

JULY 27, 2021

CITY OF GUNNISON COUNCIL
REGULAR SESSION

5:30 P.M.

The Gunnison City Council Regular Session meeting was called to order at 5:30 p.m. by Mayor Jim Gelwicks with Mayor Pro Tem Jim Miles, Councilor Boe Freeburn and Councilor Mallory Logan present in Council Chambers, located at 201 W. Virginia Avenue. Also present in Chambers were City Manager Russ Forrest, City Clerk Erica Boucher, City Attorney Kathy Fogo, Finance Director Ben Cowan, Community Development Director Anton Sinkewich, and Water Superintendent Mike Rogers. Councilor Plata attended the meeting remotely. A Council quorum was present. A handful of interested residents were present in Council Chambers. Water consultants from JDS-Hydro were present in Chambers as well as the press.

Citizen Input. The Mayor called for public input. Steven Schechter, 912 N. Blvd., came forward. Mr. Schechter questioned Council about how the City is going to strengthen its infrastructure against climate change or natural disasters if recent engineering studies do not directly address those issues. He requested that all future engineering studies include information on how the City infrastructure will be protected against climate change. He also asked if the City is taking into consideration how new buildings, such as a new fire station, may be susceptible to infrastructure weaknesses against natural emergencies.

Council Action Items:

Approval of the Consent Agenda. The Consent Agenda included the following items: approval of the July 13, 2021, Regular Session meeting minutes; and a motion to excuse Councilor Plata from the July 13, 2021, Regular Session. Councilor Plata noted that his name was incorrectly included in the Roll Call vote for approval of the July 13, 2021, Regular Session meeting minutes. Clerk Boucher stated that she would correct this error.

Councilor Miles moved and Councilor Freeburn seconded the motion to approve the Consent Agenda with the correction to the July 13, 2021, Regular Session Meeting minutes.

Roll call, yes: Miles, Gelwicks, Logan, and Freeburn. So carried.

Roll call, no: None.

Appoint Member to Parks & Recreation Advisory Committee. Robert Czillinger submitted a letter of interest to serve on the Parks and Recreation Advisory Committee (PRAC). He was notified about the open position from recently appointed member Colt Alton. Mr. Czillinger shared with Council that he has young children who participate in the Rec programs. He is interested in volunteering and serving the community. Council thanked him for his interest.

Councilor Miles moved and Councilor Logan seconded the motion to appoint Robert Czillinger to the Parks and Recreation Advisory Committee to fill the vacant seat set to expire on May 31, 2022.

Roll call, yes: Gelwicks, Logan, Freeburn and Miles. So carried.

Roll call, no: None.

Water Master Plan. Superintendent Mike Rogers came before Council to introduce the consultants from JDS-Hydro Consultants, Inc. and gave a brief background on the City's need to update the Water Master Plan. 2007 was the last time a Water Master Plan was completed. The senior engineering consultants from JDS-Hydro were Mark Valentine and Gwen Dall. They were led by John McGinn. Mr. McGinn noted that this study does include recommendations for dealing with climate change and preparations for emergencies. Mark Valentine began the presentation by outlining the Master Plan's scope or work. It included data accumulation, population/water demand projections, water treatment assessment, hydraulic model update and calibration, distribution system evaluation for capital improvements, a tap fee schedule, and plans to offset future capital improvements. Water wells were first drilled in Gunnison in the late 1960s and since then Gunnison has been mostly dependent on wells. JDS-Hydro recommended a combined use of surface and groundwater usage in order to achieve the greatest resiliency.

Gwen Dall shared that currently 52% of the existing water use occurred in residential land use areas. 22% occurred in commercial land use areas. 10% of water use goes toward City irrigation. The consultants use the term "single family equivalent" (SFE) to discuss water demand. JDS used a three-year range for the study. Future water use was based on how the land is currently zoned with the existing water use per acre. It was concluded that about 5 million gallons of water per day (MGD) would be required to support a maximum build out of Gunnison. Gunnison has

approximately 30 years to be prepared for a full build-out if that were to occur. This study's information allowed for the City to understand water use in relation to population growth.

Next, the presentation discussed Risk Factors. It was noted that Gunnison's water grid is overall good and has been well-maintained. However, the grid is simple. In the future as more development occurs, it will become more complex and diversified. Future issues to consider are Groundwater Under the Direct Influence (GWUDI), which will require the water source to be treated in a new way. It will require surface water treatment and/or potential re-drilling of northern wells. A suggested solution was the implementation of a manifold and surface water treatment. Another future issue may be a containment event, which would require treatment and blending of water as well as implementation of a manifold. A third issue could be limited quantity of water. This problem would require drilling more wells and diversification. The concept and functionality of a manifold was discussed. A manifold would centralize the water from the wells into one pipeline and bring it to a central location for better oversight and management of the wells. For example, certain wells or pipelines could be shut off if there was a contamination issue.

Water system stressor events occur in the cusp months of May and September when irrigation ditches are turned on and off. Other stressor events identified were aquifer contamination, Gunnison River adverse conditions, like spring runoff, a fire event, and a priority call on the Gunnison River. JDS-Hydro listed recommendations with Council. Recommendations included: 1) More water accountability. It was revealed that the City has some areas where more water is being pumped than revenue is collected. Additional staff focusing on this kind of water loss and maintenance would be beneficial. There could be up to 40% of the water produced or pumped from the wells that is not billed. 2) It was suggested that the City examine the time and resources that go into preparing the ditches for seasonal use, proposing that a possible water fee increase may be needed. 3) A manifold; and 4) A surface water treatment place to increase diversification. Other recommendations to improve dependability were distribution, diversification of water supply, increased potable water storage, and source testing. A further in-depth discussion of a manifold took place and included how it would benefit and provide resiliency for Gunnison's water by utilizing both ground water and surface water resources. The installation of a manifold could be developed in phases, starting in the north, and then be used throughout the phases. Gunnison's well system can be vulnerable with multiple points of entry. A manifold could help protect the well water against in-flow of contamination. The Van Tuyl property was obtained to protect the City's surface water and has been identified as a location for a public water facility.

Gunnison has one high-pressure zone where all of the water flows down from a storage tank to provide adequate pressure to current residents. Gunnison Rising does not have this characteristic. The current high-pressure zone is not high enough to adequately serve newer parts of the City and parts of Gunnison Rising. The idea of a Gunnison Rising Distribution System was introduced. Another staff person discussed in further detail how to resolve some the accountability and daily maintenance concerns. This position could pay for itself in one to two years.

Open discussion circled back around to the functionality of a manifold, including looping, water distribution for Gunnison Rising, and the months that have the highest demands for water. The cost of a manifold would be between \$20M-\$30M over 10 years. While there is not an immediate need, now is the time to begin planning for solutions and financially planning for updates.

General conversation ensued about building partnerships with others in the community, such as the Water Conservation District, the low amount of water in Blue Mesa, and different characteristics of the water throughout the City. An important next step will be for staff to use the information presented in this study to build out a capital improvement budget as they did for electric infrastructure and the Wastewater Treatment Plant.

JDS-Hydro Consultants listed three key conclusions. They were: 1) Gunnison's water system included well location diversity, but all of wells are in the same aquifer; 2) surface water treatment and source diversification are the primary recommendations from the Master Plan report; and 3) surface water storage will likely be required to provide a consistent water source. Appreciation for the consultants' work was acknowledged.

Update from the City of Gunnison's Water Attorney Jennifer DiLalla. Jennifer DiLalla attended the Council meeting remotely. She shared with Council that Gunnison is secure in its wet and legal water supply. However, as the City enters into a Tier I drought, water will be removed

from Blue Mesa Reservoir in early August. The results of these kind of actions will be felt by the lower basin states in 2022. Counselor DiLalla recommended, based on the information she heard during JDS-Hydro's presentation, that the City should examine its water rights matrix in new ways if it plans to incorporate a new way to treat surface water. DiLalla would like time to review the water master plan to consider recommendations for long, medium, and short-term planning, usage, and redundancy systems. If the City uses the town ditch water for its originally decreed purpose of irrigation, and if the water is being taken at its original decreed point of diversion, then there are not seasonal limitations. The City should re-examine its water rights matrix to make the most efficient use of its water access and rights. After re-examining the matrix, the City could then consider getting under the augmentation plan of the Conservancy District for a back-up option or begin to develop its own augmentation plan.

She gave an update on the six situations that she informed Council of in June 2020. First, an update focused on Case #20 CW-3029. This was an application for finding reasonable diligence in the development of conditional water right decreed Reservoir #4. Reservoir #4 is the City's only storage water right outside of the small ponds that are associated with Gunnison Rising. There are six locations spread out across the City, which were originally intended to be a huge reservoir. The decreed locations are in Van Tuyl, the community center and Pac Man ponds. The alternate locations hold only 489 acre feet out of the 3000 acre feet available, so the City should evaluate if it wants to build a larger storage area elsewhere. The last application was for a finding of reasonable diligence or to make it absolute and is due in August 2026. Second, in May 2021, the court entered a decree in Case #20 CW-3095. This application was a decree to make absolute the remainder of the conditional water right to create well #10 and for a finding of reasonable diligence in the City's development of the conditional water rights for wells 11, 12, and 13. These are valuable to the City as alternate points of diversion for senior water rights. They are in priority as part of Division 4. It was determined that an application will need to be filed to change the decreed location of well 13. The next application for finding of reasonable diligence or to make absolute is due May 2027. Third, the statutory obligation in Case #20 CW-3095, required the City to give notice of the application to every landowner who has a well on the property. The decreed location of well 13 is the alley behind City Market, which is not an ideal location for a well. A new location for the well will be determined and an application will be filed soon after a new location is determined. The application will be filed by the end of the year. Fourth, a protest was prepared to the division engineers because of the inclusion of the O'Fallon ditches alternate point of diversion on the 2020 abandonment list. In 2015, the O'Fallon Ditch was made for absolute at all points of diversion by virtue of division at the Piloni Ditch alternate point. The claim of abandonment is not strong because that water right was made absolute in 2015 and there was no presumption to abandon it. The abandonment protest was submitted in June. If the O'Fallon Ditch remains on the abandonment list after December 2020, then a formal protest process will begin. The next diligence application for 1.1 CFS is due in December. Fifth, the City's water rights engineers developed new water rights accounting forms that will document both the City's beneficial use of the water rights for documentation and to avoid future abandonment issues. The forms will also document compliance with all terms and conditions of decree. Sixth and final update, the City continues to participate as an objector in water Case #16 CW-3089. In this case, involves a desire to change water rights and an augmentation to replace the out of priority depletion because of the gravel pit operations on Tomichi Creek. The applicant has acquired a portion of every senior water rights on Tomichi Creek and they are preparing to amend their application to allow for their use of that water right as an augmented supply. The desire is to come to an agreement with the applicant so an August 2022 trial will not necessary. DiLalla will send staff a bulleted list of the updates and water rights matrix. Council thanked Jennifer DiLalla for the updates.

Council went into recess at 7:55 p.m. Council returned from recess at 8:10 p.m.

Multi-Modal Access Control Plan RFP Draft. Community Development Director Anton Sinkewich approached Council to discuss a Multi-Modal Access Control Plan RFP. The estimated cost of the Access Control Plan is \$150,000. Colorado Department of Transportation (CDOT) has offered to contribute \$75,000. The City would be responsible for the other \$75,000. For this project, CDOT agreed that the City could do its own procurement, find the consultant, and develop the specific content of the RFP. CDOT would want to be in agreement on the consultant selection. This RFP includes many multi-modal and pedestrian considerations, safety in neighborhood parks as well as on the streets, and road crossings and traffic flow. This scope of work goes beyond just moving vehicles, but more holistic to include many methods of travel. This plan would incorporate the traffic data that was collected pre-pandemic. This scope of work requires the consultant to

provide recommendations for preferred locations within the City to accommodate a multi-modal transportation hub. Also included should be a comprehensive plan to provide recommendations for a safe route to and from the airport and recommendations for access and additional activity within the area north of the City limits to the Gunnison River as well as development areas in West Gunnison. The RFP was shared with Gunnison County Public Works and RTA leadership. Discussion occurred about costs and the length of time the study should take. Parking considerations are not a part of this RFP. The result of this study will figure into the 3-Mile Plan with Gunnison County. This plan will result in specific access points that are agreed upon by the City, County, and CDOT. The County has no plans to financially contribute to the cost of the plan. Director Sinkewich confirmed that the plan will cover Highway 50 from County Roads 726 (Curecanti Recreation Area) to Main Street (Highway 135) and then from Highway 50 (Tomichi and Main) to County Road 8, north of town. Council directed Director Sinkewich to proceed with finalizing and issuing an RFP with CDOT for the Multi-Modal Access Control Plan.

Ballot Initiatives Discussion. City Clerk Boucher reviewed actions that were taken to proceed with participating in a Coordinated Election this November with Gunnison County. She explained the work staff has been dealing with Slate Communications regarding an education campaign for the potential ballot initiative and what materials will be produced next. The up-coming materials include social media graphics, content for a webpage, a FAQ sheet, and short videos. The supplemental survey to gather more community input on the potential ballot initiative was emailed to City utility customers. Staff will also be putting together focus groups to gather more feedback. Initial information collected revealed that respondents feel that it is necessary to put money into streets and alleys, but it may contain the new fire station “wants” rather than just needs. Council needs to approve the ballot language before Friday, September 3rd.

It was mentioned that the Met Rec District may place a question on the ballot.

Staff and Council gave reports.

With no further business, Mayor Gelwicks adjourned the Regular Session at 8:50 p.m.

E. Boucher
City Clerk



Jim Gelwicks
Jim Gelwicks, Mayor