



Meeting Agenda

4:30 – 6:00 PM, Wednesday June 2, 2021 Remote Zoom Meeting

UEB Zoom Meeting access link:

<https://us02web.zoom.us/j/83201655355?pwd=UVY3ODk0ZEhuc1pBWlJlVQmJSdDJVdz09>

Password: 972968 (New security feature may be required in future)

Or call: +1 346 248 7799

Meeting ID: 832 0165 5355

Password: 972968

1. Amendments to Agenda
2. Approve Minutes from May 19, 2021
3. Audience Business
4. Upcoming Meetings
5. Updates
 - a) Board of Trustees – Mike Karavas
 - b) Staff, Engineering – Aaron Caplan
 - c) UEB Chair – Jim Kerr
 - d) Member Updates
6. Lyons Community Farm
7. Net Metering Changes
8. New Wastewater General Permit



UEB Meeting Minutes, May 19, 2021

Meeting Time and Location: Began at 4:30pm. Held remote via Zoom meeting.

Attendance: Jim Kerr, Lee Hall, Larry Quinn, Jerry Rotz, Chris Meline

Staff: Aaron Caplan

Liaison: Mike Karavas

Guests: Debbie Scott (PCDC)

Jim Kerr announced that recent appointee Colby Birchfield has resigned from the UEB as he was never able to find time to attend. Chris Cope has applied for the now open UEB position and spoke with Mayor Nick Angelo whom he expects will appoint him at the next BOT meeting.

1. Amendments to Agenda

None

2. Approve Minutes from May 5, 2021

Approved Unanimously

3. Audience Business.

Debbie Scott volunteered to help with the Town's GIS. Will connect with Chris Meline. Jim Kerr to provide contact information between them.

4. Upcoming Meetings

- 20 May - MEAN Board Meeting
- 20 May - Southwest Power Pool (SPP) Regional Transmission Organization (RTO) Expansion
- 21 May - Zen and the Art of Rate Design (Electric)

5. Updates

a) Board of Trustees - Mike Karavas

Passed update to historic preservation ordinance. Spirit Hounds request to be able to use Lake McIntosh water shares instead of CBT for expansion purposes was moved to June meeting. Summit housing project in jeopardy due to increased materials costs. BOT to discuss further and provide incentives. The Habitat for Humanity homes were provided buyout property water shares, but it is thought that would not be possible for the Summit housing. Community Farm Project Update - Originally slated for 315 5th St, but expanded to include 319 since public works found a left over water meter pit there. Have requested that the Town install a yard hydrant and associated plumbing and provide water at Town's wholesale water rate similar to Botanical Garden. Possibly with the condition that the Town could take back the water share after a 3-4 year trial if there was another use for the share. Referred to the UEB for recommendation to the BOT.

b) Staff, Engineering - Aaron Caplan

Summit housing - Will be pressing Summit to settle up for Town costs such as engineering services already expended on the project. Summit can use Lake McIntosh water shares. Community Garden - Out of 26 buyout properties Longmont credited Lyons for 23 water shares. So far have used 6 for Habitat homes, 5 to upsize water for Bohn Park, and 3 for the new Maintenance Facility. Buyout water shares not reallocated include 1 each at Botanical Garden, 323 Park (Christmas house), and 111 Park (just west of Black Bear hole). Longmont does not have a problem moving one of the extra buyout property shares back to 319 5th St. Electric Meters - All production meters have now been installed on the non grandfathered Net Metered systems. Still need to install production meters on at least 6 grandfathered systems. Wastewater General Permit - Received the new general permit and need to read through it. Still have not moved out-fall to new location as first want to camera the entire length (over 2,000 feet) to make sure it is clear. Wastewater Grant - Submitted grant application for \$3.4M for wastewater treatment plant improvements put together by Wright Engineering. Representative Neguse - coming to Lyons 8:30 Sunday.

c) UEB Chair – Jim Kerr

Community Garden - UEB will take a position at its next meeting. Net Metering municipal code change, Aaron will also be removing the limitation to only allow a single electric rate. Utility bonds - MEAN plans to refinance some of their bonds by the end of the year. Current rates for 20 years is 1.36%. Even if the bonds were to increase by .5% by the end of the year that will be a big savings. Lee Hall had already dropped the UC Denver study finance rate from 3% down to 2.5% and should be able to drop it 2%.

d) Other UEB Members

Jerry Rotz – Hopeful can present Q1 utility fund financials at the next meeting. Some numbers still need to be corrected and Aaron needs to validate.

**Agenda Item 6. 2010 Comprehensive Plan Review - Utility and Engineering
Related Sections**

Walked through Larry Quinn's cliff notes version of the 2010 Comp Plan. Aaron Caplan will follow up to help document which goals the Town has accomplished over the last decade. Unclear of the goal to negotiate the water agreement with Longmont as that is already worked annually.

**Agenda Item 7. 2017 Lyons Primary Planning Area Master Plan Review - Utility
and Engineering Related Sections**

Noted that only the Apple Valley and South Saint Vrain sub areas are not considered economical to annex into Town as they do not include commercial properties that would economically benefit the Town. Residential annexations tend to lead to a net loss. Only need to really consider wastewater impacts for annexing in the Eastern Corridor as the Electric and Water are supplied by other entities - Longmont water.

**Agenda Item 8. Town of Lyons Solar Farm Feasibility Draft Report Review and
Next Steps**

Very impressed with the UC Denver Solar Farm Feasibility Study draft report. There is a lot of content that still needs to be absorbed. UC Denver is employing the lead student (Brittany LeMarc) to incorporate recommended changes into the final report.

Meeting ended: 5:55 pm. Minutes Submitted by: Jim Kerr

Agenda Item 6. Lyons Community Farm Project

At its 17 May meeting the BOT requested that the UEB review the Lyons Community Farm project for its impact on the Water Utility. Following is a write-up provided to the BOT at that meeting.

Questions to consider:

1. Should the Water Utility be providing wholesale water rates for this activity like it does for the Botanical Garden?
2. Does the Lyons Municipal Code currently allow a non municipal customer to be granted the wholesale rate?
3. Should this be run under Parks Department rather than the Water Utility?
4. Should the Water Utility be subsidizing infrastructure improvements and maintenance costs in addition to the wholesale water rates requested?

TO: Mayor Angelo and Members of the Board of Trustees
FROM: Reyana Jones, Historic Preservationist/Planner
DATE: May 17, 2021
ITEM: DISCUSSION / DIRECTION – LYONS COMMUNITY FARM PROJECT
INFORMATION AND REQUEST FOLLOW-UP

ORDINANCE
 MOTION/RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** This is a follow-up to the item discussed at the April 19, 2021 Board of Trustees meeting related to the Lyons Community Farm Project proposal and request for assistance.
- II. **RECOMMENDED ACTION / NEXT STEPS:** The Board of Trustees should advise the Lyons Community Farm Project whether they would like to support the project's requests given the new information provided by Public Works; this guidance would allow the applicant to move forward with licensing the selected buyout property.
- III. **FISCAL IMPACTS:** The following aspects of the Lyons Community Farm Project's requests would result in costs for the Town: Yard hydrant and associated plumbing, approximately \$350 - \$475; cost to remove dead tree from rear of 315 5th Ave. Allowing the wholesale rate for water would also create a fiscal impact. Additionally, there is value associated with the Flood Buyout Tap that this project would require. However, by granting this access to water and other resources, the Lyons Community Farm Project could proceed with their application for lot licensure and assume the costs/time currently spent to maintain both of these buyout properties from the Town.
- IV. **BACKGROUND INFORMATION:**
The Lyons Community Farm Project is a nonprofit organization. Its members include: Vasi Smith, Adrean Kirk, Florine Valerie, and Tyler Stellern. They are interested in buyout lot licensure for a community food forest concept at 315 and 319 5th Ave.

315 and 319 5th Ave. were conceptualized in the DRBOP plan as part of an orchard, so a food forest is a compatible objective. The Town Public Works team investigated both lots and located an existing water meter pit that could be activated on 319 5th Ave.; this could

provide water to the food forest if a yard hydrant were installed. Information related to this water meter pit from the Public Works team is attached. The Lyons Community Farm Project would like to ask the Board of Trustees to fund the installation of a yard hydrant for this meter pit and to grant wholesale water rate for watering the proposed food forest.

In order to provide water rights if this property were to be connected to water, it would also require a water share/credit. According to Utilities and Engineering Director Aaron Caplan, when the Town advised Longmont that the taps on the flood buyout properties were removed, Longmont provided the Town with credits for the CBT shares that were dedicated for those properties; these credits are called Flood Buyout Tap (FBT) credits. The Board of Trustees could choose to use one of the remaining FBT credits to support this project.

Other requests for these parcels include permission to till/prepare soil using animals; permission to install bee hives (bee-keeping as a use is not addressed in the municipal code); and assistance in removing a dead tree from 315 5th Ave.

The Lyons Community Farm Project has been working with Town Staff, including Floodplain Administrator Simonsen, Parks and Public Works Director Dave Cosgrove, and Historic Preservationist/Planner Yani Jones, to identify allowable uses in different flood hazard areas on different sites, to understand existing parks/trails plans, and to understand the lot licensing process. Depending on the outcome of this discussion, the applicant will need to modify their existing application to pursue lot licensure.

V. LEGAL ISSUES: None.

VI. SUMMARY AND ALTERNATIVES:

The Board of Trustees should:

- Discuss the proposal presented by the Lyons Community Farm Project
- Support or deny the requests for:
 - Installing a yard hydrant and its associated plumbing at 319 5th Ave.
 - Dedication of a FBT credit
 - Wholesale water rate
 - Assistance in removing dead tree from 315 5th Ave.
 - Approval of soil preparation using animals
 - Approval of bee-keeping use

Attachments:

1. Lyons Community Farm Project Description (Updated)
2. Draft License App – 315 and 319 5th Ave.
3. 315 5th Ave. Info from Public Works
4. Information from Utility Director Caplan on Flood Buyout Taps

Agenda Item 7. Net Metering Changes

The UEB has voted on changing the current Net Metering policy for new customers. In addition to these changes Aaron has requested that the UEB consider changing the Net Metering for existing customers from the calendar year to monthly. Note this will adversely affect the bill for existing Net Metering customers but is in line with what some other utilities such as Fort Morgan and Gunnison are billing Net Metering. Following is Aaron's write-up on this issue:

I think the town could save quite a bit of utility clerk time and therefore money, and reduce the possibility of error, if we got rid of the energy bank system where we credit for negative usage. That policy is found in 13-2-80 e 1 and is not something that has been changed with the current changes. So I would like to get this looked at. The policy is:

“in the event the net metering is negative, as when the customer's generation system production is greater than the customer's consumption, the net negative consumption will be treated as a credit, against future electric bills, of one (1) kWh for each kWh generated above the customer's consumption. All monthly credits shall be accumulated against all consumption during the course of one (1) year.”

Determining and monitoring this credit is done manually. Our billing system did not have a good option to do this automatically. When the town receives more electricity from the customer than it delivers to the customer there is a net negative consumption. With the policy above we do not list that negative or credit on the customers bill. We enter a 0 for their electric usage charge and manually enter the amount of electricity they have banked in the notes. For an example we delivered 20 kw to the customer and received -30 kw. (using – to denote back to the town). That results in a 0 usage charge and a -10 kw listed in their account notes for the month.

The next month the town delivers 30 kw to the customer and received -25 kw resulting in a usage of 5 kw. The clerk manually goes in and adjusts the bank from -10 to -5 to account for the 5 kw. They then enter 0 for the usage charge. With 50 some solar customers this is now taking at least 3 to 4 hours a month and it relies on someone looking at a lot of numbers and using a calculator to make entries.

It would be more efficient and less prone to mistakes if we could apply any net negative consumption to the customers bill the month that it occurs. We would need to take into consideration that any net negative consumption receives a credit at a different rate than the usage rate. In 13-2-80 e (3) “In the event that a negative balance remains at the end of the calendar year, the Electric Department will reimburse the customer for such negative balance at the CORG rate as established in January of each year, based on the previous year's rate as calculated in kWh.”

If we want to switch this to happen monthly, we would need the CORG rate established ahead of time rather than at the end of the year. I have been using the MEAN rate of .03825 per kWh. Based on previous discussions on the town rate I think I need to change this rate. My thought is this reimbursement should be the same as the town rate as they are both suppose to jut be what we figure the cost of a kw to be.