

2015 Fort Collins Water Board Annual Report

February 2016

2015 Board Members

Steve Malers, Chair	Michael Brown	Alex Maas	
Becky Hill, Vice Chair	Lori Brunswig	Andrew McKinley	¹ new member
Brett Bovee	Duncan Eccleston	Phyllis Ortman	² retiring member
Brian Brown ²	Heidi Huber-Stearns ³	Kent Bruxvoort ^{3,1}	³ served part of year

This annual report summarizes the activities of the Water Board during 2015. The formatting of this Annual Report is consistent with the Annual Work Plan. Alignment of Water Board activities with the City’s Strategic Plan and Key Outcome Areas is achieved through the Annual Work Plan. Water Board activities listed below are organized by the major responsibilities of Fort Collins Utilities related to water (“Water”, “Wastewater”, and “Stormwater”). The “Regional Issues” category includes topics related to maintaining a dialogue on regional water issues. Within each heading are listed Water Board activities and the month of the meeting in which they occurred. Additionally, the “General” category includes general topics that span Utilities or the City. The “Public Comment” category summarizes public comments made at meetings during the year and efforts to respond to these comments. Regular Water Board meetings are held each month and work sessions are held in even months. With respect to this annual report, work sessions are indicated to help understand chronology of discussion. A summary of work session discussion typically can be found in the minutes of the regular meeting following the work session; however, no actions are voted on at work session meetings and minutes are only recorded for regular meetings. Meeting minutes for regular meetings are available on the Fort Collins website.

General

- Utilities administration building update (Jan)
- On-bill financing rate ordinance update – Unanimously voted to adopt the ordinance amending the City Code to modify on-bill financing terms to allow for on-bill utility financing of business customers (Jan)
- Climate Action Plan (Jan)
- Status of oil and gas data availability and needs assessment (Jan)
- Mark Kempton was introduced as the new water production manager for Utilities (Feb)
- Unanimously approved the 2014 annual report (Feb)
- Drought study and climate change vulnerability (Apr work session)
- Climate adaptation summary (Apr work session)
- Water Efficiency Plan (Apr work session)
- Capital projects update (Jun work session)
- Grading, erosion, and sediment control (GESD) permit (Jul)
- Northern Colorado Hazard Mitigation Plan (Jul)
- Revised Woodward floodplain variance – Unanimously voted that based on the evidence in the record showing that the relevant factors and standards set forth in Article III, Chapter 10 of the City Code have been met and as required in City Code Section 10-29, the determination that 1) the variance is the minimum necessary, considering the flood hazard, to afford relief; and 2) that

there is good and sufficient cause for the variance to be granted; and 3) that the granting of the variance will not result in any increased flood heights, any additional threat to public safety or to public or private property, any extraordinary public expense, any nuisance or trespass, any fraud on or victimization of the public, or any conflict with existing local laws or ordinances. (Aug)

- Draft core natural areas management plan (Aug)
- Downtown plan presentation (Aug work session)
- Introduction of new water conservation program manager Dr. Liesel Hans (Sept)
- Larimer county canal No. 2/ Rose Brinks agreement – Unanimously voted that the water board recommend to city council approval of the proposed agreement regarding the city parcel, Larimer Canal No. 2 and the Brinks Trust. (Oct)
- Strategic alignment of the 2016 work plan (Oct)
- Low impact development (LID) policy update – Unanimously voted that the water board recommends that council approve an update to the low impact development (LID) policy to allow more flexibility in how the LID criteria can be met. (Dec)
- 2016 Annual Work Plan (Dec)

Public Comment

- Eric Sutherland expressed his discontent with the Boxelder Basin Regional Stormwater Authority. (Jul)
 - Follow up on Boxelder Stormwater Authority by Ken Sampley (Aug work session)
- Josh Ames water certificates Code changes (Oct) – Individuals were directed to City staff for follow-up
 - Don Schlagel stated he’s been a holder of Josh Ames certificates for many years and Josh Ames certificates will be a big help in his retirement years.
 - Jim Scavo stated he currently owns Josh Ames certificates, which he stated are part of his retirement portfolio.
 - John Donaldson commented that he doesn’t think it works well; there would be very little use for the remaining Josh Ames certificates.
 - Don Parsons commented that changing the code doesn’t change the agreement, and encouraged all parties involved to find a common solution in revising the agreement.
 - Bret Larimer stated he’s owned Josh Ames certificates for decades for one reason: as an investment

Water

- Poudre River ecological response model (Jan)
- Raw water rental rates and delivery charges – Unanimously voted that the Water Board recommend that the formulas and fixed rates for the 2015 raw water rental rates and delivery charges as proposed by utilities staff by adopted by city council (Feb)
- Waiver of water plant investment fees – unanimously voted that Water Board recommend that City Council approve an ordinance to change city code in order to allow the executive director of utilities to waive water plant investment fees for a temporary connection to the water system to supply water for the establishment of native vegetation on certain city projects.
- Tour of Rigden Reservoir (Jun)
- Drinking water quality and annual consumer confidence reports (Jun)
- Water supply planning (Jun)

- Michigan Ditch status update (Aug work session)
- Halligan Quarterly Report (Aug work session)
- Ditch Company overview (Aug work session)
- Raw water requirements and Plant Investment Fees (PIFs) (Aug work session)
- 2016 water utility rates – Unanimously voter that the Water Board recommends City Council approve the rate and plant investment fee (PIF) changes, either smoothed or cost of service, for 2016. (Sept)
- Josh Ames water certificates code changes (Oct)
 - Water Board went into executive session to receive legal advice from the City Attorney's office regarding potential legal claims arising from the agreement between the City and the Josh Ames ditch company, dated May 10th 1971 and proposed changes to the City Code regarding the agreement, as authorized by the following sections of the Colorado open meetings law and the Fort Collins City Code: City Code sections 2-71(b) and 2-31(a)(2) and CRS section 24-6-402(4)(b).

Wastewater

- Appropriation of prior-year reserves for water distribution infrastructure replacement program projects in 2015 and 2016. Re-appropriation of existing funds in the wastewater fund for drake water reclamation facility replacement projects – Unanimously voter that the Water Board support the request for budget adjustments and recommend approval of the ordinances by City Council. (Jun)
- Sole source purchase of a brown bear hydrostatic tractor with aerator for the fort Collins water treatment facility – Unanimously voted for the Water Board to recommend that the city council consider the sole source purchase of a brown bear hydrostatic tractor with aerator for the fort Collins water treatment facility (Jul)

Stormwater

- Stormwater escrow policy – unanimously voted that the Water Board approve the stormwater escrow procedure, and recommend that City Council approve the ordinance amending chapter 26 of City Code to clarify conditions under which a development may defer stormwater requirements to obtain a certificate of occupancy for up to 180 days providing certain escrows as assurance of completion (Feb)
- Intergovernmental agreement with Colorado State University (CSU) establishing a stormwater utility service agreement – Unanimously voted that the Water Board recommend approval to execute an intergovernmental agreement with CSU as presented to establish a stormwater utility service agreement (Jun)
- Stormwater basin consolidation budget – Motion that the Water Board recommend consolidation of the remaining stormwater basin budgets as presented by staff (Jun)
 - Seven in favor
 - One opposed – due to concerns about the lack of transparency that would result when the stormwater finds are consolidated into the single citywide stormwater capital projects fund
- Stormwater Utility service agreement between the City of Fort Collins Utilities and Colorado State University (Jun work session)

- Annual municipal separate storm sewer system (MS4) update presentation (Oct)
- Underground detention policy update – Unanimously voted that the Water Board recommend city council approve the underground detention criteria policy amendment to the Stormwater Criteria Manual. (Nov)

Regional Issues

- Horsetooth monitoring transition (Mar)
- Partnership for safe water (Mar)
- Poudre River corridor as an “important bird area” – Unanimously voted for the Water Board to support the Fort Collins Audubon society’s application recognizing the Cache Le Poudre River urban corridor as an important bird area. (Apr)
- River health targets (Apr)
- Northern Integrated Supply Project (Apr)
- Partnership for safe water (May work session)
- Watershed protection activities (May work session)
- Energy policy presentation (May work session)
- State greywater regulations update (Jun work session)
- Overview of the Supplemental Draft Environmental Impact Statement for the Northern Integrated Supply Project (NISP) (Aug work session)
- 2015 update from coalition for the Poudre Watershed (CPRW) (Nov)
- 2015 Annual water quality update from source watershed program (Nov)

Report prepared by Rebecca Hill, Water Board Vice Chair