

# WATER BOARD MINUTES

November 18, 2019

Service Center Conference Room  
1100 S. Sherman Street  
Longmont, CO 80501

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## REGULAR MEETING

The November 18, 2019 meeting of the Longmont Water Board was called to order by Chair Todd Williams at 3:00 pm at the Service Center Water Conference Room.

### ROLL CALL

Board Members Present: Todd Williams, Renee Davis, John Caldwell, and Roger Lange

Board Members Excused: Kathy Peterson

City Staff Members Present: Ken Huson, Nelson Tipton, Kevin Boden, David Bell, Josh Tarin, and Heather McIntyre

Council Liaison Excused: Marcia Martin

Public in Attendance: Gaythia Weis

### 1. DETERMINATION OF A QUORUM

There was a quorum present with four board members in attendance.

### 2. APPROVAL OF PREVIOUS MONTH'S MINUTES

Chair Williams asked if there were any questions or comments on the October 21, 2019 meeting minutes. Board member Caldwell noted that the date for November's meeting was incorrectly recorded in the last sentence of the minutes and should be amended to reflect the correct date of November 18, 2019. **A motion was made by Board member Caldwell to approve Water Board's October 21, 2019 minutes as amended; the motion was seconded by Board member Lange. The motion passed 4-0.**

### 3. WATER STATUS REPORT

Staff member Tipton gave the current water status report. The flow of the St. Vrain at the Lyons gage at 9 am today was 25 cfs, with an historical average of 24 cfs for this date.

Ralph Price Reservoir at Button Rock Preserve is currently at an elevation of 6,397.6 feet, equaling 15,670 acre-feet, down approximately 525 acre-feet from full. Currently there is 25 cfs being released from Ralph Price Reservoir.

Union Reservoir is at an elevation of 22.7 feet, equaling 9,129 acre-feet, down approx. 3,600 acre-feet, and currently releasing 21 cfs.

The call on the St. Vrain Creek is Pleasant Valley Reservoir via (Rough & Ready Ditch), Admin #7882, with a priority date of 6/1/1871. The call on the Main Stem of the South Platte River affecting District 5 is North Sterling, Admin #26302, with a priority date of 1/5/1922; and it is a free river below North Sterling Headgate.

At the end of October, District 5 reservoirs were at approximately 72% full.

Though it is early in the season, Staff member Tipton provided current snowpack information from October's snowstorms. The South Platte River Basin snowpack is at 109% of average and the Colorado River Basin snowpack is at 92% of average.

#### **4. PUBLIC INVITED TO BE HEARD AND SPECIAL PRESENTATIONS**

Josh Tarin, Public Works & Natural Resources Customer Service Center Representative, introduced himself to the Board and stated that he was in the meeting to learn information to relay to the Customer Service team that might be helpful during conversations with resident callers.

Longmont resident Gaythia Weis circulated an article from the Water Education's *Colorado Headwaters* magazine, which had a graphic of the Colorado River storage Powell Reservoir and Lake Mead. She expressed her support for off-watershed storage such as Chimney Hollow Reservoir, but has concerns about the dissenting discussion about Longmont's participation levels in the Windy Gap FIRMING Project. She supports participation in the project at whatever level can be agreed upon.

#### **5. AGENDA REVISIONS AND SUBMISSION OF DOCUMENTS**

Chair Williams requested to move Items 7A & 7B to the end of the meeting after Item 11. Both items concern agreements with Northern Water Conservancy District, from which he will recuse himself due to conflicts of interest. The Board agreed to this agenda revision.

#### **6. DEVELOPMENT ACTIVITY**

##### **A. 9<sup>th</sup> & Pace Subdivision Final Plat**

9<sup>th</sup> & Pace Subdivision Final Plat is a 12.654 acre parcel located east of Pace Street and north of 9<sup>th</sup> Avenue. There were no historic water rights at the time of annexation. Water Board approved a recommendation that 9<sup>th</sup> & Pace Subdivision Final Plat will be in compliance with the City's Raw Water Requirement Policy upon satisfaction of the 34.728 acre foot raw water deficit at time of final plat approval.

The motion was made by Board member Lange to approve and was seconded by Board member Davis. The motion passed 4-0.

**B. Mountain Crest Subdivision Final Plat**

Mountain Crest Subdivision Final Plat includes 3.642 acres and is generally located one mile south of Nelson Road and ½ mile west of Airport Road. All historic water rights were transferred at annexation. Mountain Crest Subdivision Final Plat is presently in compliance with the Raw Water Requirement Policy and required no action from the Board.

**8. ITEMS FROM STAFF**

**A. Windy Gap Firing Project Update**

Staff member Huson reported again that bids had come back a little higher than the engineers' estimate, though not significantly. It is hoped to let a contract next spring. Potential start dates of either May 4, 2020, or sometime in the fall have been identified, depending on when the federal lawsuit wraps up.

In the State Water Court Case, the last substantive objector's property was purchased from the objector, which resolved that portion of the case. There are two remaining objectors, whose interests are in how the language will be set for the connectivity channel. Staff member Huson stated that the case is getting close to resolution, and could conclude by the end of 2019.

Discussion among the Board and Staff ensued.

**9. ITEMS FROM BOARD**

**A. Review of Major Project Listing**

A review of major project listing was provided in the agenda packet.

Chair Williams reminded the Board of the quarterly cash-in-lieu discussion that will be revisited in December. He confirmed with staff that the last estimate used to set the current cash-in-lieu rate, along with new bid information received on the Windy Gap Project, would be included in next month's packet to take into consideration for that discussion.

**B. Memo to City Council Regarding Future Water Supply Development**

Chair Williams summarized Water Board's previous thoughts on providing City Council with considerations of potential ramifications if they re-opened discussion on reducing Longmont's Windy Gap participation level from 8,000 acre-feet to 6,000 acre-feet. The First Reading for the 8,000 acre-foot participation level was approved at Council's regular session meeting at the end of October, with the Second Reading scheduled for their December 3, 2019 regular session meeting.

It is not likely that additional packet materials will be included for the Second Reading of this item, thus the Board should decide how to get a recommendation to the Council ahead of that meeting if it is agreed that one needs to be sent.

Chair Williams stated that the draft memo from the Board, which was included in the agenda packet for this meeting, was composed in collaboration with Board member Davis after meeting with Staff members Huson and Lowrie to make sure the information in the memo was factual. They then had a separate, subsequent meeting with Deputy City Manager Dale Rademacher to talk through the memo before the Board. Discussion among the Board ensued.

Staff member Huson noted that the 6,000 acre-foot minimum was updated to 6,500 acre-feet, after the Water Demand Evaluation was presented to Council in May 2019. He suggested the memo be amended to use 6,500 acre-feet as the minimum rather than 6,000 acre-feet.

After further discussion, **Board member Caldwell made a motion to forward the memo recommendation to Council as amended with the 6,500 acre-foot minimum. Board member Davis seconded the motion; the motion passed 4-0.**

## **10. INFORMATIONAL ITEMS AND WATER BOARD CORRESPONDENCE**

### **A. 2020 Water Legislation**

Staff member Huson reported that there are six proposed bills coming forward in the 2020 State Legislative Session. Proposed language for those bills was included in the Water Board packet.

## **11. ITEMS TENTATIVELY SCHEDULED FOR FUTURE BOARD MEETINGS**

The next cash-in-lieu review is scheduled for December's meeting.

Chair Williams recused himself from the next two items and excused himself from the meeting at 4:03 pm. Board member Davis assumed moderation of the meeting as Vice Chair of the Board.

## **7. GENERAL BUSINESS**

### **A. An IGA with Northern Water for Participation in the Southern Water Supply Project Eastern Pump Station Project**

Staff member Huson reviewed the proposed intergovernmental agreement between the City and Northern Water for the Southern Water Supply Project (SWSP) Eastern Pump Station. In 1994, the southern water supply pipeline was built to deliver water from Carter Lake to Boulder County, of which Longmont purchased 13 cfs capacity. The City participated in an expansion of the pipeline capacity and increased our capacity to 24

cfs in 2001, and as a participant agreed to future funding for constructing an eastern pump station when capacity needs increased in the pipeline.

In 2006, Longmont entered into a first interim contract for construction on the eastern pump station. Design for it has now been completed, and the currently proposed agreement is the last phase of this effort to increase the capacity of the SWSP. For Longmont to continue participation at the 24.3 cfs capacity, which is important to our long-term raw water delivery system, we are required to participate in the eastern pump station construction. Further discussion ensued.

**A motion was made by Board member Caldwell to recommend that City Council approve the IGA with Northern Water in substantially the form as presented. Board member Lange seconded the motion; the motion passed 3-0.**

**B. An IGA with Northern Water Concerning the Fifth Amendment to the Fifth Interim Allotment Contract for the Windy Gap Firming Project**

Staff member Huson reviewed the proposed intergovernmental agreement between the City and Northern Water to continue work on the Windy Gap Firming Project. He stated that the proposed amendment is a one-year extension on the funding for Windy Gap, which will allow the City to continue participation in this important regional water storage project. Further discussion on the project ensued.

**A motion was made by Board member Lange to recommend that City Council approve the IGA with Northern Water for the Fifth Amendment to the Fifth Interim Allotment Contract for the Windy Gap Firming Project. Board member Caldwell seconded the motion; the motion passed 3-0.**

**12. ADJOURN**

There being no further business to come before Water Board, Vice Chair Davis adjourned the meeting at 4:17 pm.

The next regular meeting of the Longmont Water Board will be held on December 16, 2019, at 3:00 pm at the Service Center, 1100 South Sherman Street, Longmont, CO 80501.

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**Todd Williams, Water Board Chair**

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**Date**

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**Heather McIntyre, Recording Secretary**

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**Date**