

AGENDA

Denver Board of Water Commissioners

Denver Water Board Room, 1600 W 12th Avenue, Denver, CO 80204 and

Video Conference: <http://zoom.us/join>, Meeting ID: 882 3417 6376 - Passcode: 600590 or

Dial in (669) 900-6833 - Meeting ID: 882 3417 6376 - Passcode: 600590

Members of the public are welcome to attend either in person or by video conference

Wednesday, June 14, 2023 9:00 a.m.

I. INTRODUCTORY BUSINESS

A. Call to Order and Determination of Quorum

B. Public Comment and Communications

At this point in the agenda, the Board may allow members of the public to address the Board on any item of interest within the jurisdiction of the Board, and not on the agenda for action. Speakers wishing to address a specific Action Item will be invited to address the Board when the item is being considered. Three minutes are allowed for each person unless the President determines otherwise.

1. Distributor Communications
2. Citizen Advisory Committee Communications

C. Ceremonies, Awards, and Introductions

D. **Legislative Update** **Andrew Hill** **10 minutes**

II. ACTION ITEMS

A. Consent Items

Items listed below are considered routine and may be enacted by one motion and vote. If any Board member desires discussion beyond explanatory questions, or corrections to the Minutes, the President may order that item to be considered in a separate motion and vote.

1. Minutes from May 10, 2023
2. Minutes from May 24, 2023

Our vision is to sustain vibrant communities that value water for future generations.

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B. Individual Approval Items

- | | | |
|--|--------------|------------|
| 1. Intergovernmental Agreement for Reservation of Chatfield Reservoir Reallocation Project Shares for the Environmental Pool - Contract 505644 | Jeff Bandy | 5 minutes |
| 2. 2022 Audited Financial Statements | Julie Lorton | 15 minutes |

III. POLICY MATTERS

- | | | |
|--------------------------------|------------------------------------|------------|
| A. Proposed 2024 Business Plan | Julie Anderson/
Angela Bricmont | 45 minutes |
|--------------------------------|------------------------------------|------------|

IV. EXECUTIVE UPDATE

- A. CEO Update**
- B. CFO Update**
- C. Operations Update**

V. BRIEFING PAPERS & REPORTS

- A. Briefing Paper**
 - 1. External Stakeholder Engagement Plan
- B. Report**

VI. ADJOURNMENT

VII. TRUSTEE MATTERS

I. ACTION ITEMS

1. Meeting as Trustee: Minutes from May 24, 2023
Trustee Meeting
2. Meeting as Trustee and/or Plan Sponsor: Sam Hellwege 10 minutes
Acceptance of the 2022 Retirement Plans
Audited Financial Statements

VIII. EXECUTIVE SESSION

The Board may adjourn the regular meeting and reconvene in executive session on topics authorized by D.R.M.C Sec. 2-34.

- A. Confidential Report

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: June 14, 2023

Board Item: II-B-1

Intergovernmental Agreement for Reservation of Chatfield Reservoir Reallocation Project Shares for the Environmental Pool Contract 505644

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to approve Denver Water's contribution to the Reservation of 500 acre-feet of Chatfield Reservoir Reallocation Project Shares for the Environmental Pool through Contract 505644.

In August of 2016, Denver Water and The Greenway Foundation pledged to dedicate up to 500 acre-feet of Additional Environmental Pool Storage Space (added to the already allocated 1,600 acre-feet to achieve 2,100 acre-feet). Denver Water pledged to match the funds raised by The Greenway Foundation. The total amount pledged between the two entities is \$3,050,000 (\$1,525,000 each), equivalent to 407 acre-feet. The Colorado Water Conservation Board (CWCB) has approved to pay for the balance of 93 acre-feet, bringing the total to 500 acre-feet of Additional Environmental Pool Storage Space.

The environmental pool in Chatfield will be operated by Colorado Parks and Wildlife with the primary benefit to increase flows in the South Platte River below Chatfield Reservoir as well as maintain reservoir elevations and augment the Chatfield State Fish Unit, owned, and operated by Colorado Parks and Wildlife.

Budget and Schedule:

The total amount of this Contract is \$1,525,000. Funds will come from the Chatfield Reallocation Environmental Pool Business Unit and that one-time payment will occur within 90 days of contract execution, in 2023.

Recommendation:

Staff recommends that the Board approve Contract 505644 with State of Colorado, Colorado Water Conservation Board and The Greenway Foundation for the dedication of 500 acre-feet of storage space in the Chatfield Reallocation Storage Project for a total contract amount of \$1,525,000.

Approvals

- | | |
|---|--|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input type="checkbox"/> Julie Anderson, Chief of Staff | <input checked="" type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input checked="" type="checkbox"/> Angela C. Bricmont, Chief Finance Officer | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: June 14, 2023

Board Item: II-B-2

2022 Audited Financial Statements

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to present Denver Water's audited financial statements for the Board's acceptance. CliftonLarsenAllen, LLP (CLA), Denver Water's external auditors, conducted an audit of the financial statements in accordance with Generally Accepted Auditing Standards resulting in an unmodified (clean) opinion.

The audited financial statements being provided to the Board are included in the Annual Comprehensive Financial Report (ACFR) for Denver Water. The audit opinion is incorporated into the financial statements as the "Independent Auditors' Report." Upon the Board's acceptance, the ACFR will be posted to both the internal and external Denver Water websites, and the Electronic Municipal Market Access (EMMA) website in compliance with SEC regulations.

Below are some highlights:

The ACFR shows Denver Water's financial position to be strong at the end of 2022, with an overall increase in net position of over \$137 million, of which approximately \$102 million derived from capital contributions. The operating revenues increased due to higher water sales in 2022 compared to 2021, as well as the 4% rate increase for 2022. Operating expenses increased approximately 9%. The increase was primarily due to ongoing supply chain shortages and inflationary impacts to key operation expenditures and project costs for Gross Reservoir Expansion that cannot be capitalized.

Capital assets grew approximately \$362 million in 2022. The three largest additions were the Northwater Treatment Plant comprising \$112 million, Gross Reservoir Expansion in the amount of \$111 million, and regulated assets, or the Lead Reduction Program, at \$61 million.

Denver Water implemented the GASB 87 Leases guidance, which resulted in Denver Water recording a lease payable and lease receivable. The Water Resource Center at the National Western Complex is reported on the financial statements as a \$19 million-dollar prepaid leased asset, which will be reflected as a leased asset and lease expense when the lease commences in 2023.

The Employees' Retirement Plan (pension) is reported as a Fiduciary Pension Trust Fund and is incorporated in Denver Water's basic financial statements.

Budget and Schedule:

There is no budgetary impact for this item.

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Recommendation:

Staff recommends that the Board accept the 2022 Annual Comprehensive Financial Report for Denver Water.

Approvals

- | | |
|---|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input checked="" type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: June 14, 2023

Board Item: III-A

Briefing Paper for Proposed 2024 Business Plan

Strategic Plan Alignment

Denver Water uses a strategic planning process to set short- and long-range priorities. The Strategic Plan establishes our direction, informs our decisions, and guides our actions by providing overarching goals and objectives.

Summary

The executive team conducts a gap analysis against the goals and objectives every one to two years to identify and prioritize high impact areas where we can make a meaningful difference to align resources and operations toward the achievement of our vision.

This analysis results in our Business Plan that describes Strategic Projects, Organizational Priorities and Programs. The Board reviews the draft Business Plan annually, and staff then uses the plan as the basis to develop the proposed budget for the upcoming year. We then review the proposed budget in the context of the Business Plan at the Board's annual budget workshop in November, prior to final budget approval in early December.

Below is a brief overview of the 2024 Draft Business Plan that provides the purpose for each project, priority or program along with potential policy implications that we anticipate may come before the Board in 2024 and beyond.

Background

Top Priority

The Business Plan intentionally calls out our top priority as providing outstanding service and high-quality water to our customers to recognize the importance of the daily work of a large majority of our employees to serve our customers and keep our water system running 24/7.

Strategic Projects

The Plan highlights four Strategic Projects that are ongoing and make up approximately 72% of our capital spending. These projects come before the Board on a quarterly cadence for guidance and oversight.

1. Lead Reduction Program: The purpose of the Lead Reduction Program is to execute the variance issued by EPA to maintain Denver Water compliance with the Lead and Copper Rule. This includes managing the pH of the water delivered to customers, providing customers in the program with filters, communication, outreach and education, and removal of all lead service lines from the system. The program was approved in 2020, is scheduled to be complete in 2035, and is currently ahead of schedule with the potential for acceleration starting this year through the acquisition of Federal funding.

Potential Policy Matters:

- Setting the program pace and compliance with the variance
- Determining the level of Federal funding that will be pursued to help finance the program

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2. Gross Reservoir Expansion: The purpose of the Gross Reservoir Expansion (GRE) project is to add redundancy and resiliency in Denver Water's water supply. Following the veto of the Two Forks project and the subsequent 2002 drought, Denver Water initiated other actions to make up for the Two Forks supply, including water efficiency, demand reductions, and permitting to increase the size of Gross Reservoir. A completed GRE project will provide more balance with 20 percent of Denver Water's supply in our north system versus the current 10 percent. After 20 years of permitting and 3 years of design, GRE construction started April 1, 2022, and has an expected completion date of July 1, 2027.

Potential Policy Matters:

- Providing guidance on risk realization or retirement
- Addressing additional community mitigation
- Discussing ongoing litigation against the project

3. Northwater Treatment Plant: The purpose of the Northwater Treatment Plant (NTP) is to replace the aging Moffat Treatment Plant on the north side of the Denver Water system. NTP will alleviate the need to constantly retrofit the existing Moffat Treatment Plant, while meeting current sustainability goals and being more energy efficient through hydropower generation and low power demand equipment. The project is in its 7th year of execution, including design and construction, with facilities startup and commissioning underway for a plant startup in 2024.

Potential Policy Matters:

- Monitoring largest remaining risk of Denver Water support and integration

4. Highline Canal Transformation: The purposes of this project are to: transfer use and maintenance responsibilities for the canal to the counties that are largely responsible for the canal for stormwater, utilities and recreation; reduce Denver Water's obligations to maintain the canal as irrigation uses diminish over time; preserve Denver Water's ability to utilize the canal for any future water works purposes; and permanently protect the canal as a regional greenway.

Potential Policy Matters:

- Providing direction on the final target state of the transformation, including transfer of ownership and placement of a conservation easement
- Setting the direction for transformation through budgeting for customer conversions, funding support to the High Line Canal Conservancy and the level of transitional maintenance work undertaken

Organizational Priorities

We began operationalizing the Strategic Plan in the fourth quarter of 2022 through eight Organizational Priorities that will be ongoing efforts over the course of the next few years. These priorities were identified through Board feedback during the development of the Strategic Plan and solidified via the 2022 gap analysis work with the Strategic Plan Advisory Committee.

During the 2023 gap analysis, the executive team evaluated the eight priorities and agreed that all are on track and relevant to accomplishing our goals and objectives under the Plan, except for Protecting Colorado's Waters. The team determined that this priority can be accomplished via internal coordination and process documentation of work that is already underway by our Government Affairs and Stakeholder Relations teams. As a result, we are proposing to remove this as an organizational priority on our 2024 Business Plan.

The remaining seven priorities are being implemented using continuous improvement project management processes with cross-functional core teams and regular refreshes to drive towards the ideal state. The work is metric-driven and aligns to our organizational scorecard. Much of this work is already in progress or scheduled to kick off in the latter half of this year.

1. Asset Management: Develop an asset management strategy for delivering efficiencies in cost and water usage across Denver Water's system by standardizing and simplifying our processes to minimize the total cost of ownership over the life cycle of the asset including planning, design and construction, operation and maintenance and retirement.

Potential Policy Matters:

- Setting appropriate service levels to meet our customers' needs
- Optimizing the level of proactive versus deferred maintenance and replacement spending

Scorecard Metric: Asset Availability

2. One Water Strategy: Develop an adaptable strategy for achieving the most efficient use of our water resources, while protecting the urban watershed. The strategy includes encouraging sustainable and resilient land use, water use efficiency, pairing of the right water for the right use, and urban watershed health. It will be integrated with other plans and processes in Denver Water, at the City of Denver, and within the region.

Potential Policy Matters:

- Determining Denver Water's role in protecting the urban ecosystem
- Determining appropriate incentives and support to encourage new developments to incorporate water efficient solutions
- Determining policies regarding centralized vs. decentralized solutions
- Determining the timing and scope of potential Denver Water and regional reuse/recycling solutions, to maximize the use of reusable return flows

Scorecard Metric: Water Efficiency

3. Sustainability: Integrate efforts across the organization to reduce Denver Water's environmental impact and protect our water supply by threading sustainability throughout all Denver Water operations and projects.

Potential Policy Matters:

- Establishing net-zero energy and net-zero carbon goals, and determining timing and investment
- Setting sustainability goals, timing and investment

Scorecard Metric: Resource Use

4. Enterprise Project Management Office: Implement an organization-wide framework, process, and governance to deliver the right projects, at the right time, and at the right cost – ensuring that projects are aligned with the Strategic Plan and drive organizational goals and metrics. This is accomplished by vetting projects through organizational plans (e.g., Integrated Resource, Asset Management, Infrastructure Plan) and by prioritizing projects across systems to avoid siloed solutions. Clearly articulate the tough choices we are making and steps we are taking to mitigate cost increases to create financial flexibility and reduce the magnitude of near-term rate increases.

Potential Policy Matters:

- Prioritizing projects in the Financial Plan
- Providing direction through the Financial Planning Workshop with scenarios and impacts

Scorecard Metric: Financial Plan Performance

5. Innovation and Technology: Identify the most impactful uses of innovation and new technology that could result in breakthrough savings or service level improvements that benefit our customers, focusing on large break through type improvements that might also require significant change for the organization.

Potential Policy Matters:

- Developing alternative sources of revenue
- Using Denver Water assets in non-traditional ways

Scorecard Metric: Operating Cost per Account; Brand Engagement

6. Customer Experience: Improve the customer experience from tap to final bill. Use actionable data to improve customer processes, focusing on customers' perception of value, ease of doing business, and overall impact, with the goal that customers view us as a trusted partner, support our capital projects, accept reasonable rate increases and engage with us on important initiatives such as the lead program and landscape transformation.

Potential Policy Matters:

- Developing customer assistance programs
- Addressing affordability
- Approving Operating Rule changes
- Setting appropriate service levels to sustain customer satisfaction and trust

Scorecard Metric: Brand Engagement

7. Safety: Transform Denver Water's safety culture from one that is prescriptive and governed by rigid policies to one that provides guidelines and boundaries, then empowers employees closest to the work to assess hazards, identify risks and make good decisions based on field conditions.

Scorecard Metric: Safety Maturity Index

As mentioned earlier we are proposing to remove Protecting Colorado's Waters and have listed the objective below for your reference:

Protecting Colorado's Waters: Develop the framework for advancing policy objectives in priority areas, such as One Water, growth/development, Colorado River, climate, water quality, water supply development, agricultural & municipal water sharing, watershed health, wildfire risk reduction, the State Water Plan, and Clean Water Act/Safe Drinking Water Act regulation.

Strategic Programs

Our Strategic Programs reflect work that is ongoing in the organization and are reported to the Board regularly as needed to obtain strategic or policy level guidance from the Board. Several of the Strategic Programs tie closely to the work in our Organizational Priorities but are large enough efforts to stand on their own for milestones and reporting.

For 2024 and based off the recent gap analysis, we are proposing to remove South System Planning, Supplier Diversity and External Stakeholder Engagement. The work on South System Planning is concluding and will inform the Integrated Resource Plan. We are proposing to roll supplier diversity into the community pillar of our Diversity, Equity and Inclusion efforts - creating a more holistic approach. And, as mentioned earlier, we are combining Protecting Colorado's Waters with the External Stakeholder Engagement strategy and will task the team in Government Affairs and Stakeholder Relations with accomplishing the full development of the framework. These changes leave us with six remaining programs outlined below:

1. Watershed Health: The Watershed Planning Program supports water quality and supply resiliency within Denver Water's 2.5-million-acre collection system even while only owning only 2% of the land in the watersheds. The long-term, proactive, and adaptive strategy, initiated in 2019, identifies and prioritizes risks and actions to address Denver Water's watershed values of drinking water treatability, infrastructure protection, and community and environmental stewardship. In addition to proactive measures to reduce risk, we have a robust process in place to quickly respond following a wildfire or other disaster.

Potential Policy Matters:

- Determining funding levels for wildfire mitigation
- Determining funding levels for non-wildfire related watershed projects
- Determining levels of state and federal grant funding

2. Integrated Resource Plan: The Integrated Resource Plan 2075 prepares Denver Water for uncertainties over the next fifty years. It is an adaptive plan that integrates with the Strategic Asset Management Plan, the Infrastructure Master Plan, the Sustainability Guide, our One Water strategy, Watershed Health and all other planning efforts throughout Denver Water. With a focus on integration among divisions and in coordination with the Enterprise Project Management Office (EPMO), IRP 2075 will develop a comprehensive plan of adaptable projects, programs, and strategies to increase Denver Water's future resiliency.

Potential Policy Matters:

- Determining service level standards
- Prioritizing reliability vs. cost
- Determining the future of the Two-Forks properties and water rights
- Developing a Board Resource Statement

3. IT Strategy: Denver Water's information technology roadmap is aligned with business needs and projects and vetted through the EPMO. Technology continues to evolve significantly, including artificial intelligence and the internet of things.

Potential Policy Matters:

- Determining types of technology investment -- which technologies are appropriate for which portions of the business
- Deciding tradeoffs between potential technology investments

4. Cyber Security: Cyber security continues to remain one of the most significant threats to organizations. Denver Water's focus is one that protects the integrity of water delivery operations and critical business functions. A target state includes appropriate measures to protect, deter, detect, respond to and recover from any cyber incidents and a workforce that is trained and who actively assists with cyber security.

Potential Policy Matters:

- Determining Cyber Security Maturity Level

5. Risk Management: Risk Management is critical to successful implementation of Denver Water's Strategic Plan and is also synchronized with the Internal Audit strategy so that risks which can be audited can be evaluated for appropriate controls. The target state includes risks that are identified by appropriate stakeholders throughout the organization, discussed and prioritized by the executive team, and are timely, transparently reported to the Board. .

Potential Policy Matters:

- Determining risk appetite

6. Water Efficiency: Our water efficiency program promotes the sustainable use of water by reducing per capita use through a variety of strategies to maintain or lower per capita water use. The target state of the program is aligned with relevant strategic priorities in Water Resource Strategy, Finance, Customer Care and Public Affairs, and our One Water strategy.

Potential Policy Matters:

- Approving the efficiency water campaign strategy
- Prioritizing incentives vs. communication vs. legislation vs. codes
- Approving Operating Rule changes
- Approving an SDC Credit Program and other incentives
- Engaging in legislation, codes, and ordinances related to minimum efficiency standards (e.g., indoor fixtures and outdoor landscapes)
- Determining equity and environmental justice issues

Balanced Scorecard

We continue to measure our progress with the use of metrics that are directly tied to the goals and objectives in the Strategic Plan. The executive team reviews and discusses these metrics monthly and takes countermeasures for improvement if we are veering off-track. We are interested in the Board's feedback related to the metrics

and will adjust as needed. We will bring the final version of the Scorecard to the Board Budget Workshop later this year.

Owner(s) Jim Lochhead, CEO
Julie Anderson, Chief of Staff

Attachments Draft 2024 Business Plan, Draft 2024 Programs and Draft 2024 Scorecard

Respectfully submitted,

Jim Lochhead, CEO

Julie Anderson, Chief of Staff

2024 Annual Business Plan - DRAFT

TYPE	STRATEGIC PERSPECTIVE	DURATION	ANNUAL PRIORITY	ORGANIZATIONAL METRIC	OWNER(S)
Top Priority	Trusted Leader	1918 - Current	Provide high-quality water and outstanding service to our customers	Balanced Scorecard Performance	Executive Team
Strategic Projects	Trusted Leader	2020-2034	Lead Reduction Program	Project Execution	Roode, Anderson
	Excellent Operations	2017-2027	Gross Reservoir Expansion	Project Execution	Mahoney
	Excellent Operations	2017-2024	Northwater Treatment Plant	Project Execution	Mahoney, Roode
	Trusted Leader	2017-2030	Highline Canal Transformation	Project Execution	Roode
Organizational Priorities	Excellent Operations	2023-2026	Asset Management	Asset Availability	Roode, Mahoney
	Excellent Operations	2023-2026	One Water Strategy	Water Efficiency	Marsicek, Brody
	Excellent Operations	2023	Sustainability	Resource Use	Good
	Strong Financials	2020-2026	Enterprise Project Management Office	Financial Plan Performance	Bricmont, Anderson
	Strong Financials	2024	Innovation and Technology	Operating Cost per Account	Roode
	Trusted Leader	2017-2026	Customer Experience	Brand Engagement	Bricmont
	Inspired People	2017-2026	Safety	Safety Maturity Index	Good

2024 Programs - DRAFT

PROGRAM	CADENCE	OWNER
Watershed Health	Bi-Annual	Marsicek
Water Efficiency	Bi-Annual	Marsicek
Integrated Resource Plan	Bi-Annual	Marsicek
Risk Management	Bi-Annual	Good
Cyber Security	Bi-Annual	Good
Information Technology Strategy	Annual	Good

- The above programs have been identified as key strategic initiatives that provide significant contributions towards the attainment of the Strategic Plan Goals and Objectives
- The progress of these programs will be shared with the Board either by briefing paper or by presentation using the defined cadence for each program



Denver Water Balanced Scorecard Proposed 2024

	MEASUREMENT	ANNUAL TARGET
EXCELLENT OPERATIONS	Asset Availability	84%
Advance resilient infrastructure and efficient processes to deliver clean water, reliably	Operating Cost per Account	<\$738.4
	Resource Use	- 6%
INSPIRED PEOPLE	Safety Maturity Index	3.90
Foster a passionate and purpose-driven culture rooted in inclusion, adaptation and excellence	Employee Net Promoter Score	10
STRONG FINANCIALS	Debt Service Ratio	2.7
Balance near-term investment with sound long-range planning to ensure good value for our customers	Financial Plan Performance	≤ 5%
TRUSTED LEADER	Legislative, Regulatory and Policy Outcomes	80%
Lead the water industry in serving our communities and protecting the water resources of the West	Water Efficiency	63%
	Brand Engagement	65%

Denver Water tracks metrics and data points regularly to determine progress, and we also look at how we can improve.

For an explanation of how we are working to improve in areas, visit inflow.denverwater.org/go/dashboard.



2024 Denver Water Business Plan

June 14, 2023

 DENVER WATER

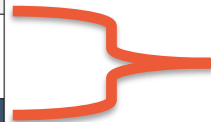
Proposed 2024 Business Plan

2024 Annual Business Plan - DRAFT					
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Top Priority

2024 Annual Business Plan - DRAFT

TYPE	STRATEGIC PERSPECTIVE	DURATION	ANNUAL PRIORITY	ORGANIZATIONAL METRIC	OWNER(S)
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- Provide high-quality water and outstanding service to our customers

The image features a white banner at the top with a green background containing water droplets. The text "Strategic Projects" is centered in the banner.

Strategic Projects

2024 Strategic Projects

- Gross Reservoir Enlargement
- Northwater Treatment Plant

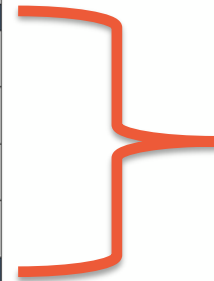


- Lead Reduction Program
- Highline Canal Transformation

Capital Project	Potential Policy Matters
Lead Reduction Program	Setting program pace and compliance with the variance Determining level of Federal Funding that will be pursued to help finance the program
Gross Reservoir Enlargement	Providing guidance on risk realization or retirement Addressing additional community mitigation Discussing ongoing litigation against the project
Northwater Treatment Plant	Monitoring largest remaining risk of Denver Water support and integration
Highline Canal Transformation	Providing direction on the final target state of the transformation, including transfer of ownership and placement of a conservation easement Setting the direction for transformation through budgeting for customer conversions Determining funding support to the High Line Canal Conservancy Providing guidance for the level of transitional maintenance work undertaken

Strategic Projects

2024 Annual Business Plan - DRAFT					
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	Inspired People	2017-2026	Safety	Safety Maturity Index	Good



- Lead Reduction Program
- Gross Reservoir Expansion
- Northwater Treatment Plant
- Highline Canal Transformation

A horizontal banner with a vibrant green background. The background is textured with numerous small, realistic water droplets of varying sizes. A single, larger, wavy line, resembling a liquid trail or a stylized wave, runs vertically through the center of the banner. The text 'Organizational Priorities' is centered in white, sans-serif font.

Organizational Priorities

Proposed 2024 Organizational Priorities

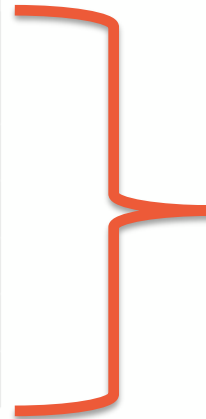


Organizational Priority	Potential Policy Matters
Asset Management	<ul style="list-style-type: none"> Setting appropriate service levels to meet our customers' needs Optimizing the level of proactive versus deferred maintenance and replacement spending
One Water	<ul style="list-style-type: none"> Determining Denver Water's role in protecting the urban ecosystem Determining appropriate incentives and support to encourage new developments to incorporate water efficient solutions Determining policies regarding centralized vs. decentralized solutions Determining the timing and scope of potential Denver Water and regional reuse/recycling solutions,
Sustainability	<ul style="list-style-type: none"> Definition of Net Zero energy and Net Zero carbon goals, and determining timing and investment Sustainability Goals, timing and investment
EPMO	<ul style="list-style-type: none"> Prioritized projects in the Financial Plan Providing direction through the Financial Planning Workshop with scenarios and impacts
Innovation & Technology	<ul style="list-style-type: none"> Developing alternative sources of revenue Using Denver Water assets in non-traditional ways
Customer Experience	<ul style="list-style-type: none"> Developing customer assistance programs Addressing affordability Approving Operating Rule changes Setting appropriate service levels to sustain customer satisfaction and trust

Proposed 2024 Organizational Priorities

2024 Annual Business Plan - DRAFT

TYPE	STRATEGIC PERSPECTIVE	DURATION	ANNUAL PRIORITY	ORGANIZATIONAL METRIC	OWNER(S)
Top Priority	Trusted Leader	1918 - Current	Provide high-quality water and outstanding service to our customers	Balanced Scorecard Performance	Executive Team
Strategic Projects	Trusted Leader	2020-2034	Lead Reduction Program	Project Execution	Roode, Anderson
	Excellent Operations	2017-2027	Gross Reservoir Expansion	Project Execution	Mahoney
	Excellent Operations	2017-2024	Northwater Treatment Plant	Project Execution	Mahoney, Roode
	Trusted Leader	2017-2030	Highline Canal Transformation	Project Execution	Roode
Organizational Priorities	Excellent Operations	2023-2026	Asset Management	Asset Availability	Roode, Mahoney
	Excellent Operations	2023-2026	One Water Strategy	Water Efficiency	Marsicek, Brody
	Excellent Operations	2023	Sustainability	Resource Use	Good
	Strong Financials	2020-2026	Enterprise Project Management Office	Financial Plan Performance	Bricmont, Anderson
	Strong Financials	2024	Innovation and Technology	Operating Cost per Account	Roode
	Trusted Leader	2017-2026	Customer Experience	Brand Engagement	Bricmont
	Inspired People	2017-2026	Safety	Safety Maturity Index	Good



- Asset Management
- One Water Strategy
- Sustainability
- Enterprise Project Management Office
- Innovation and Technology
- Customer Experience
- Safety

A horizontal banner with a vibrant green background. The background is textured with numerous small, realistic water droplets of varying sizes. A single, larger, wavy line, resembling a liquid trail or a stylized wave, runs vertically through the center of the banner. The text 'Organizational Programs' is centered in white, sans-serif font.

Organizational Programs

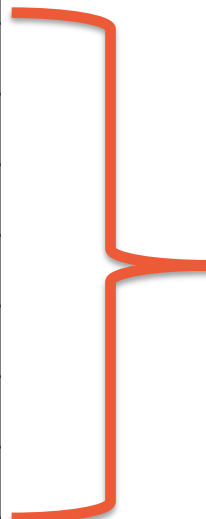
Proposed 2024 Programs



Organizational Program	Potential Policy Matters
Watershed Health	<ul style="list-style-type: none"> Determining funding levels for wildfire mitigation Determining funding levels for non-wildfire related watershed projects Determining levels of state and federal grant funding
Integrated Resource Plan	<ul style="list-style-type: none"> Determining service Level Standards Prioritizing reliability vs. Cost Determining the future of the Two-Forks properties and water rights Developing a Board Resource Statement
IT Strategy	<ul style="list-style-type: none"> Determining types of technology investment -- which technologies are appropriate for which portions of the business Deciding tradeoffs between potential technology investments
Cyber Security	<ul style="list-style-type: none"> Determining Cyber Security Maturity Level
Risk Management	<ul style="list-style-type: none"> Determining risk appetite
Water Efficiency	<ul style="list-style-type: none"> Approving the efficiency water campaign strategy Prioritizing incentives vs. communication vs. legislation vs. codes Approving Operating Rule changes Approving an SDC Credit Program and other incentives Engaging in legislation, codes, and ordinances related to minimum efficiency standards (e.g., indoor fixtures and outdoor landscapes) Determining equity and environmental justice issues

Proposed 2024 Programs

2024 Programs - DRAFT		
PROGRAM	CADENCE	OWNER
Watershed Health	Bi-Annual	Marsicek
Water Efficiency	Bi-Annual	Marsicek
Integrated Resource Plan	Bi-Annual	Marsicek
Risk Management	Bi-Annual	Good
Cyber Security	Bi-Annual	Good
Information Technology Strategy	Annual	Good



- Watershed Health
- Water Efficiency
- Integrated Resource Plan
- Risk Management
- Cyber Security
- IT Strategy



Metrics



Denver Water Balanced Scorecard Proposed 2024

	MEASUREMENT	ANNUAL TARGET
EXCELLENT OPERATIONS	Asset Availability	84%
Advance resilient infrastructure and efficient processes to deliver clean water, reliably	Operating Cost per Account	<\$738.4
	Resource Use	- 6%
INSPIRED PEOPLE	Safety Maturity Index	3.90
Foster a passionate and purpose-driven culture rooted in inclusion, adaptation and excellence	Employee Net Promoter Score	10
STRONG FINANCIALS	Debt Service Ratio	2.7
Balance near-term investment with sound long-range planning to ensure good value for our customers	Financial Plan Performance	≤ 5%
TRUSTED LEADER	Legislative, Regulatory and Policy Outcomes	80%
Lead the water industry in serving our communities and protecting the water resources of the West	Water Efficiency	63%
	Brand Engagement	65%

Excellent Operations

- Asset Availability
- Operating Cost per Account
- Resource Use

Inspired People

- Safety Maturity Index
- Employee Net Promoter Score

Strong Financials

- Debt Service Ratio
- Financial Plan Performance

Trusted Leader

- Legislative, Regulatory and Policy Outcomes
- Water Efficiency
- Brand Engagement

Board Engagement

- Annual approval of Draft Business Plan
- Quarterly updates on Capital Projects
- Bi-annual operations updates on Organizational Priorities
- Bi-annual/annual updates on Programs
- Quarterly Performance Reports
- Ad hoc as needed



Engage at the right time and at the right level

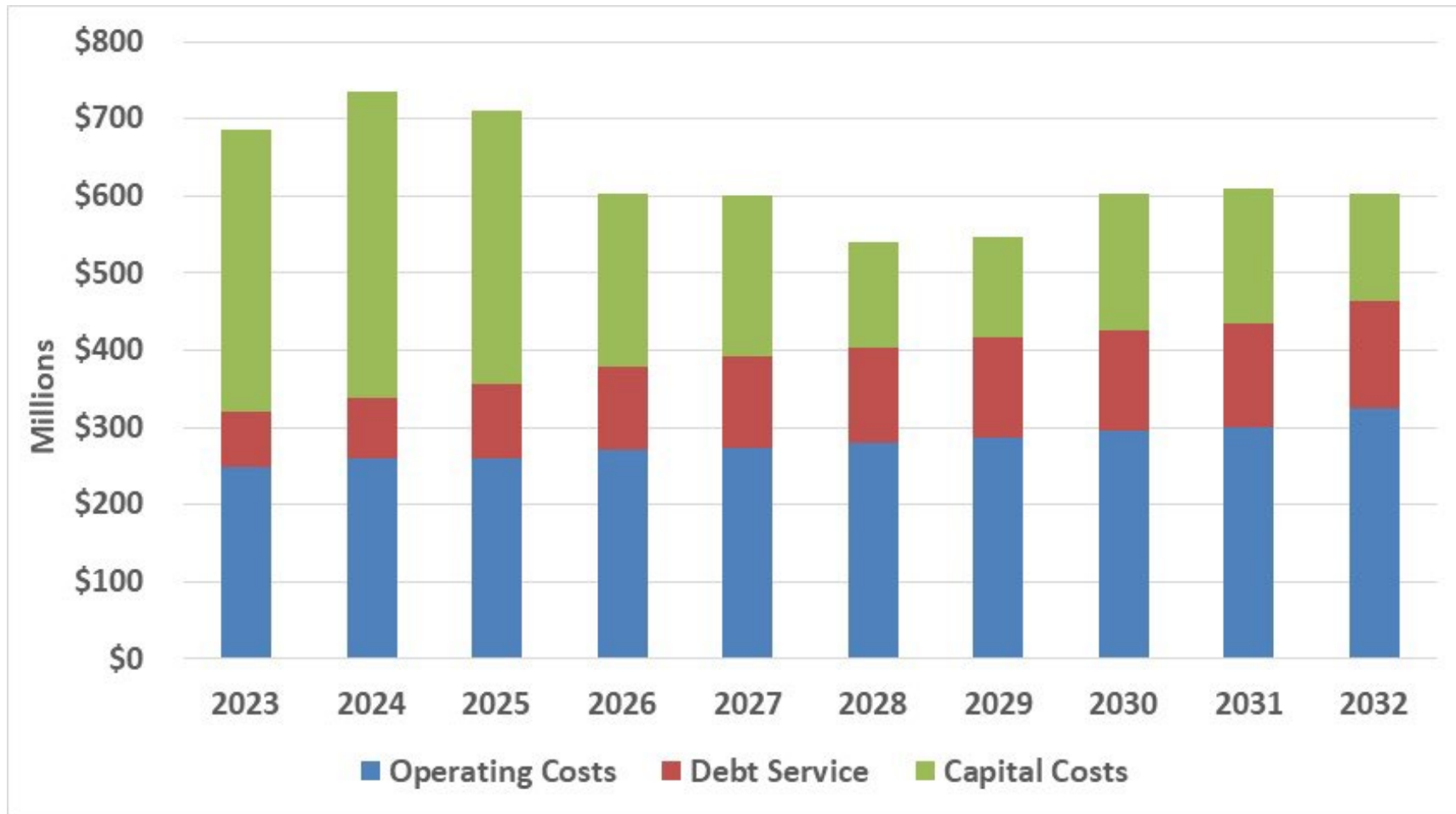
Proposed 2024 Business Plan

2024 Annual Business Plan - DRAFT					
TYPE	STRATEGIC PERSPECTIVE	DURATION	ANNUAL PRIORITY	ORGANIZATIONAL METRIC	OWNER(S)
Top Priority	Trusted Leader	1918 - Current	Provide high-quality water and outstanding service to our customers	Balanced Scorecard Performance	Executive Team
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	Trusted Leader	2017-2026	Customer Experience	Brand Engagement	Bricmont
	Inspired People	2017-2026	Safety	Safety Maturity Index	Good

A horizontal banner with a vibrant green background. The background is covered in numerous water droplets of various sizes, some of which are larger and more prominent than others. The droplets are scattered across the entire width of the banner, creating a textured, fresh appearance. The text is centered horizontally within this banner.

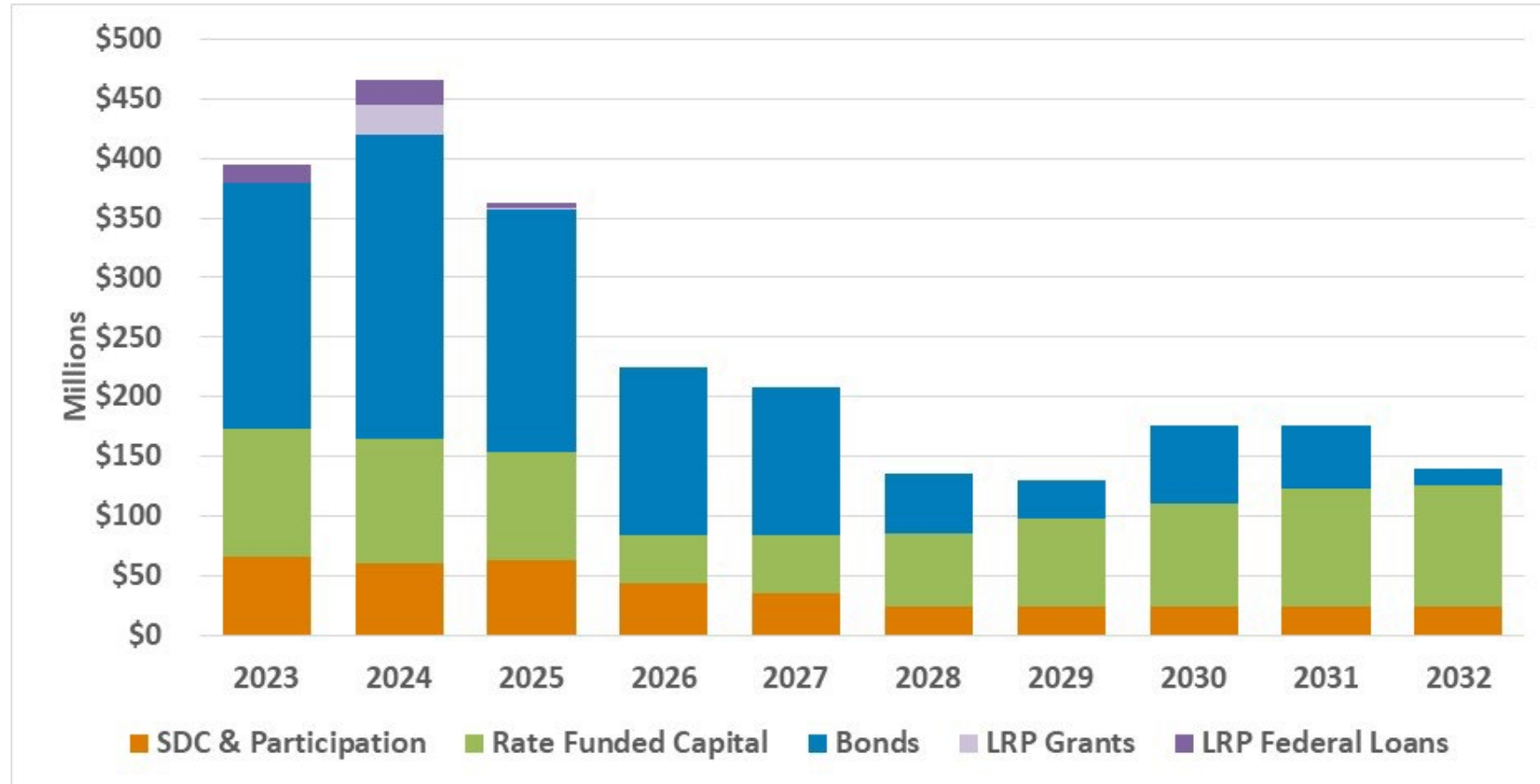
Financial Plan, Rates and Annual Budget Process

\$2.4 billion in capital needs over next ten years

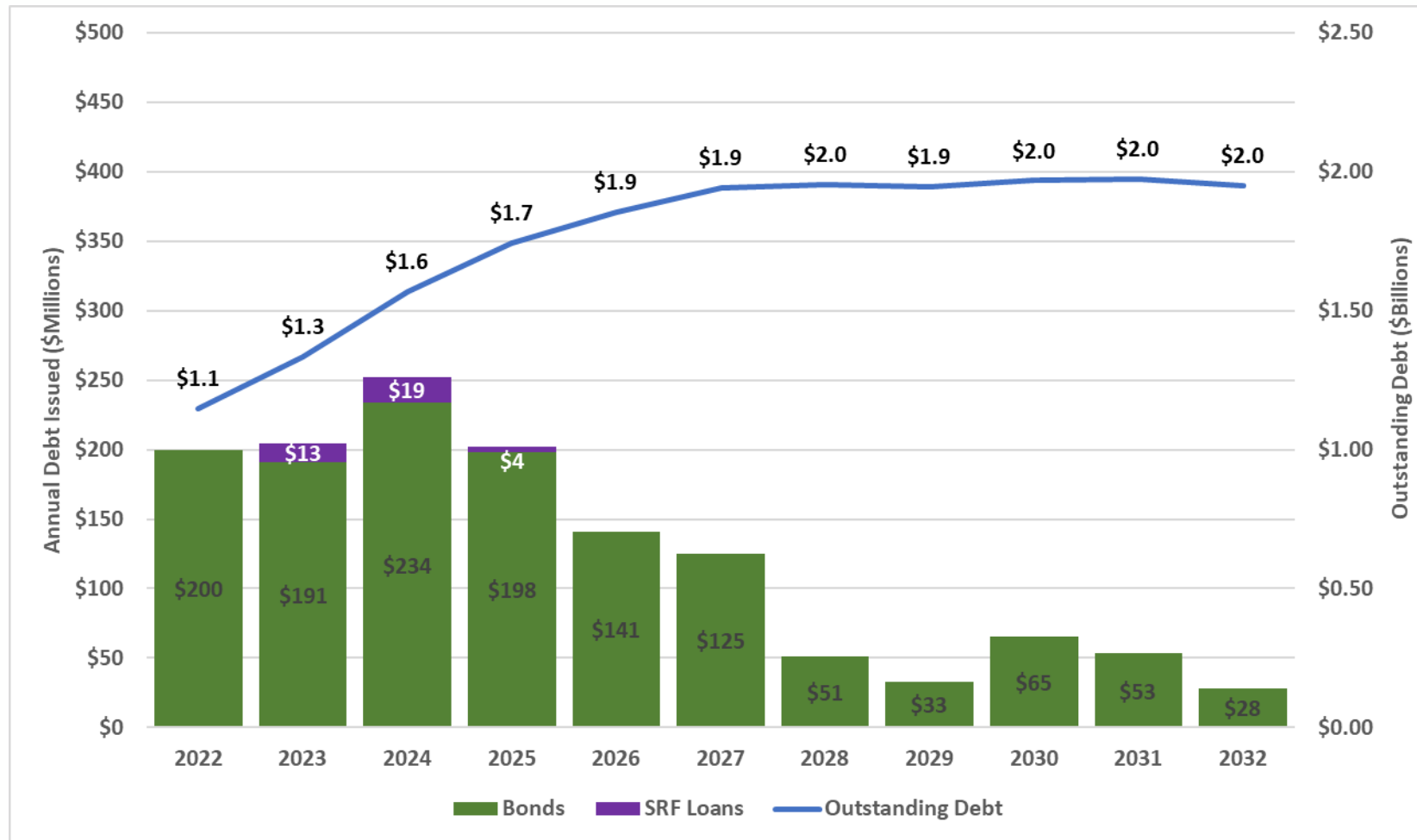


70% of capital comprised of priority projects in the next three years

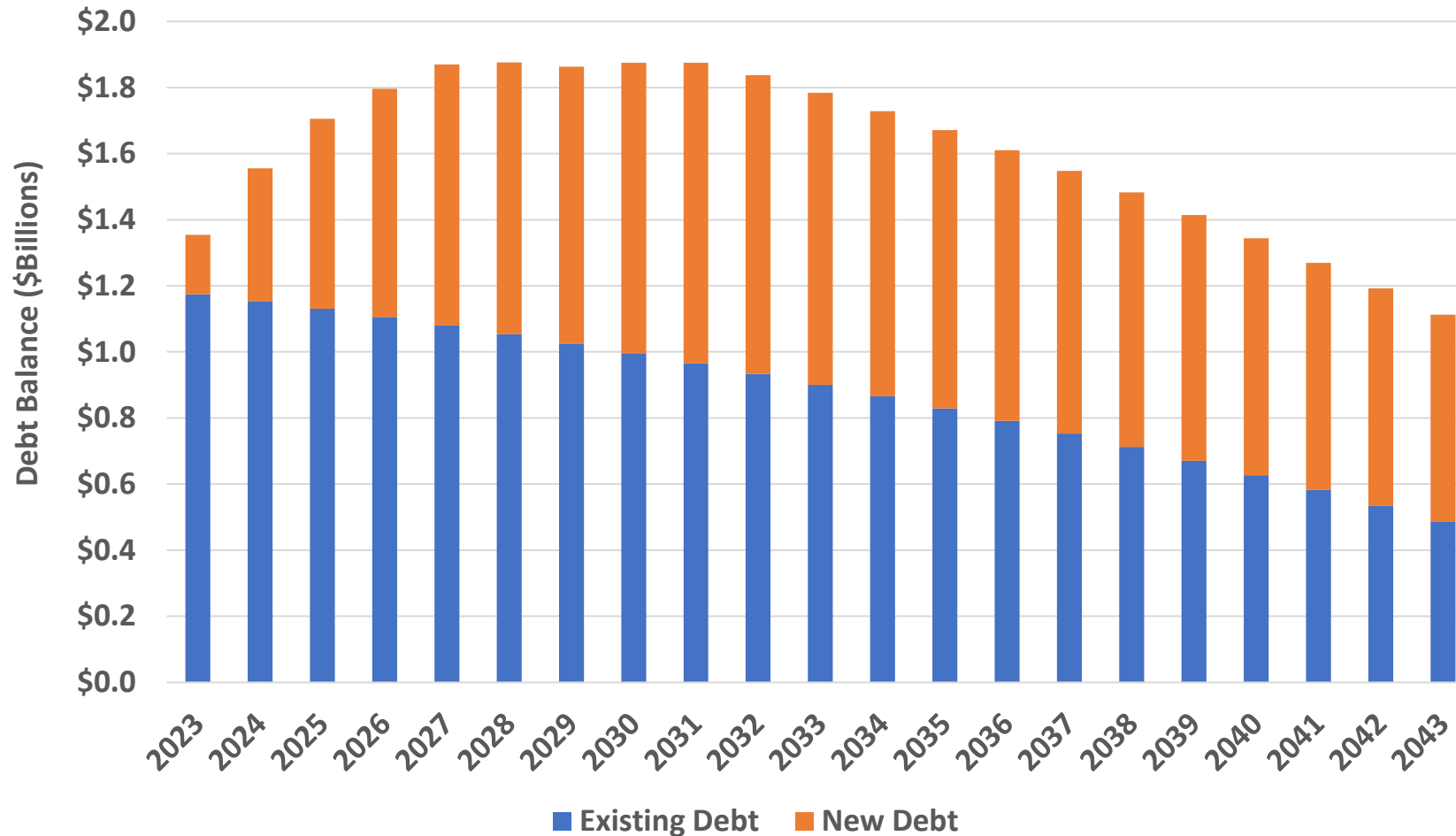
Debt is largest component of financing strategy in early years of plan



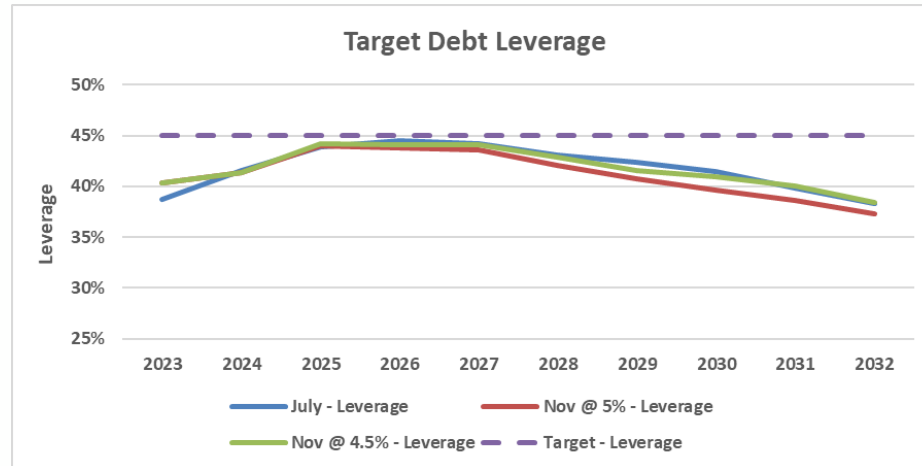
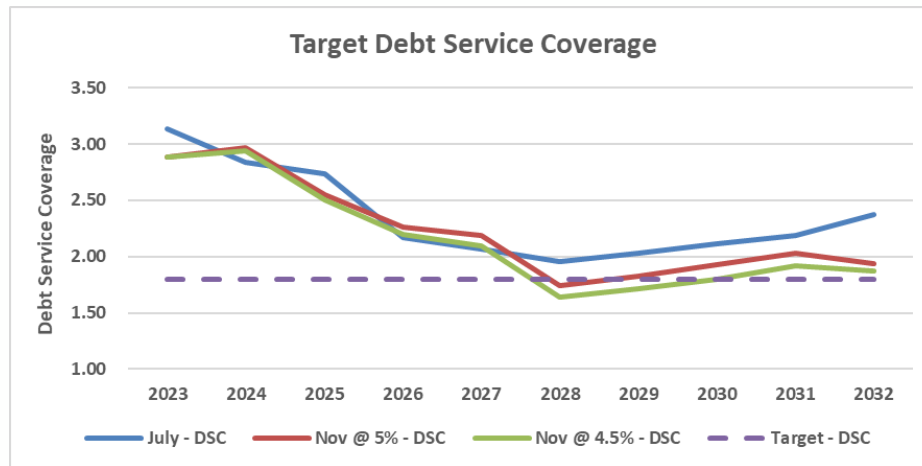
Debt balance projected to increase to \$2 billion



Debt structure maintains capacity for future capital funding

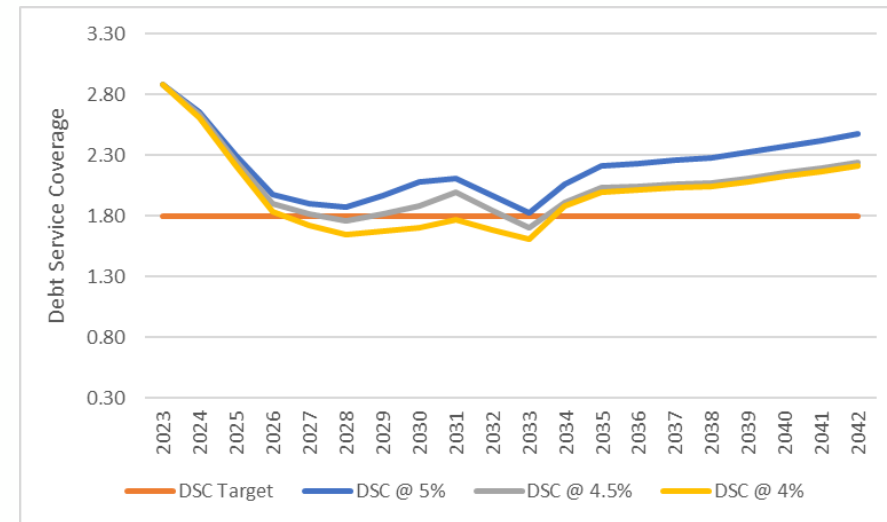
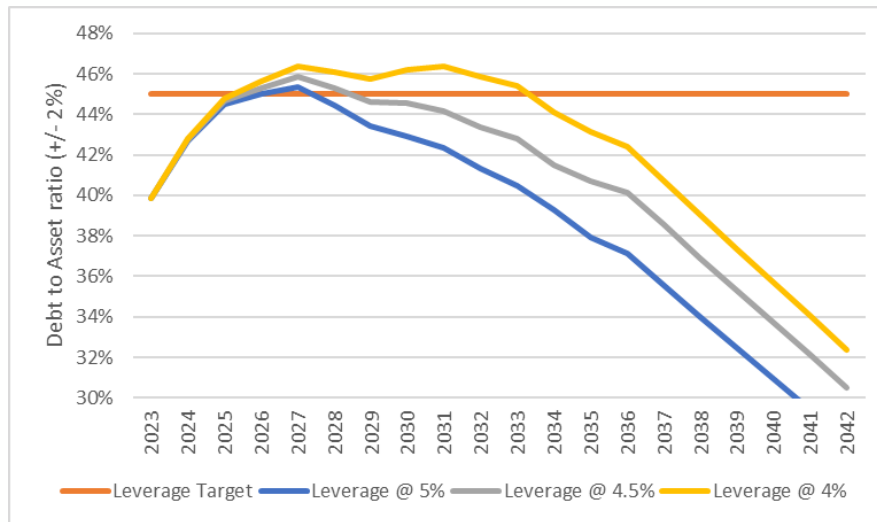


Debt service coverage and leverage pushing against financial policy limits



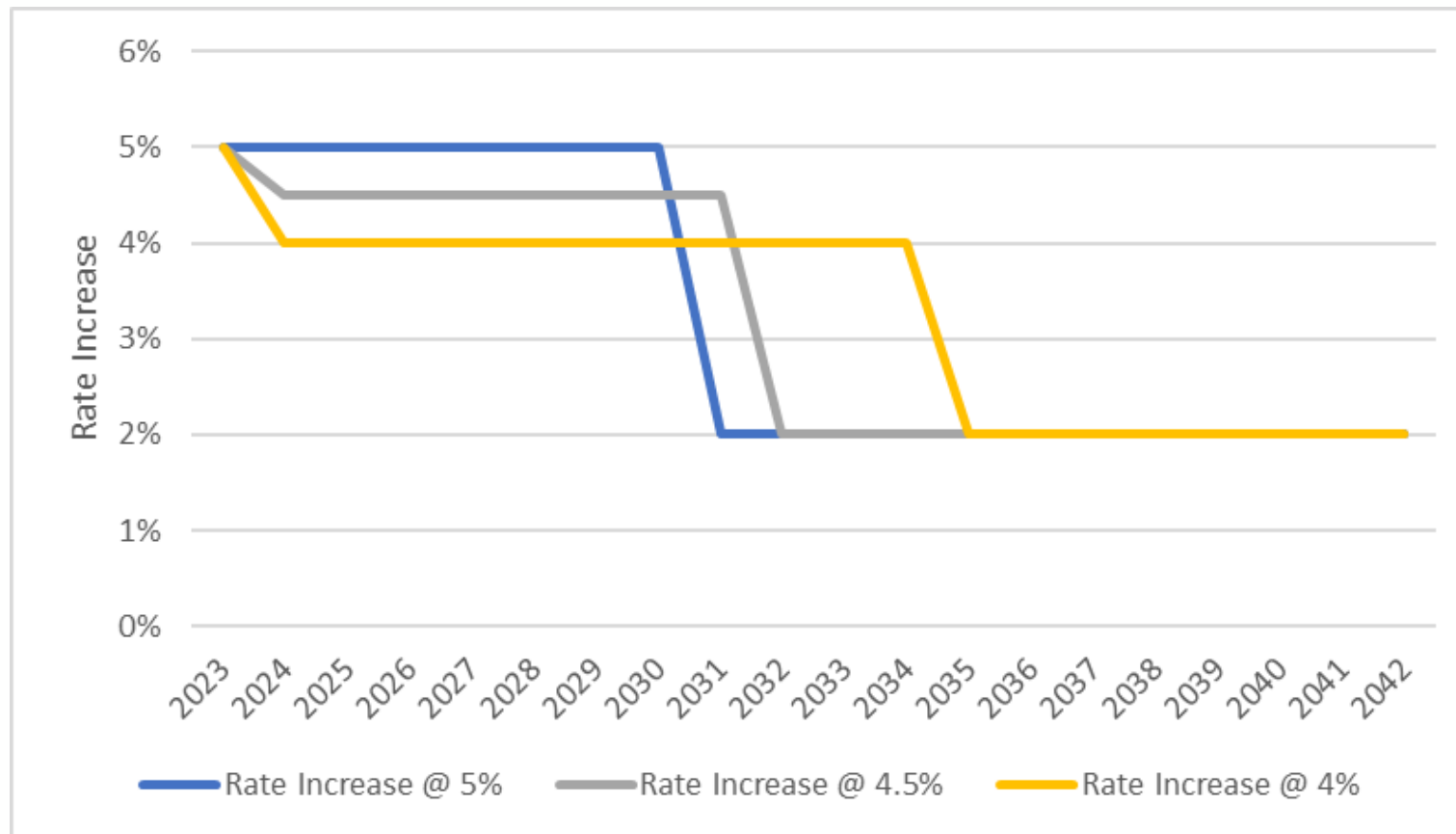
Charts assume level annual revenue adjustments

Financial ratios recover over time with continued annual revenue adjustments



Assumes normal operations without operational or economic shocks

Revenue adjustments can taper off after completion of large strategic projects



Assumes normal operations without operational or economic shocks

Process adjusted for Board feedback

Date	Topic	Agenda
Jul 12	Annual Business Plan	Projects Priorities and Programs in Business Plan are incorporated into Long-Range Financial Plan once approved
Jul 26	Financial Plan Workshop (exec session)	Review assumptions, project prioritization, multiple revenue scenarios, financial targets, smoothed and just-in-time increases, potential financial impact of anticipated policy decisions, potential SDC increases and timeline
Aug 9	Financial Plan presentation	Presentation of revenue adjustment scenarios for Board direction and impact of scenarios on financial metrics
Aug 23	1 st Rates presentation	Presentation of rates and contractual 30-day notification letter to Distributors
Oct 11	2 nd /final Rates presentation	Approval of rates, 60-day minimum contractual delay before implementation, and state deadline for submission of Distributor budgets
Nov 17	Budget Workshop	Annual operating and capital budget presentation and reconciliation of any financial plan differences
Dec 9	Annual Budget	Approval of budget



Discussion

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: June 14, 2023

Board Item: V-A-1

Briefing Paper for External Stakeholder Engagement Plan

Strategic Plan Alignment

Denver Water's vision is "to sustain vibrant communities that value water for future generations." This vision is supported by a Strategic Plan that views the communities Denver Water serves broadly — it goes beyond our customers to the stakeholders who are affected by our program, policies, and actions. The External Stakeholder Engagement Plan also takes an expansive approach to how we develop, cultivate, and nurture relationships with our diverse stakeholders, in support of the Strategic Plan and with an emphasis on positioning Denver Water as a trusted leader.

The External Stakeholder Engagement Plan ties into the organization's 2023 priorities and programs, including One Water, Water Efficiency, Customer Experience, and others by supporting the strategic alignment of teams working on these priorities; setting a framework and expectations to support information-sharing throughout the organization; and creating a broader vision for how, when, and to what degree we engage our external stakeholders.

Summary

In 2023, Denver Water began implementing an organization-wide External Stakeholder Engagement Plan. The need for an External Stakeholder Engagement Plan was identified as part of a Strategic Plan gap analysis.

The plan is composed of five strategies, each with associated actions, to be refined and realized during the next three years. The benefit of implementing the strategies will be enhanced collaboration and involvement of external stakeholders as early as possible in our decision-making; improved internal coordination to ensure the right people are responsible for stakeholder relationships and that we are effectively sharing information internally; and maintained trust in Denver Water because our communications are accessible and because we actively listen to external stakeholders to understand their priorities and perspectives.

Background

The External Stakeholder Engagement Plan was created through a deliberative process that involved internal stakeholders throughout Denver Water. It has been guided by a Core Team of advisors who represent divisions throughout the organization.

Its five component strategies are conceptual and address specific challenges the organization faces regarding external stakeholder relationships. Each strategy has actions, which are being further refined and developed into tactics and will continue to be adjusted, as needed, throughout the life of this plan.

The strategies are:

1. Improve Denver Water's internal processes and tools for information-sharing.
2. Develop and implement a plan to improve the relationship with stakeholders within our source watersheds.
3. Develop and implement a plan to improve relations and coordination with local government.

Our vision is to sustain vibrant communities that value water for future generations.

Integrity :: Vision :: Passion :: Excellence :: Respect



4. Expand accessible outreach and engagement opportunities.
5. Improve internal knowledge of resources for external stakeholder engagement and support the development of brand ambassadors throughout the organization.

To develop these strategies, staff gathered feedback through eight Voice of the Customer sessions with internal stakeholders, which included more than 70 participants, to identify the range of external stakeholders with whom we coordinate and serve, and gain an understanding of what we are doing well and what could be improved. We also reviewed the results of many external surveys, as well as feedback from stakeholders to inform the plan. Staff members will engage external stakeholders as part of plan implementation (see more below).

Based on this information, the Core Team developed goals, evaluated external stakeholder groups using methodology deeply rooted in the Strategic Plan, and developed strategies to meet organizational goals and stakeholder needs.

Approach

A refresh of the plan is scheduled for October 2023 to conduct a holistic assessment of the plan and the efficacy of implementation thus far.

The Core Team that worked to develop the plan is also collaborating to implement it. Additionally, five Strategy Teams have been created to focus on each of the five plan strategies. Each Strategy Team is composed of the relevant Core Team members, as well as staff with expertise or experience in the associated strategy area.

These teams prioritized actions within each of the strategies to address during the first year of plan implementation. We have already taken several actions this year, including:

- Aligning with the Customer Experience Value Stream, which seeks to re- envision customer interactions across the organization. Customers are among Denver Water’s more prominent stakeholders, and efforts to improve customer relations must be aligned and integrated with efforts to improve the relationship with the organization’s stakeholders more broadly.
- Starting to define “accessibility” as it relates to stakeholder engagement and outreach, which provides a foundation for future efforts to expand accessible outreach and engagement opportunities. The next step is to identify areas within the organization to prioritize for enhanced representation, accessibility and multicultural communications, engagement, and outreach.
- Launching development of a Source Watershed Stakeholder Engagement Plan. Stakeholders in this area were identified as a key group with whom Denver Water could improve its relationship and trust. The plan will include strategies and tactics to enhance two-way communication and engagement with residents, business owners, organizations, and other stakeholders in this geographically broad and diverse area on the East and West slopes.
- Beginning work to increase internal awareness about stakeholder engagement tools and resources. Public Affairs provides leadership, consultation, planning, and execution of stakeholder engagement activities. We are all, however, representatives of the organization and our work impacts the community; therefore, this effort will make employees more aware of the resources available to them to assist with external

stakeholder engagement and help Public Affairs assess the need for stakeholder engagement leadership and support on specific projects, programs, and initiatives.

By the end of 2023, staff will:

- Conduct an analysis of stakeholder connections across all divisions in preparation for implementation of a Customer Relationship Management system.
- Assess our existing partnerships with community groups and explore opportunities to actively participate in, listen to, and have conversations with communities, with a priority on engagement and inclusion of disproportionately impacted or under-resourced communities. Improved relationships and a shared understanding with these communities — through direct contact or expanded collaboration with community organizations — will lead to greater trust and inclusive decision-making.
- Create and disseminate internal guidance on communication and coordination among groups working with the same stakeholders.

To assess the success of the External Stakeholder Engagement Plan, staff will monitor existing measures reported as part of the Balanced Scorecard and Organizational Dashboard. These metrics include:

- Brand Engagement
- Legislative, Regulatory and Policy Outcomes
- External Stakeholder Support
- Thought Leader
- Quarterly Customer Satisfaction
- Distributor Satisfaction
- Community Partner

Additionally, the Strategy and Core teams developed measures for each strategy. These measures include:

- Internal participation rate in new data- and information-sharing practices.
- Feedback from source watershed stakeholders.
- The number of gaps we identify in our existing community partnerships and how many gaps we can fill.
- Increases in internal requests for community relations support.

The new metrics are still in development, and we will share performance after they are further refined, and staff has the opportunity to collect data. Additionally, the metrics are some of the ways we plan to monitor and evaluate the effectiveness of the External Stakeholder Engagement Plan. Staff will continue to look at new ways to measure how well we are reaching our goal of being a collaborative, supportive, and trusted partner to external stakeholders.

Owner(s)

Stacy Chesney, Office of People and Strategy
Sara Behunek, Office of People and Strategy

Attachments

N/A

Respectfully submitted,

Sara Behunek, Government and Community
Relations Manager

Julie Anderson, Chief of Staff

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: June 14, 2023

Board Item: V-A-2

Briefing Paper for Legislative Update

Strategic Plan Alignment Denver Water's Strategic Plan calls on the organization to lead the water industry in serving our communities and protecting the water resources of the West. Part of this goal is to align and activate key government, business, nonprofit and academic influencers to advance our strategic positions. Our activity at the Colorado General Assembly supports Denver Water's role as a trusted leader and allows us to impact policy and regulatory matters that affect the organization.

Summary The First Regular Session of Colorado's 74th General Assembly adjourned sine die on May 8, 2023. A total 617 bills were introduced and considered. This General Assembly consisted of significant Democratic majorities in both chambers (a supermajority in the House and near-supermajority in the Senate), while the House Republican caucus was the smallest in history. As a result, an ambitious Democratic agenda was often slowed by parliamentary maneuvering and Republican filibustering. Republicans filibustered numerous bills, Democrats invoked arcane parliamentary rules to limit debate, and on the final day of session, 19 Representatives staged a walk-out in protest of a bill on property taxes. The Republican approach was somewhat effective. With four days left in the session, 156 bills remained pending for action and on the evening of the final day of session, Governor Polis' signature land use bill was shelved by the Senate.

Of the 47 bills the Denver Water Legislative Review Team tracked, the majority addressed employment-related matters, watershed health and sustainability, water rights, water quality, and local government issues. Like last year, Denver Water was able to remain neutral and monitor most legislation. However, unlike last year, Denver Water supported more bills and was more engaged on several bills, including providing testimony and active support at the Capitol.¹ In addition, Denver Water staff drafted and shared conceptual legislation that would ban nonfunctional turf from being installed in future developments. Although the concept was not adopted in any final legislation, several legislators and external stakeholders expressed interest and a willingness to help advance the concept in the future.

Denver Water took the following positions over the course of the session:

- Support – Six bills, all of which passed.
- Amend – Two bills, both of which were adopted.²
- Monitor – 37 bills.
- Oppose – Denver Water did not register an oppose position during this session.

Now that the session has concluded, staff will pursue legislation that would limit the future installation of nonfunctional turf with the Water Resources and Agriculture

¹ Denver Water staff provided in-person testimony in support of SB23-270 Projects to Restore Natural Stream Systems and SB23-274 Water Quality Control Fee-setting by Rule. Denver Water also provided testimony regarding amendments to SB23-295 Colorado River Drought Task Force.

² Staff successfully amended SB23-295 Colorado River Task Force and SB23-213 Land Use. Although the amendment was adopted in SB23-295, the final bill did not pass.

Review Committee, which meets several times during the interim. In addition, the Wildfire Matters Review Committee and the Colorado River Drought Task Force will meet throughout the summer and staff will work diligently to engage with and monitor these groups, while continuing to expand outreach with legislators and external stakeholders.

Background

Below are notable bills from the 2023 Legislative Session. A final legislative summary table is attached to this Briefing Paper.

SB23-270 Projects to Restore Natural Stream Systems

Status: Passed; Denver Water's Position: Support

This bill was originally aimed at creating a broad rebuttable presumption that a wide variety of stream restoration projects would not cause a material injury to vested water rights. After significant pushback from certain water rights holders, the bill was significantly narrowed to apply to “minor restoration activities” only, which includes stabilizing banks, mechanical grading, and daylighting a natural stream that had been piped. Denver Water is the proponent of several stream restoration projects and staff acknowledged the legal ambiguity of how certain projects impact water rights. As such, Denver Water supported the bill’s goal to clarify the law around whether certain stream restoration projects should require a water rights decree. The Department of Natural Resources, the bill’s primary proponent, will likely continue to explore legislative solutions for more complex stream restoration projects during the next session.

SB23-267 Chatfield State Park Water Quality Fee

Status: Passed; Denver Water's Position: Support

This bill requires Colorado Parks and Wildlife to establish a fee to support water quality efforts by the Chatfield Watershed Authority through a rulemaking process. As a member of the Chatfield Watershed Authority, Denver Water benefits from any improvements to water quality in Chatfield Reservoir and the surrounding watershed. Additionally, during drought conditions, water can be pumped from Chatfield to Marston Treatment Plant to supplement Denver’s public drinking water supply.

SB23-274 Water Quality Control Fee-setting By Rule

Status: Passed; Denver Water's Position: Support

This bill transfers fee-setting authority from statute to the Water Quality Control Commission. The bill requires that the Commission engage in stakeholder outreach and promulgate fee-setting rules. It also creates the Clean Water Cash Fund into which the fees collected under the Commission’s rules would be credited. Finally, the bill adjusts the composition of the Commission to require the inclusion of members with specific types of expertise (e.g., science/environmental law, municipal water provider, etc.).

Currently, the Water Quality Control Division is supported by federal funds (50%), cash fees (31%), and General Funds (19%). This reliance on statutory funds has limited the Division’s ability to conduct long-term financial planning and adapt to changing economic conditions. If the Division can more efficiently and effectively carry out its duties, it will reduce uncertainty and improve broader water quality compliance across the state. As a regulated entity, Denver Water benefits from greater efficiency and

predictability, and supports the Division's goal to fund itself and improve stakeholder representation and outreach.

HB23-1274 Species Conservation Trust Fund Projects

Status: Passed; Denver Water's Position: Support

This bill appropriates \$5 million from the Species Conservation Trust Fund for several Department of Natural Resources programs designed to conserve native species that are threatened or endangered. Specifically, the bill appropriates 1) \$750,000 for native terrestrial wildlife conservation; 2) \$1.5 million for native aquatic wildlife conservation; 3) \$2.2 million for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program; 4) \$50,000 for selenium management, research, monitoring, evaluation, and control; and 5) \$500,000 for the federal Endangered Species Act litigation program.

Denver Water benefits from the Upper Colorado River Endangered Fish Recovery Program because the program helps minimize ecological damage to certain threatened/endangered species in the 15-Mile Reach where Denver Water may cause depletions. Denver Water also routinely supports federal funding for the Upper Colorado River Endangered Fish Recovery Program, and this bill aligned with those efforts.

HB23-1060 Updates to State Forest Service Tree Nursery

Status: Passed; Denver Water's Position: Support

This bill requires the Colorado State Forest Service to make certain updates to its seedling tree nursery. Denver Water supported this bill. There is a major seedling/tree shortage, and the bill will increase the supply of saplings, which will benefit Denver Water's efforts to repair burn scars in its watersheds.

SB23-005 Forestry and Wildfire Mitigation Workforce

Status: Passed; Denver Water's Position: Support

The bill creates and expands timber, forest health, and wildfire mitigation workforce development programs. Among other things, the bill creates the Timber, Forest Health, and Wildfire Mitigation Industries Workforce Development Program in the Colorado State Forest Service to provide incentives to businesses and nonprofit entities to hire interns through partial reimbursement. Improving and expanding the wildfire mitigation workforce directly benefits Denver Water's watersheds. In addition, Youth Corps crews have helped with the From Forests to Faucets Program, which benefits Denver Water's watersheds.

SB23-213 Land Use

Status: Failed; Denver Water's Position: Neutral/Monitor

This bill, which failed on the final day of the session, was amended many times. As introduced, it required the Department of Local Affairs (DOLA) to promulgate model codes to incentivize certain types of denser housing (e.g., middle housing, accessory dwelling units, transit-oriented areas, key corridors). A municipality could either adopt the model code or adopt its own code that met certain minimum standards set forth by the bill. Any model code would also have needed to meet those minimum standards. The Senate eliminated many of these requirements in favor of requiring municipalities

to submit a “housing needs plan” to DOLA. The House then put back many of the original requirements removed by the Senate. However, when the bill returned for reconsideration, the Senate did not accept those changes.

Denver Water successfully amended a version of the bill to remove a requirement that municipalities reduce tap fees on affordable housing, which posed both legal and logistical problems. Denver Water also explored amending the bill to include a ban on the future installation of nonfunctional turf grass. Otherwise, Denver Water remained neutral and noted that by increasing and incentivizing density, the bill aligned with Denver Water’s goals to reduce water demand in urban areas and improve water conservation. Although this bill failed, Governor Polis has expressed interest in pursuing a similar bill next session.

SB23-295 Colorado River Drought Task Force

Status: Passed; Denver Water’s Position: Amend/Monitor

This bill creates a task force that will recommend legislation for the Colorado Water Conservation Board (CWCB) to develop programs that address drought in the Colorado River Basin. The task force includes various representatives from the West Slope and representatives from the Northern Water Conservancy District, the Southeastern Water Conservancy District, and a Front Range municipal water provider that diverts water from the Colorado River. As introduced, the bill did not include representatives from a Front Range municipality. However, Front Range municipal water providers also divert water from the Colorado River, and it was important to ensure that the task force included representation from those entities. After introduction, Denver Water and other Front Range utilities successfully amended the bill to broaden representation on the task force, which will convene later this summer.

SB23-178 Water-wise Landscaping in Homeowners’ Association Communities

Status: Passed; Denver Water’s Position: Neutral/Monitor

This bill requires that homeowners’ associations cannot prohibit the use of nonvegetative turf grass in the backyard of a unit owner’s property; not require the use of hardscape on more than 20% of a unit owner’s property; allow a unit owner to use at least 80% waterwise plantings; and not prohibit vegetable gardens on a unit owner’s property. The bill also requires the HOA to permit the installation of at least three garden designs that are preapproved by the association for installation within the HOA community. These changes only apply to single-family detached homes. Denver Water remained neutral on the bill but informally explored amending the bill to include a ban on nonfunctional turf grass in future developments. Although the sponsors were interested in that concept, it was not included in the bill. The sponsors were interested in exploring the idea in the future.

SB23-286 Access to Government Records

Status: Passed; Denver Water’s Position: Neutral/Monitor

This bill makes several changes to the Colorado Open Records Act (CORA). The bill replaces the term “electronic mail” with the term “electronic communication” and expands the authority to withhold telephone numbers or home addresses of elected officials, as well as records containing information about an individual who has accused an elected official of sexual harassment. The bill also prevents agencies from charging a per-page fee for providing digital records to requesters and allows a

requestor to petition the public entity to have fees waived. This bill received a large amount of stakeholder input throughout the session, including from Denver Water. Earlier iterations included payment exemptions for requests made in “the public interest” and discounts for requests submitted by members of the news media. Those proposals were removed, and the successful version of the bill does not pose an issue to Denver Water’s CORA procedures.

HB23-1257 Mobile Home Park Water Quality

Status: Passed; Denver Water’s Position: Neutral/Monitor

This bill creates a water testing program within the Water Quality Control Division for mobile home parks. If testing reveals a water quality issue, the park owner must notify park residents and develop a remediation plan, which is submitted to the Division. This bill does not directly impact Denver Water, nor does the bill impose any requirements or obligations on public utilities. However, staff members recognized the importance of this issue and shared feedback regarding incorporating existing law, and enforcement challenges with the bill’s sponsor and proponents. The proponents and sponsors were appreciative of Denver Water’s outreach and this bill should help improve water quality enforcement in mobile home parks.

Owner(s) Andrew Hill, Office of People and Strategy

Attachments Denver Water Final Legislative Summary Table – 2023 Legislation

Respectfully submitted,

Andrew Hill, Government Affairs Liaison

Julie Anderson, Chief of Staff

Denver Water Final Legislative Summary Table – 2023 Legislation

Bill #	Title	Position	Status
HB23-1005	New Energy Improvement Program Changes	Monitor	Passed
HB23-1006	Employer Notice of Income Tax Credits	Monitor	Passed
HB23-1010	Task Force on High-Altitude Water Storage	N/A	Failed
HB23-1016	Temp Tax Credit for Public Service Retirees	Monitor	Failed
HB23-1018	Timber Industry Incentives	Monitor	Failed
HB23-1032	Remedies Persons with Disabilities	Monitor	Passed
HB23-1035	Statute of Limitations Minimum Wage Violations	Monitor	Failed
HB23-1036	Nontoxic Bullet Replacement Hunting Program	Monitor	Passed
HB23-1045	Employee Leave for National Guard Service	Monitor	Passed
HB23-1060	Updates To State Forest Service Tree Nursery	Support	Passed
HB23-1065	Local Government Independent Ethics Commission	Monitor	Failed
HB23-1066	Public Access Landlocked Publicly Owned Land	Monitor	Failed
HB23-1075	Wildfire Evacuation and Clearance Time Modeling	Monitor	Passed
HB23-1076	Workers' Compensation	Monitor	Passed
HB23-1078	Unemployment Compensation Dependent Allowance	Monitor	Failed
HB23-1118	Fair Workweek Employment Standards	Monitor	Failed
HB23-1125	Modernize Process to Obtain Water Well Information	Monitor	Passed
HB23-1152	Prohibit Foreign Ownership Agricultural and Natural Resources	N/A	Failed
HB23-1161	Environmental Standards for Appliances	Monitor	Passed
HB23-1196	Remedies at Law for Violating Colorado Youth Act	Monitor	Passed
HB23-1221	Water Quality Data Standards	Monitor	Failed
HB23-1257	Mobile Home Park Water Quality	Monitor	Passed
HB23-1274	Species Conservation Trust Fund Projects	Support	Passed
HB23-1282	Protect Consumers from Additional Entities	Monitor	Failed
SB23-005	Forestry and Wildfire Mitigation Workforce	Support	Passed
SB23-010	Water Resources and Agriculture Review Committee	Monitor	Passed
SB23-013	Fire Investigations	Monitor	Passed
SB23-016	Greenhouse Gas Emission Reduction Measures	Monitor	Passed
SB23-017	Additional Uses Paid Sick Leave	Monitor	Passed
SB23-032	Wildfire Detection Technology Pilot Program	Monitor	Failed
SB23-046	Average Weekly Wage Paid Leave	Monitor	Passed
SB23-051	Conforming Workplace Development Statutes	Monitor	Passed
SB23-053	Restrict NDAs for Government Employees	Monitor	Passed

SB23-058	Job Application Fairness	Monitor	Passed
SB23-059	State Parks and Wildlife Area Local Access Funding	Monitor	Passed
SB23-103	Update Colorado Recreational Use Statute	Monitor	Failed
SB23-105	Ensure Equal Pay for Equal Work	Monitor	Passed
SB23-111	Public Employees' Workplace Protection	Monitor	Passed
SB23-166	Establishment of a Wildfire Resiliency Code Board	Monitor	Passed
SB23-172	Protecting Opportunities and Workers' Rights Act	Monitor	Passed
SB23-178	Water-wise Landscaping in HOA Communities	Monitor	Passed
SB23-213	Land Use	Amend	Failed
SB23-267	Chatfield State Park Water Quality Fee	Support	Passed
SB23-270	Projects to Restore Natural Stream Systems	Support	Passed
SB23-274	Water Quality Control Fee-setting by Rule	Support	Passed
SB23-286	Access to Government Records	Monitor	Passed
SB23-295	Colorado River Drought Task Force	Amend	Passed