper Colorado	10,700	14.1	15.6	15.3	92%
Never Summer	Willow Creek <sup>2</sup>	9,540	11.9	10.7	13.1	91%
Phantom Valley	Upper Colorado	9,030	6.3	5.9	6.9	91%
Stillwater Creek	Upper Colorado	8,720	7.2	5.7	5.6	129%
Willow Creek Pass	Willow Creek	9,540	10.2	5.8	8	128%

<sup>1</sup> Median Snow Water Equivalent (1981-2010)

<sup>2</sup> SNOTEL stations are outside of, but near the basin.

## Notes:

- Fool Creek Station began data collection October 2011; there is not enough data to compute a median.
- High Lonesome Station began data collection October 2013; there is not enough data to compute a median.





# Attachment C

## Snowpack and Streamflow Comparisons February 1, 2016



### Snow Water Content

% of Average

Colorado's Statewide Snowpack	112%
Upper Colorado River <sup>(1)</sup>	109%
South Platte Tributaries <sup>(2)</sup>	97%

### Snow-Water Content Comparisons (inches)

Watershed	February 1, 2016 Snow-Water Content			February 1 Comparative Snow-Water Content			
	2016	Average	% Avg	2015	2014	2013	2002
Blue River	9.2	8.8	105%	112%	125%	51%	75%
Upper Colorado River	9.4	9.7	97%	85%	112%	58%	64%
Willow Creek	7.7	6.6	117%	70%	103%	78%	55%
Fraser River	10.6	8.9	119%	96%	119%	64%	68%
Poudre River	7.7	8.7	89%	80%	108%	55%	53%
Big Thompson River	8.6	8.6	101%	100%	125%	52%	58%
St. Vrain River	6.5	6.7	98%	93%	126%	55%	56%
Boulder Creek	6.9	6.8	101%	90%	125%	59%	59%

### Apr-Jul Maximum, Minimum

and Most Probable Streamflow Forecasts (1000 af)

Watershed	Forecast Minimum	Most Probable	Forecast Maximum	Apr-Jul Avg <sup>(3)</sup>	Most Prob % Average
Blue River	206	292	393	275	106%
Upper Colorado River	157	215	282	220	98%
Willow Creek	35	52	73	47	111%
Fraser River	89	125	168	117	107%
Poudre River	133	200	300	225	89%
Big Thompson River	54	83	125	90	92%
St. Vrain River	64	85	106	88	97%
Boulder Creek	37	53	72	54	98%
South Platte Tributaries		421		457	92%

### Precipitation within District Boundaries <sup>(4)</sup>

	Totals	Average	% Average
January	0.39	0.38	102%
Nov-Jan	2.51	1.47	170%

(1) Includes the Colorado, Willow Creek, Fraser and Blue River Watersheds

(2) Includes the Poudre, Big Thompson, Saint Vrain and Boulder Creek Watersheds

(3) Average for the period 1981-2010

(4) Computed using CoCoRaHS and Northern Water Stations