

# 1998 WATER BOARD ANNUAL REPORT

## MEMBERSHIP STATUS

### Current Members

Paul Clopper, Chairman  
Alison Adams, Vice Chair until September  
Thomas G. Sanders, Current Vice Chairman  
Joseph Bergquist  
Thomas C. Brown  
David M. Frick  
David Lauer  
John Morris  
David Rau  
George Reed  
Robert Ward

### Water Board/City Council Liaison

Charles Wanner

### Departures and Re-appointments

In September, 1998, Howard Goldman reached the end of his first term and was not reappointed to the Board. David Frick was re-appointed to another 4-year term. At the time the Water Board and the Storm Drainage Boards were merged, the combined Board was required, by ordinance, to reduce its membership to 11 members by resignation and/or attrition. With Howard Goldman's departure in September, the Board had reduced its membership to the required number of 11.

## WATER SUPPLY

### **Review and Updating of Water Supply Policy**

The Water Supply Committee and the Liaison Issues Committee are in the process of reviewing and updating the current Water Supply Policy adopted by resolution in 1988. In January, they reviewed a draft outline prepared by staff. The Committees discussed the following policy issues:

- Supply to meet municipal use and the need for associated facilities - Are we meeting established goals and do we have the supply to meet those goals?
- Regional Cooperation - Focuses on water issues concerning the Northern Colorado Water Conservancy District (NCWCD), water districts, etc.
- Agriculture economy and open space - e.g. Discussing North Poudre shares and how purchase of those shares might not only improve the water supply picture, but also do something positive for future agriculture in the area.
- Quality of raw water sources - Looks at City's watershed upstream
- City's position on its responsibility to protect the health of riverine ecosystems affected by City water use, and the relation of that responsibility to traditional water supply goals
- Recreational/ aesthetic flows

These policy issues, some with more than one part, are being analyzed carefully during the course of the review and update.

### **Review and Adoption of Surplus Water Rental Rates**

Each year, after the irrigation companies establish their annual assessment rates for water shares, the Water Board recommends to the City Council, the rental rates for the City's surplus water. In February, the Board reviewed the proposed annual surplus water rental rates presented by staff, and adopted them unanimously.

### **Treasury Shares in Three Southside Ditch Companies**

In April, the Board voted unanimously to concur with staff's recommendation to conform with the decrees in the Southside Ditches Transfer Case. The suggested wording follows: "The City will continue to accept Arthur, Larimer No. 2, and New Mercer shares with the current conversion factors to satisfy raw water requirements; however, it will not accept those shares which were held by these

companies as treasury shares as of December 18, 1992, as specified in Water Court Case No. 92CW129.”

### **Northern Colorado Water Conservancy District (NCWCD) Water Storage Carryover Program**

At the May Board meeting, staff updated the Board on the status of the NCWCD Carryover Program. Since 1985, the NCWCD has had a carry-over program in which it allowed allottees to carry over CBT water left at the end of one water year into the next. For the last several years it has been recognized that the program needed to be revised to address concerns that have surfaced. During the last few years, there have been large quantities of water carried over in individual accounts affecting the CBT quota set each April, causing inequities among users. District staff prepared a draft proposal of a “Modified Carryover Program,” which is under review by the District Board and Water Users.

Fort Collins Water Utility staff and Board members have been following closely the proposal and discussion regarding possible changes to the program and the effect these changes may have on the City’s water supplies. Staff provided District staff with a proposal that Water Utility staff believes would improve the carry-over program (dated 5-8-98). The draft proposal was reviewed by the Board. Staff recorded their comments, concerns and suggestions.

### **Continuing Water Supply Items**

- Review opportunities to purchase water rights
- Review proposed Halligan Reservoir project
- Monitor protection of basin water supplies

## **CONSERVATION AND PUBLIC EDUCATION**

### **1997 Water Conservation and Public Education Annual Report**

The Conservation and Public Education Committee reviewed and discussed the Water Conservation Annual Report at their April meeting. The water conservation program for the Water Utilities is based on twelve demand management measures included in Resolution 92-63. All the measures were implemented by 1995, but some require ongoing maintenance. The full Board also reviewed the report at their April meeting.

### **Water Metering Program**

Although the metering program was not a part of Resolution 92-63, it plays a key role in demand management. Installing meters and billing for water service based on metered water use, provides a strong incentive for customers to use less water.

In response to a state law, the Fort Collins City Council approved a voluntary metering program in 1990 to meter 19,573 residences by the end of 2005. Resolution 90-147 stipulated that all new homes built after 1990 would have a water meter installed. In 1997, the Water Utilities reached the milestone of having over half the homes metered. At the end of 1997, 11,259 homes remained unmetered. Approximately 1,300 meters needed to be installed each year to meet the 2005 deadline. With a trend of declining volunteers, in September 1997, City Council approved Ordinance No. 135 authorizing a mandatory metering program. The goal was to install 1,400 meters each year through 2005. Beginning in 1998, water meters were being installed systematically in all unmetered residences, starting with those located west of Taft Hill Rd. and progressing east. Although customers can continue to request a meter, volunteers will no longer be solicited. Water Board members are updated periodically on the progress of the program.

### **Anti-Xeriscape Covenants for Subdivisions**

At their April meeting the Conservation and Public Education Committee discussed the issue of anti-Xeriscape covenant for subdivisions. The Committee decided to look at covenants in Fort Collins to see if there are any associations that deter homeowners from using Xeriscape.

### **Consortium for Energy Efficiency**

Also at their April meeting the C&PE took a position to join the Consortium for Energy Efficiency's high efficiency clothes washer initiative by disseminating information.

### **Plumbing Legislation**

In February, staff asked the Board to recommend opposing federal legislation to repeal the low-flow plumbing standards included in the Energy Policy Act of 1992. The legislation set standards for toilets, urinals, showerheads and faucets. The Board voted unanimously to support a motion to oppose the bill, HR859: the Plumbing Standards Improvement Act of 1997.

### **Public Education**

The Water and Stormwater Utilities continue to have active public education programs, including the annual Children's Water Festival in the spring. Water Board members generally participate in this

and other public education programs throughout the year. A program to inform citizens about the quality of their drinking water is accessible through the Internet and in the Utilities Annual Report.

Stormwater staff provides Flood Awareness Week activities for the community in the spring. The Water and Stormwater Utilities give presentations and provide information to students in the Poudre School District.

## LEGISLATIVE AND FINANCE

### **Water and Wastewater Plant Investment Fees**

In April, a consultant from Black & Veatch gave a presentation to the Water Board on Water and Wastewater Plant Investment Fees (PIFs). The City of Fort Collins funds its daily water and wastewater utility operations through rates. In addition, the City assesses PIFs to each new connection to the system to fund its growth related water and wastewater capital improvements. The purpose of the B&V study was to update water and wastewater PIFs using a structure that was both equitable and practical. The results of the study were presented at the April meeting. The Board asked staff to look at whether it made sense to come up with a multi-family PIF that looked at irrigation as a separate component.

At the July Board meeting, the consultant explained to the Board that the duplex and multi-family categories had been combined because they function the same way in terms of their domestic use and their irrigation use. He recommended that the Utility add a domestic element to the multi-family fee of about \$490, and an irrigation fee of \$.27 per sq. ft. of lot area. He proposed that the residential water fee for a 7,000 sq. ft. lot be raised from \$2,080 to \$2,850. The wastewater PIF would increase by about 5%. On the other hand, the PIF for a commercial 1-inch tap would nearly double.

The Board recommended that inflation be built into the new rates. The average of expected increases in the value of the system over the next five years was used. This will be revised every 5 years.

The Board voted unanimously to recommend approval of the proposed Water and Wastewater PIFs to the City Council.

### **Stormwater Development Fees**

The development fees for Stormwater are basically the equivalent of the Plant Investment Fees (PIFs) on the water and wastewater side. When staff began work on the Stormwater development fees, they wanted to choose a methodology that was simple, understandable and easy to administer. They presented a proposal to the Water Board in October that they thought met those objectives.

The Board recommended the citywide concept for Stormwater Development fees. The motion passed 5-3. Those dissenting thought the basin by basin approach was more equitable.

The Board voted unanimously to recommend to City Council, the equity buy-in method for calculating Stormwater Development Fees.

### **Stormwater Improvements and Financing**

The Water Board discussed Stormwater Improvements and Financing at Board meetings for several months. After the Flood of 1997, there was considerable interest in constructing improvements to the City's 10 stormwater basins; in particular the Canal Importation Basin and Old Town Basin. Staff presented options for financing those improvements and a time frame for the construction schedule.

Advantages and disadvantages were presented for pay-as-you-go and debt financing for 10 and 15-year schedules. The funding philosophies debated were city-wide versus basin-by-basin, the current method for collecting fees. In May, the Water Board recommended the city-wide funding approach. It passed by a vote of 8-1. The vote to recommend that construction of basin improvements be on a 15-year schedule passed unanimously. In September, City Council approved a 21% increase in Stormwater Utility fees to fund more than \$60 million in city-wide flood control projects. The fees will be collected and spent on a city-wide basis instead of basin-by-basin, the method used in the past.

### **Plumbing Legislation**

See Conservation and Public Education

### **Endorsement of Utilities Budget**

During the 1997 review of the budget, the Board recommended approval of a two-year budget, which included proposed rate increases of 6% for water and 2% for wastewater for 1999. At their September meeting, the Board unanimously re-confirmed their approval of the rate increases included in last year's budget.

## **ENGINEERING**

### **Development in the Floodplain**

The Engineering and Conservation and Public Education Committees had an initial discussion about development in the 100-year floodplain as a result of a joint meeting with the P&Z Board in April. Stormwater staff suggested that this issue needed to be addressed to determine whether the Water Board should consider making a policy change. The two committees drafted a position paper, a proposal to change the policy related to development in designated floodplains, and brought it to the full Board in July. The Board voted unanimously to recommend to the City Council that the City of Fort Collins adopt a policy further restricting development or re-development of land within a designated floodplain or drainageway.

In September, representatives from the Water Board met with the Chamber of Commerce to discuss the development in the floodplain position which staff and Board members drafted and approved in July. In October, the Board was given a copy of the Restrictive Floodplain Development Work Plan and a list of Guidance Task Force members. The Board voted unanimously to appoint two Board members to represent the Water Board on the Task Force. The representatives will update the Board regularly on Task Force activities.

### **Continuing Reviews and Updates**

The Engineering Committee continues to review planning and designing phases of construction projects as needed; review Water Treatment, Stormwater and Wastewater Treatment master plans; and review scope of work for the Halligan Reservoir Feasibility Study.

## **LIAISON ISSUES**

### **Regional Cooperation Statement**

In January, the City Council requested that the Water Board and other boards and commissions develop a Regional Cooperation Statement that would express the City's stated position on regional cooperation in general. A Water Board statement, drafted by the chair and vice chair of the Board and staff members, was approved by the Board in February; the statement follows:

The City of Fort Collins recognizes that cooperating with other agencies and entities can result in improved service delivery. Cooperative efforts which benefit the customers of the Water Utilities should be supported and encouraged.

### **Regional 201 Study**

The results of the final report of the Regional 201 Study were presented to the Water Board in May. The only information added since the last report to the Board was a letter from citizens and minutes from two public information sessions. According to the report, the best option at this point still remains expansion on existing property for all the entities participating in the study. The next step for the City is to watch the capacity. The consultant concluded that the City has sufficient capacity for at least 10 years. There may not be a need for expansion until the year 2020. The consultant also concluded that none of the entities participating in the study will need capacity at the same time, and the City is one of the last ones to need capacity. The most reasonable approach would be for each entity to expand separately. Each has sufficient land to expand. Preliminary analyses showed that a regional wastewater treatment facility would be too expensive.

### **Potential Land Exchange with the City of Greeley**

At the end of their March meeting, the Board voted unanimously to go into executive session to discuss a potential land exchange with the City of Greeley. The portion relating to the Forest Service was not confidential; the discussion took place in open session.

The Forest Service had a half million dollars in funding to upgrade the Kelly Flats Campground which the City owns. They were asking for a lease for just the Kelly Flats Campground with their commitment to follow through with the land exchange agreement.

After re-convening from the executive session, the Board voted unanimously to recommend that City Council proceed with the land exchange with Greeley and initiate an agreement with the Forest Service to lease 10 acres of the Kelly Flats Campground.

### **Water Sharing Agreement Between City of Fort Collins and Fort Collins-Loveland Water District**

In 1997, Water Utilities staff began meeting with representatives from neighboring water districts to discuss opportunities for cooperation. The group became known as the "Water Cooperation Committee." In the past, each of these districts served areas that were separate and distinct from the City. The service areas for Fort Collins-Loveland (FCLV) and East Larimer County Water District (ELCO) and the City have grown together and there are cases where it is more practical for one provider to deliver water into another provider's area. Such is the case with certain portions of the FCLV service area.

When the Water Cooperation Committee began to meet, Fort Collins-Loveland Water District needed to build a large transmission line along the southern edge of the City to deliver water to some of its customers. The City already owns a large transmission line that can serve this need, and it was considered wasteful for FCLV to build another in the same general area. Likewise, the City can benefit by exchanging treated water with FCLV. Moreover, there are times when sudden shifts in water demand require a change in treatment processes that is energy intensive. By exchanging water with FCLV, such a costly process change can often be avoided. The ability to exchange water can also provide much needed flexibility in the event of an emergency such as a problem with one of the water supplies. Both facilities can benefit from exchanging treated water during capital improvements construction and on an ongoing basis. The intergovernmental agreement enables such an exchange of water and sets forth the terms and conditions of the exchange.

After being assured that FCLV District's water quality was comparable to that of Fort Collins, answers to some questions about how FCLV tests their water, and clarifications about how the rate of payment is set for the use of the City's transmission line by the District, the Board voted unanimously to accept the staff recommendation to advise Council to adopt this intergovernmental



agreement. The Board emphasized that this agreement fits with the regionalization and cooperative opportunities that are part of the Board's mission. The City Council approved the agreement in December of 1998.

### **Gateway Park Action**

The Board was updated in September on the Gateway Park issue. The Board voted unanimously to support the creation of a Gateway Park Planning Committee. They also recommended that staff take the lead in drafting a recommendation and coordinate the process with Parks & Recreation, and that there would be support for a coordinated effort in the development of Gateway Park. City Parks & Recreation would act as the lead agency.

### **Annual Regional Meeting**

The City of Loveland hosted the annual dinner meeting of the Greeley, Loveland and Fort Collins Water Boards and staff on May 27, 1998 at the Sylvan Dale Guest Ranch.

### **Updates on Regional Groups**

The Board receives periodic updates on the Larimer/Weld Water Issues Group and the Northern Regional Water Coalition. The Water Board has representatives on each of these groups.

## **WATER QUALITY**

### **Drinking Water Policy Annual Report**

In May, the Water Board reviewed the Drinking Water Policy Annual Report prepared by staff. The report is a requirement of the resolution creating the Drinking Water Quality Policy in 1993. It follows the basic goal of that policy and provides an update on those items. As in the past, there has been continual, steady progress in all phases of water quality, treatment, delivery, protection, etc. for the City. Furthermore, staff is always looking at future needs, whether it applies to future regulations or future water quality issues.

### **"Partnership for Safe Water" Kickoff**

In May, staff announced to Water Board members that there would be an open house for the public at the Water Treatment Facility on June 5, 1998 as a kick-off for the "Partnership for Safe Water" Program. The goal of the program is to maximize the effectiveness of water treatment beyond what is required by regulations. EPA joined with the AWWA and the Association for State Region Water Administrators to create the partnership. It is a voluntary partnership among government, utilities and water organizations. It includes a four-phase, self assessment and peer-review process to help water suppliers examine their water operations, maintenance and management practices to determine where

improvements can be made. The public open house was successful and well attended. Several Water Board members participated.

## **STORMWATER**

### **Stormwater Improvements and Financing**

See Legislative and Finance

### **Stormwater Development Fees**

See Legislative and Finance

### **Development in the Floodplain**

See Engineering

### **Update on Stormwater/Flood Issues**

In February, Stormwater staff updated the Board on the **Precipitation Frequency Study, Fairbrooke Channel Improvements; work plan and schedule, Canal Importation Basin and Old Town Basin; estimated project cost impacts and new projects, and Community Development Block Grants.**

### **Community Development Block Grants**

In February, staff announced to Water Board members that Fort Collins received a \$511,000 grant from HUD. It was suggested that it be used for floodproofing and housing tied to low-income criteria. The Board voted unanimously to create an ad-hoc subcommittee to be called HUD Mitigation Committee, to work with staff to look at the suggested re-allocation of funds, and also recommend how the funds would be spent. Three Board members were appointed to the committee.

### **Allocation of HUD Funds**

In March the Board unanimously approved the HUD Mitigation Committee's recommendation to the CDBG Commission to:

- Expand the Avery Park Detention Pond
- Use \$327,000 for the project and remove the previous floodproofing recommendation
- Direct staff to look at the low spot in the bank of the New Mercer Canal

### **P & Z Work Session**

Representatives of the Water Board met with P&Z Board members in April to exchange ideas on floodplain zoning issues. Stormwater staff made a presentation on floodplain administration, capital projects, master planning and development review.

### **Dry Creek Floodplain Variance Hearing**

At their April meeting, the Water Board considered a "Variance to Floodplain Regulations." There were two parts to the petitioner's variance request. In the first part, they asked for a waiver of the \$300 docket fee required in the City Code and in the second part they requested a variance in the Dry Creek Floodplain. The motion to waive the fee passed 7-3.

For the second part of the hearing, the Board was reminded that "In passing upon such applications, the Board shall consider all technical evaluations, all relevant factors and standards specified in Section 10-38 Variance procedure of the City Code under Flood Prevention and Protection." It lists the 9 criteria the Board considered in their deliberations. After a staff presentation, testimony from the applicants and staff and Board discussion, nine Board members voted to concur with staff's recommendation to deny the request for a floodplain use permit. One member abstained.

It should be noted that the City Attorney advised that, as part of the motion, some findings should be included as to whether the Code conditions had been met; e.g. whether it is good cause for a variance, whether there was a hardship shown, whether there would be no increased flood heights, no additional threat to public safety, additional public expense or nuisance, etc. Seven findings of the Board were included with the motion.

### **Floodproofing Program**

Staff announced to the Water Board in May that they were kicking off the Floodproofing Program. This was one of the mitigation projects that was covered by FEMA after the 1997 flood. They began by accepting applications from homeowners and small businesses to do floodproofing on their homes and businesses. The next phase was to evaluate the applications and try to distribute the \$150,000 grant as equitably as possible. They asked for volunteers from the Board to help evaluate the grants. Staff used some of the criteria from other programs used by the City to evaluate the applicants.

### **Report on FEMA Partnership Meeting**

In July, staff gave a report to the Board on Project Impact for Fort Collins. They explained that Project Impact is not a grant program. It is an initiative to help communities build their own capabilities to reduce the effects of disasters. It recognizes those communities that are already taking actions through local partnerships to address local natural hazard threats. Seven communities in the

nation were designated for PI the previous year. Fort Collins was the only community in Colorado that was selected for the 1998 program. The reason they chose Fort Collins is because of the successful work the City has done in the past to reduce the impact of disasters and to expand on what has already been done. Eighty people representing various segments of the community participated in a kickoff meeting on July 16, 1998.

### **Precipitation Frequency Study**

Following the 1997 Flood, there were a number of questions about whether stormwater design data were accurate. It was necessary to incorporate the Flood of 1997 into the information. Stormwater staff set up a Task Force and hired WRC Engineering to do a Precipitation Study. The purpose of the study was to take the current numbers for design storms and bring them up to date. They also took a qualitative look at rainfall patterns in Fort Collins. The study was performed with the guidance of a technical advisory committee known as the Precipitation Task Force. The study analyzed amounts used to design stormwater projects, including City projects and private development.

Throughout 1998, the Water Board received frequent updates on the Study. In October, the Board approved the recommendation from staff to accept the majority opinion of the Task Force which was to change the 100-year design storm from 2.89 over a two-hour period to 3.67 inches. A minority opinion of the Task Force was to change the rainfall amount to 4.37 inches with 5.5 inches for those areas on the west side of the City. The vote of the Board was 7-1. One member favored the minority opinion. The Board's recommendation was forwarded to City Council.

### **Possible Drainage Criteria for City of Fort Collins --- "Maximum Historical Flood"**

At the November meeting, a Board member introduced a proposal regarding possible drainage criteria for the City of Fort Collins. Since the City is considering changes to design criteria, he proposed that the Water Board and staff consider a "Check Flood" or "Maximum Historical Flood" as part of the drainage criteria that would be used to identify potential flood hazards in the design of new developments. A check storm would be developed based on data from the 1997 Flood. This storm would be standard and used throughout the City on new development. It was the consensus of the Board to send the proposal to the City Attorney. If the City Attorney's Office agreed that it was okay, it was to be brought back to the Board for further discussion and a vote to recommend that the Maximum Historical Flood be included as part of the Stormwater Design Standards and Master Plans.

### **Brown's Farm Neighborhood Recommendation on Precipitation Frequency**

In November, the Brown Farm Fairbrooke Stormwater Subcommittee sent a letter to Stormwater staff opposing the use of the 3.67 inch rainfall amount. They stated that analysis showed that Fort Collins is an extreme within the region because the City experiences preferred storm tracks. Because of this they believe the GEV analysis results from the CSU gage data should be applied for the City

as a whole, with a 4.37 inch 2-hour 100-year storm. They also believe that the Fairbrooke Channel, Brown Farm Detention Pond, dam and spillway, and Rodeo Detention Pond should be designated to accommodate a 5.5 inch 2-hour storm. The letter was included in Board packets along with the response from staff.

Staff responded that the Neighborhood's request to vary the criteria from 3.67 inches to 5.5 inches was somewhat premature since the 3.67" number had not yet been adopted by Council and was only a recommendation from the Water Board at that time.

### **OTHER ITEMS**

#### **Resource Recovery Farm Conceptual Land Use Plan**

During 1997, the City and CSU participated in a cooperative effort to develop a conceptual land use plan for CSU's Environmental Learning Center and the City's Resource Recovery Farm. The purpose of the cooperative effort was to ensure the development of an integrated plan that was consistent with the general theme of environmental learning and recover the City's investment in the Resource Recovery Farm. In January, the Board voted unanimously to recommend support of the conceptual plan to the City Council.

#### **Research Station for Black Footed Ferret at Meadow Springs Ranch**

At their July meeting, Board Members received brochures on the Black Footed Ferret. Staff informed the Board that the Fish & Wildlife Service was interested in re-locating their National Black Footed Ferret Conservation Center to Northern Colorado and possibly to the City's Meadow Springs Ranch. The Board took no action on this item.

#### **Utilities Strategic Planning Initiative**

Staff announced at the November Board meeting that the Utilities were working with a consultant to develop a strategic plan for the Utilities. The consultants briefed Water Board members and solicited their input about the initiative at a December meeting.

#### **Water Board Annual Report**

In February, the Board approved the 1997 Water Board Annual Report.

**Water Board 1999 Work Plan**

In November the Board reviewed and discussed the draft 1999 Water Board Work Plan and voted unanimously to adopt it. It was suggested that, periodically, copies of the work plan be included in their packets to refresh the Board on its contents and to assess the progress that has been made.

**Monthly Reports and Updates**

**Northern Colorado Water Conservancy District Updates**  
**Utilities Financial Status Report**  
**Treated Water Production Summary**  
**Staff Reports**  
**Committee Reports**  
**Regional Status Reports**