



WATER AND SEWER BOARD SPECIAL MEETING
May 8, 2019 – 6:30 a.m.
2nd Floor Conference Room - 301 Walnut Street
Windsor, CO 80550

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the 2nd day prior to the meeting to make arrangements.

AGENDA

A. CALL TO ORDER

1. Roll Call
2. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board
3. Public Invited to be Heard

B. CONSENT CALENDAR

C. BOARD ACTION

1. Approval of the April 10th, 2019 Minutes

D. PRESENTATIONS AND DISCUSSION

1. Municipal Separate Storm Sewer System (MS4) update
2. Water Court Case Update
3. Cash in Lieu Update
4. Water & Sewer Board Role discussion

E. COMMUNICATIONS

1. Staff
 - a. Watson Lake Fish Ladder
 - b. Water Rentals Update
 - c. Bellvue Water Treatment Plant Tour
 - d. Cub Scouts Pack 199 Presentation
2. Board
 - a. Summer Board Tour

F. ADJOURN



WATER AND SEWER BOARD SPECIAL MEETING
April 10, 2019 – 6:30 a.m.
2nd Floor Conference Room – 301 Walnut Street
Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Board Chairperson Bielawski called the meeting to order at 6:29 a.m.

- | | | |
|---------------------|----------------------------------|------------------------|
| 1. <u>Roll Call</u> | Chairperson | Greg Bielawski |
| | Vice-Chairperson | Carlos Medina |
| | Secretary | Julie Cline |
| | | Darell Zimbelman |
| | | Milt Tokunaga |
| | | Milton Geiger (absent) |
| | | Janene Willey |
| | Town Board Liaison | Ken Bennett |
| Also present: | Director of Engineering | Dennis Wagner |
| | Water Resources Manager | John Thornhill |
| | Director of Admin Services | Jessica Humphries |
| | Customer Service Manager | Mike Lucero |
| | Utility Billing Admin Specialist | Erin Porter |

2. Review of Agenda by the Board and Addition of items of New Business to the Agenda for Consideration by the Board
There were no additional items added to the agenda.
3. Public Invited to be Heard
There was no public comment.

B. CONSENT CALENDAR

There were no items on the consent calendar

C. BOARD ACTION

1. Minutes of March 13, 2019 Regular Meeting
Board Vice-Chairperson Medina moved to accept the minutes for the March 13, 2019 Meeting;
Board Member Cline seconded the motion. Motion carried unanimously.

D. PRESENTATIONS AND DISCUSSION

1. HOA/Metro District Education Activities on Water & Irrigation

Board Member Tokunaga advised that he had spoken with a director of his HOA about creating an educational process for the Metro District board about conservation, updating landscaping, and the possibility of getting a non-potable water system.

2. Planning for Water Presentation at Weld County Landscape Boot Camp

Ms. Humphries stated that a room was reserved at the Community Recreation Center on May 10, May 17, May 24 and May 31 from 6-8 for the Boot Camp offered by the CSU Extension Agency. There is a maximum of 20 allowed in the classes. The Town will advertise through Social Media and on the website for the classes.

3. Town Board update (Advisory Boards, RO Plant)

The Town Board has decided not to move forward with a Reverse Osmosis Plant at this time due to the current commitment to NISP.

The Town Board met on March 18, 2019 to discuss the roll of Advisory Boards.

4. Bellevue Water Treatment Plant Tour – April 26

An initial agenda has been set, and board members were encouraged to communicate with Ms. Humphries if they were interested in attending if they had not already done so.

5. Water Supply Update

Mr. Thornhill presented information given at the recent Northern Water Users meeting. Annual demand has been steadily climbing at about 5-6% a year. Snow pack is looking good at this time, and the 3-month outlook shows that the temperature will be below average and precipitation will be above average for the area.

With the current water share portfolio that the Town has, if Northern Water sets the quota at 70%, there will be 3,686 usable acre-feet (AF) available, which after shrinkage would be 3,150 AF. If Northern Water sets the quota at 80%, 4,068 usable AF will be available, which after shrinkage would be 3,477 AF. Mr. Thornhill stated he thought the quota would be set at 70%.

Town Board Liaison Bennett asked about storage for water for years that there is a high water year. Mr. Thornhill stated there are new rules in place for storage and use, and that currently the Town has no way to store additional water shares in wet years.

Mr. Thornhill then provided information on the Mayors Challenge

6. Wastewater Treatment Plant Tour

Following the meeting, board members toured the Town of Windsor's Wastewater Treatment Plant.

E. COMMUNICATIONS

1. Staff

There was no additional staff communication

2. Board

There was no additional board communication

G. ADJOURN

Board Chairman Bielawski moved to adjourn the meeting at 7:00 am; Board Secretary Cline seconded the motion. Motion carried unanimously.

Submitted by:

A handwritten signature in blue ink, appearing to read "Erin Porter", with a stylized flourish at the end.

Erin Porter, Utility Billing Administrative Specialist



MS4 PROGRAM STATUS

May 2019 Water & Sewer Board



STATUS: PDD

- Developing the Program Description Document (PDD) – document with links to required info
- Must be:
 - updated to reflect current implementation
 - presentable to the CDPHE or EPA within 10 days of a request, and available to the public upon request

Compliance schedule: *Completed by Jan. 1, 2018 (for conditions in effect, updated as additional programs are initiated)*



STATUS: Programs and Process

- Five pollution prevention programs required:
 - Public Education and Outreach*
 - Illicit Discharge Detection and Elimination (IDDE)*
 - Construction Sites*
 - Post Construction*
 - Municipal Operations*
- One public involvement process required:
 - Public Involvement and Participation*
- Graduated implementation process; Compliance schedules
- File system set up on O drive for tracking documentation and fast turnaround for EPA/State/Public Requests for information



STATUS: Public Education and Outreach

- Compliance schedule: *Completed by July 2018* (substantially complete Dec 2018)
- Completed
 - All requirements in PDD EXCEPT references to the IDDE program (this is still in Draft Form, no impact on compliance schedule)
 - Program Document (no impact on compliance schedule, continuous)
 - Final Program Document signed (Shane, Dennis, Kim, Janine)
- In Progress
 - Communications plan as developed with Kim; new opportunities presenting themselves in this first year of implementation such as the Cub Scouts badge presentation

COSTS: Estimated \$600 annually



STATUS: Public Education and Outreach

Stormwater is an Amenity

Stormwater has been seen a nuisance to get rid of, and drainage facilities, such as detention ponds, have a reputation for being functional waste areas. The MS4 permit provides opportunities to design features to manage stormwater as functional and attractive parts of our community. Stormwater is the source of all the water we have access to; keeping it free from pollution, and valued, is critical to our vibrant town.

How does this affect me?

Runoff from precipitation happens everywhere in Windsor, and everyone plays a part in keeping it clean. The Clean Water Act of 1972 brought about these regulations; it is an Act of Congress that is "of the People, for the People, and By the People." We all have a right to clean water for drinking, growing food and recreation. ALL of this water comes to us, at the start, as stormwater.

What can I do to help?

Many actions help keep stormwater clean. Windsor's residents have pride in their town and many of these actions are already routine. See inside this brochure for new ideas and facts.

What will this cost?

Storm drainage fees account for most of the costs. Windsor charges fees on development, and is working through various partnerships to manage the costs of implementation and maintenance.



For more
information,
contact:
Janine Hegeman
Stormwater
Program
Coordinator
970-674-2490

jhegeman@windsorgov.com

<https://www.windsorgov.com/616/Stormwater-Pollution-Prevention>

Town of Windsor NEW Stormwater Regulations MS4

Windsor has been designated by the Colorado Department of Public Health and Environment (CDPHE) as a Phase II MS4, and received an MS4 permit. This will impact how the Town will manage runoff from rain and snowmelt on our streets, construction sites, businesses and other areas. Windsor is regulated by the CDPHE through the MS4 permit, and must implement new regulations and processes to ensure the discharge of the cleanest stormwater possible.

What is an MS4?

MS4 is short for "Municipal Separate Storm Sewer System." This is the series of drains in the street, the ditches, and the underground pipes that convey runoff to the Cache la Poudre River. This runoff does not go to the wastewater treatment plant, and contributes to water pollution.

Why has Windsor been designated?

Several factors led to this designation. Population, growth trends, and proximity to waterways all influenced this process. There are about 120 MS4s in Colorado, both Phase II (small population) and Phase I (large population).

What is the Town doing to comply?

The MS4 permit is a framework for the development of new ways of managing our stormwater. Conducting education and outreach and implementing regulations are part of the process to meet the full implementation date of July 2020.

STATUS: Public Education and Outreach





STATUS: IDDE Program

- Compliance schedule: *Completed by July 1, 2019*
 - Map completed, but with numerous gaps in in storm sewer system connections; GIS tracking mechanism on phone
 - Identification of Priority Areas – no previous history, an educated guess at this point: will continue to track
 - Training – No compliance schedule, continuous: Engineering, Parks, Public Works and W&S Board completed
 - Program Document, Regulatory Mechanism & Exemptions – on track for completion *no later than July 2019*



STATUS: IDDE Program

- Waiting
 - Decision on which Emergency clean up company to put on retainer. Researching potential agreement with Clean Harbors Environmental Services and/or Belfor Environmental for backup (no cost to Town unless used)
 - Sign off on Final Program Document – Shane, Dennis, Terry, myself, Fire Chief and others?



STATUS: IDDE Program

- Completed
 - One Illicit Discharge report filed to date – 7-11 gas station customer accidentally had the nozzle fall out of his vehicle during fueling – no regulatory or financial impact to the MS4

COSTS: Est. \$1,000 - \$20,000



STATUS: IDDE Program



Janine Hegeman - Stormwater Program Coordinator
O 970-674-2490, C 970-388-2894 (Call if a discharge is seen or suspected)
Colorado Environmental Release and Incident Reporting Line
1-877-518-5608 (Call ONLY if discharge has reached State Waters)

ILLICIT DISCHARGE REPORT FORM

*Required information

ILICIT DISCHARGE LOCATION/ADDRESS*	7-11-Gas Station 6400 Crossroads Blvd. Windsor, CO		
REPORTING PARTY CONTACT INFORMATION*	Store Clerk Tina ZENEGAN		
RESPONSIBLE PARTY ADDRESS* <u>Unknown</u>	See above		
RESPONSIBLE PARTY PHONE NUMBER* <u>Unknown</u>	7-11 - 970-461-7851		
RESPONSIBLE PARTY EMAIL ADDRESS* <u>Unknown</u>	See above		
DATE/TIME OF DISCOVERY*: 7:30 a.m. 4/19/2019			
INSPECTOR NAME: Ken Breneman Windsor Public Works Div. Manager/ information also collected from Town of Windsor Police Sergeant Lopez			
INSPECTION DATE:	4/19/2019	INSPECTION TIME:	7:45 a.m. Windsor PD and Pub Works. Loveland Fire Dept. first on the scene (firehouse is across street)
CALL REFERRED FROM:	Store clerk called Windsor PD dispatch	TIME CALL RECEIVED:	7:37 a.m.
MATERIAL*:	Gasoline	EST. QUANTITY*:	29 gal.
DID MATERIAL ENTER AN INLET/MS4?*	Yes -- into an inlet then a private retention pond adjacent to the 7-11 store building	DID MATERIAL REACH WATERS OF THE STATE?	No, per Ken
<u>WAS the State NOTIFIED?</u>		State CONTACT INFORMATION	
CAUSE: Pump overflow est. 29 gallons of gasoline. Pump 12 operator error -- (speculate that trigger was set) not inserted all the way into the vehicle and the nozzle fell out.			
CLEAN UP PROCEDURES COMPLETED BY Town of Windsor or other			
DATE <u>4/19/2019</u>		DESCRIPTION: Loveland FD put down kitty litter to absorb fuel on	



STATUS: Construction Sites Program

Compliance Schedule: *Completed by July 1, 2019*

- Site plan review for stormwater compliance: process is underway
- Site inspections, on track to start in June, and Safebuilt will assist with single lot inspections; anticipate Spring/Summer, 2019 start
- Program Document, Regulatory Mechanism & Exemptions tracking – on track for completion July, 2019



STATUS: Construction Sites Program

- Waiting
 - Completion of Program Document – draft in final review with Engineering and Planning
 - Finalize revisions to documents currently used in the review and final acceptance process
 - Sign off on Final Program Document – Shane, Dennis, Scott, myself, ?



STATUS: Construction Sites Program

- In Progress/Completed
 - Meetings with designers/contractors – education on upcoming requirements: Completed Jan. 15 and May 2, next meeting May 17
 - Stormwater Program Coordinator is doing plan reviews now for stormwater compliance on projects that will be under construction this spring/summer
 - Meeting with Safebuilt to synch inspection processes
 - Starting inspections

\$1,500 - \$2,000 Est.



What You Need to Know: Construction Sites Program

What you need to know:

Exemptions

EXEMPT

Permits

PERMIT
REQUIRED

Inspections



Final Stabilization



Enforcement





STATUS: Post-Construction Program

Compliance Schedule: *Completed by July 1, 2020*

- Windsor's Drainage Criteria Manual is updated to guide consultants designing water quality structures for future construction
- Discussion underway on long-term O&M agreements; have talked with companies that can provide maintenance and inspections for private structures
- Considering attending a workshop for Post Construction offered by Colorado Stormwater Council
- PDD and Program Document planned for completion by July, 2020



STATUS: Post-Construction Program

- Waiting
 - Creation of Program Document (workshop will provide guidance)
 - Sign off on Final Program Document – Shane, Dennis, Terry, myself, ?

COST: \$1,000-\$30,000 Est.



STATUS: Municipal Operations Program

Compliance Schedule: *Completed by July 1, 2020 PDD and Requirements (except Bulk Storage)*
Completed by July 1, 2021 Bulk Storage

Note: Current plan is that Public Works and Parks will be housed in expanded facilities at the PWF; good opportunity NOW to ensure bulk storage and other requirements are included in designs.

Completed:

- SOPs: 20 Standard operating procedures – each a 1-2 page document that outlines how to handle a product or conduct an activity in a manner that will prevent Stormwater Pollution
- Created a crosswalk with all the facilities and the SOPs in place at them to create the Runoff Control Plans (RCPs) for each facility
- Inspection template set up in inspection software

In progress:

- Will be working with GIS to obtain aerial photographs of facilities (for the RCPs)

COST \$15,000 Est.



STATUS: Municipal Operations Program

Municipal Facilities O&M SOPs																					
LEGEND																					
Public Works Parks Recreation and Culture Under Construction / Change of Ownership/Other Trails																					
SOP	Building Maintenance	Fertilizer, Herbicide, and Pesticide Application	Heavy Equipment and Vehicle Maintenance	Outdoor Material Storage	Salt and Sand Storage	Snow and Ice Control	Spill Prevention and Response	Parking Lot Maintenance	Power Washing	Street Sweeper Cleaning and Waste Disposal	Street Sweeping	Vehicle Fueling	Large Outdoor Festivals and Events	Parks and Open Space Maintenance	Hydrant Maintenance Testing/Potable Water Discharge	Street, Curb, And Gutter Replacement and Construction	Utility and Storm Sewer Maintenance	Water Line Breaks	New Construction Activities	Bridge Cleaning	Employee Training
SOP #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
SITE - name, address																					
Public Works/Parks Facility, 922 N.15th St., Windsor CO	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		x
Town Hall, 301 Walnut St., Windsor	x	x				x	x	x													x
Art & Heritage Center, 116 N. 5th St., Windsor CO																					
Community Recreation Center, 250 N. 11th St., Windsor CO	x	x	x		x	x	x	x	x		x			x					x		x
Chimney Park Pool, 421 Chimney Park Dr. Windsor CO	x	x				x	x	x	x					x					x		x
Governor's Farm ROW		x				x	x							x							x
Greeley Canal Trail		x				x	x							x							x
Oxbow Natural Area		x					x							x							x
Poudre Natural Area, 1050 Larch Dr., Windsor CO		x					x							x							x
Riverbend Natural Area, 525 Parkwood Dr., Windsor, CO		x					x							x							x
Kyger, 7301 N. County Rd. 1, Windsor, CO		x				x	x							x							x
BROE, Highway 257 to Kodak Bridge, Windsor CO		x				x	x							x							x
Boardwalk Community Park, Windsor Lake, 250 N.11th St., Windsor, CO	x	x				x	x	x	x		x		x	x	x	x					x
Park, 7025 Eastman Park Dr., Windsor, CO	x	x				x	x	x	x				x	x	x						x
Eastman South - Treasure Island Community Garden, 1560 7th St., Windsor, CO		x				x	x	x	x				x	x	x						x



Thank you!

Questions?

Janine Hegeman
Stormwater Program
Coordinator
jhegeman@windsorgov.com
970-674-2490





MEMORANDUM

Date: May 2, 2019
To: Shane Hale, Town Manager
From: John Thornhill, Water Resources Manager
Re: Raw Water Cash-in-lieu of Dedication

Background / Discussion

Section 13-2-80 in the Windsor Municipal Code, states that all premises requesting original water service from the Town shall furnish water rights without cost to the Town. That section also states that such water rights shall be transferred to the Town in accordance with the applicable subdivision or site development improvements agreement and, in the case of cash paid in lieu of required raw water dedication, at the time that the request for building permit approval is presented to the Town.

Windsor sets cash-in-lieu based on the current price of acquiring Colorado Big Thompson (CBT) water units. CBT water is unique in having a long-established and transparent water market and is currently the only treatable water supply Windsor uses for potable water deliveries making it the ideal source for setting a market based cash-in-lieu fee.

The current cash-in-lieu rate is \$49,300 per acre-feet and is based on a CBT unit price of \$34,500 ($\$49,300 = \$34,500 \div 0.7$). That rate was established February 15th, 2019.

Financial Impact

Since the CBT market is rapidly changing, it is imperative to keep up to date with recent financial transactions and not enter into a situation where we are receiving too little cash-in-lieu and putting the town in to a financial deficit when purchasing water on the open market.

Relationship to Strategic Plan

Thoughtful Framework and Supportive Infrastructure

Recommendation

Staff recommends updating the cash-in-lieu on a quarterly basis after reviewing the most recent transactions in the market. If CBT prices start escalating rapidly, CIL will be set on a monthly basis. The Town reserves the right to make adjustments to pricing anytime. Sales data will be provided by Front Range Land and Water Consulting, LLC and staff review of the Northern Water Board list of CBT transfers/transactions which are presented on a monthly basis.

The following table illustrates the most recent CBT transactions.

Month	Buyer	Seller	Units Purchased	Price per Unit	Total Cost
Jan-19	Town of Frederick	Irrigator	6	\$ 29,000.00	\$ 174,000.00
Jan-19	North Weld County Water District	Irrigator	60	\$ 36,000.00	\$ 2,160,000.00
Jan-19	Left Hand Water District	Irrigator	6	\$ 36,000.00	\$ 216,000.00
Jan-19	Town of Windsor	Irrigator	12	\$ 36,800.00	\$ 441,600.00
Feb-19	Developer	Irrigator	7	\$ 38,000.00	\$ 266,000.00
Feb-19	Developer	Irrigator	1	\$ 37,000.00	\$ 37,000.00
Feb-19	Tri-State Generation and Transmission	Irrigator	85	\$ 40,700.00	\$ 3,459,500.00
Mar-19	Developer	Irrigator	59	\$ 30,000.00	\$ 1,770,000.00
Mar-19	Developer	Irrigator	10	\$ 30,000.00	\$ 300,000.00
Mar-19	Little Thompson Water District	Irrigator	8	\$ 40,000.00	\$ 320,000.00
Mar-19	Developer	Irrigator	2	\$ 30,000.00	\$ 60,000.00
Mar-19	Irrigator	Irrigator	28	\$ 35,000.00	\$ 980,000.00
			284		\$ 10,184,100.00

Cost/Unit \$ 35,900.00
Cost/AF @ .70 AF/unit \$ 51,300.00

Starting June 1st, cash-in-lieu will increase to \$35,900 per CBT unit which equates to \$51,300 per acre-foot based on the most recent quarterly sales data. Staff will notify developers via email and the Town website of the current cash-in-lieu fee. All building permit applications submitted after June 1st will be required to pay the new cash-in-lieu.

The Town of Windsor limits cash-in-lieu to no more than 50% of the total raw water requirement. In other words, a single-family home with a non-potable water system for irrigation must dedicate at least 0.145 acre-feet and then pay cash-in-lieu for the remaining 0.145 acre-feet. The table below illustrates existing versus proposed cash-in-lieu costs for single family homes if the developer chooses to dedicate only 50% of the raw water. Developers always have the option of dedicating 100% of the raw water requirement and not paying any cash-in-lieu.

DEDICATION REQUIREMENT FOR:	EXISTING CASH-IN-LIEU	PROPOSED CASH-IN-LIEU
SINGLE-FAMILY HOME W/ NON-POTABLE WATER SUPPLY FOR IRRIGATION (0.145 AF)	\$7,146	\$7,436
SINGLE-FAMILY HOME W/O NON-POTABLE WATER SUPPLY FOR IRRIGATION (0.29 AF)	\$14,293	\$14,873





