



**M E M O R A N D U M**

**TO:** Board of Directors  
**FROM:** Brian Thompson, Government Affairs Administrator  
**DATE:** February 17, 2023  
**RE:** February 23, 2023, Board Meeting

This memorandum shall serve as notice of a Regular Meeting of the Board of Directors of the Eagle River Water & Sanitation District:

**Thursday, February 23, 2023**  
**1:00 p.m.**

**This meeting will be held at:**

Walter Kirch Room  
Eagle River Water & Sanitation District Vail office  
846 Forest Road  
Vail, Colorado

The meeting can also be accessed on Microsoft Teams. Login information can be requested by sending an email at least 24 hours in advance to [info@erwsd.org](mailto:info@erwsd.org). In-person attendance is subject to public health protocols.

Input from members of the public is welcomed during the meeting's designated Public Comment period consistent with §18-9-108, C.R.S. Speakers may address the Board on a first-recognized basis by the Chair. Public Comments are limited to three minutes per speaker on relevant matters not listed on the agenda.



BOARD OF DIRECTORS REGULAR MEETING

February 23, 2023

1:00 p.m.

Walter Kirch Conference Room

**AGENDA**

- |  | <b><u>Attachment Link</u></b> |
|--|-------------------------------|
| <b>1. Introductions</b>  |                               |
| <b>2. Public Comment</b>   |                               |
| <b>3. Action Items</b>   |                               |
| 3.1. Approval of minutes from Jan. 26, 2023, Regular Meeting   | <a href="#">Action Item</a>   |
| 3.2. Approval of minutes from Jan. 26, 2023, Regular Joint Meeting with UERWA  | <a href="#">Action Item</a>   |
| 3.3. Approval of contract log  | <a href="#">Action Item</a>   |
| 3.4. 1041 intergovernmental agreement with Town of Minturn   | <a href="#">Action Item</a>   |
| <b>4. Information Reports</b>  |                               |
| 4.1. Development report  | <a href="#">Informational</a> |
| 4.2. Board committees  | <a href="#">Informational</a> |
| 4.3. January Authority meeting summary – draft   | <a href="#">Informational</a> |
| <b>5. Board Member Input</b>   |                               |
| <b>6. General Manager Report – Siri Roman</b>  |                               |
| 6.1. GM information items  |                               |
| 6.2. Business Administration report – David Norris   |                               |
| 6.2.1. Turf replacement rebate funding clarification   | <a href="#">Informational</a> |
| 6.2.2. 2022 classification and compensation reports  | <a href="#">Informational</a> |
| 6.3. Operations report – Brad Zachman  | <a href="#">Informational</a> |
| 6.4. Engineering and Water Resources report – Jason Cowles   | <a href="#">Informational</a> |
| 6.5. Communications and Public Affairs report – Diane Johnson  |                               |
| 6.5.1. Election update – Brian Thompson  | <a href="#">Informational</a> |
| <b>7. Water Counsel Report – Kristin Moseley</b>   |                               |
| 7.1. “Do Not Flush” Wipes Legislation (Senate Bill 23-150)   | <a href="#">Informational</a> |
| <b>8. General Counsel Report – Kathryn Winn</b>  | <a href="#">Confidential</a>  |
| <b>9. Executive Session</b>  |                               |
| 9.1. Motion to move into Executive Session pursuant to §24-6-402(4)(b) and (e), C.R.S., to receive legal advice and discuss matters in negotiation related to: |                               |
| 9.1.1. 1041 intergovernmental agreement with Town of Minturn   | <a href="#">Confidential</a>  |
| 9.1.2. Bulk water service agreements   | <a href="#">Confidential</a>  |
| 9.1.3. Water rights report   | <a href="#">Confidential</a>  |
| <b>10. Any Action as a Result of Executive Session</b>   |                               |
| <b>11. Adjournment</b>   |                               |

**EAGLE RIVER WATER & SANITATION DISTRICT 2023 CONTRACT LOG**

<b>Contract No.</b>	<b>Date Executed</b>	<b>Change Order Signed On</b>	<b>Project Name</b>	<b>Contractor</b>	<b>Contract Amt</b>	<b>Project Mgr.</b>	<b>Account No.</b>	<b>Status / Description</b>
23.15.005	02/09/23		Hach Service Contract	Hach Company	\$11,535.00	S. Bright	10.3.9.10.12.500	Maintenance, calibration and repairs on Hach probes, sensors, and equipment.
23.15.006	01/27/23		General Manager Office Furniture Replacement	Source Management	\$13,106.75	J. Beairsto	10.1.2.00.05.142	Procurement, delivery and installation of office furniture.
23.15.007	02/06/23		General Services Agreement	Western Water Solutions LLC	\$50,000.00	W. Spring	Various	Engineering services related to repairs and maintenance of PRV's, BPS's, Lift Stations, and water tanks.
23.15.008	Pending		GP Financial Consulting	Dynamics MCT Consulting Ltd.	\$9,450.00	J. Cannava	10.1.9.00.90.180 & 20.1.9.00.25.180	Financial consulting & Great Plains financial software support.
23.15.010	Pending		2023 Water Quality, Permitting, Compliance and Regulatory Matters	White River Consultants, LLC	\$74,540.00	L. Cribari	10.3.9.10.34.040 & 10.3.9.00.35.585	Support on in-stream water quality matters, wastewater permits, wastewater compliance, and regulatory matters.
23.15.012	Pending		Wastewater Master Plan Update	White River Consultants, LLC	\$22,400.00	R. Ringle	10.3.2.10.03.002	Permitting assistance related to WW Master Plan Update effort.
23.15.013	Pending		Lab Dishwasher Repair	Sercom Scientific Equipment Repair Company	\$1,804.90	L. Cribari	10.3.9.00.35.440	Repair of laboratory dishwasher.
23.15.014	Pending		LRE Miscellaneous Services	LRE Water	\$30,000.00	S. Roman	Various	Support for reservoir water quality matters, regulations, and strategy.

**INTERGOVERNMENTAL AGREEMENT AMONG THE TOWN OF MINTURN, THE  
EAGLE RIVER WATER & SANITATION DISTRICT AND THE UPPER EAGLE  
REGIONAL WATER AUTHORITY FOR PERMITTING OF  
BOLTS LAKE RESERVOIR**

This Agreement dated March 1, 2023 is among the Town of Minturn (“Minturn”), Eagle River Water & Sanitation District (“District”) and the Upper Eagle Regional Water Authority (“Authority”) (referred to individually as a “Party” and collectively as the “Parties”).

**RECITALS**

A. The Parties entered into that Intergovernmental Agreement dated February 2, 2022 (the “**February IGA**”), which, among other matters, required the Parties to enter into this Agreement.

B. The District is the owner of an historical reservoir property located within Minturn’s municipal boundaries which the District and Authority intend to construct into a storage reservoir (the “**Reservoir**”).

C. WHEREAS, The Town has, set forth in Article 25 of the Minturn Municipal Code (“MMC”) (the “**1041 Regulations**”), certain requirements and criteria related to the construction of major facilities of public utilities, such as the Bolts Lake Reservoir (MMC Sec. 16-25-30(3)). The formal permitting process under the 1041 Regulations can be fulfilled by entering into an intergovernmental agreement with an implementing governmental entity addressing the various requirements of the 1041 Regulations (MMC Sec. 16-25-40(8)). A copy of the 1041 Regulations as they existed at the time of the IGA are attached as **Exhibit B**.

D. The February **IGA** set forth certain terms related to the application of the 1041 Regulations to the Reservoir and required that the Parties enter into this Agreement.

E. This Agreement constitutes an intergovernmental agreement entered into to implement the 1041 Regulation requirements.

F. The Parties anticipate that compliance with the 1041 Regulations will be split into two segments, with Tier 1 to address outside agency compliance, and Tier 2 to address local construction impacts. In addition, the Project is subject to certain state and federal permitting requirements, which permits will satisfy a significant portion of the requirements pursuant to the 1041 Regulations.

## AGREEMENT

1. Term of IGA Incorporated. The Parties hereby incorporate the terms of Section 9, Land Use Approvals, of the IGA into this Agreement.
2. Federal, State and Local Permits. The District and Authority will submit applications for, and must receive various federal, state and local permits as listed on **Exhibit A** (the “Agency Permits”). Receipt of the Agency Permits shall satisfy the 1041 Regulations including but not limited the review criteria set forth in Section 16-25-340 of the 1041 Regulations, except as specifically set forth herein.
  - a. Prior to submitting applications for any Agency Permit, the District and Authority will provide to Minturn copies of the Agency Permit application for review and comment. Minturn shall have 30 days from receipt of the application materials to submit comments to the District and Authority. If Minturn does not provide any comments within such time period, Minturn shall be deemed to have consented to the District and Authority submitting the application as presented. The District and Authority will incorporate Minturn’s comments, unless such comments create unreasonable delay or cost increases, as determined by the District and Authority in their sole discretion.
  - b. Minturn may participate in the National Environmental Policy Act (“NEPA”) process as a cooperating entity.
  - c. Minturn may independently submit comments and participate in any permit review process undertaken by a federal, state or local agency. Minturn will provide a minimum of 14 days’ notice to the District and Authority before submitting such comments. Minturn agrees to work in good faith with the District and Authority to address the substance of the Town’s comments and if a resolution is reached Minturn agrees to withdraw the comments, in whole or in part, from the permitting agency’s consideration.
  - d. Subject to receipt and Minturn’s review of applicable Federal permits, Minturn will submit a letter of support for the District and Authority’s application for a 1041 Permit from Eagle County for Bolts Ditch.
3. 1041 Permit.
  - a. The Parties anticipate that the District and Authority will submit a permit application pursuant to Section 16-25-250 of the 1041 Regulations (the “1041

Permit”) when the design for the Reservoir is approximately 80% completed, and prior to beginning construction of the Reservoir. Modification of the timeline for submittal of the application is in the District and Authority’s sole discretion, construction of the Reservoir will not be undertaken until a 1041 Permit has been issued by Minturn. Minturn agrees that the Agency Permits satisfy meaningful portions of the 1041 Permit requirements, and agree that the submission requirements are set forth in Section 4 herein.

- b. The Parties agree that once issued, the 1041 Permit shall be for a period of 10 years, as further set forth below.
    - i. If construction has not commenced within such 10-year period, the District and Authority may request an extension of the 1041 Permit for an additional 5 years. Any such extension will be brought before the Minturn Town Council for consideration and approval, denial, or approval with conditions; however, the Parties agree that the extension will not require a new public hearing. As part of the extension, the Parties will evaluate whether there are any new impacts to public health, safety and welfare that need to be addressed in the 1041 Permit.
    - ii. Once construction has commenced, the 1041 Permit shall be extended so long the planning, design, and construction of the Reservoir proceed diligently (“Construction Period”). Construction of the Reservoir shall be deemed to be diligent so long as there is not more than a 150 consecutive day period where no on-the-ground construction activities occur.
    - iii. Once the Reservoir is substantially complete, the 1041 Permit shall be valid for the life of the Reservoir. During the Construction Period, Minturn waives the ability to revoke or suspend the permit solely due to the time to start, take substantial steps to initiate the permitted activity, or complete the design, construction, or other work on the Reservoir. In addition, Minturn shall not require amendments to the 1041 Permit for changes that are consistent with the original intended scope and use of the Reservoir pursuant to Section 16-25-380(b) of the 1041 Regulations”.
  - c. Minturn consents to future transfers of the 1041 Permit to government successors of the District and/or Authority (as described in paragraph 14(a)). The District and/or Authority will provide notice of any such transfer to Minturn as soon as practicable.
4. 1041 Permit Submission Requirements. The District and Authority are subject to the permitting requirements per MMC Sec. 16-25-30(3) and 16-25-220(a) and will obtain a

permit from the Permit Authority. The application for the 1041 Permit shall encompass the following requirements of the 1041 Regulations:

- a. The District and Authority shall address the requirements contained in MMC Sections: 16-25-270 (1); (2) a., b., c.; (3) a., b., c., d., e., g., i., k.; (4)a.1 and 7.; (6); (8); (9) a., b., h.; (12); (17); (18); (19); (20); (21); (22); (23); (24); (25); (26); (27) and (28).
  - b. The District and Authority shall not address the requirements contained in MMC Sections: 16-25-270 (2) d and e; (3) f, h and j; (4) a. 2.-6.; (4) b and c; (5); (7); (9) c through g, i and j; (10); (13); (14); (15); and (16).
5. Application and Review Fees. In recognition of the significant regional benefit and specific benefits to Minturn from the Reservoir, Application fees for the 1041 Permit are waived. The District and Authority will reimburse the Town for its cost of outside legal, consultant or expert review of information submitted under provisions of the IGA and as part of the 1041 Permit application as provided in MMC Sec. 16-25-260(b), unless waived per MMC Sec. 16-25-260(c). However, as much of the review process will be satisfied by the Agency Permits, the Parties agree that the scope of the items to be reviewed by Minturn are those listed in Section 4(a) herein.
6. Permit Review and Processing.
- a. Prior to submitting a 1041 Permit application, the District and Authority will complete a pre-application conference as described in MMC Sec. 16-25-240.
  - b. Minturn may send the application out for referral comments as described in MMC Sec. 16-25-290. The Parties agree that appropriate outside review agencies could include the Colorado Division of Transportation, utility providers, and the Colorado Division of Wildlife. Homeowner's associations, and local governments such as municipalities and special districts are not intended to be identified as referral agencies.
  - c. In satisfaction of MMC 16-25-270(11), as part of its application materials the District and Authority shall submit a title commitment evidencing that there are no severed mineral rights associated with the property subject to receiving a 1041 Permit.
  - d. The Minturn Town Council shall conduct a public hearing to consider the 1041 Permit application. Minturn shall notice the public hearing on a Town Council agenda and shall publish once in a newspaper of general circulation at least 30 days prior to the public hearing. No notice by mailing nor posting shall be required.
  - e. The public hearing shall be conducted in accordance with the requirements of MMC Sec. 16-25-310 and 16-25-320 and approved only in accordance with the criteria identified in MMC Sec. 16-25-340.

- f. Once approved, the 1041 Permit shall be issued in accordance with MMC Sec. 16-25-350.
7. Building Permits. The District and Authority shall obtain building permits for structures as defined under the version of the International Building Code adopted by Minturn. Building permit fees for structures that are subject to building permit, if any, shall be assessed solely on the value of the structure requiring a building permit and not on the value of the Reservoir project as a whole. The District and Authority shall not be required to obtain design review approval as described in MMC 16-21-615. Furthermore, the Parties agree that construction of the following structures shall not be subject to building permits: dam, intake structure, pipelines, spillway, and outlet.
8. Agreement is All-Inclusive. 1041 Regulations not identified herein are agreed by the Parties to not be applicable. The Parties further agree that any changes to the 1041 Regulations adopted by Minturn after February 2, 2022 shall not apply to construction of the Reservoir.
9. No Financial Security. As part of issuing a 1041 Permit, Minturn shall not require that the District and Authority post any financial security for the construction of the Reservoir.
10. Remedies.
  - a. The terms of this Agreement shall be specifically enforceable.
  - b. Prior to enforcing in Court any remedy for breach of this Agreement, the party asserting that such a breach has occurred shall give the other party written notice thereof including a description of the alleged breach and citation to the relevant provisions in this Agreement. The party against whom a breach is asserted shall have fourteen (14) days after such notice is sent in which to cure the breach.
11. Defense of Permits. The parties agree to cooperate in the event of a legal challenge to a 1041 permit that has been issued. In the event of a legal challenge to a 1041 Permit, the provisions of MMC Sec. 16-25-260(d) shall control; however, nothing in MMC Section 16-25-260(d) or this Agreement shall be construed as a waiver of the District or Authority's right to recover attorney's fees and costs from any third party.
12. Recording. This Agreement and all exhibits attached to this Agreement shall be recorded in the records of Eagle County, Colorado.





Glenwood Springs, CO 81602  
[mjs@mountainlawfirm.com](mailto:mjs@mountainlawfirm.com)

With Copy To: Holland & Hart  
600 Main Street #104  
Aspen, CO 81611

If to District/Authority:

Eagle River Water and Sanitation District  
Upper Eagle Regional Water Authority  
Attn: General Manager and Director of Engineering & Water  
Resources  
846 Forest Road,  
Vail, CO 81657  
[sroman@erwsd.org](mailto:sroman@erwsd.org)  
[jcowles@erwsd.org](mailto:jcowles@erwsd.org)

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With Copy To: Kristin Moseley, Esq  
Somach Simmons Dunn  
2033 11<sup>th</sup> Street, Suite 5  
Boulder, CO 80302  
[kmoseley@somachlaw.com](mailto:kmoseley@somachlaw.com)


18. Construction. The parties represent that they have been represented by legal counsel in the drafting of this Agreement and that the parties have each had the full opportunity to participate in the drafting and review of the document. The parties agree that this Agreement shall not be interpreted or construed in favor of, or against, any party based upon such party being characterized as the “drafting party.”





**Exhibit A**

<b>FEDERAL PERMITS</b>	
<b><u>TIER 1</u></b>	<b><u>TIER 2</u></b>
404 Permit (USACOE/USFS/USEPA)	Work Plan Approval (USEPA)
Section 7 Consultation for Endangered Fish Recovery Program (US Fish & Wildlife Service, CPW)	
Historic Preservation Act/Cultural Clearance (USACOE)	
<b>State Permits</b>	
<b><u>TIER 1</u></b>	<b><u>TIER 2</u></b>
Section 401 Clean Water Act Permit (Colorado Water Quality Control Commission)	Construction Dewatering Permit (CDPHE)
	Construction Stormwater Management Permit (CDPHE)
	Air Pollution Control Permit (CDPHE)
	State Hwy Access Permit (CDOT)
	Dam Safety Division Design Review (Colorado Division of Water Resources)
<b>LOCAL PERMITS</b>	
<b><u>TIER 1</u></b>	<b><u>TIER 2</u></b>
Eagle County 1041 Permit (Eagle County)	Floodplain Permit (Town of Minturn)
	Union Pacific Railroad Right-of-Way Crossing Permit (UPRR)

ERWSD New Development Report								
February 2023								
		Type of Use	SFEs Proposed	Location	Existing Service Commitment?	Augmentation Requirement	Development Approval Process Step:	Construction Approval Process Step:
	534 E Lionshead Circle - Elevation	Residential	12	Vail	No	0.49	2. Water Analysis	0. Conceptual
	500 E Lionshead Circle - Legacy	Residential	23	Vail	No	0.31	2. Water Analysis	2. Plan Approval
	Alura (Miradoro)	Residential	10	Vail	No	0.83	1. Connection Application	2. Plan Approval
	Belden Place (1200 Block Main St)	Residential	41	Minturn	Yes		N/A	2 Plan Approval
	Booth Heights	Residential	61	Vail	No	TBD	1. Connection Application	0. Conceptual
	Highline (Double Tree Expansion)	Residential	43.65	Vail	No	0.79	6. Ability to Serve Letter	1. Plan Review
	Midtown Village PUD	Res + Com	43.55	Minturn	Yes		1. Connection Application	1. Plan Review
	North Minturn PUD	Residential	184	Minturn	Yes		N/A	1. Plan Review
	The Residences at Main Vail	Residential	72	Vail	No	0.81	6. Ability to Serve Letter	2. Plan Approval
	Vail Mountain View Phase II	Mixed Use	37	Vail	Yes		6. Ability to Serve Letter	N/A
	VVMC Phase II-East Wing	Commercial	--	Vail	Yes		N/A	4. Warranty Period
	Vail Marriott Residence Inn	Mixed Use	75	Vail	Yes		N/A	2. Plan Approval
	Wolcott PUD	Mixed Use	328 + Com	Wolcott	No	TBD	0. Conceptual	0. Conceptual
	<b>Projects Completing Warranty Period</b>							
3010 Basingdale (Phase II), 841/851 Main St Minturn, Red Sandstone Parking Garage								
Process	<b>Construction Approval Process Steps:</b>	0. Conceptual	1. Plan Review	2. Plan Approval	3. Acceptance	4. Warranty Period	5. Final Acceptance	
	<b>Development Approval Process Steps:</b>	1. Connection Application	2. Water Demand Worksheet Analysis	3. Conditional Capacity to Serve Letter	4. Water Rights Allocation	5. Water Service Agreement	6. Ability to Serve Letter	

**UERWA New Development Report**

**February 2023**



	Type of Use	SFEs Proposed	Location	Existing Service Commitment?	Augmentation Requirement	Development Approval Process Step:	Construction Approval Process Step:	
	140 W Beaver Creek Blvd (Extended Stay)	Residential	97.5	Avon	Yes		N/A	0. Conceptual
	Avon Dual Brand Hotel(Traer Tract J)	Commercial	85.05	Traer	Yes		6. Ability to Serve Letter	2. Plan Approval
	CMC Student Housing (Phase I & II)	Residential	72	Edwards	Yes		6. Ability to Serve Letter	2. Plan Approval
	CVC Clubhouse Residences	Residential	9	Edwards	Yes		6. Ability to Serve Letter	2. Plan Approval
	ECO School District Housing	Residential	37	Edwards	Yes		6. Ability to Serve Letter	2. Plan Approval
	Edwards River Park PUD	Mixed Use	440+com	Edwards	No	70.2	3. Cond. Capacity	0. Conceptual
	Fox Hollow Amended PUD	Mixed Use	108	Edwards	No	14	6. Ability to Serve Letter	2. Plan Approval
	Frontgate (CO World Resorts)	Mixed Use	84	Avon	No	2.6	6. Ability to Serve Letter	2. Plan Approval
	Kudel Parcel	Residential	4	Edwards	No	2.4	6. Ability to Serve Letter	2. Plan Approval
	Margaux PUD	Residential	32	Edwards	No	3.56	3. Cond. Capacity	0. Conceptual
	Maverik Gas Station	Commercial	2.6	Traer	Yes		6. Ability to Serve Letter	2. Plan Approval
	McGrady Acres	Residential	24	Avon	Yes		6. Ability to Serve Letter	2. Plan Approval
	Mountain Hive	Residential	110.5	Edwards	No	14.1	2. Water Analysis	0. Conceptual
	NorthStar PUD Amendment	Commercial	TBD	Edwards	No	3.7	6. Ability to Serve Letter	2. Plan Approval
	Prime West	Residential	241	Traer	No		1. Connection Application	0. Conceptual
	Riverfront Lot 1	Residential	53	Avon	Yes		N/A	2. Plan Approval
	Riverwalk PUD Amendment	Residential	18	Edwards	No	1.8	6. Ability to Serve Letter	N/A
	Stolport Restaurant (Traer Tract J)	Commercial	TBD	Traer	Yes		6. Ability to Serve Letter	1. Plan Review
	Swift Gulch	Residential	42	Avon	Yes		1. Connection Application	0. Conceptual
	Tract Y- Metcalf Road	Residential	53	Traer	Yes		1. Connection Application	1. Plan Review
	Vogelman Parcel (Carwash)	Mixed Use	1.5	Edwards	No	1.1-2.6	2. Water Analysis	1. Plan Review
	Warner Building 2 Conversion	Residential	13.25	Eagle-Vail	No	0.07	3. Cond. Capacity	N/A
	West End PUD Amendment	Residential	275	Edwards	Yes		3. Cond. Capacity	1. Plan Review
<b>Projects Completing Warranty Period</b>								
6 West Apartments, 185 Elk Tract, Piedmont Apartments, Riverfront Village, Stillwater								
<b>Process</b>	<b>Construction Approval Process Steps:</b>	0. Conceptual	1. Plan Review	2. Plan Approval	3. Acceptance	4. Warranty Period	5. Final Acceptance	
	<b>Development Approval Process Steps:</b>	1. Connection Application	2. Water Demand Worksheet Analysis	3. Conditional Capacity to Serve Letter	4. Water Rights Allocation	5. Water Service Agreement	6. Ability to Serve Letter	



## BOARD COMMITTEES

### DISTRICT

<i>Audit/Budget</i>	Dick Cleveland Steve Coyer
<i>Employee Housing</i>	Steve Coyer Dick Cleveland
<i>Retirement Plans</i>	Bob Warner Siri Roman David Norris
<i>Organizational Development</i>	Bob Warner Dick Cleveland
<i>Facilities Master Plan</i>	George Gregory Bob Warner

### JOINT

<i>Water Quality</i>	Vacant (A) Timm Paxson (D)
<i>Rules and Regulations</i>	Kim Bell Williams (A) Bob Warner (D)
<i>Water Supply Planning</i>	Vacant (A) Vacant (A) Kate Burchenal (D) Steve Coyer (D)
<i>Climate Action Plan</i>	Vacant (A) Kate Burchenal (D) Timm Paxson (D)

(A) = Authority, (D) = District

### AUTHORITY

<i>Audit/Budget</i>	Geoff Dreyer George Gregory
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**UPPER EAGLE REGIONAL  
WATER AUTHORITY**

**GOVERNED BY:**

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The Metropolitan  
Districts of:  
Arrowhead  
Beaver Creek  
Berry Creek  
EagleVail  
Edwards

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The Town of Avon

**M E M O R A N D U M**

**TO:** Board of Directors  
**FROM:** Brian Thompson, Government Affairs Administrator  
**DATE:** Feb. 23, 2023  
**RE:** Summary of Authority's Jan. 26, 2023, Board Meeting

The following is a summary of items discussed at the Authority's Jan. 26, 2023, board meeting.

Directors present and acting were Chair George Gregory, Secretary Kim Bell Williams, Treasurer Geoff Dreyer, Kevin Hillgren, Tamra Underwood, and Mick Woodworth.

- |   |   |
|---|---|
| <b>Certificate of Appointment</b>                                   | Town of Avon appointed Mayor Pro Tem Underwood as the representative, Councilor Chico Thuon as first alternate, and town manager Eric Heil as second alternate. Director Underwood was administered the Oath of Office prior to the meeting.  |
| <b>Approval of minutes</b>  | Directors approved the Jan. 26, 2023, regular meeting minutes.  |
| <b>Recognition of Mick Woodworth</b>                                | The board recognized the service of Director Woodworth, who is completing his term as the Edwards Metropolitan District representative.   |
| <b>Resolution Designating Location to Post Notice</b>               | The board approved a Resolution that designates the ERWSD website as the location to post notice and agendas for UERWA board meetings and adopted the 2023 regular meeting schedule.  |
| <b>Demonstration gardens</b>  | Eric Heil said the Town of Avon is installing demonstration gardens and has applied for a grant with the Colorado Water Conservation Board.   |
| <b>Quarterly financial report</b>                                   | Jim Cannava discussed the report and noted operating revenue was below budget projections due to decreased water use during irrigation season.  |
| <b>EPA Interim Health Advisory for PFAS and Public Notification</b> | Brad Zachman and Kailey Rosema reported on voluntary sampling for per- and polyfluoroalkyl substances (PFAS). They said results from several facilities in the Authority and District's water systems detected levels above the 2022 EPA interim lifetime health advisories, which were greatly reduced from the 2016 health advisory levels to below what analytical methods can detect. Account holders will be directly notified per CDPHE requirements. |
| <b>Proposed "Do Not Flush" Wipes Legislation</b>                    | Kristin Moseley said the District is working with state legislators to introduce legislation requiring "Do Not Flush" labeling on certain types of disposable wipes sold in Colorado. The legislation has received support from wastewater agencies; and the House and Senate bills will be introduced by bipartisan co-prime sponsors.   |
| <b>Conditional water rights deadlines</b>                           | Kristin Moseley discussed upcoming diligence deadlines on several of the Authority's conditional water rights.  |

**House Bill 23-1023**

Kathryn Winn discussed legislation introduced in the Colorado House of Representatives that would raise the threshold on contract costs requiring public bids on special district construction projects.

**1041 IGA with Minturn**

Kathryn Winn said an intergovernmental agreement will be presented for review to the Minturn Town Council, the ERWSD board, and UERWA board at their respective February meetings.

**The following is a summary of items discussed at the Jan. 26, 2023, Joint Meeting with the Eagle River Water & Sanitation District board of directors.**

UERWA Directors present and acting were

Chair George Gregory, Treasurer Geoff Dreyer, Kevin Hillgren, and Mick Woodworth.

**Water Conservation Program**

Siri Roman introduced a proposed water conservation program and said the program will result in greater water use reductions compared to water budgeting. David Norris said a conservation billing structure would eliminate the single family equivalent (SFE) multiplier being applied to water use tiers, which would result in more equity between low and high SFE properties. Diane Johnson said the program will include communication campaigns aimed at informing and motivating customers to make water use changes. The board unanimously supported the strategy as presented, including tabling water budgeting rate structures, adopting the water conservation program, and eliminating the SFE multiplier for water use on single family residential and duplex accounts. The board further directed staff to move forward with implementing the program under a one-year timeline and to repurpose an existing full-time employee to hire a Water Conservation Supervisor. Irrigation account rates will also be evaluated in the coming months.



## MEMORANDUM

**TO:** Board of Directors  
**FROM:** Tim Friday, Planning and Water Resources Manager  
**DATE:** February 23, 2023  
**RE:** Turf Replacement Rebate Funding Clarification

The purpose of this memorandum is to clarify funding sources for turf replacement rebates available to customers within the District and Authority service area for 2023. The water efficiency rebate program currently includes a rebate of \$1/square foot (SF) of turf replaced. In 2022, a total of \$9,496 was rebated to customers for removing 9,496 (SF) of turf. This accounted for 27% of all water efficiency rebates in 2022 (total rebates was \$35,479 in 2022). To date, 11,396 SF have been replaced in the entire service area and it is anticipated that it will grow exponentially in the next few years.

For 2023, the budget for water efficiency rebates is \$165,000 (\$25,000 District + \$140,000 Authority). In addition, we applied for an additional \$50,000 of funding (\$25,000 District + \$25,000 Authority) from the Colorado Water Conservation Board specific to turf replacement through a [new State program](#). These funds can be used to either expand the amount of turf replaced or increase the financial incentive to make turf replacement more attractive. Also, the Edwards Metropolitan District has pledged \$25,000 to be used toward turf replacement in 2023 within its district. We recommend increasing the financial incentive to \$2/SF across the service area and applying an additional \$1/SF within the Edwards Metro District for the first 25,000 SF removed which will help incentivize turf removal in an area where it is needed most (the "Edwards gap" in the Eagle River). Using this methodology for turf rebates could result in 107,500 SF of turf (2.5 acres) being removed in 2023. The associated potential water savings is estimated at 1 to 2 acre-feet per year/acre of turf replaced.

As reported in the January Communication & Public Affairs Report, the Eagle County Conservation District (ECCD) was awarded a grant from the Colorado River District for landscape conversion that identified \$90,000 out of the \$191,554 grant to be used for turf replacement over the next three years. This funding is intended primarily for Eagle County residents outside of the District and Authority service area. This makes good water conservation sense as it will be better for the Eagle River watershed to expand turf replacement within the Eagle Valley rather than stack rebate dollars to provide more money per square foot of turf replaced. However, customers within our service are not precluded from applying for additional rebates from ECCD. The District will continue to help leverage support from ECCD and the Eagle River Watershed Council (ERWC) for other water conservation tactics within the District, such as water audits and public messaging. The ERWC presented at the Lunch with Locals event in Vail, held on February 15, 2023, and their message was clear: use outdoor water efficiently and convert nonfunctional turf to more appropriate landscaping for our climate. This message needs to be carried throughout the Eagle Valley consistently and persistently to make an impact.



## MEMORANDUM

**TO:** Board of Directors

**FROM:** David Norris, Director of Business Administration  
Tom Borawski, Human Resources Manager

**DATE:** February 14, 2023

**RE:** Executive Summary: 2022 Classification and Compensation Report

**Summary:** This memo serves as an Executive Summary to the 2022 Classification and Compensation study reports. CPS HR issued final reports earlier this month, which are attached for the board's review.

**Background:** The District engaged CPS HR to develop a fully comprehensive classification and compensation study in summer 2021, and they substantially completed the work in September 2022. Staff presented the study findings to the board of directors on Sept. 22, 2022, at which time the board approved the recommended results of the study ahead of the report where the classification structure, COLA policy and wage adjustments were applied in October 2022. There are two distinct parts to the overall work: the *Classification Report*, and the *Compensation Report*. Key highlights of each are summarized below.

**Classification Report:** To ensure salary survey data was representative of current job duties, decision-making, and scope of work, a thorough job analysis was conducted. This resulted in the completion of 128 Position Description Questionnaires (PDQs), in which job incumbents described their job duties and decision-making authority, along with the knowledge, skills, abilities, and qualifications needed for the job. These PDQs were then reviewed by supervisors to ensure accuracy and the contractor conducted more than 63 interviews for clarification. The outcomes of this analysis were:

1. Consolidating the District's classification system from 114 job classifications to 73 classifications.
2. Organizing classifications into 13 job families
3. Identifying 11 specialty classifications
4. Transitioning 15 classifications from FLSA non-exempt to FLSA exempt
5. Identifying 36 benchmark classifications

The 36 benchmark classifications became the basis by which the District's classifications were assessed with our labor market comparators. A "benchmark" classification is a classification that has a standard and consistent set of responsibilities from one organization to another – with high data availability. Classifications were chosen as benchmarks because they could be used to ensure that every job series in the District was priced in line with the market. New classification specifications were written by CPS HR and a new, more efficient, and organized classification specification update process has now been implemented by our Human Resources department.

**Compensation Report:** Prior to benchmarking our classifications to any other classifications, labor market agencies had to be chosen as similar comparators. CPS HR and the District analyzed which agencies should be comparators by considering the below criteria:

1. Geographical area (Eagle County, Summit County, Pitkin County, Front Range)
2. Similar cost of living

3. The selected labor market agencies have similar positions as the District
4. The District's natural competitors

The result as detailed in the reports, was a list of ten labor market agencies as District comparators. These selected comparators aided in the work of the following:

- CPS HR contacted all these agencies to obtain classification specifications, salary ranges with an effective date of July 1, 2022, and benefits data.
- CPS HR then conducted a job matching with the District's 36 benchmark classifications.
- Data was only reported for benchmarks that matched at least three labor agencies and all District benchmarks had at least three matches, except for two roles.
- The results of the match allowed CPS HR to analyze the District's salary structure and recommend new base wages.

The outcomes of this analysis were:

1. Implementing 41 new pay grades
2. Ensuring a 5% equidistant separation between each pay grade
3. Ensuring a consistent salary range width of 40% or 50%, depending on the classification
4. Setting wages at the 75<sup>th</sup> percentile of market

Setting wages at the 75<sup>th</sup> percentile market accounted for a high cost of living in our immediate area and was also a strategy to age the salary data, much of which was current as of January 2022 (prior to a high inflationary period). For comparison, the Town of Vail's classification and compensation study, which is in the process of being implemented now, included high cost of living areas in Hawaii and California and their position to market was set at the 70<sup>th</sup> percentile to market.

To ensure that the new compensation system and wages will not fall behind, the board adopted a Cost-of-Living Adjustment (COLA) Policy at the Sept. 22, 2022 board meeting. Per the recommendation of CPS HR, and the approval of the board, the District applied annual wage increases to salary ranges and individual salaries. Increases will be correlated to the Employment Cost Index (ECI). The ECI reflects changes in labor costs over time and is generally more stable than the Consumer Price Index (CPI). These compensation best practices will ensure that the money spent on the classification and compensation study will return dividends for years to come. Additionally, the corresponding benefits survey that was conducted on main areas such as retirement packages, time off, and insurance contributions, will help the District determine future benefits offerings, as well as ensure that the cost to the employer and employee are proportionate.

Attachments:

- Attachment 1 – Eagle River WSD Classification Report
- Attachment 2 – Eagle River WSD Total Compensation Report

February 2023

# Eagle River

## Water and Sanitation District

### Classification Study Report

SUBMITTED BY:  
CPS HR Consulting  
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## Overview

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CPS HR Consulting (CPS HR) was retained by Eagle River Water and Sanitation District (District) to conduct a classification study for 114 classifications which included 128 incumbents. This study was commissioned along with a compensation study and was conducted first to facilitate accurate job matching as well as a restructuring of the classification plan. The purpose, goals and tasks were as follows:

- **Review the current classification structure’s ability to meet current business and talent needs**
  - CPS HR gathered and reviewed information about the District’s current organization and personnel to deepen our consultants’ understanding of the District’s job classification framework, standards, and practices; this included a review of existing personnel policies and procedures, classification specifications, job families, organizational charts, salary schedules, and the District’s Mission, Vision, and Values statements.
  
- **Conduct meetings and communications with District stakeholders**
  - CPS HR conducted a kick-off meeting with representatives of the District to ensure a comprehensive understanding of the study goals and objectives and to receive their comments and feedback concerning the study and the process.
  - CPS HR facilitated orientation meetings in order to provide employees and supervisors with an overview of the study process and detailed instructions regarding participation in job content-gathering methods.
  - CPS HR project staff also conducted regular project status meetings throughout the classification study with the District’s project liaisons.
  
- **Gather job content from District subject matter experts**
  - The District and CPS HR agreed to gather individual employees’ job information by using online position description questionnaires (PDQs), supplemented by job evaluation interviews with select study incumbents and supervisors to gain a comprehensive understanding of work performed by each position.
  
- **Analyze the work performed and develop classification recommendations.**
  - CPS HR analyzed all the information gathered via the PDQs, job evaluation interviews, current classification specifications and current classification structure to identify the typical duties and the requisite knowledge, skills, abilities, and other job-related characteristics required to perform the work assigned to each position. This information was compiled into multiple classifications defining different types and levels of work.



- **Design a new classification structure that aligns with current business and talent needs**
  - CPS HR developed a revised classification structure that allows for the appropriate classification of each position into coherent job families and job hierarchies that reflect distinct differences in the levels and types of work being performed based on established classification factors and concepts.
  - To accomplish this, CPS HR considered the consolidation of existing classifications, the elimination of classifications, and the creation of new classifications where appropriate.
  - In designing the updated classification structure, CPS HR sought to create an accurate and up-to-date classification system which would provide the District with the necessary tools to facilitate efficient and effective administrative, fiscal, and human resources decisions.
  
- **Prepare new classification specifications**
  - At the District’s request, CPS HR wrote revised classification specifications which detail each proposed job class’s distinguishing characteristics as well as representative duties, functions, and responsibilities of positions in the class. The classification specifications also describe the typical knowledge, skill, ability, education and experience required of incumbents to perform the role competently.
  
- **Make Fair Labor Standards Act (FLSA) determinations**
  - CPS HR analyzed the FLSA exemption status designation of every job classification and developed recommendations for a proposed FLSA “exempt” or “non-exempt” status for each based on criteria promulgated by the United States Department of Labor.
  
- **Ensure that all positions are appropriately allocated within a new classification structure**
  - Based on classification concepts, classification structure, and job content gathered from questionnaires and interviews, CPS HR developed recommendations for the allocation of each encumbered District position to an appropriate classification.

The Classification Study Committee consisted of the District’s Business Administration and Human Resources leadership team, and the CPS HR project team as noted below.

**Eagle River Water & Sanitation District**

- **David Norris**, Director of Business Administration
- **Tom Borawski**, Manager, HR, and Risk Management

**CPS HR**

- **Jessica Pascual**, Classification and Compensation Manager
- **Jeff Sketeris**, Principal HR Consultant

## Classification Findings and Recommendations

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Identifying positions based on a well-defined and orderly classification system supports successful administration of recruitment, performance management, compensation, retention, and succession planning programs, as well as organizational planning, budget analysis and preparation, and various other administrative functions. CPS HR reviewed and evaluated various elements of the District's current classification system to determine strengths and drawbacks of the structure, and to recommend changes which would benefit the District. Each element is discussed below:

### Current Organization/Job Family Structure

Based on the most recent position allocation documents and organizational charts provided to us, the District was structurally organized into three (3) main Divisions headed by a Director-level senior manager, with a fourth, smaller function, Communications & Public Affairs, reporting directly to the General Manager. These Divisions were as follows:

- **Business Administration** (including Customer Service, Information Technology, Human Resources, Housing & Administration, and Water Conservation)
- **Engineering & Water Resources** (including GIS, Water Resources, Sustainability, and Engineering)
- **Operations** (including Utility Services, Field Operations/Distribution, Water Production, Operational Technology Services (OTS), Wastewater, and Laboratory)

**The District had an extremely narrow classification plan, which presented a number of unique challenges for ongoing administration of its classification system.** With 128 incumbents classified into 114 job classifications, this system had a large number of classifications for an organization of the District's size.

The implementation of a "broad" versus "narrow" classification structure is an organizational policy decision based upon the organization's goals and objectives. A good classification plan seeks to balance ease of administration (broader classification) with position validity (narrower classification). Both approaches have advantages and disadvantages that should be considered when developing a classification plan; however, an extreme version of either will inevitably hamper effective decision-making with regards to personnel administration. A realistic and successful classification plan usually has both broad and narrow classes.

In narrow, complex classification structures such as the District's, the administration of many single-incumbent classifications as well as multiple job families, multiple class series, and multiple levels within each series can become excessively difficult and time-consuming for managers and Human Resources staff to utilize and administer. For each separate job classification within a classification plan, staff must spend time and effort to regularly review and update its classification specification by validating job information

against job content gathered from subject matter experts. Additionally, every job classification requires separate recruitment and selection processes to recruit and hire new staff, creating extra administrative burden for talent management professionals. Moreover, each separate classification also requires its own unique compensation, training, and performance management plan. For managers, a narrower classification plan means extra care and effort must be given to make job assignments consistent with an employee's job classification and level, which can hamper efficient decision-making and flexibility with regards to ensuring day-to-day operations needs are being met by subordinates. Narrower classification plans also increase an organization's likelihood of being confronted with employees' contending they may be performing out-of-class work, as differences between classes in such a plan are usually minute and very finely delineated. Finally, both an increased number of specialized classifications, and the existence of job families with multiple classification levels makes compensation administration especially difficult. Having multiple classifications which define many discrete work levels in a job family typically requires very small pay differentials between levels in a series; the relative "closeness" of pay ranges that results can easily lead to pay compression issues which can frustrate managers, de-motivate employees, and trigger a cascade of other personnel problems.

**CPS HR recommended streamlining the District's classification plan by reducing the number of job classifications.** As a general rule, CPS HR supports the development of broad class concepts when reasonable and appropriate. While a narrow classification plan can accommodate increased specificity and validity of jobs within any particular class, the challenges of maintaining and using such a plan begin to outweigh any potential benefits when the plan itself becomes cumbersome and unwieldy. **Broadening the District's classification plan** by consolidating classes with similar knowledge, skill and ability requirements and related functions and responsibilities will alleviate administrative burdens associated with maintaining a narrow plan, thus creating efficiencies and advantages for the District. These include greater flexibility in position allocation, a more simplified personnel administration structure, and greater flexibility in adopting particular compensation strategies.

It is relatively easy to assess that several positions belong to the same class when the duties are identical. In practical application, however, the duties and responsibilities of positions need not be identical to be placed in the same class. Instead, classification plans generally place positions into classes based on a determination of "sufficient similarity," or what degree of job variability is considered acceptable. Within an individual organization, "sufficient similarity" can be broadly or narrowly interpreted. A broader interpretation classifies positions based on a shared core set of duties and responsibilities but accepts substantial variation between positions.

The advantages of grouping sufficiently similar positions into broad classes include ease of administering the classification plan; the ability to add, delete or change duties of a position and still be consistent with the classification plan; the ability to transfer individuals laterally within the District; and a reduced need for recruitment and testing to fill single position classes. Likewise, if the District desires or needs to have the flexibility to move positions temporarily or permanently between work units, broad classes can be beneficial in allowing movement to occur without creating classification or equity concerns. Such flexibility

allows for greater employee career mobility by broadening the opportunities for advancement and minimizes layoffs resulting from reorganization processes.

While consolidating classifications, CPS HR still aimed to apply standard classification definitions to define internal position alignments using “best practice” concepts for entry, journey, advanced, supervisory, and management classes to identify and establish similar job levels within varied occupational areas. This, in turn, develops a consistent framework on which an equitable compensation structure can be built. By establishing several multi-level job series, the District may flexibly staff allocated positions without being overly cumbersome.

After review and consideration, CPS HR recommended the following actions to broaden the classification plan and reduce the number of classifications in use:

- **Retain and augment differentiated classifications for jobs with specific certification requirements:** Many of the District’s job families – especially for operational units – had classification differentiations based on certification requirements described in the Water and Wastewater Facility Operators Certification Requirements, Regulation 100, 5 Code of Colorado Regulations, with oversight of certification addressed by the Colorado Department of Public Health and Environment (CDPHE). These included: Water Treatment Classes D through A, Distribution Classes I through IV, Wastewater Treatment Class D through A, and Collection Class I through IV. Because of the strong linkages between the level of work of a position and the certification requirements which allow performance of certain kinds of job responsibilities, CPS HR recommended retaining a general job family hierarchy which linked certification levels to work levels. This created natural job levels as follows: Entry/Trainee level classes requiring Class D or I certifications, Journey level classes requiring Class C or II certifications, Advanced level classes requiring Class B or III certifications, and Expert/Lead, Supervisor and Manager level classes requiring Class A or IV certifications.
- **Consolidate “Expert” (Level 4) and “Lead” job classifications in most job families:** Because many “expert” incumbents were often tasked with oversight of junior staff in the performance of more complex job functions, CPS HR found the existence of separate “level IV” and “Lead” classifications redundant and unnecessary. It therefore benefits the District to have staff in these kinds of classifications who have such high-level expertise be trained and expected to direct the work of other staff in a technical supervisory capacity whenever organizational needs require it, and therefore the “Expert/Lead” level classification concept was developed and used throughout the classification plan. It should be noted that not every position or incumbent would necessarily be required to provide technical supervision under this concept; only that the experience and expertise of Level A/Level IV-certified technicians and operators is such that it is reasonable that the organization should be able to reasonably require this function from incumbents in these roles when needed.
- **Consolidate classifications for Meter Services and Backflow Prevention / Cross-Connection Control in Utility Services:** Management advised CPS HR that it specifically wished to consolidate the work performed by Meter Services staff, and staff who participated in functions related to the Backflow

Prevention and Cross-Connection Control Program. This consolidation was reasonable, as both sets of functions require staff to perform similar duties related to customer outreach, service monitoring and regulatory compliance monitoring for customers who connect their residential, commercial, and industrial buildings to the District's water system. As a result, CPS HR recommended these classes be merged and the duties for both areas be incorporated into a new "Utility Services" job family.

- **Consolidate various classifications in Field Operations:** Staff in the Field Operations group included various levels of Systems Maintenance Technicians, as well as Field Operations Coordinators, Field Operations Supervisors, Lead Industrial Mechanics, and Utility Locators. CPS HR found that the core functions of all these classifications are related to the maintenance, inspection and repair of the District's water delivery and collection infrastructure and required similar knowledge and ability to perform specialized mechanical work. As a result, these classifications were consolidated by merging the functions into a unified job family. Relevant working titles may be retained as deemed necessary.
- **Consolidate specialist classifications where job duties were of similar level and complexity:** When classifications differ in specialization yet share a core set of knowledge and ability requirements and perform similar functions, they may be classified in the same job classification without compromising the organization's need to retain certain skills in particular positions. As mentioned previously, substantial variation between positions can exist within a classification as long as core classification principles are shared between position requirements and there is an expectation that an incumbent in one position could transition to a different position in the same classification and become successful within a reasonable period of time. Accordingly, CPS HR found that certain IT, laboratory, and engineering classifications shared enough core elements as to allow for additional consolidations. In particular, Lead Laboratory Analyst and QA/QC Analyst shared enough common elements to be consolidated into one class. Similarly, Construction Manager and Project Engineer classifications had enough shared elements to be unified into one class series. And finally, the information technology positions of Systems Administrator and Network Administrator did not need to be separate classifications, as the continual technology evolution of network infrastructures and their associated software continually "blurred" the lines between "hardware" and "software"-oriented classifications, and thus a unified class for both was appropriate. Relevant working titles may be retained as deemed necessary.
- **Merge systems support classifications:** CPS HR found that the District's technological support classifications which provide system administration, user support, and data integrity functions for enterprise-wide financial and administrative applications shared enough common elements related as to be consolidated. Accordingly, even though they are responsible for different types of systems, the classifications of ECMS Administrator, Accounting Systems Administrator, and Systems Analyst were consolidated into one classification.
- **Consolidate various administrative and analytical support classes:** In many District operational units, there were one or two positions dedicated to providing a wide variety of administrative and analytical tasks related to records management, customer liaison, contracts/vendor management, review of

technical specifications, and compliance advisory. While the domains may be different, the core functions are all related in that they all require strong interpersonal skills, highly-developed writing, reading comprehension, and critical analysis skills to go along with their administrative flexibility. Accordingly, CPS HR recommended that these classifications (Water Demand Management Coordinator, Contract Property Administrator, Development Review Coordinator, Meter Services Coordinator, Backflow Prevention / Cross-Connection Control Coordinator, Community Relations Specialist, Office Administrator, and Administrative Assistant Backflow Prevention / Cross-Connection Control) be unified into one job family which emphasizes these administrative analysis and coordination functions.

- **Consolidate Human Resources classes:** The District’s Human Resources function had six (6) positions, each with a unique classification, suggesting consolidations are possible to recognize how the various human resources functions (recruitment, performance management, compliance, risk management, classification/compensation, disability & leave management, etc.) share common professional knowledge, skill, and expertise requirements. Accordingly CPS HR recommended collapsing various non-supervisory human resources positions (Human Resources Generalist, Safety and Risk Management Coordinator, Senior HR Generalist), into one unified classification.
- **Consolidate Trainee and Entry-Level job classifications in job families:** CPS HR found the existence of separate “Trainee” and level I classifications in operational units as redundant and unnecessary, as both classification levels are for staff who are novices in their functional domain. CPS HR recommended that any incumbents at the Trainee level be merged into the Entry-level classification in their respective job family. If certification requirements are present for the Entry level work, CPS HR recommends having the resulting classification specification for the Entry level describe the certification as required within some reasonable timeframe (typically anywhere from three (3) months to one (1) year). If a Trainee incumbent, once merged into the Entry level classification, is not able to acquire the certification within the new timeframe, CPS HR recommended addressing the failure to achieve the necessary requirement as an incumbent performance issue, not a classification issue.
- **Eliminate classification specifications specifically designating “seasonal” or “temporary” work:** Positions are allocated by the type, nature, and level of their work duties, as well as the knowledge, skill, ability, education, and certificate requirements; they are not allocated based on volume of work. Therefore, positions which are “temporary” or “part-time” do not need a new classification, but rather designations of their work schedule or permanence in the organization – both issues which are not classification-related.
- **Eliminate classifications which are no longer part of the District’s organizational structure:** CPS HR found that the organizational charts provided by project contacts did not have positions allocated for every one of the job classifications in the District’s classification plan. Unless a particular classification is part of an existing job series, or is temporarily vacant, CPS HR recommended abolishment of the classification from the classification plan. District management has the ability and authority to create

or change classifications at a later time, thus removal of a classification does not hamper the District's ability to use a similar (or same) classification in the future. Deleting unused classifications, however, streamlines the plan, reduces administrative work related to maintaining classifications which are no longer relevant to operations, and make communication of the plan easier to current and prospective employees.

CPS HR factored in the bulk of these recommendations into the new classification structure described in the section "Updated Classification Structure" outlined later in this report; however, management did not choose to execute all recommendations; therefore, certain job families/hierarchies specialist positions reflected in the proposed structure may not reflect all of these observations and recommendations.

## Job Titling and Nomenclature

The use of standard titling conventions can provide a quick visual tool for identifying the class type and level and can aid in communicating job expectations to current employees and outside job candidates. However, titles can be one of the most sensitive issues within an organization as they are sometimes perceived as a measure of importance, and changes to titles are often accompanied by employees' trepidation at perceived or potential losses in status, compensation and/or changes to their core job concept. While it is important to recognize that titles do not define positions, application of a careful and consistent titling strategy can help with furthering an understanding of a job's relative authority and relationships to other classifications in the organization.

Based on our professional experience, **the District's titling structure appeared to be generally consistent with best practices.** Positions with supervisory authority are appropriately titled, and senior staff with significant resource allocation and policy/process authority are appropriately given "Manager" or "Director" titles. Titles which convey certain kinds of roles and responsibilities (e.g., "Coordinator", "Specialist", "Analyst," etc.) are generally applied logically and consistently. Moreover, titles in job families use numerical designations (e.g., Water Operator I, II, III, IV, etc.) to define positions which exercise increasing levels of expertise to accomplish duties. CPS HR found no reason to make significant alterations to the District's titling framework; however, when the District's classification plan is altered to address some of the issues discussed above, corresponding title changes would likely be needed as well.

**CPS HR recommended the following best practices when defining job titles for classifications** (as mentioned previously, many of these were already present in the District's plan):

- **Define distinctions between levels of work in a job series by using roman numerals:** Non-supervisory job classifications often have discrete and distinct levels of work ranging from routine to difficult and complex; thus, recognizing that certain positions will be responsible for higher-level work is accomplished easily by using numerical designations to define job levels. A typical approach is to use the level "I" classification for Entry-level work where an incumbent is expected to perform duties where they are beginning to apply the concepts of their job domain; followed by a level "II" classification which serves at the Journey level, where incumbents perform the full range of duties of

the job. Classification plans less-often also include level “III” Advanced classifications, and higher still are level “IV” Expert classifications for organizations with complex structures and/or job domains with significant variations in incumbents’ expertise. A classification plan need not utilize job levels, but this approach is common, and is an easy and workable way to create job families with natural career progression, where advancement in these series is typically attained by incumbents’ attaining more experience and expertise. NOTE: CPS HR recommends using a different naming strategy to delineate job titles which are differentiated in higher levels by virtue of their supervisory authority (see next bullet).

- **Identify positions with supervisory responsibilities by the use of “Lead”, “Senior” or “Principal” prefixes, or “Supervisor” in the title:** Positions which exercise responsibility for organizing, assigning, and reviewing work of others (typically subordinates) are, at minimum, technical supervisors; those which perform these functions, but also manage performance, make personnel decisions, and control work and vacation schedules are full administrative supervisors. Because supervisory staff have unique training and performance management needs, and because they carry additional authority and responsibility for the organization’s success, it is a good practice to have a naming convention which quickly and easily identifies these positions as compared to their non-supervisory counterparts. Accordingly including adjectives in names such as “Senior”, “Chief”, “Lead” or “Principal” as prefixes in job titles is best reserved for this purpose; using the phrase “Supervisor” in a job title is best reserved for positions which only exercise full administrative supervision.
- **Use high-level titles such as “Supervisor”, “Manager”, and “Director” carefully and consistently:** Any position which has full administrative supervisory authority is a “supervisor”, but positions of greater authority and responsibility for allocating resources, controlling budgets, and making significant policy decisions for their area or for the organization should be designated by titles such as “Manager”, “Director”, “Administrator”, and “Officer”. Additionally, these titles usually (but not always) convey supervisory authority where the incumbent is a 2<sup>nd</sup>-level supervisor and manages subordinates who also act as supervisors. Inappropriate uses of these titles can create consternation for employees who may feel that certain titles are more heavily weighted than their actual position authorities, so a classification plan should generally only use certain high-level titles when the organizational structure and job responsibilities of the position dictate.
- **Appropriate use of certain non-supervisory titles to convey core job functions:** Positions which are non-supervisory often have certain characteristics which lend themselves to particular naming conventions. Of note are the uses of “Analyst”, “Coordinator”, “Specialist” and “Technician” titles, among others. These titles should be used when the nature and level of work reflect them; for example, “Analyst” titles must actually perform analytical functions; “Coordinators” must actually facilitate the exchange of information among stakeholders in a unit or program, and “Technicians” should generally perform paraprofessional or technical work in a professional job field.

Following this framework will facilitate the communication of job information throughout the organization and avoid misperceptions about the nature and level of work performed by any one position.



While titles do not solely convey job responsibilities, they are nevertheless indirectly communicating the authority and expertise of a position, thus consistency in titling is paramount to avoid confusion and/or frustration among staff.

For the resulting classification framework proposed by CPS HR, our consultants chose to retain the same titles as the current District titles, whereas others have been “retitled” based on our consultants’ recommendations based on the organizational structure and natural distinctions between job levels and job families. Recommendations were based on the common and “best practice” titling for such classes listed above. In a small number of cases, CPS HR has recommended the development of new classes (and new titles) and the elimination of other classes.

## Classification Specification Format & Style

All job information should be conveyed in a classification specification format which allows a reader to understand the various elements of positions which are allocated to a classification. A class specification should contain both summary and detailed information about job responsibilities, differentiating factors which necessarily distinguish the job from other jobs, and requirements incumbents must possess to perform the job adequately. Sufficient detail must also be provided about each of these elements to allow a classification professional to properly allocate positions to the class in a fair and consistent manner, while also making decisions about the job in terms of its relationship to employment legal frameworks (e.g., Fair Labor Standards Act exemption status, essential functions as outlined by the Americans with Disabilities Act, and similar laws/regulations). Finally, the language to describe elements should be direct, business-appropriate language that is neither too concise, nor too verbose, such that a reader is able to comprehend the job. Use of undefined acronyms should be avoided.

CPS HR reviewed the format, tone, style, and language used to describe job functions and requirements in the District’s current classification specification format and found the following:

- **The District’s existing classification specification format was functional and appropriate:** CPS HR considered the District's current classification specification format to be consistent with best-practice standards. It contained standard key sections (title, definition, supervision received/exercised, class characteristics, typical job functions, qualifications, physical demands, and environmental elements) that appear to be well-written and detailed. The information is presented in an easily readable format and sequence. Overall, the specification template did not need significant adjustments.
- **The District’s language consistency in job descriptions was generally good, with some opportunities to add clarity and conciseness:** Many class specifications had language which was very descriptive and detailed, while others used vague verbs and statements which conflated job responsibilities with incumbent requirements. Many specifications contained acronyms that were not explained. The prose and sentence structure of written statements followed proper English writing standards. Some specifications essentially re-stated duties multiple times

throughout the document, leading to repetitive content. Overall, the written elements of the class specifications were done professionally.

After review of the existing classification specification format, and consultation with the project liaison, the District sought guidance from CPS HR for a new, revised format that would address any existing shortcomings of the current plan. Accordingly, CPS HR presented a proposed classification specification template which included the following elements:

- **Title:** a job title which followed the job titling and naming convention best practices as described in the previous section.
- **A “Job Summary” for the class:** an overview that includes the level of work performed (entry, journey, lead, etc.) along with a brief, one-sentence summary of the types of duties performed by positions in the class. This section is designed to provide a quick and simple communication of the fundamental “class concept” which explains why the job exists in the organization and its core function(s).
- **“Distinguishing Characteristics” of positions in the class:** for classifications in a series, this includes criteria to be used when comparing the subject class to other classes above and below in the same series and expounds upon the duties which make up the preponderance of responsibilities for positions in the classification.
- **Descriptions of the types of “Supervision Received and Exercised”:** details concerning the authority of the position in terms of its relationships and interactions with subordinate classifications help outline which classifications exercise administrative supervision, technical supervision, or peer training/guidance. This section also helps explain the classification’s typical operating constraints by defining the latitude it must follow task procedures, work processes, and organizational policies, as well as its discretion to create or modify them to accomplish its work.
- **Examples of typical duties and responsibilities typical for positions in the class:** core details of the functions jobs in the classification perform, listed in general order of importance or relevance, and numbering anywhere from six (6) to twelve (12) statements. The following examples are intended to describe the general nature and level of work performed by personnel assigned to the classification, yet any one position in a class may not perform all the duties listed, nor are the duties described intended to be an exhaustive list of all duties, responsibilities and skills required of personnel so classified.
- **Statements of “Knowledges” and “Abilities” job incumbents must possess to adequately perform the work of positions in the class:** descriptions of the bodies of knowledge which are requisite for the work because of their direct application to duties and functions performed by positions in the class, as well as present, observable behaviors or actions that are inherent in the successful performance of the work. In Classification terminology, this section is also sometimes referred to as “Knowledge, Skills, and Abilities” or “KSAs”. When describing Knowledges and Abilities for a classification, it is critical that each may be directly linked to one or more job duties or functions. This is because Knowledges and Abilities are often used as criteria for evaluation of

job candidates in recruitment and selection processes, and by assuring their linkage to essential job functions, an organization facilitates reasonable, effective, and defensible selection practices.

- **Recommended minimum qualifications required of job applicants:** requirements are best described by two (2) separate statements: the minimum education an incumbent must attain (e.g. High School Diploma, Associate Degree, Bachelor Degree, Master Degree, etc.) as well as a statement of the number and level of years of experience in a certain job domain (typically one (1) to five (5) years of experience in a work domain, at a certain supervisory or non-supervisory level). While an organization may have a strong preference for employees to possess degrees, it is imperative to only require advanced educational credentials when formal postsecondary training is the primary way an incumbent can attain requisite knowledge of a job domain; for this reason, CPS HR recommends only requiring degrees for certain categories of positions – typically professional level and supervisory and managerial level jobs – and only when the job duties are only capably performed when an incumbent has had such education. The reasons for this are twofold: 1) the organization has greater protection from claims of adverse impact and discrimination from candidates who might claim that requiring a degree disadvantages certain groups of individuals, and 2) this allows for greater flexibility in hiring processes to consider and evaluate a wider range of candidates with differing educational and experience qualifications. Hiring managers may still choose to select degreed candidates from their applicant pool, but that is a separate consideration related to recruitment processes; the minimum requirements in job classifications must always be more modest to be defensible. Additionally, CPS HR recommends adding a “blanket” statement to all the specifications, which states that any combination of experience and education that would likely provide the required knowledge and abilities is qualifying, allowing the ability for the District to retain its strong value of formal education while allowing a substitution at the District’s discretion.
- **Required Licensure, Certifications and/or Training:** when a job is performing work in a highly regulated field, specific licensure, training, or certification requirement may be mandated by the organization, or by statutes or regulations, and thus should be clearly emphasized and communicated on the classification specification in such a section.
- **Special Requirements:** this is an optional, “catch-all” area to highlight any unique circumstances or obligations that one may be exposed to when performing work in the classification; examples of statements in such a section could include requirements to serve in an “on-call” capacity, the possibility of exposure to distressing images or situations on a regular basis, or specific hazards that one may encounter in the course of work.
- **Brief summaries regarding the physical and mental demands of the job, as well as the work environment:** both elements are related to the interaction between the job demands and the physical capabilities of incumbents. One describes the physical characteristics the candidate must possess to perform the job (e.g., sight, hearing, lifting, movement, exertion, dexterity, and other similar physical elements), while the other describes the physical environment that one is working in when performing job duties (e.g., office environment, heavy machinery, outdoors with exposure to weather elements, etc.)

## Accuracy of Job Content in Classification Specifications

The information provided through the PDQs, and interviews was utilized to determine the degree to which the District's current class specifications describe the actual work being performed by the incumbents. CPS HR considered employees' statements about the accuracy of classification specifications, as well as an independent assessment of the way work was described.

- **Most incumbents felt that the job content in current classification specifications was generally accurate:** when asked to compare their work duties to the duties described in the classification specification for their job, only 19 out of 128 incumbents (14.8%) felt that information contained in the specification did not accurately represent their work. This was considered a positive result. It is common for some classification specifications not to be current and/or accurate, either because the work has not been accurately captured, or because position incumbents' duties and responsibilities have changed due to technological and/or organizational evolution. However, the majority of job information in its class specifications was largely consistent with incumbents' descriptions of their work duties and functions. When appropriate, CPS HR used job content for PDQs and interviews to update classification specifications.
- **Many classifications contained Minimum Requirements far beyond what would be required for competent performance for the position:** good descriptions of jobs' minimum requirements state both the education and experience needed for a position. As a rule, the experience requirement for a position should generally be anywhere for zero (0) to one (1) year of related experience for entry-level positions, two (2) to three (3) years of experience for journey-level positions, and four (4) to six (6) years of experience for advanced, lead and supervisory positions. Experience requirements more than seven (7) years of experience must be compared against the reality of needing such an extensive work history to actually perform a job successfully. Often, experience requirement statements in the range from seven (7) to ten (10) years of experience should be reserved for very senior (i.e., executive-level) positions. Moreover, requirements should focus on the level of the work experience needed, instead of just an accumulation of tenure. For example, if a senior manager position is described as needing ten (10) years of experience, would a journey-level, non-supervisory staff member with ten (10) years of work history be qualified, despite not having any supervisory experience or experience in a position with complex resource and budget management responsibilities? Most would say not. This is because work experience requirements are most related to possessing a certain kind and level of experience, where prior jobs encompassed a specific range of responsibilities which could conceivably prepare the incumbent for success in the next role. Accordingly, in our example, an experience requirement of five (5) years of "supervisory experience in roles with budget management and policy-making authority" may be a better proxy to explain the work preparation needed for a senior management position than simply stating that the role requires ten (10) years of experience. CPS HR followed this approach when reviewing the District's classification specifications and made downward adjustments when warranted.

## Need for Position Reclassifications

Most employees and supervisors stated that their job responsibilities were consistent with their classification title and concept, so reclassification of positions based on job content alone was rare. However, because of the significant number classification consolidations recommended by our consultants, most positions underwent reclassification to align with the new classification structure and job hierarchy. CPS HR recommended reclassifications for positions where the duties, responsibilities, and requirements are better aligned with the job concept of the newly proposed classification. **A table listing CPS HR's proposed reclassifications can be found in Exhibit A.**

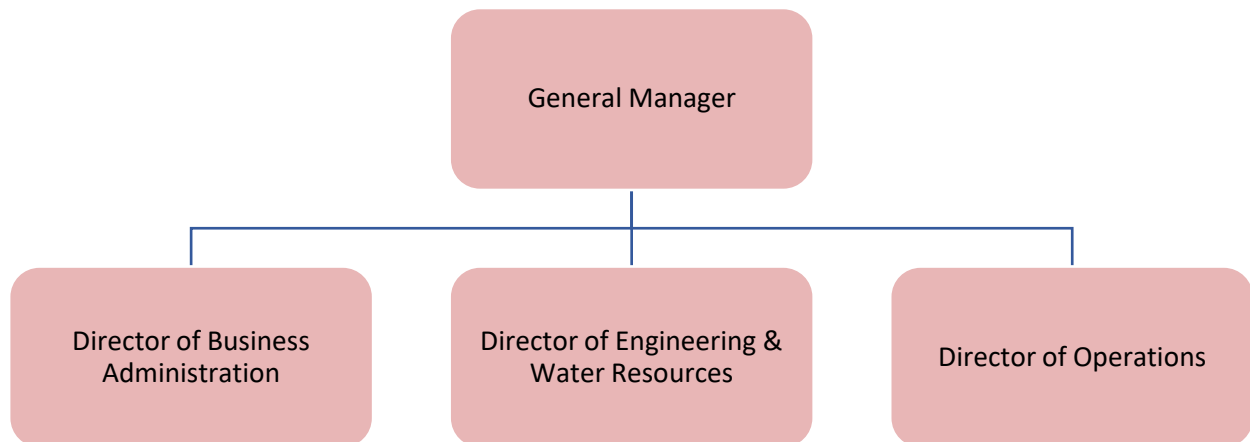
## Updated Classification Structure

To create a valid classification system, CPS HR consultants relied upon sound principles of job evaluation. Using these principles, CPS HR developed a classification structure for the District that is designed to reflect distinct differences in the levels and types of work being performed based on established classification factors and concepts. **Two “crosswalks” showing the relationships between current and proposed classification titles is provided in [Appendix A](#).**

### Senior Management

The District’s main divisions are each headed by a Director-level executive who organizes, controls, and directs, through subordinate managers and supervisors, the operations, and functions of multiple diverse, yet related areas of the organization to accomplish the overall mission of the District. These positions have significant responsibility and authority for establishing policy and strategies for their areas and collaborate with each other and the General Manager to shape organization-wide strategies and goals.

These positions all report to the General Manager, who serves as the most senior executive responsible for the overall administration and operations of Eagle River Water & Sanitation District. This includes responsibility and authority for the overall structure, management, and policy environment for the utility, as well as technical leadership, analysis of system capacity within established guidelines, and compliance with federal and state regulation, standards, and requirements. This role oversees the development of both short- and long-term strategic plans, and capital improvements plans and directs the Senior Management Team.



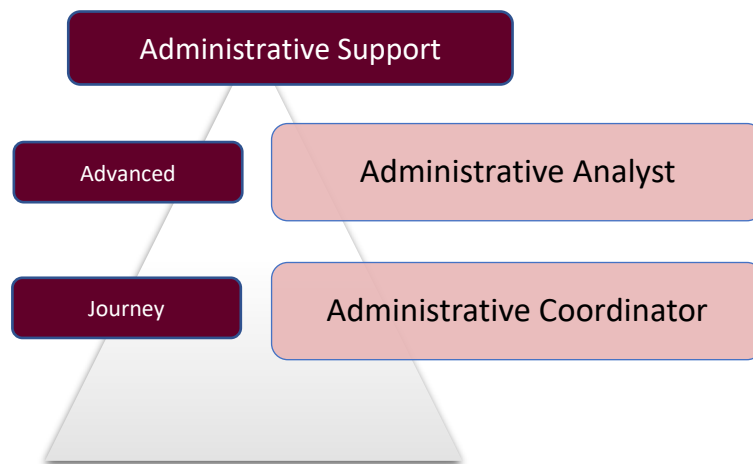
## Job Families and Hierarchies

A **job family** is a group of classes and/or class series that are closely related in terms of the type of work being performed. Classes in a job family usually have similarities in their employment requirements that may support career progression. However, it is common for classes in the same job family to require different levels of education, experience, skill, effort, or responsibility. Differences in levels are usually related to increasingly complex work assignments and handling matters of increased importance to the organization, with higher-level classifications requiring greater depth and breadth of knowledge and experience in their functional domain. Higher-level classifications also usually take on supervisory responsibilities.

Upon review of the information in the PDQs and incumbent and supervisor interviews, along with an analysis of existing job structures, job classifications, and management’s classification intentions, CPS HR recommends a classification structure comprised primarily of the following job families:

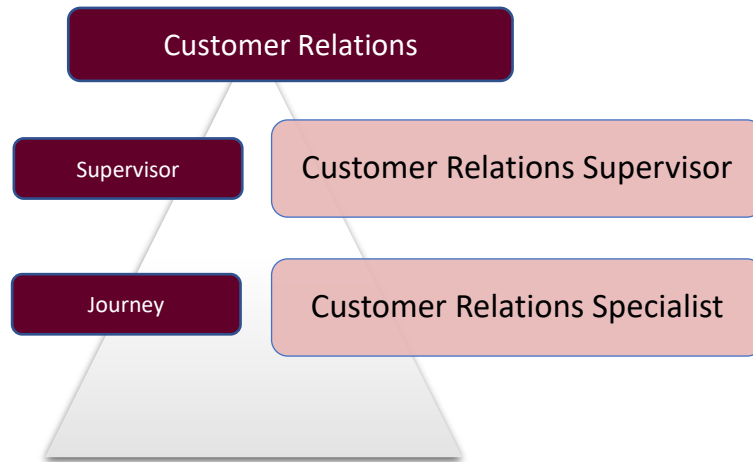
### Administrative Support Family

The Administrative Support family of jobs describes positions which support a unit’s staff and management by assuming a variety of administrative and clerical duties. These range from routine duties such as file keeping, calendaring, generating reports and correspondence, and addressing general inquires, to more complicated functions involving providing consultation and advice to ensure compliance with regulatory guidelines, and gathering and analyzing data to generate recommendations for administrative problems. This family contains two classifications: a journey-level Administrative Coordinator and an Advanced-level Administrative Analyst, which are primarily differentiated by scope and complexity of work assignments:



### Customer Relations

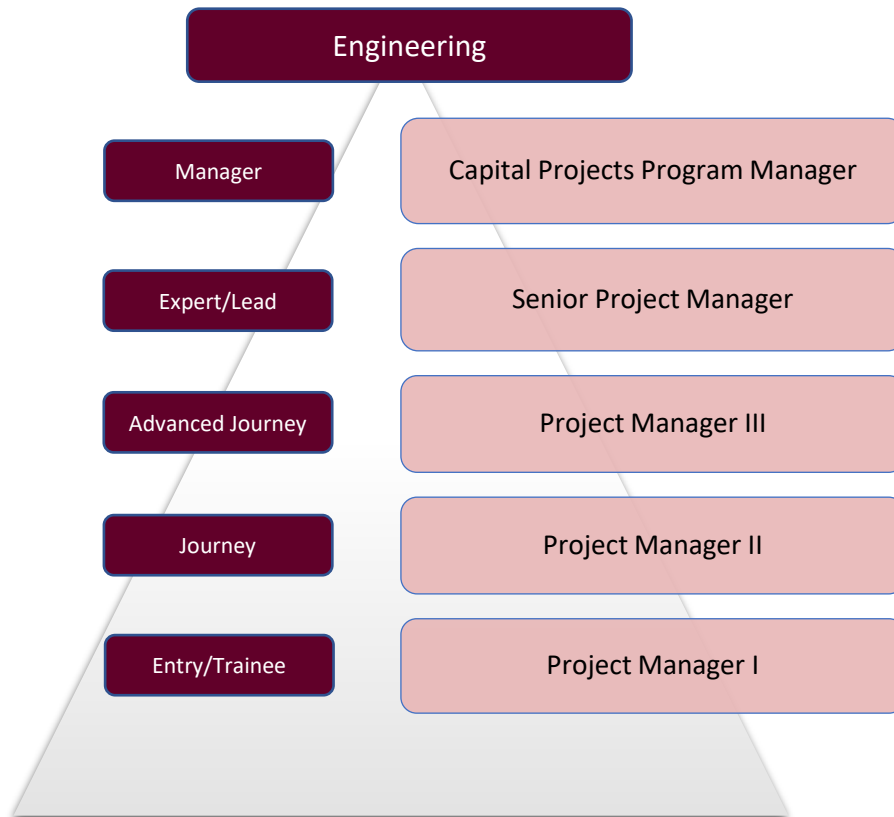
The customer service family of jobs describes positions which ensure that customers receive efficient and courteous service by assisting customers with making payments, responding to customer inquiries, researching, and updating customer file information, and scheduling appointments and inspections. This family contains a journey-level Customer Relations Specialist and a supervisory-level Customer Relations Supervisor, differentiated by supervisory authority:





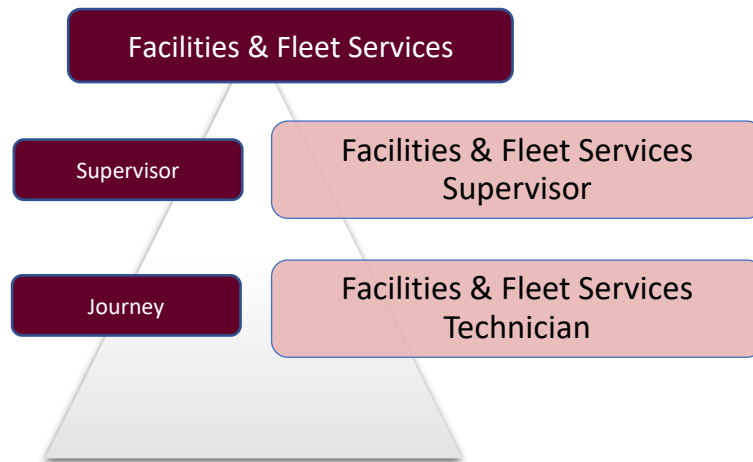
## Engineering

The Engineering family of jobs describes professionally licensed engineering positions which perform engineering project management functions to carry out the District's capital improvement program (CIP) projects. Their functions involve creating and reviewing construction designs and specifications, managing construction bidding and procurement, overseeing contractors and developers as they perform work, and managing project timelines, budgets, and resources. This family contains three levels of non-supervisory Project Manager I, II, and III classifications differentiated primarily by expertise and scope/complexity of projects assigned, as well as an Expert/Lead Senior Project Manager who can provide technical supervision, and the managerial level Capital Projects Program Manager, who is accountable for all work performed in the Engineering unit, and exercises personnel and budget authority:



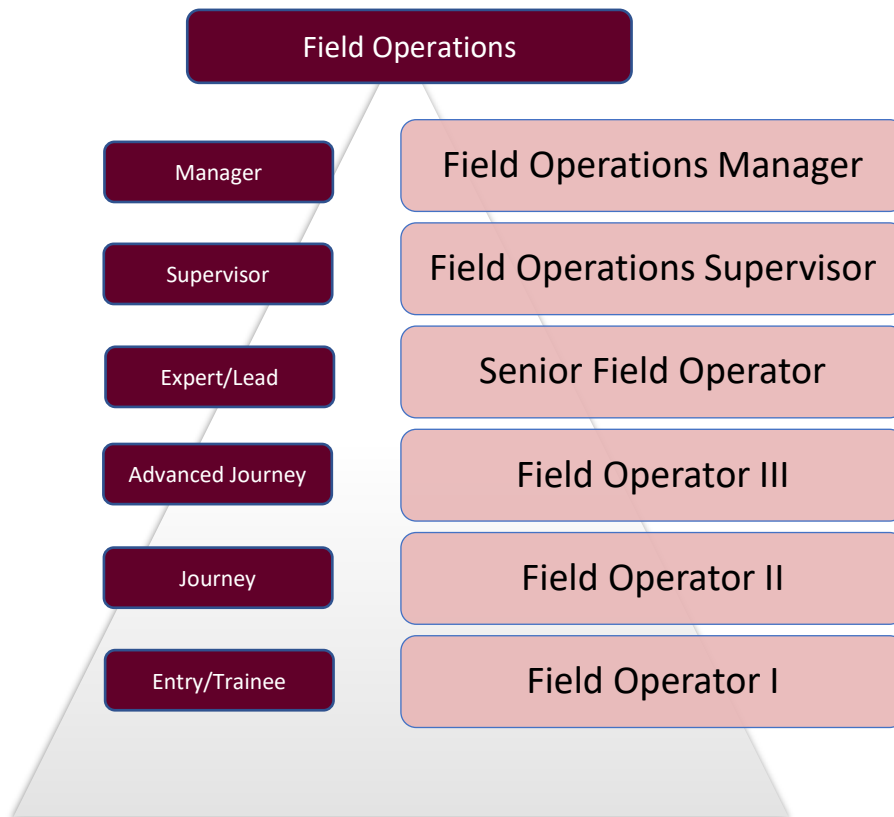
### Facilities and Fleet Services

The Facilities and Fleet Services family of jobs describes positions which perform and oversee troubleshooting, servicing, and repair of District vehicles as well as general building and facilities maintenance (e.g., carpet, paint, electrical, HVAC, ceiling, lights, roofing, water intrusion, vents, doors, hardware, security, swing gates, sound systems, plumbing, signage, and furniture.). This family contains a journey-level Facilities and Fleet Services Technician and a supervisory-level Facilities and Fleet Services Supervisor:



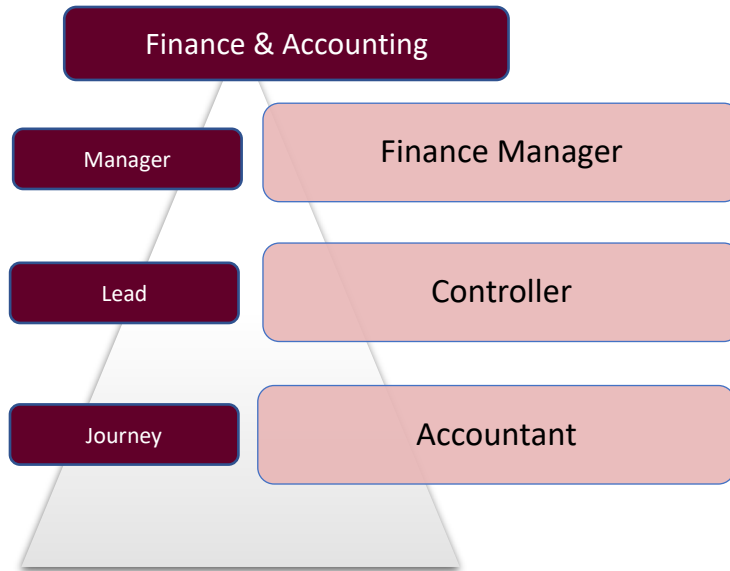
## Field Operations

The Field Operations family of jobs describes positions that perform and oversee a variety of repair, inspection and maintenance functions for all District-owned collection and distribution systems, including fire hydrants, water mains, water valves, pressure reducing valves (PRV's), sewer lines, sewer manholes, lift stations, and related equipment requiring an advanced knowledge of the terminology, procedures and practices used in the maintenance of water systems. This family contains three levels of non-supervisory Field Operator I, II, and III classifications (known as Field Operators) differentiated primarily by expertise and scope/complexity of work, as well as an Expert/Lead Senior Water Systems Operator who can provide technical supervision, along with the supervisory and managerial level Field Operations Supervisor and Field Operations Manager classifications, respectively, where the manager-level has increased budgetary, personnel management and process management authority:



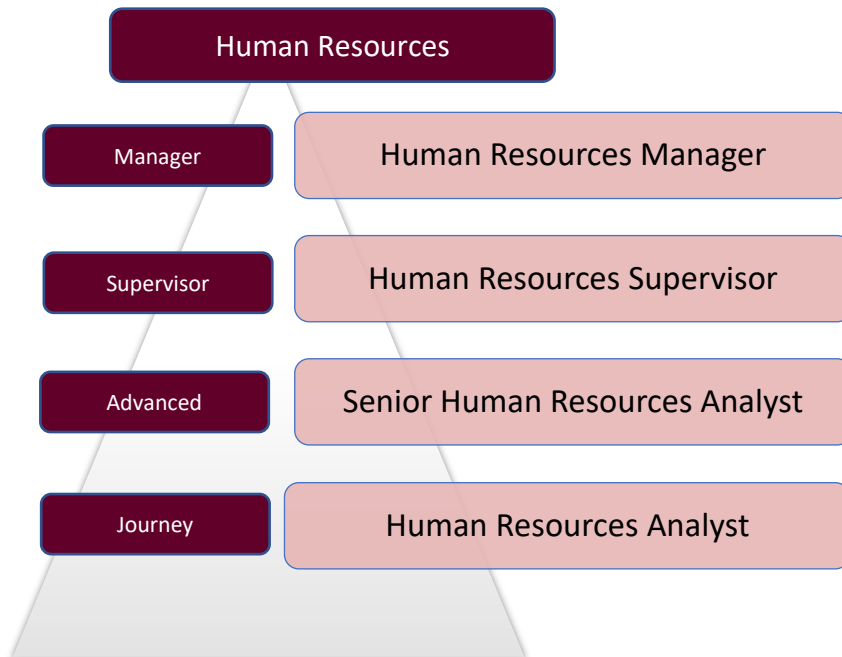
### Finance & Accounting Family

The Finance and Accounting family of jobs describes positions that execute and manage the operations and activities of the District's Finance Department including complex financial, statistical, cost and rate modeling analyses. This job family contains a journey-level Accountant, a Lead-level Controller who can provide technical supervision, and a Finance Manager, who manages staff and operates with wider latitude to generate complex statistical and financial analysis for District operations:



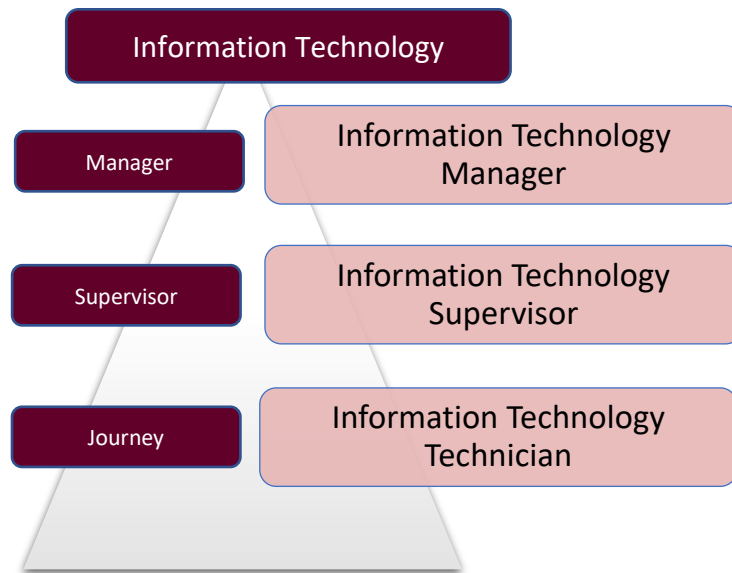
### Human Resources Family

The Human Resources family of jobs describes positions that support the District’s human resource management activities, functions, and programs, including recruitment and selection, classification, compensation, contract administration/negotiation, employee relations, performance appraisal, benefits administration, and supervisor-employee development. This job family includes a journey-level HR Analyst who performs more routine functions and addresses common HR inquiries, all the way up to the Advanced and Supervisory Senior HR Analyst, and HR Supervisor classifications, respectively, that take on projects with greater scope and complexity, and have greater impacts on the District. The highest-level HR Manager classification controls all HR functions and exercises greater personnel, budgetary and process management authority:



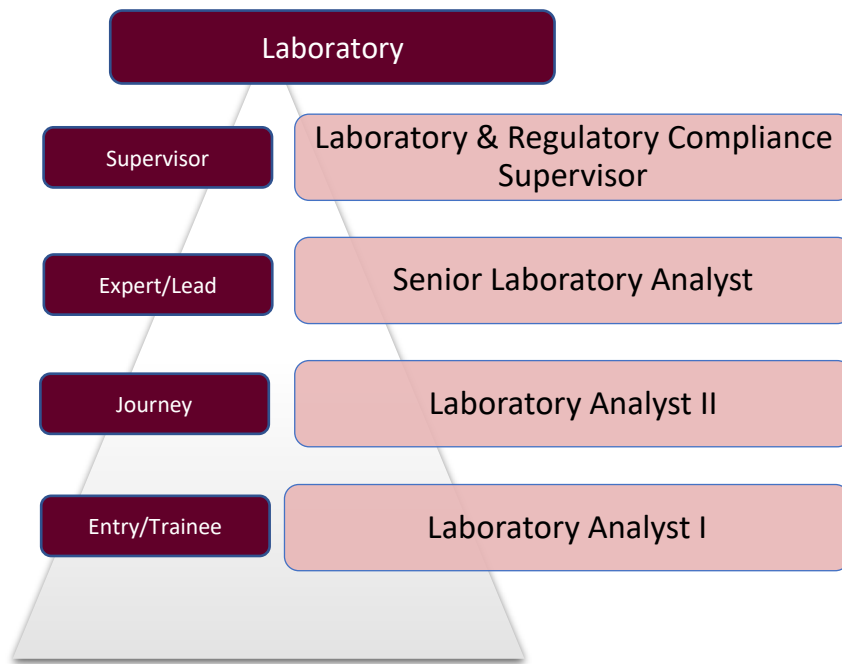
## Information Technology

The Information Technology family of jobs describes positions that plan, organize, manage, and execute the operations and activities of the District's Information Technology division including coordinating and managing the design, programming, implementation and operation of hardware, software, network systems, industrial control systems (ICS), telecommunications systems, network security and related applications. There are three levels in this job family: a journey-level IT Technician, a Supervisory-level IT Supervisor, and a manager-level IT Manager – all differentiated by their supervisory authority and increasing responsibility for managing the technology environment for the District:



## Laboratory

The Laboratory family of jobs describes positions that oversee and perform a variety of water sampling, laboratory analysis and data reporting for the District's water and wastewater operations requiring knowledge of the terminology, procedures and practices used in biological, chemical, and physical testing of water quality. Laboratory Analyst I and II levels are differentiated by expertise in laboratory work, while the Senior Laboratory Analyst provides technical supervision and work guidance, along with greater regulatory compliance responsibilities. The Laboratory and Regulatory Compliance Supervisor oversees the collection of water and wastewater samples, oversees a variety of laboratory-based analytical testing and data reporting of water quality, and advises District staff concerning regulatory compliance matters:



### Operational Technology Services (OTS)

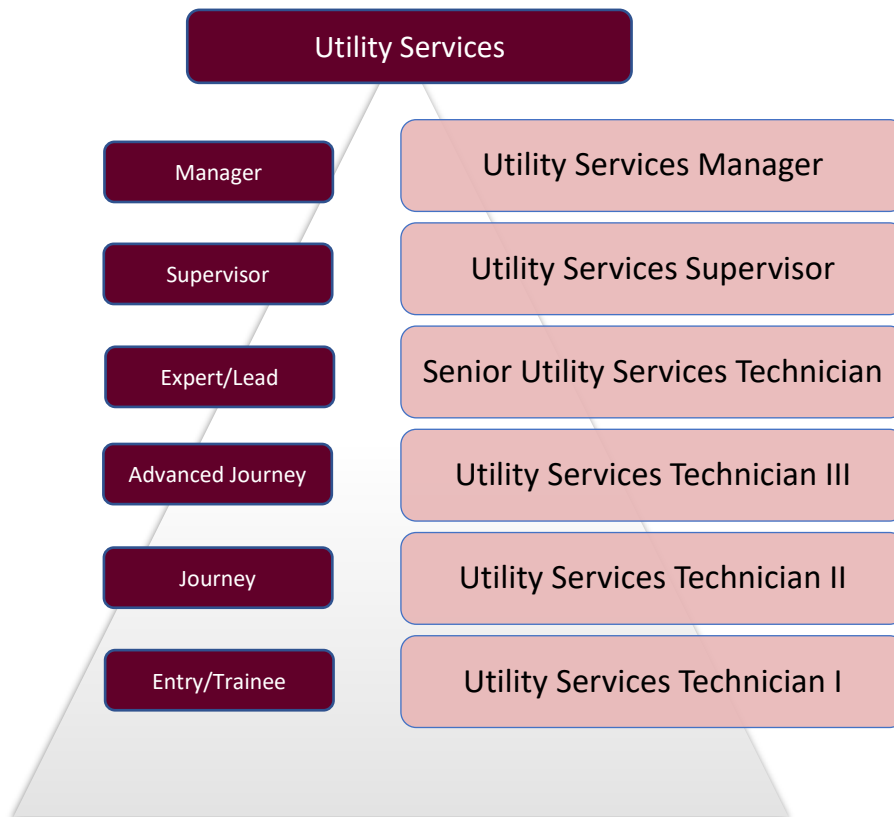
The Operational Technology Services (OTS) family of jobs describes positions perform and oversee installation, testing, monitoring, maintenance, troubleshooting and repair of a variety of electrical and instrumentation devices associated with the production, treatment, storage, transmission and distribution of the District’s water and wastewater facilities requiring an advanced knowledge of the terminology, procedures and practices used in the programming and maintenance of Supervisory Control and Data Acquisition (SCADA)-based industrial control systems. This family contains two levels of non-supervisory OTS Technician I, and II classifications differentiated primarily by expertise and scope/complexity of work, as well as an Expert/Lead Senior OTS Technician who can provide technical supervision. The supervisory and managerial level OTS Supervisor and OTS Manager classifications exercise full supervisory, with the latter having increased budgetary, personnel management and process management authority:





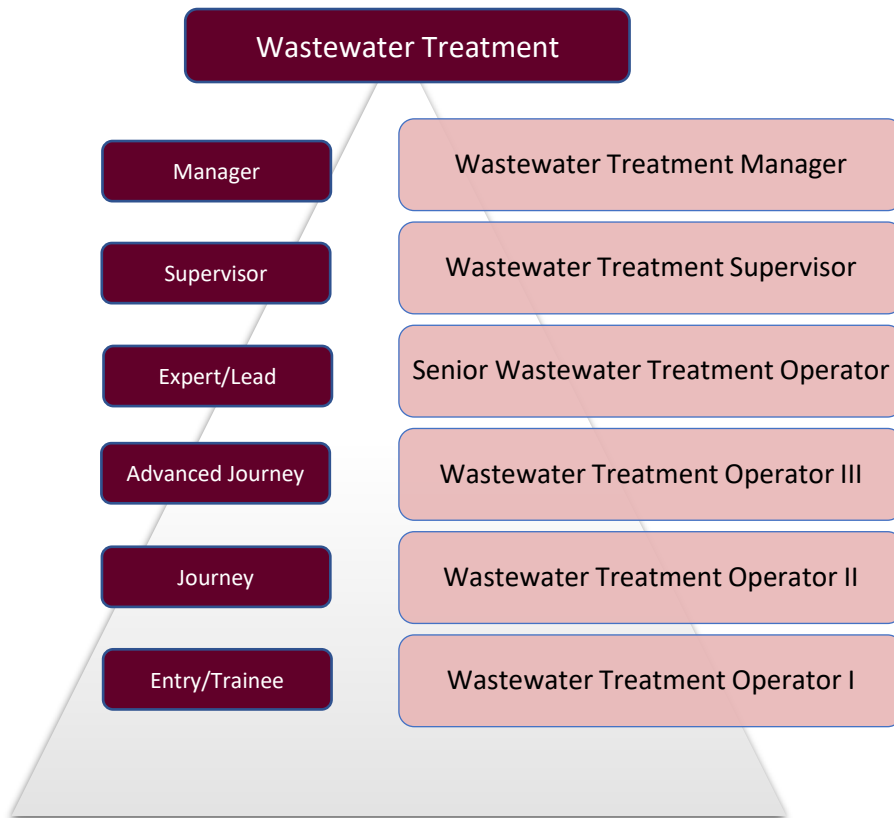
## Utility Services

The Utility Services family of jobs describes positions that perform reading, testing, inspection, and auditing of water meters and related metering infrastructure (AMI), as well as testing, inspection, and repair of backflow assemblies, pressure regulating valves (PRV's), and related equipment. They also perform routine liaison functions to provide information and technical assistance regarding the District's Backflow Prevention and Cross-Connection Control (BPCCC) Program. This family contains three levels of non-supervisory Utility Services Technician I, II, and III classifications differentiated primarily by expertise and scope/complexity of work, as well as an Expert/Lead Senior Utility Services Technician who can provide technical supervision. The supervisory and managerial level Utility Services Supervisor and Utility Services Manager classifications exercise full supervisory, with the latter having increased budgetary, personnel management and process management authority:



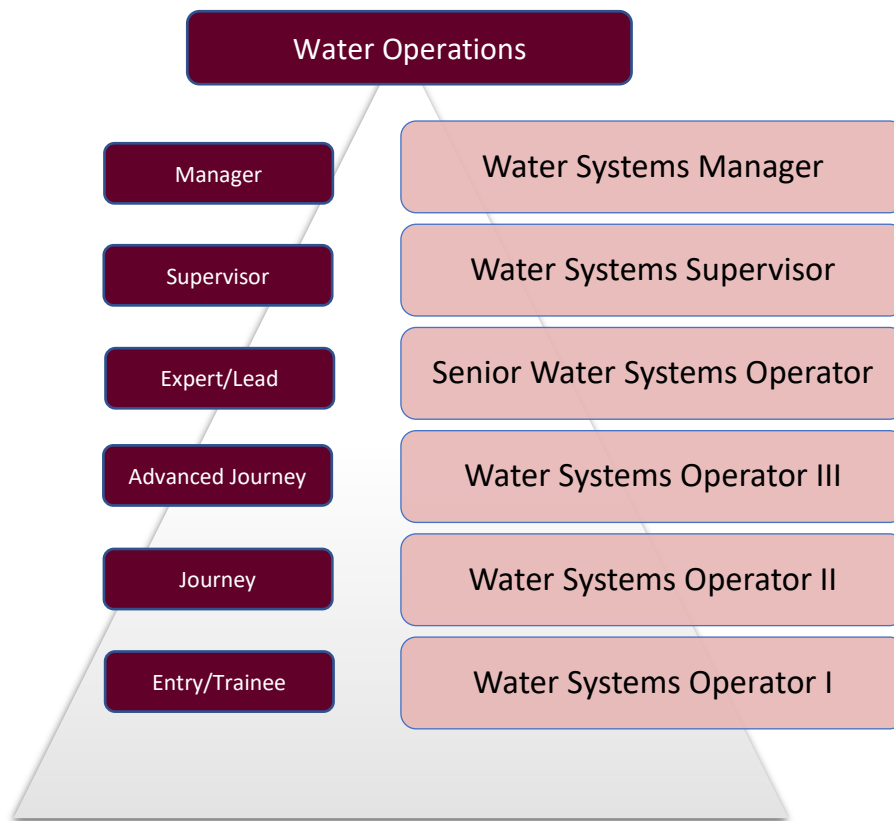
## Wastewater Treatment

The Wastewater Treatment family of jobs describes positions that perform a variety of wastewater treatment facility operations and maintenance functions. These roles regularly and independently take water samples, adjust wastewater treatment systems, and perform corrective and preventative maintenance on water treatment equipment. They also perform routine liaison functions to provide information and technical assistance regarding the District’s regulatory compliance for wastewater discharge. This family contains three levels of non-supervisory Wastewater Treatment Operator I, II, and III classifications differentiated primarily by expertise and scope/complexity of work, as well as an Expert/Lead Senior Wastewater Treatment Operator who can provide technical supervision. The supervisory and managerial level Wastewater Treatment Supervisor and Wastewater Treatment Manager classifications exercise full supervisory, with the latter having increased budgetary, personnel management and process management authority:



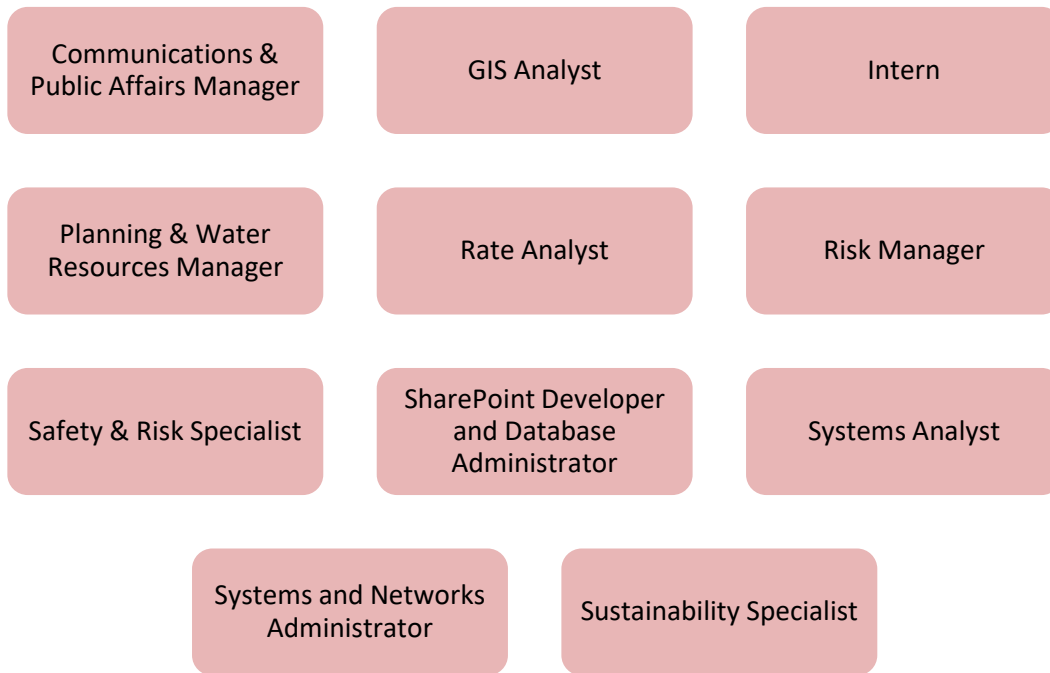
## Water Operations

The Water Operations family of jobs describes positions that perform and oversee a variety of technical and specialized water delivery and treatment and compliance monitoring functions requiring advanced knowledge of the terminology, procedures and practices used in the production of safe, clean, and potable water for communities. These roles independently operate and maintain water systems, perform water sampling, and ensure water quality meets regulatory standards. They also complete documentation for regulatory monitoring, and coordinate information with other operational units to aid in day-to-day water treatment and production. This family contains three levels of non-supervisory Water Systems Operator I, II, and III classifications differentiated primarily by expertise and scope/complexity of work, as well as an Expert/Lead Senior Water Systems Operator who can provide technical supervision. The supervisory and managerial level Water Systems Supervisor and Water Systems Manager classifications exercise full supervisory, with the latter having increased budgetary, personnel management and process management authority:



## Specialty Classifications

Not all the District’s jobs fall into job families – some are specialist positions which require unique skills and abilities and perform functions unlike those performed by other positions. These classifications will still allow career advancement and job progression into the other job families by nature of their work domain, but CPS consultants felt it best to create the following “stand-alone” classifications to ensure that the District can identify, recruit, hire, retain and reward talent which may have distinct personnel administrative needs:



## Fair Labor Standards Act

The Fair Labor Standards Act of 1938 (FLSA) requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at not less than time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, and outside sales employees; Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees.

CPS HR reviewed the essential duties and functions of each proposed class to ensure the correct Fair Labor Standard Act (FLSA) designation of “Exempt” or “Non-Exempt” has been allocated for each. A class may be designated as “Exempt” if it meets all of the criteria for any one of the following exemptions:

**To qualify for the “Administrative” exemption, all of the following tests must be met:**

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$684.00 per week (note that the State of Colorado has a higher salary threshold of \$865.38 per week under the Colorado Overtime and Minimum Pay Standards Order #38)
- The employee’s primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer’s customers; and
- The employee’s primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

**To qualify for an “Executive” exemption, all of the following tests must be met:**

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$684.00 per week (note that the State of Colorado has a higher salary threshold of \$865.38 per week under the Colorado Overtime and Minimum Pay Standards Order #38)
- The employee’s primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees, or the employee’s suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other employees must be given consideration.

**To qualify for an “Professional” exemption, all of the following tests must be met:**

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$684.00 per week (note that the State of Colorado has a higher salary threshold of \$865.38 per week under the Colorado Overtime and Minimum Pay Standards Order #38)
- The employee’s primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character, and which includes work requiring the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; and
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

**To qualify for a “Computer Employee” exemption, all the following tests must be met:**

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$684.00 per week (note that the State of Colorado has a higher salary threshold of \$865.38 per week under the Colorado Overtime and Minimum Pay Standards Order #38)
- The employee must be employed as a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer, where the employee’s primary duty must consist of:
  - The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications; or
  - The design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications; The design, documentation, testing, creation, or modification of computer programs related to machine operating systems; or
  - A combination of the duties as mentioned above, the performance of which requires the same level of skills.

CPS recommends each of the new proposed classifications be designated as “Exempt” or “Non-Exempt” based on whether it meets any of these exemptions; the full listing of classes and recommended designations is listed in [Appendix E](#). CPS notes that the new classification structure involves the creation of new classes and changes to the essential duties, functions, and requirements of previous classes which, in turn, changed those classes’ FLSA exemption status; a summary of the changes and rationale for each change is provided as follows:

- The new class of **GIS Analyst** is for any position which “performs journey-level functions to design, operate, manage, and maintain the District’s Geographic Information System (GIS), provides support other District departments, and coordinates the District’s GIS needs during the integration of the GIS with all related District systems, projects and departments” and requires “a thorough knowledge of the terminology, procedures and practices used in GIS, data collection, databases and mapping.” Accordingly, CPS recommends this class be designated as FLSA-Exempt under the “Administrative” exemption, as these roles independently manage the GIS assets of entire District, which are used for all District capital planning and operations activities and requires the consistent use of discretion and judgement to ensure the integrity, quality, and accuracy of a variety of GIS information and data.
- The revised duties and functions of the **Information Technology (IT) Supervisor** indicate this role is for any position which “performs supervisory-level functions to plan, organize, and supervise the operations and activities of the District’s Information Technology division including coordinating with Supervisors and Managers to communicate work assignments, troubleshoot and resolve IT issues or emergencies, and support the department and District’s goals and objectives.” Examples of functions include “plan(ning), organiz(ing), and supervis(ing) the operations and activities of the District’s Information Technology Division,” “coordinat(ing) and

manag(ing) the design, programming, implementation and operation of hardware, software, network systems, network security and related applications,” and “(a)nalyz(ing), troubleshoot(ing), and resolv(ing) problems associated with server hardware/software and applications software and ensur(ing) scalability and appropriate integration with other systems.” Accordingly, CPS recommends this class be designated as FLSA-Exempt under the “Computer Employee” exemption, which is a change from how these positions were previously classified as FLSA Non-Exempt in the prior classification plan.

- The revised duties and functions of the **Laboratory and Regulatory Compliance Supervisor** indicate this role is for any position which “Supervises the District’s laboratory services and ensures compliance testing for water and wastewater treatment facilities is complete and accurate,” and requires “expert knowledge of the terminology, procedures and practices used in the biological, chemical, and physical testing of water quality, as well as the regulatory limits governing drinking water and wastewater quality.” Examples of functions include “ensure(ing) sampling and testing methods comply with organizational and regulatory mandates (e.g. Clean Water Act Section 308, Safe Drinking Water Act, Regulation 85 Monitoring requirements, and related governance)” and “address(ing) and coordinat(ing) the resolution of potential regulatory compliance concerns for the organization by communicating with representatives from regulating bodies and facilitating information-sharing and decision-making with staff and managers.” Accordingly, CPS recommends this class be designated as FLSA-Exempt under the “Administrative” exemption, which is a change from how this position was previously classified as FLSA Non-Exempt in the prior classification plan.
- The new job series of **Project Manager I, Project Manager II and Project Manager III** in the new Engineering job family are to be used to classify positions which perform engineering project management requiring knowledge of the terminology, procedures and practices used in capital improvement program (CIP) projects. All levels in this series require a “Bachelor's degree from an accredited college or university with major course work in Civil Engineering, Environmental Engineering, Mechanical Engineering, Construction Management or related field” and knowledge of “concepts of engineering principles and practices for public construction projects.” Because of the extensive professional training required to manage the engineering projects overseen by these classes, CPS recommends these classes be designated as FLSA-Exempt under the “Professional” exemption, which is a change from how these positions were previously classified as the FLSA Non-Exempt Construction Manager I/II, Project Engineer, and Planner classifications in the prior classification plan.
- The revised duties and functions of the **SharePoint Developer and Database Administrator** indicate this role is for any position which “performs advanced-level functions to analyze, design, develop, manage, and support the District’s SharePoint infrastructure and assigned databases to ensure effective database development and operations” and requires “advanced knowledge of the terminology, procedures and practices used in database development.” Examples of functions include “provid(ing) database management and maintenance, including security best practices, upgrades, and patching for all District databases,” “serv(ing) as the primary escalation point for other team members for all issues relating to SharePoint and any related 3rd party

products” and “serv(ing) as a project manager (to) maintain all District databases, and coordinate with 3rd party application vendors, as necessary.” Accordingly, CPS recommends this class be designated as FLSA-Exempt under the “Computer Employee” exemption, which is a change from how this position was previously classified as FLSA Non-Exempt in the prior classification plan.

- The new class of **Sustainability Specialist** is for any position which “Performs expert/lead-level-level functions to coordinate sustainability efforts for the District and within the mountain community it serves,” where work involves “promot(ing) sustainability initiatives throughout the District,” and “assess(ing) and track(ing) the District’s impact on the environment and collaborat(ing) with leaders across the District to identify and implement opportunities to enact sustainable practices in every area of the District’s operations to reduce any negative environmental impact.” Examples of functions include “coordinat(ing) with senior management to align sustainability initiatives with other District strategic goals, plans, and priorities,” “Identif(ying), monitor(ing), track(ing), and record(ing) sustainability indicators for the District, such as energy usage, natural resource usage, waste generation, and recycling,” and “analyz(ing) sustainability metrics and develop(ing) recommendations to senior leadership for organizational initiatives and changes to practices which can lead to reductions and improvements in metrics.” Accordingly, CPS recommends this class be designated as FLSA-Exempt under the “Administrative” exemption, which is a change from how this position was previously classified as the FLSA Non-Exempt Sustainability Coordinator in the prior classification plan.
- The revised duties and functions of the **Systems Analyst** class, which consolidated work from the prior classification plan’s Accounting Systems Administrator, ECMS Administrator, and Systems Analyst II classifications, is for any position which “perform(s) a variety of duties in the design, development, testing, launch and maintenance of assigned computerized information systems,” and “assess(es) the suitability of information system configurations and work(s) with end users to achieve desired outcomes by defining project scope, analyzing and designing system requirements and making recommendations on proposed systems, software, upgrades, modifications, automation, and solutions.” Examples of functions include “...document(ing) business processes for the purpose of developing new or upgraded computer information systems to support operational needs,” and “prepar(ing) a variety of systems analysis and operational requirements documentation to aid software developers with designing automated systems;” as well as “developing new workflows and modify(ing) existing workflows in systems.” Accordingly, CPS recommends this class be designated as FLSA-Exempt under the “Computer Employee” exemption, which is a change from how these positions were previously classified as FLSA Non-Exempt in the prior classification plan.
- The new **Systems and Networks Administrator** class is for any position which “perform(s) advanced-level functions to manage and support the District’s data networks for 24x7 District operations including and troubleshooting of network systems and related LAN/WAN communication equipment,” where incumbents “provide oversight, maintenance and monitoring of servers, firewalls, routers, switches, serial and IP-based radio links and third-party network circuits.” These roles also “assist with the design, implementation, and maintenance of networks and servers to assure reliability and 100% uptime for critical operations.” Accordingly, CPS



recommends this class be designated as FLSA-Exempt under the “Computer Employee” exemption, which is a change from how these positions were previously classified as the FLSA Non-Exempt Network Administrator II in the prior classification plan.

- **Field Operations Supervisor, Operational Technology Supervisor, Utility Services Supervisor, Wastewater Treatment Supervisor, and Water Systems Supervisor classifications.** The most relevant qualifying exemption for these classes is the “Executive” exemption, which applies as long as the employees’ “primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise,” where they also “customarily and regularly direct the work of at least two or more other full-time employees or their equivalent,” and “...have the authority to hire or fire other employees, or the employee’s suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other employees must be given particular weight.” Accordingly, CPS HR recommends these classifications be designated as FLSA-Exempt under the “Executive” exemption.

Under this FLSA exemption, the term management involves one or more of the following activities:

- Interviewing, selecting, and training of employees
- Setting and adjusting their rates of pay and hours of work
- Directing the work of employees
- Maintaining production or sales records for use in supervision or control
- Appraising employees’ productivity and efficiency for the purpose of recommending promotions or other changes in status
- Handling employee complaints and grievances
- Disciplining employees
- Planning the work
- Determining the techniques to be used
- Apportioning the work among the employees
- Determining the type of materials, supplies, machinery, equipment, or tools to be used or merchandise to be bought, stocked, and sold
- Controlling the flow and distribution of materials or merchandise and supplies
- Providing for the safety and security of the employees or the property
- Planning and controlling the budget
- Monitoring or implementing legal compliance measures

These activities must be done customarily and regularly which is defined as “greater than occasional, but less than constant...normally done every workweek” and are not “isolated or one-time tasks.” As long as ERSWD consistently empowers these supervisors to customarily and regularly exercise these authorities for personnel management for their teams under their

purview, and these functions are not usurped by, or transferred to, more senior ERWSD staff, these supervisory classifications can meet the “Executive” exemption. However, the Department of Labor will consider this in light of “whether an employee’s recommendations as to hiring, firing, advancement, promotion or any other change of status are given ‘particular weight’ include, but are not limited to, whether it is part of the employee’s job duties to make such recommendations, and the frequency with which such recommendations are made, requested, and relied upon.”

The legal framework which governs the appropriate designation of jobs as “Exempt” or “Non-Exempt” from minimum wage and overtime pay requirements of the FLSA can be fluid, and is also subject to Administrator Interpretations, Opinion and Ruling Letters from the United State Department of Labor’s Wage and Hour Division, which may be affected by changes to statute or regulations, or the issuance of new court decisions. CPS is providing its best professional judgment as to an appropriate FLSA designation of the District’s jobs at this point in time; however, CPS cannot guarantee against an adverse ruling against the District based on an FLSA designation that is not in alignment with a ruling body’s finding upon a challenge to the District’s FLSA exemption status for any particular job. The District is encouraged to consult with its legal team to validate the FLSA exemptions recommended in this report and is also reminded that it can always mitigate its risk exposure for potential violations of the FLSA by classifying any job as “Non-Exempt,” even if the elements of the job would appear to allow for the use of one of the four (4) aforementioned FLSA exemptions allowed by law.

## Guide to Appendices

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Included as appendices in this report are several documents that summarize the findings and recommendations of this classification study.

- [Appendix A](#) provides the “crosswalk” showing the prior and new classification titles
- [Appendix B](#) describes the general conceptual framework used by CPS HR when establishing a classification plan for our clients.
- [Appendix C](#) describes the general methodology used by CPS HR when establishing a classification plan and structure for our clients.
- [Appendix D](#) provides the FLSA analysis and recommendations.

## **Appendix A: Crosswalks Between Prior and New Classification Systems**

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## New Classifications from Current Classifications

The table below shows from where each new classification is receiving incumbents according to their prior classification. Note that reclassifications were based on job content gathered from PDQs and interviews, not titles alone:

NEW CLASSIFICATION	PRIOR CLASSIFICATION(S)
1 – Accountant	1 - Accountant I
6 - Administrative Analyst	1 - BPCCC Coordinator 1 - Community Relations Specialist 1 - Contract Property Administrator 1 - Development Review Coordinator 1 - Meter Services Coordinator 1 - Water Demand Management Coordinator
2 - Administrative Coordinator	1 - Administrative Assistant BPCCC 1 - Office Administrator
1 – HR Supervisor	1 - Senior HR Generalist
1 - Capital Projects Program Manager	1 - Engineering Manager
1 - Communications and Public Affairs Manager	1 - Communications and Public Affairs Manager
1 – Controller	1 - Controller
3 - Customer Relations Specialist	3 - Customer Service Specialist
1 - Customer Relations Supervisor	1 - Customer Service Supervisor
1 - Director of Business Administration	1 - Director Of Finance
1 - Director of Engineering and Water Resources	1 - Director of Engineering and Water Resources
1 - Director of Operations	1 - Director Of Operations
1 - Facilities and Fleet Services Supervisor	1 - Fleet Facilities Supervisor
1 - Facilities and Fleet Services Technician	1 - Fleet Mechanic
1 - Field Operations Manager	1 - Field Operations Manager
2 - Field Operations Supervisor	2 - Field Operations Supervisor
1 – Finance Manager	1 – Finance Manager
1 - General Manager	1 - General Manager
1 - GIS Analyst	1 - GIS Coordinator
1 - HR Analyst	1 - Human Resources Coordinator
1 - HR Manager	1 - HR Manager
2 – Intern	1 - GIS Intern 1 - Water Conservation Intern
1 - IT Manager	1 - IS Manager
2 - IT Supervisor	1 - IT Supervisor 1 - Systems Administrator II
2 - IT Technician	2 - IT Helpdesk Technician
1 - Lab Analyst I	1 - Lab Analyst I
1 - Lab Analyst II	1 - Lab Analyst II

NEW CLASSIFICATION	PRIOR CLASSIFICATION(S)
1 - <i>Laboratory and Regulatory Compliance Supervisor</i>	1 - Laboratory and Regulatory Compliance Supervisor
1 - <i>OTS Manager</i>	1 – OTS Supervisor
1 - <i>OTS Supervisor</i>	1 – OTS Supervisor
2 - <i>OTS Technician I</i>	1 - OT Technician Trainee 1 - OT Technician I
4 - <i>OTS Technician II</i>	4 - OT Technician II
1 - <i>Planning and Water Resources Manager</i>	1 - Planning and Water Resources Manager
0 – <i>Project Manager I</i>	(No Incumbents)
3 - <i>Project Manager II</i>	2 - Construction Manager II 1 - Project Engineer
2 - <i>Project Manager III</i>	1 - Planner 1 - Project Engineer
1 - <i>Rate Analyst</i>	1 – Rate Analyst
1 - <i>Risk Manager</i>	1 – Risk Manager
1 - <i>Safety and Risk Specialist</i>	1 - Safety and Risk Management Coordinator
1 - <i>Senior HR Analyst</i>	1 - Human Resources Generalist
2 - <i>Senior Laboratory Analyst</i>	1 - Lead Laboratory Analyst 1 - QA/QC Analyst
1 - <i>Senior OTS Technician</i>	1 - Senior Electrical Maintenance Technician
0 - <i>Senior Project Manager</i>	(No Incumbents)
5 - <i>Senior Systems Water Operator</i>	1 - Lead Water Operator 4 - Water Operator 4
1 - <i>Senior Utility Services Technician</i>	1 - Meter Services Technician 4
5 - <i>Senior Wastewater Treatment Operator</i>	5 - Wastewater Operator 4
2 - <i>Senior Water Systems Operator</i>	2 - Water Operator 4
3 - <i>Senior Field Operator</i>	2 - Field Operations Lead 1 - Lead Industrial Mechanic
1 - <i>SharePoint Developer and Database Administrator</i>	1 - SharePoint Developer/Database Administrator
1 - <i>Sustainability Specialist</i>	1 - Sustainability Coordinator
3 - <i>Systems Analyst</i>	1 - Accounting Systems Administrator 1 - ECMS Administrator 1 - Systems Analyst II
2 - <i>Systems and Networks Administrator</i>	2 - Network Administrator II
1 - <i>Utility Services Manager</i>	1 - Utility Services Manager
2 - <i>Utility Services Supervisor</i>	1 - BPCCC Technician 3 1 – Meter Services Supervisor
1 - <i>Utility Services Technician I</i>	1 - Meter Services Technician Trainee
1 - <i>Utility Services Technician II</i>	1 - BPCCC Technician Trainee
1 - <i>Utility Services Technician III</i>	1 - Meter Services Technician 3
1 - <i>Wastewater Treatment Manager</i>	1 - Wastewater Manager
4 - <i>Wastewater Treatment Operator I</i>	1 - Wastewater Operator 1

NEW CLASSIFICATION	PRIOR CLASSIFICATION(S)
	3 - Wastewater Operator Trainee
1 - Wastewater Treatment Operator II	1 - Wastewater Operator 2
0 – Wastewater Treatment Operator III	(No Incumbents)
3 - Wastewater Treatment Supervisor	1 - Wastewater Operator 4 2 - Wastewater Plant Supervisor
1 - Water Systems Manager	1 - Senior Water Operations Manager
3 - Water Systems Operator I	2 - Water Operator 1 1 - Water Operator Trainee
1 - Water Systems Operator II	1 - Water Operator 2
0 - Water Systems Operator III	(No Incumbents)
5 - Water Systems Supervisor	5 - Water Operations Supervisor
8 – Field Operator I	3 - Seasonal Systems Maintenance Operator 5 - Systems Maintenance Operator Trainee
4 – Field Operator II	3 - Systems Maintenance Operator 2 1 - Utility Locator I
3 – Field Operator III	2 - Experienced Systems Maintenance Operator (non-certified) 1 - Inspector II

## Current Classifications to New Classifications

The table below shows from where each new classification is receiving incumbents according to their prior classification. Note that reclassifications were based on job content gathered from PDQs and interviews, not titles alone:

PRIOR CLASSIFICATION	NEW CLASSIFICATION(S)
2 – Accountant I	1 – Accountant
0 – Accountant II	(Removed)
0 – Accountant III	(Removed)
1 – Accounting Systems Administrator	1 – Systems Analyst
1 – Administration Manager	(Removed)
1 – Administrative Assistant BPCCC	1 – Administrative Coordinator
1 – BPCCC Coordinator	1 – Administrative Analyst
1 – BPCCC Technician 3	1 – Utility Services Supervisor
1 – BPCCC Technician Trainee	1 – Utility Services Technician II
1 – Communications and Public Affairs Manager	1 – Communications and Public Affairs Manager
1 – Community Relations Specialist	1 – Administrative Analyst
0 – Construction Manager I	(Removed)
2 – Construction Manager II	2 – Project Manager II
1 – Contract Property Administrator	1 – Administrative Analyst
1 – Controller	1 – Controller
0 - Cross Connection Control Technician I	(Removed)
0 - Cross Connection Control Technician II	(Removed)
0 - Cross Connection Control Technician III	(Removed)
0 - Cross Connection Control Technician IV	(Removed)
0 – Customer Service Manager	(Removed)
3 – Customer Service Specialist	3 – Customer Relations Specialist
1 – Customer Service Supervisor	1 – Customer Relations Supervisor
1 – Development Review Coordinator	1 – Administrative Analyst
1 – Director of Engineering and Water Resources	1 – Director of Engineering and Water Resources
1 – Director of Finance	1 – Director of Business Administration
1 – Director of Operations	1 – Director of Operations
0 - Director of Strategic Initiatives	(Removed)
1 – District Administrator	(Removed)
1 – ECMS Administrator	1 – Systems Analyst
1 – Engineering Manager	1 – Capital Projects Program Manager
2 - Experienced Systems Maintenance Operator (non-certified)	2 – Field Operator III
0 – Field Operations Coordinator	(Removed)

PRIOR CLASSIFICATION	NEW CLASSIFICATION(S)
2 – Field Operations Lead	2 – <i>Senior Field Operator</i>
1 – Field Operations Manager	1 – <i>Field Operations Manager</i>
2 – Field Operations Supervisor	2 – <i>Field Operations Supervisor</i>
1 – Finance Manager	1 – <i>Finance Manager</i>
1 - Fleet Facilities Supervisor	1 - <i>Facilities and Fleet Services Supervisor</i>
1 - Fleet Mechanic I	1 - <i>Facilities and Fleet Services Technician</i>
0 - Fleet Mechanic II	<i>(Removed)</i>
1 – General Manager	1 – <i>General Manager</i>
1 - GIS Coordinator	1 - <i>GIS Analyst</i>
1 – GIS Intern	1 – <i>Intern</i>
0 – Graphic Design and Communications Specialist	<i>(Removed)</i>
0 – Helpdesk Technician I	<i>(Removed)</i>
2 – Helpdesk Technician II	2 – <i>IT Technician</i>
1 – Human Resources Manager	1 – <i>Human Resources Manager</i>
1 – Human Resources Coordinator 0 – Human Resources Analyst	1 – <i>Human Resources Analyst</i>
1 – Human Resources Generalist	1 – <i>Senior HR Analyst</i>
0 – Inspector I	<i>(Removed)</i>
1 – Inspector II	1 – <i>Field Operator III</i>
1 - IS Manager	1 – <i>IT Manager</i>
1 – IT Supervisor	1 – <i>IT Supervisor</i>
1 – Lab Analyst I	1 – <i>Lab Analyst I</i>
1 – Lab Analyst II	1 – <i>Lab Analyst II</i>
1 – Laboratory and Regulatory Compliance Supervisor	1 – <i>Laboratory and Regulatory Compliance Supervisor</i>
1 - Lead Industrial Mechanic	1 – <i>Senior Field Operator</i>
1 - Lead Laboratory Analyst	1 - <i>Senior Laboratory Analyst</i>
1 - Lead Water Operator	1 - <i>Senior Water Systems Operator</i>
0 - Maintenance Management Specialist	<i>(Removed)</i>
1 - Meter Services Coordinator	1 - <i>Administrative Analyst</i>
1 - Meter Services Supervisor	1 – <i>Utility Services Supervisor</i>
0 – Meter Services Technician 1	0 – <i>Utility Services Technician I</i>
0 – Meter Services Technician 2	0 – <i>Utility Services Technician II</i>
1 - Meter Services Technician 3	1 – <i>Utility Services Technician III</i>
1 - Meter Services Technician 4	1 – <i>Senior Utility Services Technician</i>
1 - Meter Services Technician Trainee	1 – <i>Utility Services Technician I</i>
2 - Network Administrator	2 – <i>Systems and Networks Administrator</i>
1 - Office Administrator	1 – <i>Administrative Coordinator</i>
0 – Operational Technology Manager	0 – <i>OTS Manager</i>
2 - Operational Technology Supervisor	1 – <i>OTS Manager</i> 1 – <i>OTS Supervisor</i>



<b>PRIOR CLASSIFICATION</b>	<b>NEW CLASSIFICATION(S)</b>
1 - OT Technician I	1 – OTS Technician I
4 - OT Technician II	4 – OTS Technician II
0 – OT Technician III	(Removed)
1 - OT Technician Trainee	1 – OTS Technician I
1 - Planner	1 - Project Manager III
1 - Planning and Water Resources Manager	1 – Planning and Water Resources Manager
2 - Project Engineer	1 – Project Manager II 2 – Project Manager III
1 - QA/QC Analyst	1 – Senior Laboratory Analyst
1 - Rate Analyst	1 – Rate Analyst
0 – Records and Information Management Specialist	(Removed)
1 – Risk Manager	1 – Risk Manager
2 - Safety and Risk Management Coordinator	1 – Safety and Risk Specialist
3 - Seasonal Systems Maintenance Operator	3 – Field Operator I
0 – Seasonal Water Operator	(Removed)
1 - Senior Electrical Maintenance Technician	1 - Senior OTS Technician
0 – Senior Controls Technician	(Removed)
1 - Senior HR Generalist	1 – HR Supervisor
1 - Senior HR Generalist Part Time	(Removed)
1 - Senior Water Operations Manager	1 - Water Systems Manager
1 - SharePoint Developer/Database Administrator	1 - SharePoint Developer and Database Administrator
1 - Sustainability Coordinator	1 – Sustainability Specialist
0 - Systems Administrator I 1 – Systems Administrator II	1 – IT Supervisor
0 - Systems Analyst I 1 - Systems Analyst II	1 – Systems Analyst
0 - Systems Maintenance Operator 1	0 – Field Operator I
3 - Systems Maintenance Operator 2	3 – Field Operator II
0 – Systems Maintenance Operator 3	0 – Field Operator III
0 – Systems Maintenance Operator 4	0 – Senior Field Operator
5 - Systems Maintenance Operator Trainee	5 – Field Operator I
0 - Utility Accounting Systems Administrator	(Removed)
1 - Utility Locator I	1 – Field Operator II
0 – Utility Services Coordinator	(Removed)
1 - Utility Services Manager	1 - Utility Services Manager
0 – Utility Services Supervisor, BPCCC	(Removed)
0 – Wastewater Intern	0 – Wastewater Treatment Operator I
1 - Wastewater Manager	1 – Wastewater Treatment Manager
1 - Wastewater Operator 1	1 – Wastewater Treatment Operator I
1 - Wastewater Operator 2	1 – Wastewater Treatment Operator II

<b>PRIOR CLASSIFICATION</b>	<b>NEW CLASSIFICATION(S)</b>
0 – Wastewater Operator 3	0 – <i>Wastewater Treatment Operator III</i>
6 - Wastewater Operator 4	6 – <i>Senior Wastewater Treatment Operator</i>
3 - Wastewater Operator Trainee	3 – <i>Wastewater Treatment Operator I</i>
2 - Wastewater Plant Supervisor	2 - <i>Wastewater Treatment Supervisor</i>
1 - Water Conservation Intern	1 – <i>Intern</i>
1 - Water Demand Management Coordinator	1 – <i>Administrative Analyst</i>
0 – Water Manager	0 – <i>Water Systems Manager</i>
5 - Water Operations Supervisor	5 – <i>Water Systems Supervisor</i>
2 - Water Operator 1	2 – <i>Water Systems Operator I</i>
1 - Water Operator 2	1 – <i>Water Systems Operator II</i>
0 – Water Operator 3	0 – <i>Water Systems Operator III</i>
6 - Water Operator 4	6 – <i>Senior Water Systems Operator</i>
1 - Water Operator Trainee	1 – <i>Water Systems Operator I</i>
0 – Water Resources Internship	0 – <i>Intern</i>
5 – Water Supervisor	5 – <i>Water Systems Supervisor</i>
0 – Water Use Customer Outreach Coordinator	<i>(Removed)</i>

## **Appendix B: Classification Conceptual Framework**

This section describes the general conceptual framework used by CPS HR when establishing a classification plan for our clients. We are providing this information to help explain some of the terms and concepts referenced in the report and to assist the District in determining the goals and objectives of future studies.

## Classification Concepts and Principles

A position classification plan is a critical human resources tool. It describes the basic personnel framework within an organization and defines the standards and concepts used to maintain and/or change that framework. It serves as the basis for organizing job assignments, developing job announcements, recruiting employees, evaluating qualifications for the job, developing methods for assessing performance, and identifying and making changes in the 's organizational structure. It also provides the foundation for establishing a compensation plan. Thus, the classification plan impacts virtually every phase of the employment process.

Position classification is a dynamic process since the plan itself, and the classification specifications must continually respond to the organization's changing needs. Thus, regular, and periodic review of the plan is needed to ensure that it accurately reflects changes in the agency's organizational goals, organizational structure, policy, size, and leadership styles. The plan must also respond to changes in technology, programs, legal requirements, and workforce characteristics.

Once established, the classification plan must be utilized consistently to serve its purpose as a management tool. If employment decisions are not consistent with the plan, then either the plan or the decisions must be amended to be consistent with each other.

## Basic Classification Guidelines

### **Position, Class, Series, and Job Family**

A **position** represents a group of duties and responsibilities performed by one employee. In contrast, **class** refers to a position or group of sufficiently similar positions in duties and responsibilities. They may be treated the same for purposes of pay, general minimum qualifications, title, and a variety of other administrative activities.

A class **series** may be established when two or more classes are related in a linear or other fashion. Typically, classes are placed in a series when the work performed in the classes is similar in nature but not in level. The work performed at the lower level helps develop the knowledge, skills, and abilities to perform work at the higher level. It should be noted, however, that the ability of an individual incumbent to promote from the lower level to the higher-level class in a series may still be limited by the availability of a vacant position, unless positions are "flexibly staffed" (see discussion later in this report).

A **job family** is a group of classes and/or class series that are closely related in terms of the type of work being performed. Classes in a job family usually have similarities in their employment requirements that may support career progression. However, it is common for classes in the same job family to require different levels of education, experience, skill, effort, or responsibility. For example, a financial job family may include clerical, technical, professional/analytical, supervisory, and management classes.

### **Classification and Allocation**

**Classification** identifies and describes the various kinds of work in an organization and groups similar positions together under the same common job title. Allocation is more specifically tied to the placement and/or budgeting of positions within an organization. Thus, a recommendation to allocate a position within an organization is based on the results of the classification analysis for that position.

### **Preponderance**

Some positions may have a mixture of duties related to several different occupational fields, and incumbents may even have various levels of responsibility. In these cases, allocation of the class is based on preponderant duties. Since preponderance is a measurement of importance, it is possible that the most time-consuming duties assigned to a position are not the most important and therefore not preponderant. Likewise, it is possible that the most responsible and complex duties of a job are not the most time-consuming. However, most of the time, preponderant duties are those that are both critical and performed frequently.

### **Classification of the Position, Not the Employee**

The class of a position should be consistent regardless of who holds the position. As such, the classification study process classifies **positions**, not individual **employees**. Positions are generally evaluated based on what they would look like if vacant or occupied by other employees.

Furthermore, the classification does not consider the capabilities of individual employees or the efficiency and effectiveness of an incumbent. It is not a measure of how well an individual employee performs. Classification is not a tool to reward individual achievement, nor should classes be created simply to reward length of service.

### **Level and Not Volume of Work**

Position classification reflects the **type** and **level** of work performed by an employee, and thus it is generally independent of **volume**. If one employee has twice the amount of work of another, yet they spend the same percentages of time on those tasks and other comparable duties, they will be placed in the same class. Study questionnaires do not ask for, and CPS HR does not consider employees' relative productivity as a classification factor. A classification study does not consider the volume of work produced because problems of excessive workload are properly solved by redistributing work or adding employees, not by reclassifying existing positions.

### Using Classification Factors

To develop classification/allocation recommendations, each position is first analyzed based on the **nature** of work performed. Nature of work refers to the occupation, profession, or subject matter field in which each position falls. Positions that perform work of a similar nature are considered to be in the same “job family”. Within each job family, the levels of the positions are determined based on various factors such as:

- **Scope and Complexity** – defines the breadth and difficulty of the assigned function or program responsibility inherent in the classification and the variety and nature of work performed.
- **Decision-Making/Authority** – consists of (a) the decision-making responsibility and degree of authority, independence or latitude that is inherent in the position, and (b) the impact of the decisions. This also considers the extent to which rules, regulations, manuals, procedures, prescribed work practices, principles, policies, or other written instruction or methods are available or required to perform the work.
- **Contact with Others Required by the Job** – measures (a) the types of contacts, and (b) the purpose of the contacts. ▪ **Supervision Received and Exercised** – describes the level of supervision received from others and the nature of supervision provided to other workers. It also relates to the independence of action inherent in a position.
- **Knowledge, Skills, and Abilities** – defines the minimum requirements to qualify for the position, including the training, education, experience, licenses, certificates, physical demands, mental exertion, and other factors necessary to perform the assigned responsibilities.
- **Authority/Responsibility** – defines the impact on the organization, including accountability and the likelihood/consequence of error.
- **Work Conditions** – identifies a hazardous, dangerous, or unpleasant environment and notes any adverse conditions.

This information is then used to develop a classification specification (description) for each identifiable body of work. Individual positions are compared against the classification specifications to determine how they should be allocated.

### Class Leveling Conventions

Class levels typically follow standard conventions. The following are some of the standardized class levels that appear in many classification plans.

- **Entry-Level** – is commonly the first level in a multi-level series. Most entry-level classes describe positions that provide on-the-job training to employees and thus do not require job applicants to have

substantial related work experience. In such situations, entry-level classes function as “trainee” classes, and as experience is obtained, employees perform their duties with less immediate supervision.

- **Journey-Level** – may be the second working-level class in a multi-level class series but always describes the class where incumbents are fully trained to perform the majority of non-specialized, non-leadership class series work. They may also assist in training and providing direction to others, particularly those at the entry level.

- **Advanced Level** – this is typically the level in a series that follows the journey level. Positions at this level have advanced or “specialized” assignments that are not given to all positions in the series. Examples of advanced/specialized roles include serving as a lead worker over subordinate staff or coordinating a program. In any case, “advanced” designation is only appropriate if the duties are above the journey-level and position allocations are limited. For that reason, not all class series have an advanced level class.

- **Technician** – is sometimes used by organizations to identify skilled trade classes or those with a technology emphasis. However, the term “technician” also describes sub-professional administrative classes where incumbents must regularly interpret and apply specialized laws, regulations and/or policies to make difficult decisions.

- **Coordinator** – is also a broad term that is occasionally used when “coordination” of a program of function is the preponderant assignment of the class. While it is not necessarily a leveling term, it would generally be appropriate for a class above the journey level.

- **Analyst** – is a title used only for professional-level classes where the preponderant duties involve breaking down a complex problem into various components; conducting research to understand how the components interact with and impact each other and how each component affects the problem; using the information gained to develop a recommendation on how to solve the problem, and preparing a comprehensive report that describes the proposed solution to the problem and explains how that conclusion was reached. Analyst classes typically require applicants to possess education equivalent to at least a bachelor’s degree.

- **Supervisor** – is used for positions where the preponderant responsibility is to supervise subordinate positions. Supervisors may also perform day-to-day work similar to their subordinates in type but usually are responsible for the more difficult or sensitive work in addition to their supervisory duties. Supervisory criteria can vary between organizations, but most supervisory classes are defined by their supervision over “regular” (full-time) employees. In most public agencies, regular employees have statutory employment rights and personnel actions imposed on them, such as hiring/firing, corrective action, and performance evaluations. They must comply with legal, contractual, and/or policy guidelines. Furthermore, several State and federal laws define supervisors as being legally responsible for their employment-related actions. Thus, true supervision is a distinct, complex, and highly responsible duty.

Within a class series, a supervisory-level level class may be needed for a position that supervises subordinate positions in the same series. For example, a professional level “Accountant Supervisor” could supervise the work of other professional Accountants. However, an Accountant could supervise clerical and technical without being classified as an “Accountant Supervisor.”

It is also important to distinguish between “true” supervision and lead work. Incumbents that assign, direct, and monitor the work of subordinate staff but do not have substantial control over subordinates’ employment through personnel actions like hiring/firing, corrective action, and performance evaluations are not full “supervisors.” Instead, such positions may be most appropriately classified to a lead worker class, as this kind of supervision is referred to as “technical supervision”.

▪**Manager** – is a title and leveling term that is limited to positions with complex and strategic duties and responsibilities that typically focus on planning, organizing, directing, staffing, and controlling their assigned programs and/or functions. Managers who oversee operational divisions or units typically supervise staff through subordinate supervisors. However, a program-focused manager may not have significant supervisory duties but instead has broad, comprehensive responsibility for overseeing one or more major programmatic functions within the organization. It is common for an organization to have several management layers, depending on the size and structure.

### **Flexible Allocation**

Flexible allocation is an administrative and budgeting tool that assists organizations in planning for work that can be assigned at more than one class level. In a flexibly allocated position, an employee may be hired at an initial level (e.g., the entry or first working level) and then be promoted to the next level without a competitive process when the qualifications for the next level are met.

Flexible allocation is beneficial when an organization is willing to initially hire an employee with limited qualifications, provide the training needed for the employee to learn and eventually perform the full scope of journey-level duties, and then promote the employee to the next level when qualified without requiring a visible competitive process (no vacancy is necessary). Instead, the employee’s demonstrated performance of the higher-level duties functions as the “test” by which promotion is justified. By flexibly allocating the position, the organization benefits from bringing new employees into the organization at a lower (and less costly) level while allowing the organization to appropriately classify their positions if/when the duties change without going through a cumbersome recruitment or classification process. Thus, it is useful for both recruitment and retention.

Since promoting from one level to the next higher level in a flexibly allocated position may be viewed as a promotion without an official, merit-based test, the manager/supervisor should provide written measurement of the employee’s performance with attention to timeliness, accuracy, and detail. The employee’s performance should be at a level that demonstrates that a promotion is warranted. Criteria for advancement should be based on an established policy decision before implementing flexible allocation and should be sufficiently understood that it can be articulated to all staff. Where flexibly



allocated positions exist in multiple divisions, consistent development, and application of promotional criteria are essential.

### **Career Ladders**

While flexible staffing addresses the natural progression of work that is expected in many jobs, career ladders can be a tool to help identify opportunities for employees to progress to a higher level of job responsibility. Career ladders can take many forms. Still, their essential purpose is to show the relationships between the various jobs within an organization. Simple charts or diagrams may provide a visual description of the classes within a job family. More detailed matrices can also be developed to show employees' specific qualifications and requirements to transfer or promote to such classes.

The problem with the term “career ladder” is that it is often misunderstood as a synonym for “more job class levels.” In other words, it is presumed that the purpose of career ladders is to create promotional opportunities by adding more classes/levels to a job family when the addition of classes should only be based on whether the organization has a genuine business need for additional levels of work. Furthermore, classification plans should be designed to meet organizational business needs, not simply to retain employees, and while an organization may choose to encourage internal promotion by establishing qualification patterns that give “credit” for internal experience, employees who are interested in promoting to a higher-paying job should also be willing to develop their ability to perform that job successfully.

The degree to which an employer chooses to encourage employee development typically has the most significant impact on employee professional growth. Suppose the organization considers it preferable to retain employees rather than bring in new people who have gained experience elsewhere. In that case, things like employer-paid training, tuition reimbursement, and educational incentives can provide proactive and effective ways of encouraging employees to improve their education and skills.

There are also several ways that a classification plan can be designed to support such growth. First, the employer can identify job families and class series' so that employees can see which classes are “related” to each other. Second, the employer can establish clear and well-written class descriptions, which helps employees recognize the differences between classes and identify the work performed at the different series levels. Third, employers can allow experience in a lower-level class to substitute for some of the requirements of the higher-level class. For example, the employer may allow the additional experience to substitute for the required education. Finally, employers can incorporate “flexible” language into their classification specifications, allowing the option of evaluating each applicant’s qualifications on a case-by case basis. A statement allowing “any combination of education and/or experience that provides the required knowledge and abilities” to be qualifying gives the employer the ability to make exceptions.

CPS HR notes that many of the above-described mechanisms are already in place at the District.

## **Appendix C: Classification Methodology**

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This section describes the general methodology used by CPS HR when establishing a classification plan and structure for our clients. We are providing this information to help explain our process.

## Classification Methodology

CPS HR used a variety of different classification methodologies and processes to gather and analyze information during this classification study. The first step in the classification study process was to review the District's background materials for CPS HR to become familiar with the organizational structure and district culture. Documents reviewed included: classification specifications, salary schedules, and the District's organizational charts. These background materials were critical to providing the framework for understanding the subsequent information to be collected. CPS HR utilized both the PDQs, and feedback obtained from the individual, and supervisor interviews to gain classification information, become familiar with the current organizational/classification structure and to recommend appropriate allocations.

**Position Description Questionnaires (PDQs)** - To evaluate each individual position, CPS HR developed an online PDQ designed to gather comprehensive information about each position including information on essential job functions, budgetary responsibility, supervision given and received, decision-making responsibility, knowledge, skills, and abilities, work environment, physical demands, minimum job requirements and job-specific requirements such as licenses or certifications. CPS HR shared a draft sample of the PDQ with the Classification Study Committee for review before the distribution of the PDQ to employees.

The online PDQ process, including instructions for completion, was distributed to all the study incumbents.

All District employees were invited to complete an online PDQ and to participate in the PDQ process. In completing the PDQs, incumbents were instructed to provide information based on their current job responsibilities. To maintain the integrity of the classification process, the participating employees' supervisors and department heads then reviewed and signed the PDQs to affirm that all pertinent information was correctly captured and to validate the information provided by employees. Supervisors and department heads could provide comments on any information provided by the employee within the PDQ. However, they were not allowed to edit or delete any of the PDQ content submitted by employees.

CPS HR also requested that an online PDQ be completed by a direct supervisor or manager for any vacant positions that Agency/District wished to include in the study.

Upon receipt, CPS HR thoroughly reviewed each PDQ to analyze the scope and level of duties, responsibilities, and related job attributes assigned to each position and compared them to the District classification specifications. This initial review allowed CPS HR to identify positions in which incumbents might be working out of class or positions requiring employee and/or supervisor interviews to obtain additional information.

**Classification Interviews** - The purpose of the classification interviews was to assist CPS HR in gathering additional information about the job duties and responsibilities associated with each position and to provide the incumbents an opportunity to explain any comments made on the PDQ that were unclear or inconsistent with the current class of the position. Supervisor and/or manager Interviews were also scheduled to confirm and/or clarify their perspective on various positions.

**Classification Data Analysis and Recommendations** - The information provided from the PDQs, and interviews were utilized to determine the degree to which District's current classification specifications describe the actual work being performed by the incumbents. The information was also used to develop new or revised draft proposed classification specifications and to properly allocate positions based on a proposed classification structure. CPS HR used the information to identify broad job families as appropriate.

**Classification Specifications** - CPS HR reviewed all information provided by the incumbents and supervisors, including PDQs, interviews, current classification specifications, as well as any other documentation and supporting materials.

For existing classifications, CPS HR updated classification specifications using a consistent classification specification template and format approved by the District. This included updating titles, definitions, supervision received/exercised, classification (distinguishing) characteristics, examples of typical functions, qualifications (knowledge, abilities, education, experience, licenses, and certifications) as needed. The scope of the study did not include a review of the physical requirements and work environment. Therefore, for proposed classifications, CPS HR mirrored the language already in use by District. Any updates made to these sections for existing classifications are limited to language modernization and/or consistency. The District should conduct a more detailed review of these sections.

Draft classification specifications were provided to the District for review prior to being provided to employees.

## **Appendix D: FLSA Designations**

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The table below shows each new recommended class and CPS HR’s recommended FLSA designation of “Exempt” or “Non-Exempt”:

<b>NEW CLASSIFICATION</b>	<b>FLSA STATUS</b>
<i>Accountant</i>	Non-Exempt
<i>Administrative Analyst</i>	Exempt
<i>Administrative Coordinator</i>	Non-Exempt
<i>Capital Projects Program Manager</i>	Exempt
<i>Communications and Public Affairs Manager</i>	Exempt
<i>Controller</i>	Exempt
<i>Customer Relations Specialist</i>	Non-Exempt
<i>Customer Relations Supervisor</i>	Non-Exempt
<i>Director of Business Administration</i>	Exempt
<i>Director of Engineering and Water Resources</i>	Exempt
<i>Director Of Operations</i>	Exempt
<i>Facilities and Fleet Services Supervisor</i>	Exempt
<i>Facilities and Fleet Services Technician</i>	Non-Exempt
<i>Field Operations Manager</i>	Exempt
<i>Field Operations Supervisor</i>	Exempt
<i>Finance Manager</i>	Exempt
<i>General Manager</i>	Exempt
<i>GIS Analyst</i>	Exempt
<i>HR Analyst</i>	Exempt
<i>HR Supervisor</i>	Exempt
<i>HR Manager</i>	Exempt
<i>Intern</i>	Non-Exempt
<i>IT Manager</i>	Exempt
<i>IT Supervisor</i>	Exempt
<i>IT Technician</i>	Non-Exempt
<i>Lab Analyst I</i>	Non-Exempt
<i>Lab Analyst II</i>	Non-Exempt
<i>Lab and Regulatory Compliance Supervisor</i>	Exempt
<i>OTS Manager</i>	Exempt
<i>OTS Supervisor</i>	Exempt
<i>OTS Technician I</i>	Non-Exempt
<i>OTS Technician II</i>	Non-Exempt
<i>Planning and Water Resources Manager</i>	Exempt
<i>Project Manager I</i>	Exempt
<i>Project Manager II</i>	Exempt
<i>Project Manager III</i>	Exempt
<i>Rate Analyst</i>	Exempt
<i>Risk Manager</i>	Exempt

<b>NEW CLASSIFICATION</b>	<b>FLSA STATUS</b>
<i>Safety and Risk Specialist</i>	Non-Exempt
<i>Senior HR Analyst</i>	Exempt
<i>Senior Laboratory Analyst</i>	Non-Exempt
<i>Senior OTS Technician</i>	Non-Exempt
<i>Senior Project Manager</i>	Exempt
<i>Senior Utility Services Technician</i>	Non-Exempt
<i>Senior Wastewater Treatment Operator</i>	Non-Exempt
<i>Senior Water Systems Operator</i>	Non-Exempt
<i>Senior Field Operator</i>	Non-Exempt
<i>SharePoint Developer and Database Administrator</i>	Exempt
<i>Sustainability Specialist</i>	Exempt
<i>Systems Analyst</i>	Exempt
<i>Systems and Networks Administrator</i>	Exempt
<i>Utility Services Manager</i>	Exempt
<i>Utility Services Supervisor</i>	Exempt
<i>Utility Services Technician I</i>	Non-Exempt
<i>Utility Services Technician II</i>	Non-Exempt
<i>Utility Services Technician III</i>	Non-Exempt
<i>Wastewater Treatment Manager</i>	Exempt
<i>Wastewater Treatment Operator I</i>	Non-Exempt
<i>Wastewater Treatment Operator II</i>	Non-Exempt
<i>Wastewater Treatment Operator III</i>	Non-Exempt
<i>Wastewater Treatment Supervisor</i>	Exempt
<i>Water Systems Manager</i>	Exempt
<i>Water Systems Operator I</i>	Non-Exempt
<i>Water Systems Operator II</i>	Non-Exempt
<i>Water Systems Operator III</i>	Non-Exempt
<i>Water Systems Supervisor</i>	Exempt
<i>Field Operator I</i>	Non-Exempt
<i>Field Operator II</i>	Non-Exempt
<i>Field Operator III</i>	Non-Exempt

# Eagle River Water and Sanitation District Total Compensation Report

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# I. Introduction

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CPS HR Consulting (CPS HR) was retained by Eagle River Water and Sanitation District (District) to conduct a total compensation study for thirty-six (36) benchmark classifications. The objective of the study was to collect updated data to determine the competitiveness of the District's compensation plan in the labor market and to create updated salary range recommendations. To achieve this, a labor market of ten (10) comparable agencies, plus information from the Economic Research Institute, was utilized, and base salary and total compensation data were collected and analyzed.

This document contains the project scope, describes the methodologies utilized in data collection and analysis, and provides the overarching results for the survey classifications. For consistency in labor market comparisons, all salary and benefits data are represented as of July 1, 2022.

# II. Project Scope and Work Plan

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To complete the total compensation study, the CPS HR Project Team completed the following tasks:

- Reviewed the District's background materials including classification specifications (resulting from the classification study conducted by CPS HR), salary schedules, position control documents, policies, and pay philosophy.
- Developed a data collection method and survey instrument.
- Reviewed the District's historical labor market and provided additional information about potential new agencies to survey.
- Received confirmation from the District regarding the labor market agencies and benchmark classifications to be surveyed.
- Determined that the most expeditious way of obtaining data was to gather as much information as possible from online sources and then follow-up with the surveyed agency to validate data and complete missing information.
- Researched salary and benefits data from the respective labor market agencies, including salary schedules, classification specifications, budgets, benefits summaries, and position control documents where available. The Project Team followed through with agencies to request further information or clarification on job matching and/or benefits levels.
- Provided information regarding preliminary classification matching for District review and comment.
- Facilitated discussions to clarify how the District wanted to approach market variance and developed salary recommendations for finalization by the District.

### III. Compensation Study Parameters

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The first step in conducting the total compensation refresh was to determine the basic parameters for the survey. These parameters included:

- Confirmation of the labor market position
- Labor market agencies (comparable agencies)
- Survey classifications (benchmark classifications)
- Survey scope

#### Labor Market Position

Based on the District's request, this report provides a labor market data analysis based on the median of the market. The labor market median, which is described as the "middle" of the market, is the data point at which half of the complete range of data (excluding ERWSD data) is higher, and half of the complete range of data (excluding ERWSD data) is lower. The median is a common market position, particularly in smaller data sets, because the data is less likely to be skewed by high and low payers in the market.

The labor market position provides a goal post in the data from which to set the desired labor market position. There are three labor market position options:

1. Lead the market
2. Meet the market
3. Lag the market

Leading the market is the alignment of pay parameters and positions pay parameters *higher* than the market (i.e., 60<sup>th</sup> percentile or 70<sup>th</sup> percentile). Lagging the market is positioning pay parameters *below* the market (i.e., 40<sup>th</sup> percentile or lower). Meeting the market is positioning pay parameters *at the median of the market* (i.e., exactly at the 50<sup>th</sup> percentile).

Ultimately, the client selects the desired labor market position based on affordability, recruitment and retention goals, and business strategy.

#### Labor Market Agencies

The labor market agencies (see Table 1 on next page) were selected by the District based on historical practice. Data from Economic Research Institute were also collected to ascertain if the trends observed in the comparable agencies were confirmed by a larger data set in the industry. Local trends were supported overall by the ERI data.

**Table 1. List of Comparable Labor Markets.**

1. Carollo Engineering
2. City of Aspen
3. Denver Water
4. Holy Cross Energy
5. Metro Water Recovery
6. Parker Water and Sanitation District
7. SGM Civil Engineering
8. Town of Erie
9. Town of Frisco
10. Town of Vail

**Study Classifications**

The benchmark classifications for the study are presented in Table 2. Summary descriptions for all survey benchmark classifications were based on the classification specifications resulting from the classification study.

**Table 2. List of Benchmark Classifications.**

1. Accountant
2. Administrative Analyst
3. Administrative Coordinator
4. Capital Projects Program Manager
5. Communications and Public Affairs Manager
6. Customer Relations Specialist
7. Director of Business Administration
8. Director of Engineering and Water Resources
9. Director of Operations
10. Facilities and Fleet Services Supervisor
11. Facilities and Fleet Services Technician
12. Field Operations Manager
13. Field Operator II
14. Finance Manager
15. General Manager
16. GIS Analyst
17. HR Analyst
18. HR Manager
19. IT Manager
20. IT Technician
21. Lab Analyst II
22. Lab and Regulatory Compliance Supervisor
23. OTS Manager

24. OTS Technician II
25. Project Manager II
26. Safety and Risk Management Coordinator
27. SharePoint Developer and Database Administrator
28. Sustainability Specialist
29. Systems Analyst
30. Systems and Networks Administrator
31. Utility Services Manager
32. Utility Services Technician II
33. Wastewater Treatment Manager
34. Wastewater Treatment Operator II
35. Water Systems Manager
36. Water Systems Operator II

## Survey Data Collection Scope

### ***Comparable Classifications – Classification Matching***

When conducting a salary survey, the intent is to provide general market trends by comparing the span of control, duties and responsibilities, knowledge, and skill and ability requirements to determine whether these are comparable enough to utilize as a match. With a balanced labor market and the use of whole job analysis, it is reasonable to assume that while some matches will have slightly higher responsibilities and some matches will have slightly lower responsibilities, the overall scope of duties and responsibilities of the combined matches will be balanced.

In the process of matching comparable classifications from other agencies, CPS HR did not only rely strictly on titles or classification specifications. CPS HR also referenced position control documents, where available, to specifically identify which classification, and level of classification, performed the duties of District's classifications. This is particularly relevant to non-supervisory, non-management classifications where there are multi-level classifications within the series matched from the other agencies. In addition, budgets or other fiscal tools facilitating series progression through multiple levels may provide greater flexibility in the use of the classification structure than is evident in the content of the classification specification. To the extent possible, CPS HR identified the operational use of a classification in determining whether it was a comparable job match. However, it is notable that the District's labor market includes several cities, and that some citywide management classifications (e.g., in areas such as human resources, information technology and public information) were not considered comparable to District management classes in these same areas due to their broader, citywide roles.

### ***Comparable Classifications – Required Number of Comparable Classifications***

CPS HR's best practice is that benchmark positions must have a minimum of three (3) classification matches to be analyzed. In most studies, it is common to have some classes for which limited market data exists.

There are many reasons a benchmark class may not have enough comparable data including:

- Differences in the delivery of services
- Differences in span of control

- Differences in organizational structure
- Differences in operational size
- The classification is not commonly found in other agencies
- Agency does not provide that service

While a compensation plan is developed through the analysis of both external market data and internal relationships, the absence of sufficient labor market data for a particular classification does not mean that a salary recommendation cannot be developed. In such cases, salary recommendations are primarily based upon internal equity with other classes.

**Labor Market Benefits and Other Compensation Practices Collected**

CPS HR collected numerous benefits and compensation practices, in addition to base salary, to complete the total compensation evaluation of the District in the labor market. When measuring the market, the goal is to identify an agency’s competitive position in the labor market to attract and retain talent, in addition to promoting internal equity. This is done by measuring those benefits and/or perquisites that new employees would receive upon their date of hire. Reported benefits are those for which all employees in an employee group would qualify; other compensation is reported based on qualified employee group and/or classification. The benefit and other compensation data collected for this study were selected by the District and are presented in Table 3.

**Table 3. Benefit and Other Compensation Data Collected.**

Benefit, Pay Structures and Practice	Description	Included in Total Compensation Calculations
<b>Defined Contribution and Benefit Plans</b>		
Employer Retirement Contribution	The employer’s Normal Cost Rate represents the annual cost of service accrual for the fiscal year for active employees as reported in the plan’s actuarial valuation. The employers’ Normal Cost (NC) Rate can be a blended rate for all benefit groups in the plan or reported based on a specific plan tier.	Included
Employer Paid Member Contributions (EPMC)	Refers to an employment benefit provided to Classic members of a Defined Benefit Retirement Plan, in which the employer agrees to pay some or all of the statutorily required employee contribution to the retirement system, sometimes referred to as “pick-up” contribution.	Not Included
Employee Cost Sharing	Cost Sharing allows a contracting agency or an agency that initially contracts with CalPERS to share the cost of additional retirement benefits with the employees as a result of a written agreement with the employee group. Cost sharing applies to Classic and PERPA membership.	Not Included

Benefit, Pay Structures and Practice	Description	Included in Total Compensation Calculations
Federal Insurance Contributions Act (FICA)	Refers to the Federal Insurance Contributions Act (FICA) which is a United States federal payroll contribution, of employees and employers, to fund Social Security (6.2%) and Medicare (1.45%). State and local government employees may be covered for social security and Medicare either by mandatory coverage, or under a Section 218 Agreement between the state and the Social Security Administration. Under some circumstances, an employee may be excluded from social security or Medicare (uncommon practice), or both.	Included
Deferred Compensation Plans	Refers to deferred compensation plans such as 457, 401a and 401k which allow a portion of an employee's income or employer contribution to be paid out at a later date after which the income was actually earned allowing for a deferral of taxes. The amount(s), if any, that the agency contributes to an employee's deferred compensation plan are reported; in many cases, this is a voluntary employee benefit.	Non-matching employer contributions or matching employer contributions based on mandated employee contributions are included in total compensation calculations.
<b>Health and Welfare</b>		
Basic Life Insurance	The benefit amount of the basic life Insurance that an agency provides to their employees is reported.	Not Included
Basic Long Term Disability Insurance (LTD)	The benefit amount of the basic LTD insurance that an agency provides to their employees is reported.	Not Included
Health Benefit Employer Contributions	The value of the employer's monthly contribution for health benefits, which include medical, dental, and vision benefits, based on the maximum contribution for family coverage (employee + 2 or more dependents) is used in calculating total compensation.	Included
<b>Paid Leave</b>		
Floating Holidays	Personal leave is a general-purpose leave benefit, used for reasons important to the individual employee, but not otherwise provided by other forms of leave; can be referred to as Personal Leave.	Not Included
Annual Leave	Annual Leave is a consolidated leave plan. Consolidated leave plans provide a single amount of time off for workers to use for any of a number of purposes, such as vacation, illness, and personal business. Upon separation or retirement, employees are compensated for any unused hours.	Not Included

Benefit, Pay Structures and Practice	Description	Included in Total Compensation Calculations
Holiday Leave	Holidays are days off from work on days of special religious, cultural, social, or patriotic significance on which work, and business ordinarily cease.	Not Included
Management Leave	Leave awarded to employees which are FLSA exempt to recognize additional time worked to perform job duties.	Not Included
Sick Leave	Employer paid time off offered to employees to compensate for time away from work while sick or injured.	Not Included
Vacation Leave	Time-off from work normally taken in days or weeks that provide employees with a rest or break from work. The amount of time-off may vary based on an employee's length-of-service with the employer or it may be a fixed number of days or weeks.	Not Included
Bereavement Leave	Time-off from work, paid or unpaid, due to the death of an eligible individual, usually a close relative.	Not Included
Floating Holidays	Personal leave is a general-purpose leave benefit, used for reasons important to the individual employee, but not otherwise provided by other forms of leave; can be referred to as Personal Leave.	Not Included
<b>Other Compensation</b>		
Longevity	Payment to an employee based on seniority or length of service with an employer.	Not Included
Allowances	Pay allowances reflect the general policies related to compensation provided to offset an employee's cost of personnel items such as vehicles, phones, technology, uniforms, safety footwear, tools etc. used for an agency's business. The allowances may not be universally applicable to all positions within a unit and maybe dependent on other factors.	Included if classification eligibility can be determined
Differential	Pay differentials are additional compensation to entice employees to agree to work alternate shifts, perform additional duties/skills not required by assigned classification.	Not Included
Incentive	Incentive compensation is awarded for results rather than for time worked. Incentive pay is used to incentivize employees to achieve outstanding performance, a milestone in education or certification, or gaining skills above the level required for the classification of the position or personnel improvement.	Not Included



Benefit, Pay Structures and Practice	Description	Included in Total Compensation Calculations
Reimbursements	Reimbursement is the act of compensating an employee for an out-of-pocket expense by giving them an amount of money based on an agency’s general reimbursement policy. Reimbursements can be for e.g., tuition, books, licenses, certification, professional fees or memberships or business-related equipment.	Not Included

## IV. Survey Results

### Labor Market Response

CPS HR was able to obtain data from all labor market agencies for this study.

### Benchmark Comparable Classification Requirement

All of the benchmark classifications met the requirement of a minimum of three (3) comparable matching classifications except one benchmark: SharePoint Developer and Database Administrator.

### Overall Survey Results

The District’s overall position within the labor market, and the averages for each classification, are presented in base salary and total compensation datasheets reflected in files provided to the District under separate cover.

However, in Table 4 starting on Page 10 of this document, we have provided a summary of the District’s position within the labor market by classification. It illustrates the following information for each benchmark classification:

- The District’s classification title.
- The number of comparable classifications found in the labor market.
- The control points of current monthly salary (minimum, midpoint, maximum) for the survey classifications.
- The labor market median of the control points which is calculated using the same control point for each of the comparable classes; that range of data is then computed to provide the median amount. (The District’s salary is not included in the calculation).
- The percentage that the District’s control points are above or below the median of the labor market; these numbers indicate what percentage of salary is required to move it up or down to the market median.

With the agreement of the District, CPS HR used median data to prepare the market comparisons presented in the table since the market median eliminates high and low payers which can skew data and outcomes and therefore tends to provide a more stable representation of trends in the market.

**Note that positive percent variance indicates the District is lagging the market; negative percent variance figures indicate where the District leads the market.**

**Table 4. Agency Percent (%) Above/Below Labor Market Medians by Classification.**

#	Classification Title	# of matches	Base Salary Minimum	Base Salary Midpoint	Base Salary Maximum	LM Base Salary Minimum	LM Base Salary Midpoint	LM Base Salary Maximum	Mrkt Variance from Min	Mrkt Variance from Mid	Mrkt Variance from Max	Client Bandwidth	Agency TC	Mrkt TC	Mrkt Variance from TC
1	Accountant	6	\$4,782.27	\$5,977.40	\$7,172.53	\$5,000.63	\$6,010.00	\$7,019.37	4.57%	0.55%	-2.14%	49.98%	\$13,207.86	\$9,853.33	-25.40%
2	Administrative Analyst	6	\$3,532.53	\$5,603.87	\$7,675.20	\$4,268.77	\$5,075.63	\$5,882.50	20.84%	-9.43%	-23.36%	117.27%	\$13,774.11	\$9,002.31	-34.64%
3	Administrative Coordinator	8	\$3,532.53	\$4,472.87	\$5,413.20	\$3,494.59	\$4,301.50	\$5,071.30	-1.07%	-3.83%	-6.32%	53.24%	\$11,225.97	\$7,520.05	-33.01%
4	Capital Projects Program Manager	8	\$8,120.00	\$10,142.13	\$12,164.25	\$9,415.27	\$11,457.02	\$13,655.69	15.95%	12.96%	12.26%	49.81%	\$18,844.03	\$17,790.04	-5.59%
5	Comm and Public Affairs Manager	9	\$9,450.00	\$11,812.50	\$14,175.00	\$8,229.08	\$10,613.33	\$12,899.17	-12.92%	-10.15%	-9.00%	50.00%	\$21,096.14	\$16,115.47	-23.61%
6	Customer Relations Specialist	5	\$4,269.20	\$5,125.47	\$5,981.73	\$3,436.62	\$4,218.71	\$5,089.92	-19.50%	-17.69%	-14.91%	40.11%	\$11,866.42	\$7,412.00	-37.54%
7	Director of Business Admin	4	\$10,500.00	\$13,125.00	\$15,750.00	\$10,722.90	\$13,273.27	\$15,823.64	2.12%	1.13%	0.47%	50.00%	\$22,870.38	\$19,759.23	-13.60%
8	Director of Engineering and Water Resources	6	\$10,500.00	\$13,125.00	\$15,750.00	\$10,878.21	\$13,293.03	\$15,828.42	3.60%	1.28%	0.50%	50.00%	\$22,870.38	\$20,670.07	-9.62%
9	Director of Operations	5	\$10,500.00	\$13,125.00	\$15,750.00	\$10,836.80	\$13,815.54	\$16,794.27	3.21%	5.26%	6.63%	50.00%	\$22,870.38	\$21,098.94	-7.75%
10	Facilities and Fleet Services Supervisor	5	\$5,413.20	\$6,766.07	\$8,118.93	\$5,682.67	\$6,989.46	\$8,296.25	4.98%	3.30%	2.18%	49.98%	\$14,273.97	\$10,994.47	-22.98%
11	Facilities and Fleet Services Technician	6	\$4,269.20	\$5,076.94	\$5,884.67	\$4,189.30	\$5,087.19	\$5,985.09	-1.87%	0.20%	1.71%	37.84%	\$12,345.55	\$8,668.91	-29.78%
12	Field Operations Manager	3	\$8,120.00	\$10,142.13	\$12,164.25	\$7,638.50	\$9,166.21	\$10,693.92	-5.93%	-9.62%	-12.09%	49.81%	\$18,862.03	\$13,895.70	-26.33%
13	Field Operator II	4	\$3,827.20	\$4,533.54	\$5,239.87	\$4,224.72	\$5,128.98	\$6,033.24	10.39%	13.13%	15.14%	36.91%	\$11,061.71	\$8,916.73	-19.39%
14	Finance Manager	3	\$8,120.00	\$10,142.13	\$12,164.25	\$7,909.06	\$10,545.42	\$13,181.77	-2.60%	3.98%	8.36%	49.81%	\$18,831.03	\$16,763.08	-10.98%

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#	Classification Title	# of matches	Base Salary Minimum	Base Salary Midpoint	Base Salary Maximum	LM Base Salary Minimum	LM Base Salary Midpoint	LM Base Salary Maximum	Mrkt Variance from Min	Mrkt Variance from Mid	Mrkt Variance from Max	Client Bandwidth	Agency TC	Mrkt TC	Mrkt Variance from TC
15	General Manager	3	\$12,500.00	\$16,015.63	\$19,531.25	\$12,176.75	\$15,829.75	\$19,482.75	-2.59%	-1.16%	-0.25%	56.25%	\$27,129.95	\$24,017.90	-11.47%
16	GIS Analyst	9	\$4,569.07	\$5,484.27	\$6,399.47	\$5,590.33	\$6,906.88	\$8,198.50	22.35%	25.94%	28.11%	40.06%	\$12,337.00	\$11,878.85	-3.71%
17	HR Analyst	3	\$4,269.20	\$5,125.47	\$5,981.73	\$5,318.42	\$6,382.09	\$7,445.75	24.58%	24.52%	24.47%	40.11%	\$11,866.42	\$10,064.25	-15.19%
18	HR Manager	8	\$8,120.00	\$10,142.13	\$12,164.25	\$8,169.42	\$9,886.86	\$11,746.83	0.61%	-2.52%	-3.43%	49.81%	\$18,831.03	\$15,978.70	-15.15%
19	IT Manager	7	\$8,120.00	\$10,142.13	\$12,164.25	\$8,314.80	\$10,649.75	\$13,312.19	2.40%	5.01%	9.44%	49.81%	\$18,862.03	\$16,908.44	-10.36%
20	IT Technician	8	\$4,153.07	\$4,985.94	\$5,818.80	\$4,690.77	\$5,554.32	\$6,452.33	12.95%	11.40%	10.89%	40.11%	\$11,713.88	\$9,090.80	-22.39%
21	Lab Analyst II	3	\$4,569.07	\$5,484.27	\$6,399.47	\$4,903.60	\$5,885.54	\$7,004.00	7.32%	7.32%	9.45%	40.06%	\$12,671.98	\$10,098.88	-20.31%
22	Lab and Regulatory Compliance Supervisor	3	\$6,245.20	\$7,806.07	\$9,366.93	\$7,164.67	\$9,098.34	\$11,032.00	14.72%	16.55%	17.78%	49.99%	\$15,694.85	\$13,986.91	-10.88%
23	OTS Manager	4	\$8,120.00	\$10,142.13	\$12,164.25	\$7,718.25	\$9,840.76	\$11,963.28	-4.95%	-2.97%	-1.65%	49.81%	\$18,862.03	\$15,648.70	-17.04%
24	OTS Technician II	4	\$5,676.67	\$7,096.27	\$8,515.87	\$5,370.03	\$6,606.80	\$7,831.12	-5.40%	-6.90%	-8.04%	50.02%	\$15,322.69	\$10,814.08	-29.42%
25	Project Manager II	6	\$5,676.67	\$7,521.80	\$9,366.93	\$7,315.46	\$9,072.63	\$10,812.62	28.87%	20.62%	15.43%	65.01%	\$15,692.85	\$14,646.04	-6.67%
26	Safety and Risk Management Coordinator	3	\$5,118.53	\$6,396.87	\$7,675.20	\$6,609.83	\$7,931.83	\$9,253.83	29.14%	24.00%	20.57%	49.95%	\$13,774.11	\$12,273.44	-10.89%
27	SharePoint Developer and Database Administrator	2	\$10,000.00	\$11,666.67	\$13,333.33	\$7,247.39	\$8,708.42	\$10,169.45	-27.53%	-25.36%	-23.73%	33.33%	\$20,179.00	\$13,448.92	-33.35%
28	Sustainability Specialist	4	\$5,118.53	\$6,396.87	\$7,675.20	\$5,655.04	\$6,925.81	\$8,159.05	10.48%	8.27%	6.30%	49.95%	\$13,774.11	\$11,410.38	-17.16%
29	Systems Analyst	3	\$4,568.20	\$5,483.66	\$6,399.12	\$5,719.75	\$6,863.71	\$8,007.67	25.21%	25.17%	25.14%	40.08%	\$12,367.61	\$10,869.64	-12.11%
30	Systems and Networks Administrator	6	\$5,118.53	\$6,396.87	\$7,675.20	\$6,924.52	\$8,473.35	\$10,022.19	35.28%	32.46%	30.58%	49.95%	\$13,805.11	\$13,853.63	0.35%
31	Utility Services Manager	3	\$8,120.00	\$10,142.13	\$12,164.25	\$6,609.83	\$7,931.83	\$9,470.83	-18.60%	-21.79%	-22.14%	49.81%	\$18,831.03	\$12,627.24	-32.94%
32	Utility Services Technician II	5	\$3,827.20	\$4,533.54	\$5,239.87	\$3,980.92	\$4,683.42	\$5,450.00	4.02%	3.31%	4.01%	36.91%	\$11,292.71	\$8,614.93	-23.71%

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#	Classification Title	# of matches	Base Salary Minimum	Base Salary Midpoint	Base Salary Maximum	LM Base Salary Minimum	LM Base Salary Midpoint	LM Base Salary Maximum	Mrkt Variance from Min	Mrkt Variance from Mid	Mrkt Variance from Max	Client Bandwidth	Agency TC	Mrkt TC	Mrkt Variance from TC
33	Wastewater Treatment Manager	3	\$8,120.00	\$10,142.13	\$12,164.25	\$7,105.58	\$9,390.08	\$11,737.60	-12.49%	-7.42%	-3.51%	49.81%	\$18,862.03	\$15,153.56	-19.66%
34	Wastewater Treatment Operator II	3	\$4,283.07	\$4,989.40	\$5,695.73	\$4,132.67	\$4,862.00	\$5,591.33	-3.51%	-2.55%	-1.83%	32.98%	\$11,860.03	\$8,303.54	-29.99%
35	Water Systems Manager	5	\$8,120.00	\$10,142.13	\$12,164.25	\$7,164.67	\$9,390.08	\$11,737.60	-11.77%	-7.42%	-3.51%	49.81%	\$18,862.03	\$15,153.56	-19.66%
36	Water Systems Operator II	5	\$3,827.20	\$4,533.54	\$5,239.87	\$4,080.58	\$4,713.08	\$5,591.33	6.62%	3.96%	6.71%	36.91%	\$11,323.71	\$8,303.54	-26.67%

## Overall Summary of Labor Market Position Analysis

The data in the previous table shows that the results of the comparison between the District's salaries to those in relevant labor market are mixed, with some classifications above and others below the labor market when comparing base salary and total compensation categories. The degree of variance depends on whether the minimum, midpoint or maximum salaries are compared.

## V. Benefit Data Collection and Analysis

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Base salary and total compensation data are presented for every benchmark classification. A summary of benefits data is presented next.

### ■ Summary B-1: Salary Structure and Compensation Adjustments

Each agency was asked to provide the details about their employee groups, MOU Terms, salary schedule effective date, and the date/amount of the next scheduled cost of living increase (COLA).

### ■ Summary B-2: Retirement Contribution Practices, Cost Sharing, and FICA Participation

This section summarizes data pertaining to the retirement plan's administration, employer's contribution, cost-sharing, and each agency's participation in Social Security. It is presumed that all labor market agency employees participate in Medicare. The data (Social Security and Employer Contributions) from this section is included in the total compensation calculations.

FY 22/23 Employer Retirement Contribution: Employer's normal cost contribution.

Cost Sharing: The percentage of employer's contribution cost-shared with employees.

Social Security: When an agency participates in Social Security, the contribution rate is 6.20% of the median compensation and is included in the total compensation calculation.

Retirement practices are listed by tiers, as many agencies have multiple retirement tiers.

- Eight (8) of the labor market agencies participate in Social Security benefits and two (2) labor market agencies do not participate. Eagle River WSD does not participate in Social Security.
- Six (6) labor market agencies contribute a set percentage per employee to the agency's retirement plan.
- Three (3) labor market agencies contribute to retirement savings account if their employees also contribute.
- One (1) labor market agency contributes a bulk amount to the defined benefit plan and not a set percentage per employee.

- FY 22/23 - The average rate for the six (6) labor market agencies contributing directly to retirement plans is 8.44%. Eagle River WSD's retirement contribution rate is 11.20%.
- Zero (0) of the labor market agencies have retirement cost-sharing.

### ■ Summary B-3: Defined Contribution Plans

Each agency was asked to provide their practices regarding agency contributions to deferred compensation programs, which can provide a non-matching or matching contribution; in many cases, this is a voluntary employee benefit. Deferred compensation plans such as 457, 401a, and 401k, allow a portion of an employee's income or employer contribution to be paid out at a later date after which the income was actually earned thus allowing for a deferral of taxes. The data from this section is included in the total compensation calculations and reflects the maximum contribution provided by the employer.

- Nine (9) labor market agencies offer deferred compensation plans and one (1) does not offer any kind of deferred compensation plan.
- Five (5) labor market agencies provide employer matching contribution of between 3% and 5% if the employee contributes.
- Three (3) labor market agencies offer deferred compensation plans but do not make any employer contributions to the plan.
- One (1) labor market agency provides an employer contribution of 14% without any required employee contribution. If employees do elect to contribute, the agency will contribute up to an additional 4% in matching contributions.
- *Eagle River WSD offers a 457 Deferred Compensation plan to employees but does not make any employer contributions to the plan.*

### ■ Summary B-4: Monthly Health Plan Contributions

Each agency was asked to provide data related to cafeteria plans (Flex Credit), health benefits which include medical, dental, and vision plans offered to employees and their eligible dependents. Employer contributions are reported as monthly contributions for medical, dental, and vision or flexible credits for health benefits based on family coverage.

Flex Credit: A "flex credit" is an employer contribution in a health plan that the employee then allocates to benefits that may subsidize basic health benefits and may include life insurance, disability plans, and other voluntary health benefits.

- Cafeteria Plan Practices (Flex Credit) – Three (3) labor market agencies contribute funds to a Flexible Credit/HSA account to assist employees with out-of-pocket expenses.
- Medical Insurance Practices – Each agency was asked to provide a contribution for full family coverage. The average contribution is \$2,159.65. *Eagle River WSD contributes \$3195.34 to family medical coverage.*

- Dental Insurance Practices – Each agency was asked to provide a contribution for full family coverage. Nine (9) labor market agencies contribute directly to Dental, and the average contribution is \$108.03. *Eagle River WSD contributes \$127.34 to family dental coverage.*
- Vision Insurance Practices – Three (3) labor market agencies provide a separate contribution for full family coverage. The average contribution is \$22.27. *Eagle River WSD contributes \$5.47 to family vision coverage.*

Note, it is not uncommon for agencies to not provide a separate vision plan, as vision services are often provided as part of medical plans.

- The data from this section is included in total compensation calculations.
- The average total employer health insurance contribution for all labor market agencies is \$2286.06.
- *Eagle River WSD's total employer health contribution is \$3328.15.*

#### ■ **Summary B-5: Waived/Opt. Out Health Benefit Stipend**

This section reports money provided to employees for waiving agency provided medical, dental, and vision benefits.

- One (1) labor market agency currently provides an opt out stipend of \$150 per month.
- *Eagle River WSD does not provide this benefit.*

#### ■ **Summary B-6: Basic Life Insurance, Accidental Death and Dismemberment (AD&D), and Long-Term Disability**

This section reports agency contribution practices for Life Insurance, AD&D, and Long-Term Disability.

- Life Insurance & AD&D
  - One (1) labor market agency provides a benefit of \$50,000.
  - One (1) labor market agency provides a benefit of one (1) times annual salary to a maximum of \$50,000.
  - One (1) labor market agency provides a benefit of one (1) times annual salary to a maximum of \$400,000.
  - One (1) labor market agency provides a benefit of 1.5 times annual salary.
  - Two (2) labor market agencies provide a benefit of 1.5 times annual salary to a maximum of \$150,000 - \$200,000.
  - One (1) labor market agency provides a benefit of two (2) times annual salary.
  - One (1) labor market agency provides a benefit of 2.5 times annual salary to a maximum of \$200,000.
  - Two (2) labor market agencies provide a benefit of two (2) times annual salary to a maximum of \$300,000 and \$500,000.

- *Eagle River WSD provides a benefit of three (3) times annual salary to a maximum benefit of \$400,000 of life insurance and AD&D benefits. Eagle River WSD also provides \$1,000 of life insurance for spouse and dependent children.*
- Long Term Disability
  - Six (6) labor market agencies provide a benefit of 60% of salary to a maximum allowable benefit of \$5,000 - \$10,000 per month.
  - One (1) labor market agency provides a benefit of 60% of salary with no maximum benefit.
  - Two (2) labor market agencies provide a benefit of 66.67% of annual salary to a maximum allowable benefit of \$5,000 - \$7,000 per month.
  - One (1) labor market agency provides a benefit of 66.67% of salary to a maximum allowable benefit of \$12,000 per month.
  - *Eagle River WSD does not provide this as an employer paid benefit. Long Term Disability Benefit is available for purchase by employees at their own expense.*

#### ■ Summary B-7: Vacation and Sick Leave Accruals

This section reports on vacation/PTO and sick leave accruals. This section also reflects the amount of sick leave provided each year, as well as the maximum amount an employee could accrue.

- **Vacation/PTO- 1 year of service:**
  - One (1) labor market agency provides vacation/PTO benefits of 10 days.
  - Four (4) market agencies provide vacation/PTO benefits of 12 - 14 days.
  - Two (2) labor market agencies provide vacation/PTO benefits of 15 days.
  - One (1) labor market agency provides vacation/PTO benefits of 18 days.
  - One (1) labor market agency provides vacation/PTO benefits of 22 days.
  - One (1) labor market agency provides vacation/PTO benefits of 24 days.
  - *Eagle River WSD provides 12 vacation/PTO days in the first year and 15 days at 3 – 4 years of service.*
- **Vacation/PTO- 5 years of service:**
  - Two (2) labor market agencies provide vacation/PTO benefits of 15 – 17 days.
  - Three (3) labor market agencies provide vacation/PTO benefits of 18 days.
  - Two (2) labor market agencies provide vacation/PTO benefits of 20 days.
  - Two (2) labor market agencies provide vacation/PTO benefits of 24 days.
  - One (1) labor market agency provides vacation/PTO benefits of 28 days.
  - *Eagle River WSD provides 18 vacation/PTO days at five (5) years of service*
- **Vacation/PTO- 10 years of service milestone:**
  - One (1) labor market agency provides vacation/PTO benefits of 18 days.
  - One (1) labor market agency provides vacation/PTO benefits of 19 days.
  - One (1) labor market agency provides vacation/PTO benefits of 20 days.



- Three (3) labor market agencies provide vacation/PTO benefits of 23 days.
  - One (1) labor market agency provides vacation/PTO benefits of 25 days at 6+ years of service.
  - Two (2) labor market agencies provide vacation/PTO benefits of 28 days.
  - One (1) labor market agency provides vacation/PTO benefits of 29 days.
  - *Eagle River WSD provides 21 vacation/PTO days from 7+ years of service.*
- **Vacation/PTO- 15 years of service milestone:**
- One (1) labor market agency provides vacation/PTO benefits of 20 days.
  - Five (5) labor market agencies provide vacation/PTO benefits of 22 - 25 days.
  - One (1) labor market agency provides vacation/PTO benefits of 27 days.
  - Two (2) labor market agencies provide vacation/PTO benefits of 28 days.
  - One (1) labor market agency provides vacation/PTO benefits of 34 days. Note this agency (Holy Cross Energy) does not provide any separate sick leave benefit.
  - *Eagle River WSD provides 21 vacation/PTO days from 7+ years of service.*

■ **Summary B-8: Sick Paid Leave**

- Two (2) labor market agencies do not provide this benefit (Holy Cross and Carollo Engineering).
  - One (1) labor market agency provides extended sick leave benefits of five (5) days for use after 32 hours of PTO/Vacation time.
  - One (1) labor market agency provides sick leave benefits of six (6) days.
  - One (1) labor market agency provides sick leave benefits of 8.6 days (accrues at 1 hour per 30 hours worked).
  - One (1) labor market agency provides sick leave benefits of nine (9) days.
  - Four (4) labor market agencies provide sick leave benefits of 12 days.
  - *Eagle River WSD provides sick leave benefits of 12 days.*
- **Sick Leave Max Accrual/Carry Overs:**
- Two (2) labor market agencies do not provide this benefit.
  - One (1) labor market agency has a use it or lose it policy with no carryover.
  - One (1) labor market agency has a limit of six (6) days.
  - One (1) labor market agency has a limit of 30 days.
  - One (1) labor market agency has a limit of 65 days.
  - One (1) labor market agency has a limit of 72 days of which 60 days can be carried over.
  - Two (2) labor market agencies have a limit of 195 days.
  - One (1) labor market agency has no limit.
  - *Eagle River WSD has no limit for sick leave.*

## ■ Summary B-9: Other Paid Leaves

This section reports on holiday, floating holiday, and management leave time off practices. This data is not included in the total compensation calculations.

- Holidays
  - Two (2) labor market agencies provide six (6) paid holidays.
  - One (1) labor market agency provides seven (7) paid holidays.
  - Five (5) labor market agencies provide eight (8) paid holidays.
  - One (1) labor market agency provides nine (9) paid holidays.
  - One (1) labor market agency provides ten paid holidays.
  - *Eagle River WSD provides 10.5 paid holidays.*
- Floating Holidays
  - One (1) labor market agency provides eight (8) paid floating holidays.
  - Nine (9) labor market agency do not provide paid floating holidays.
  - *Eagle River WSD provides three (3) paid floating holidays.*
- Administrative/Management Leave
  - One (1) labor market agency provides exempt employees with one (1) hour of leave for every two (2) hours worked over 80 hours in a payroll period. Maximum accrual is 80 hours per year.
  - Nine (9) labor market agencies do not provide administrative/management leave.
  - *Eagle River WSD does not provide this benefit.*

## ■ Summary B-10: Longevity Incentives (YOS = Years of service)

This section reports the longevity pay practices. Longevity pay is provided as a retention incentive. The data from this section at the fifteen (15) year milestone is included in the total compensation calculations if it is a salary increase – bonus payments are not included as they are only one-time payments. Longevity pay can be either a percent or a flat dollar amount.

- Eight (8) labor market agencies do not provide any longevity benefit.
- One (1) labor market agency provides a \$1,000 bonus at 10 yos and one (1) labor market agency provides a \$150 gift certificate at 10 yos.
- One (1) labor market agency provides a \$1,500 bonus at 15 yos and one (1) labor market agency provides a \$1,000 bonus at 15 yos.
- One (1) labor market agency provides a \$2,000 bonus at 20 yos and one (1) labor market agency provides a \$2,000 bonus at 20 yos.
- One (1) labor market agency provides a \$2,500 bonus at 25 yos and one (1) labor market agency provides a \$3,000 bonus at 25 yos.
- One (1) labor market agency provides a \$3,000 bonus at 30 yos and one (1) labor market agency provides a \$4,000 bonus at 30 yos.

- One (1) labor market agency provides a \$5,000 bonus at 35 yos and \$6,000 at 40 yos.
- Eagle River WSD provides an increase of \$1,000 at 10 yos, \$1,500 at 15 yos, \$2,000 at 20 yos, \$2,500 at 25 yos, \$3,000 at 30 yos, \$3,500 at 35 yos, and \$4,000 at 40 yos.

■ **Summary B-11: Other compensation – Performance Pay Policy**

This section reports on pay practices for performance bonus pay. This data is not included in the total compensation calculations.

- All ten (10) labor market agencies provide annual increases based on goals, performance reviews, and budget.
- Eagle River WSD also provides yearly merit increases based on performance which is assessed monthly at the employees Monthly Performance Alignment Conversation (MPAC). Monthly ratings are rolled up into a Yearly Performance Alignment Conversation (YPAC).

■ **Summary B-11: Other Compensation – Education/Tuition Reimbursements**

Each agency was asked if they provide tuition reimbursement programs.

- Three (3) labor market agencies provide annual tuition reimbursement of up to \$2,500.
- One (1) labor market agency provides annual tuition reimbursement of up to \$3,000.
- Two (2) labor market agencies provide annual tuition reimbursement of up to \$4,000.
- Three (3) labor market agencies provide annual tuition reimbursement of \$5,000 to \$5,250.
- One (1) labor market agency does not provide this benefit.
- Eagle River WSD provides an annual tuition reimbursement of up to \$3,000.

■ **Summary B-12: Other Compensation – Uniform Allowance**

Each agency was asked if they provide uniform allowance. This allowance is included in total compensation if it is a guaranteed allowance. Allowances are represented as a monthly allowance (annual/12) for total compensation purposes.

- Zero (0) labor market agencies provide monthly uniform allowances.
- One (1) labor market agency provides uniforms as needed.
- One (1) labor market agency provides an amount based on individual needs as determined by the Supervisor and the annual budget that is set by the District Manager. This agency also provides a \$250 boot allowance every two (2) years on an as needed basis. If required to wear eye protection, employees may be reimbursed up to \$250 every two years (not included in total compensation as it is not a guaranteed/automatic allowance).
- Eagle River WSD provides this benefit to the following employee groups: Field Operations, Water, OTS, Wastewater, It, Laboratory, Engineering.

■ **Summary B-12: Other Compensation – Licensing/Certification/Premium Pay**

Each agency was asked if they provide Licensing/Certification/Premium Pay. This allowance is included in total compensation if it is a guaranteed allowance. Allowances are represented as a monthly allowance (annual/12) for total compensation purposes.

- Seven (7) labor market agencies do not provide any kind of certification/premium pay.
- One (1) labor market agency has an annual incentive program for Plant Operators and Collection Systems Employees. This agency also provides a one-time \$500 payout for employees that hold a valid Class D Wastewater Treatment certification or higher, and Level 1 Wastewater Collections certification or higher.
- One (1) labor market agency has a three-tiered pay structure for Wastewater, Water, and Well and Distribution. Operators receive additional pay if they achieve a higher-level certification.
- One (1) labor market agency provides a bonus for first achievement of \$100 to \$500 dependent on the type of certification.
- *Eagle River WSD provides this benefit for wastewater and water licenses at generally a 5% increase for each license.*

■ **Summary B-12: Other Compensation – Housing Allowance**

Each agency was asked if they provide housing allowance. This allowance is included in total compensation if it is a guaranteed allowance. Allowances are represented as a monthly allowance (annual/12) for total compensation purposes.

- Zero (0) labor market agencies provide a guaranteed monthly housing allowance.
- One (1) labor market agency occasionally offers a housing allowance depending on position – maximum allowance would be \$2,000 per month.
- One (1) labor market agency may also offer a housing allowance depending on position needs. This is on a request basis and no minimum or maximum policy amount is in place.
- One (1) labor market agency provides housing assistance in the form of a loan that must be repaid.
- *ERWSD provides housing benefits to staff in the form of a stipend for those not in the rental program; and affordable rents anchored to average affordable markets in the area for others.*

## VI. Internal Equity Analysis

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### Internal Equity Concept

Although CPS HR conducted a market study to determine the external values of the District's jobs, it is also important to recognize that existing internal relationships between the jobs are also a critical consideration when developing a compensation plan. While external or "market" data shows how an agency's jobs compare to similar jobs in the relevant labor market, internal equity analysis is used to identify the worth of each job in comparison with other jobs in the agency. That value is expressed by the assignment of a pay range/pay grade to each job. This results in a job hierarchy where jobs with higher accountabilities, authority, and complexity are placed above jobs with less complexity and accountability.

While an external market study may recommend re-grading some job classifications to better align them with the labor market, CPS HR also recognizes the importance of balancing such recommendations with the existing internal relationship between jobs. **For that reason, CPS HR's internal equity assumptions were discussed and aligned with the District.**

### Internal Equity Analysis Methodology

To initiate the internal equity analysis, CPS HR started by reviewing the District's current salary grade structure, including the grades that were not currently assigned to any active class. CPS HR analyzed the salary survey labor market data external labor market data and assigned all of the **benchmark** job classifications to the pay grades which mostly closely matched the labor market range parameters (minimum, midpoint, and maximum) to the District's benchmarks. As a result, some District job classifications were left in the same pay grades because their compensation was similar to the market median compensation. Other jobs were re-graded upward because their compensation was higher than the market median. Finally, if a classification's compensation was found to be above the labor market median, CPS HR chose to retain that same pay grade.

Once the new pay grade recommendations were complete, CPS HR used internal equity analysis to make salary recommendations for the non-benchmarked classifications based on the following steps:

- CPS HR identified the class characteristics of each job, including their FLSA status, requirements, supervisory responsibilities, etc. to identify the typical differences between common levels, e.g., entry versus journey, journey versus advanced, advanced versus supervisor, etc.
- A method of coding groups of jobs by their functionality was developed and a function code was assigned to each job.
- A method of coding groups of jobs by their organizational level was developed and a role level code was assigned to each job.
- Jobs were then sorted into job families and the levels within the family were identified.
- The vertical differences (percent) between levels before and after the market-based salary recommendations were calculated and established.

## VII. Salary Recommendations

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As noted, benchmark pay ranges were initially recommended based on the labor market median for maximum salary. In some cases, the medians of ERWSD pay grades were close to the market medians, but minimums and maximums were not aligned. This happens in cases where labor market salary ranges (bandwidth) are different from the District's grade ranges.

Once the benchmark salary ranges were established, CPS HR identified any misalignments and proposed grade changes to maintain the proper internal relationship between levels. If misalignment was found, CPS HR re-graded jobs by balancing both external and internal factors to maintain appropriate relationships between jobs and within job families, functional groups, and/or levels within a classification series. This was done by carefully analyzing the vertical job family relationships prior to the labor market adjustments and assigning salary grade levels for the non-benchmarked classes that retained similar relationships where possible. If salary compaction was identified, internal equity was factored into a pay grade recommendation and CPS HR proposed an appropriate grade regardless of the labor market findings. These situations typically occur when the classification has greater importance to the organization than the external market suggests, or the agency desires to keep certain classifications grouped within the same pay grade due to organizational structure or business needs.

This project phase was conducted in close collaboration with ERWSD leadership and CPS HR provided the rationale for the grade assignment of each classification. The methodology of looking at external data as a starting point and then balancing it with internal considerations will help the District remain competitive with comparator agencies while still maintaining internal job relationships.

The final and complete table with grade assignments for all District job classifications has been provided separately.

## VIII. Next Steps

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Implementation of salary recommendations is highly dependent on further discussion internally by the District about the agency's financial climate and the sustainability of salary increases. Some factors to consider are compounded labor costs associated with benefits plans and employer contributions, initial placement of employees within revised salary ranges, a written policy for movement of employees through the salary ranges over time (e.g., annual performance evaluations and percentage of increase), and overall fiscal impact of implementation today and in the future.

This report provides detailed information concerning the scope of the project, the methodology used to complete the total compensation study, as well as the results of the study which show where the District is positioned in comparison to the labor market. Any questions and comments with respect to this report should be directed to Vicki Quintero Brashear at [vbrashear@cpsshr.us](mailto:vbrashear@cpsshr.us).

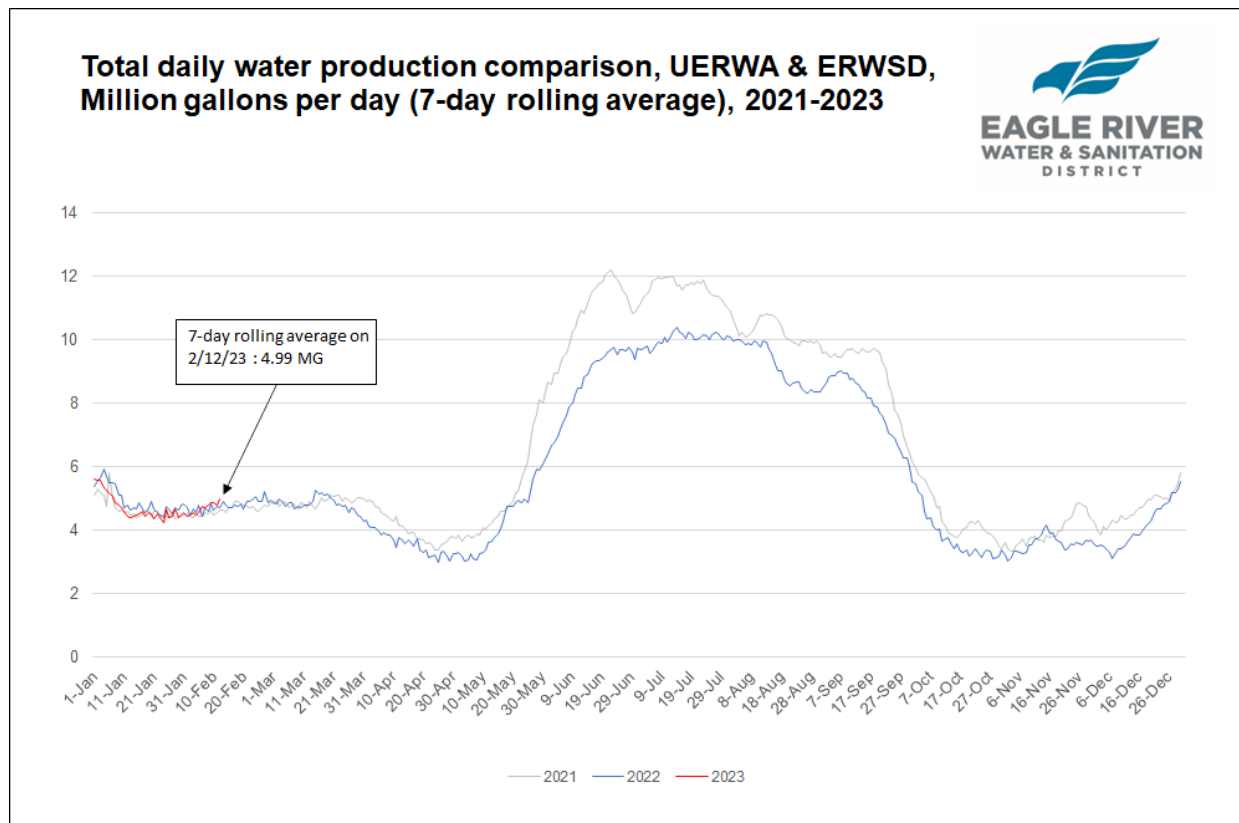


## OPERATIONS MONTHLY REPORT February 2023

### WATER

Brad Zachman

The system-wide water production comparison was updated through Feb. 13. System production is normal for this time of the year.



In late-2022, the District and Authority partnered with the Colorado Department of Health and Environment (CDPHE) and voluntarily sampled drinking water treatment facilities for a group of man-made chemicals of growing concern known as PFAS (Per- and polyfluoroalkyl substances). The sample results received in January 2023 showed that certain PFAS chemicals, Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS), are present in some of the District and Authority drinking water sources. These compounds are currently unregulated. However, on Jun. 15, 2022, the Environmental Protection Agency (EPA) set new lower lifetime health advisories for four PFAS compounds in drinking water. A health advisory is intended to raise awareness, provide guidance, and foster local and state response before the EPA develops a regulation. Immediately after receiving the PFAS sampling results in January, staff began working

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846 Forest Road Vail, Colorado 81657 Tel (970) 476-7480 Fax (970) 476-4089 [erwsd.org](http://erwsd.org)

with the CDPHE to develop a public notification plan to provide District and Authority customers with details of the PFAS testing results. The CDPHE-approved plan consists of the following three components:

- 1) A detailed notification letter will be sent to all customers as an insert to the March 2023 billing statements. The letter will be issued with both English and Spanish translations. A copy of the letter is provided at the end of the Operations Report.
- 2) A news release that corresponds with the day that the notification letters are sent (Mar. 2-3). The news release is currently under development and will also be available on [erwsd.org](http://erwsd.org).
- 3) PFAS program updates will be posted quarterly on [erwsd.org](http://erwsd.org).

As next steps, District staff members will continue to closely follow the PFAS regulatory rulemaking process, participate in CDPHE stakeholder workgroups, and begin planning additional follow-up sampling to further characterize PFAS levels in the system.

#### LABORATORY & WATER QUALITY

Leah Cribari

The District received the results of the macroinvertebrate sampling program that was performed in 2021. The results are currently under review. A summary memo will be provided in the March board packets.

Each month, Laboratory staff members collect baseline water quality samples at sites on the Eagle River downstream of the Eagle Mine. The sampling is performed to detect abnormal water quality in the Eagle River that may be a result of contamination from the Eagle Mine.



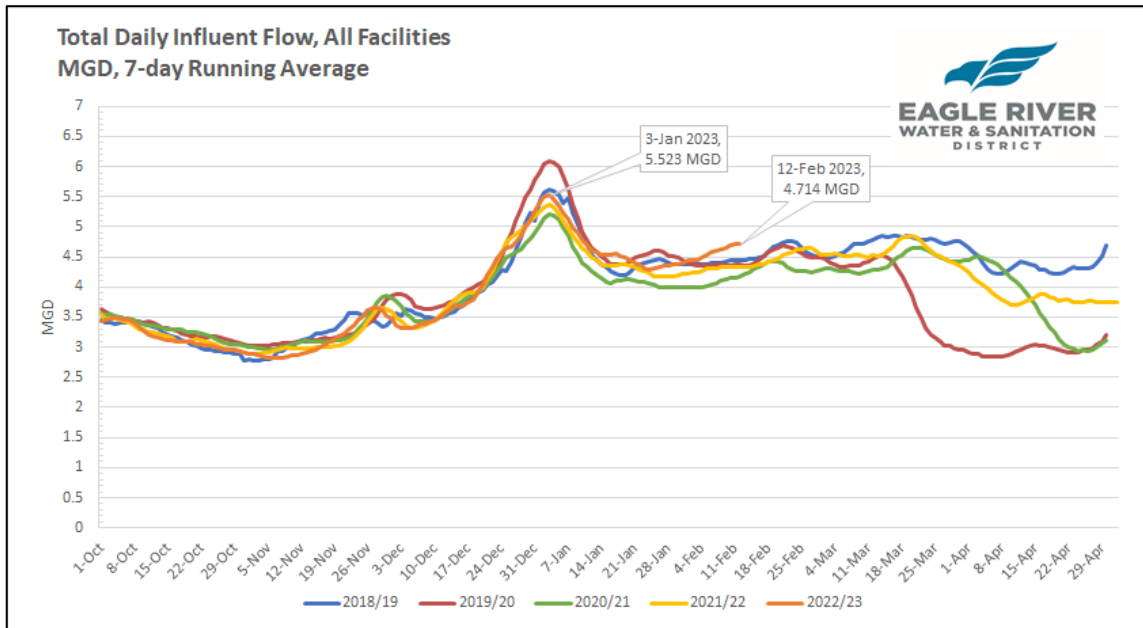
*Eagle River Water Quality Sampling Event*



## WASTEWATER

Rob Ringle

Influent wastewater flows and loading have moderated following the annual peak, which occurred near the first of the year. Cumulative influent flow has trended slightly above recent years and is currently near 85% of the annual peak. Influent flow and organic loading will likely remain steady through the remainder of the ski season, with modest increases anticipated over the President's Day holiday weekend and spring break period.



Vail Wastewater Treatment Facility (VWW) staff members continue to prepare for the upcoming masterplan improvements project. Current preparations include maintenance on the existing UV disinfection system, replacement of the existing non-potable strainer system, and the rebuild of a waste sludge pump.

Avon Wastewater Treatment Facility (AWW) staff members have continued to assist with commissioning and optimizing the new treatment systems. Work this month focused on the secondary process aeration and return pumping systems, the equalization volume system, and chemical feed systems. Staff members are also completing punch list items for the aeration blower and electrical areas.

Edwards Wastewater Treatment Facility (EWW) staff members responded to several major operational issues over the past month, as summarized below.

- A bearing failed in one of the two centrifuges used for dewatering biosolids. Staff members removed and disassembled the bearing assembly and sent it to the manufacturer for repair.
- A non-potable water line in the Internal Mixed Liquor Recycle (IMLR) pump gallery failed on the afternoon of Feb. 13. The water line, which provides lubrication to pump shaft seals in

this process area, failed due to a pressure surge following electrical maintenance work. The line has been temporarily isolated until replacement parts are received.

- EWW and Field Operations staff members cleaned and video-inspected the underdrain pipes for the solids handling odor control biofilters. There is an airflow imbalance between the east and west biofilter units. The inspection confirmed that there are no obstructions in the underdrain. As a next step, filter media replacement is scheduled for later this summer.
- EWW and Field Operations staff members inspected and video-inspected the secondary clarifier effluent pipe. The inspection revealed a partial obstruction due to a previously unknown grate installed inside the pipe. This finding helps explain a discrepancy between the hydraulic modeling being performed as part of the Wastewater Masterplan Update project and actual field conditions. The grate will be removed during a future capital improvements project at EWW.



*Submersible camera screenshot showing grate obstruction in secondary clarifier effluent pipe*

## FIELD OPERATIONS

Niko Nemcanin

The Field Operations team is continuing with winter operations and has been working to remove snow around fire hydrants and facilities. The team is taking advantage of the winter season to focus on operator certification testing and group trainings.

## UTILITY SERVICES

Shane Swartwout

### BPCCC Program

The BPCCC team is focused on completing testing for the 172 assemblies that were not tested in 2022. There are currently 76 assemblies that must be tested by the Apr. 1 regulatory deadline. Out of the remaining untested assemblies, there are 37 seasonal devices that will be reported inactive. Additionally, the team continues to work with customers who have non-compliant accounts. There are 197 accounts that are non-compliant and 49 of those accounts are currently being assessed a \$500 fine per month for backflow non-compliance.

### Meter Services Program

The meter services team has reached 99% AMI conversion in the District and 87% AMI conversion in the Authority. Letters have been mailed to the remaining ten District accounts and staff is now scheduling appointments with customers to upgrade meters in the Authority. The team has also implemented a new procedure to address monthly “missed reads.” This occurs when the AMI system is unable to collect an actual reading and the billing system auto-generates an estimate for that month. To assure correct water use reporting and accurate billing, the team’s goal is to collect current reads for every account, every month.

Report Date:	2/14/2023
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AMI SYSTEM STATUS	ERWSD	UERWA	TOTAL
(1) Total No. of Meters	3,194	6,819	10,013
(2) No. of AMI Meters	3,184	5,899	9,083
(3) System Percentage of AMI Meters	99%	87%	93%
Meters Remaining to Reach 100% AMI	10	920	930

*Advanced Metering Infrastructure (AMI) Status (Updated Feb. 14, 2023)*

### Fleet and Facilities

As part of the District’s vehicle replacement program, the Fleet and Facilities team has placed orders for 5 new utility trucks 2023. The dealership has not provided an estimated delivery date for the vehicles.

## ENGINEERING

Jeff Schneider

### WATER PROJECTS

#### Fenno Wellhouse and Raw Water Conveyance

Jeff Schneider/Carter Keller

General Project Scope: The project consists of the complete replacement of a treatment facility in Cordillera that treats water from seven groundwater wells. The previous facility did not meet electrical code, had safety concerns, and was generally at the end of its useful life. Improvements to the wells and raw water piping are also included in this project.

Project Update: The well casing at Fenno Well F6 was video-inspected on Feb. 10. The preliminary report indicates that the well casing is in good condition and does not need repair. However, the pump and motor need to be replaced. New equipment is currently being procured and installation will be completed in the spring.

### **Avon Drinking Water Facility (ADWF) PLC Upgrades**

Jenna Beairsto

General Project Scope: This project includes replacement of the programmable logic controllers (PLCs) at ADWF. Additionally, a new server room will be constructed within the facility. All existing programming and PLC logic will be reverse-engineered and updated to meet current District standards.

Project Update: Electrical and instrumentation and control (I&C) equipment continues to be delivered to the subcontractor's facility in Denver. The project team has continued its review of the operational control philosophies. The contractor is finalizing requirements for the building permit with the Town of Avon. Construction of the server room is expected to begin in March, pending the issuance of a final building permit.

### **Water Production and Treatment Masterplan**

Jenna Beairsto

General Project Scope: The masterplan will be a wholistic look at all production and treatment facilities system-wide including treatment plants and wells. The goal is to identify future capital project priorities. The project will include a detailed condition assessment of existing assets and will assess treatment and production threats from climate change, low stream flows, wildfires, etc.

Project Update: The District team worked through an internal risk workshop and held subsequent meetings to re-evaluate how the masterplan will evaluate future threats and risk. The team met the week of Feb. 13 to review outlines of chapters two through five of the masterplan. The team is finalizing the scope and contract to complete the project in 2023.

### **Avon Wastewater Treatment Facility (AWW) Fire Flow Improvements**

Woodson Spring

General Project Scope: The AWW Fire Flow Improvements consist of two major components. The first includes installation of 1,100 linear feet of 12" water main down Millie's Lane and into the AWW site. The second includes modifications within the Avon Drinking Water Facility (ADWF) to transfer water from the high-pressure zone to the low-pressure zone. The overall objective of the project is to bring the AWW into compliance with current fire flow requirements.

Project Update: All pipeline work has been completed. Some remaining punch list items have been wrapped into the greater AWW Nutrient Upgrade Project (NUP). The manufacturer's representative for the new ADFW surge anticipator valve was onsite on Jan. 24 to make final adjustments and test the equipment.

## WASTEWATER PROJECTS

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### Avon Wastewater Treatment Facility (AWW) Nutrient Upgrades Jeff Schneider/Jenna Bearisto

General Project Scope: The AWW requires upgrades to meet Regulation 85, which requires a reduction of the concentrations of nitrogen and phosphorus in the effluent. The scope of this project includes the following: addition of 0.6 million gallons of aeration basin capacity, installation of a new secondary clarifier, structural modifications to the existing aeration basins to remove the existing double-tees and replace with a building structure, installation of a new odor control study and system, and other improvements throughout the facility. This project also includes improvements identified in a 2017 condition assessment in other process areas throughout the facility.

Project Update: The project team completed the first formal punch list walks for the headworks building, blower room, several electrical rooms, and the odor control system. The contractor is working through items on the punch list to close out these spaces. The installation of epoxy floor coatings continued over the past few weeks, including the Internal Mixed Liquor Recycle (IMLR), Return Activated Sludge (RAS), secondary clarifier, and aeration basin process areas. The contractor is currently working to complete expansion joints, install caulking throughout the facility, and is scheduled to recoat the two existing secondary clarifiers in March. Fence installation was suspended while the contractor prepares to construct the new retaining wall along the southern property line above the bike path, but the gate installation at the front entry is underway. The retaining wall construction will begin on Feb. 27 and will require a full closure and detour of the bike path through Avon.



*Progress of aeration basin floor coatings*

## Dowd Junction Collection System Improvements

Jenna Beairsto

General Project Scope: The project consists of four major components, all of which are at the end of their useful lives: the aerial interceptor crossing at Dowd Junction; Lift Station 4, which conveys all of Minturn's wastewater; the aerial interceptor crossing at the Minturn Road bridge; and the force main downstream of Lift Station 4. The infrastructure will be sized to accommodate future growth in the service area, most notably the Minturn area.

### Project Update:

Snow removal and site cleanup occurred over the last month in preparation for construction this spring. Equipment procurement has continued for the lift station pumps and generator. Crews are expected to mobilize to the site to continue lift station construction and begin force main installation in March.

## Avon Lab Improvements

Carter Keller

General Project Scope: The overall objective of this project is to install a new inductively coupled plasma mass spectrometer (ICP-MS) in the lab at AWW. The new instrument will enable District staff to perform metals analyses in-house. Lab and architectural modifications will be completed, including installation of a new gas cabinet, duct chase, and fume hood. Additionally, the makeup air unit (MAU) that serves the lab and the HVAC system for the lab and lab offices will be replaced.

Project Update: Electrical installation is underway and demolition work began on Feb. 13, starting with the installation of dust barriers. The delivery of some HVAC equipment has been unexpectedly delayed, so the project team is actively working to adjust the project sequencing plan to avoid a delay in the schedule.



*Counter and cabinet demolition in preparation for new fume hood*

**Vail Wastewater Treatment Facility (VWW) Master Plan Improvements**

Mark Mantua

General Project Scope: A condition assessment of the VWW was conducted as part of the 2017 Masterplan. The assessment identified several critical upgrades that are required to keep the facility in reliable and operable condition. The scope of this project includes installation of a new, larger diesel generator and associated electrical, structural repairs in the aeration basin, equalization, and clarifier rooms, replacement of the aging ultraviolet (UV) system, and construction and installation of an external facility bypass.

Project Update: Construction work is on a winter hiatus until Phase II of the project begins in spring 2023. The contractor provided a 90% guaranteed maximum price (GMP) estimate for the cost of the remaining work. The GMP cost came in slightly higher than anticipated, and some scope reduction was performed to reduce costs. The final contract price was negotiated, scopes of work were adjusted, and a final contract is being drafted. The design engineer is currently working to issue 100% plans for Phase II of the project. The project team has reviewed submittals for the ultraviolet (UV) disinfection system and is currently coordinating equipment procurement. District staff members are preparing procedures to test a VWW wastewater flow bypass before Phase II begins. A full-scale bypass of VWW will be required during Phase II construction activities.

**GENERAL CAPITAL**

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**Fleet Maintenance Facility**

Mark Mantua

General Project Scope: The District's fleet maintenance shop, which is currently located at the Avon Wastewater Treatment Facility (AWW), needs to be relocated before a planned administrative expansion project can be initiated. The scope of this preliminary planning project is to define a conceptual footprint for the building and identify possible site locations.

Project Update: The consultant developed multiple conceptual-level site plans for a proposed facility located on the east side of the Edwards Wastewater Treatment Facility. District staff reviewed the alternative and selected a preferred concept. In parallel, the team is beginning to evaluate alternative building sites at the Hillcrest site (in Edwards) and the AWW.



March 2, 2023

**Subject: Important information about PFAS and your drinking water**

Dear Customer,

The Eagle River Water & Sanitation District (district) and the Upper Eagle Regional Water Authority (authority) are committed to providing safe, reliable, and affordable drinking water to our customers. As part of this commitment, we have been voluntarily testing your drinking water for a group of man-made chemicals of growing concern known as PFAS (Per- and polyfluoroalkyl substances). Water sample results received in January 2023 showed that certain PFAS chemicals, Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS), are present in some of our drinking water sources.

These compounds are currently unregulated. However, on Jun. 15, 2022, the Environmental Protection Agency (EPA) set new lower lifetime health advisories for four PFAS compounds in drinking water. A health advisory is intended to raise awareness, provide guidance, and foster local and state response before the EPA develops a regulation.

**This is a concern, not a crisis. People do not need to stop drinking their water.** Thousands of water providers across the United States are detecting PFAS chemicals in drinking water sources at concentrations above the lower health advisory levels. This notice details our PFAS testing results and actions you should consider. We are working closely with the Colorado Department of Public Health and Environment (CDPHE) to address PFAS in our drinking water and reduce detectable levels in our water supply.

**What are PFAS?**

PFAS are a group of over 5,000 man-made chemicals that have been used in industry and consumer products since the 1940s. There are thousands of PFAS chemicals in products including ski wax, nonstick cookware, water-repellent clothing, stain-resistant textiles, cosmetics, and firefighting foams.

These compounds are widespread and do not break down over time, and therefore can get into our water, soil, air, and food during production and use. Concerns over human health impacts began to surface in the early 2000s, and although manufacturing of some of these compounds have been phased out, their resistance to degradation allows them to persist in the environment and build up in the human body. People can be exposed to PFAS through product use or environmental exposure, including contaminated source water that enters the drinking water supply.

**What are the health advisory levels for PFAS and what do they mean?**

The EPA established a health advisory level for PFOA and PFOS in 2016 at 70 parts per trillion (ppt). On Jun. 15, 2022, the EPA lowered these health advisory levels for PFOA to 0.004 ppt and PFOS to 0.02 ppt. These levels for PFOA and PFOS are so low they are below current detection abilities of analytical equipment, which can currently accurately measure PFAS compounds at approximately 2 ppt.

The EPA sets Health Advisory Levels to the minimum concentration of a compound that may present health risks over a lifetime of exposure. These health advisories are established based on human studies in populations exposed to PFAS and are set to protect all people, including sensitive populations and life



stages (such as infants), from negative health impacts as a result of lifetime exposure to PFAS in drinking water.

There is strong evidence that PFOA and PFOS impact the immune system, increase cholesterol, decrease infant birth weight, and cause changes in liver function. There is moderate evidence that PFAS compounds are associated with preeclampsia and high blood pressure during pregnancy and causes effects on thyroid hormones. There is also evidence that PFOA increases the risk of kidney and testicular cancer.

Children ages 0-5 years, and people who are pregnant, planning to become pregnant, or breastfeeding are more susceptible to health impacts from these chemicals. Visit <https://cdphe.colorado.gov/pfas-health> for more information.

### What are the PFAS levels in my water?

The district and authority's drinking water distribution systems are interconnected, allowing for water transfer throughout the service area. The drinking water delivered to your tap can come from one or more of our treatment facilities. Our most current testing for PFOA and PFOS show the following results:

Public Water System	General Service Area	Treatment Facility	PFAS Compound	Detected level (parts per trillion)	Interim health advisory level (parts per trillion)	
Upper Eagle Regional Water Authority (CO0119786)	Avon	Avon Drinking Water Facility	PFOA	0.75*	0.004	
			PFOS	0.46*	0.02	
	Edwards	Edwards Drinking Water Facility	PFOA	0.90*	0.004	
			PFOS	0.64*	0.02	
			Berry Creek Wells	PFOA	0.50*	0.004
				PFOS	2.5	0.02
	Edwards Well	PFOA	0.62*	0.004		
		PFOS	1.1*	0.02		
	Cordillera	Fenno Wells	PFOA	Not Detected	0.004	
			PFOS	Not Detected	0.02	
Eagle River Water & Sanitation District (CO0119802)	East Vail	Gore Valley Drinking Water Facility	PFOA	Not Detected	0.004	
			PFOS	Not Detected	0.02	
		Well R-7	PFOA	Not Detected	0.004	
			PFOS	Not Detected	0.02	
	Core Vail	Well R-1	PFOA	Not Detected	0.004	
			PFOS	Not Detected	0.02	
		Well R-2/R-6	PFOA	Not Detected	0.004	
			PFOS	Not Detected	0.02	
	Well R-4	PFOA	Not Detected	0.004		
		PFOS	Not Detected	0.02		
West Vail	Well West Vail 7&8	PFOA	2.9	0.004		
		PFOS	1.5*	0.02		

\* Result is less than the laboratory reporting limit and therefore is an estimated value.

### **What actions should I consider to reduce my exposure?**

You do not need to stop using tap water. People who are concerned can reduce exposure from drinking, cooking, and preparing baby formula by using water treated by an in-home water treatment filter that is certified to lower the levels of PFAS, or use water that has been treated with reverse osmosis. Use tap water for bathing, showering, brushing teeth, washing hands, watering yards, washing dishes, cleaning, and laundry. Boiling, freezing, or letting water stand does not reduce PFAS levels.

EPA and CDPHE do not recommend bottled water because CDPHE cannot verify that all bottled water is below PFAS interim health advisories. If you choose to use bottled water, CDPHE recommends choosing a brand that has been treated with reverse osmosis and includes this language on the bottle. Reverse osmosis is a treatment that removes PFAS.

If you have specific health concerns, consult your doctor. An information sheet, "Talking to Your Health Care Provider about PFAS," is available at <https://bit.ly/PFAS-doctor>. You can also reduce exposure by reducing your use of household and everyday products that contain PFAS. To learn more, visit <https://cdphe.colorado.gov/pfas-health>.

### **What is the district and authority doing to address PFAS?**


Public health and providing high quality drinking water is our top priority. The district and authority's drinking water has and continues to meet all federal and state Primary Drinking Water Standards. We are partnering with CDPHE to continue to assess PFAS levels in our source and treated drinking water through additional testing and evaluation, researching emerging treatment methods to reduce PFAS levels through comprehensive master planning, and protecting our source water from additional pollution. As we learn more, we will continue to update our customers with our ongoing PFAS monitoring data and response to this issue on our website.

For additional information regarding PFAS in drinking water and health information, visit <http://cdphe.colorado.gov/pfas-health> or <http://www.epa.gov/pfas>. Contact district customer service with any questions or concerns at 970-477-5451 or [customerservice@erwsd.org](mailto:customerservice@erwsd.org).

*Please share this information with other people who drink this water, especially those who may not have received this notice directly (for example, tenants, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in public places or by distributing copies by hand.*



## MEMORANDUM

**TO:** District and Authority Boards of Directors  
**FROM:** Jason Cowles, P.E.   
**DATE:** February 15, 2023  
**RE:** Engineering & Water Resources Report

### **Bolts Lake Update**

The EPA will be posting notice of a 30-day comment period for the partial deletion of the Trestle Area from Operating Unit 3 (OU3) of the Eagle Mine Superfund site. The approximately 5.3 acre portion of the site proposed for deletion has met residential cleanup standards following the completion of remediation activities prior to the District and Authority's purchase of the property last spring. The EPA anticipates that the notice will appear in the Vail Daily the week of February 20 and will include a link to the deletion package and a link for comments from the public.

Colorado Water Conservation Board (CWCB) staff will present a recommendation on our Colorado Water Plan Grant request for Bolts Lake Preliminary Design at the CWCB board meeting to be held in Steamboat Springs on March 15 and 16. Staff have given a favorable reception to our application. We will update the Boards on the results next month.

### **State Land Board Memorandum of Understanding**

We were contacted by Greg Ochis of the State Land Board regarding a proposed memorandum of understanding among stakeholders in a potential community housing project on the State Land Board property in Dowd Junction. The purpose of the group will be to conduct a cooperative planning effort to develop conceptual plans for development of the parcel and nearby affected parcels. All costs for the conceptual planning effort will be paid by the State Land Board. Other stakeholders include the Towns of Avon, Vail, and Minturn, Eagle County, the Traer Creek Metropolitan District, and the Eagle-Vail Metropolitan District.

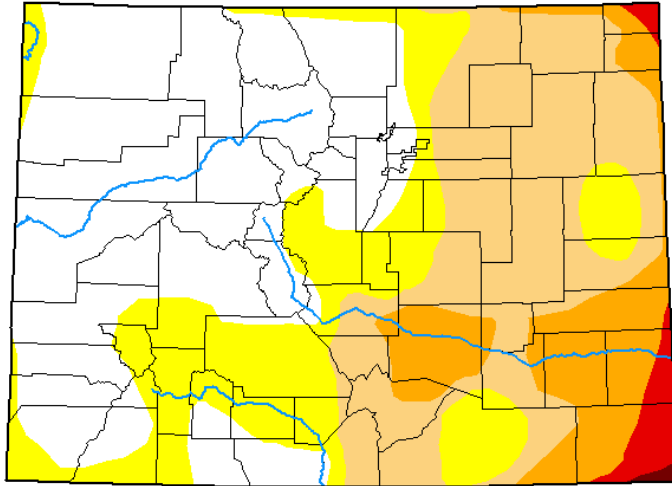
### **Water Resources Update**

The latest U.S. Drought Monitor map for Colorado is shown below in Figure 1. Conditions across the state are largely unchanged since January. Eagle County remains out of drought status.

Figure 1: US Drought Monitor, Colorado February 7, 2023 (National Drought Mitigation Center).

## U.S. Drought Monitor Colorado

**February 7, 2023**  
(Released Thursday, Feb. 9, 2023)  
Valid 7 a.m. EST



*Drought Conditions (Percent Area)*

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
<b>Current</b>	41.33	58.67	37.42	12.29	1.99	0.16
<b>Last Week</b> <i>01-31-2023</i>	45.65	54.35	35.58	11.18	1.87	0.04
<b>3 Months Ago</b> <i>11-08-2022</i>	16.91	83.09	46.94	23.13	3.29	0.57
<b>Start of Calendar Year</b> <i>01-03-2023</i>	39.97	60.03	33.83	12.28	1.91	0.01
<b>Start of Water Year</b> <i>09-27-2022</i>	15.46	84.54	45.65	15.47	3.73	0.57
<b>One Year Ago</b> <i>02-08-2022</i>	0.00	100.00	88.17	61.99	8.55	0.00

Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

*The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>*

Author:

Brian Fuchs  
National Drought Mitigation Center



[droughtmonitor.unl.edu](https://droughtmonitor.unl.edu)

Current 8-14 day temperature and precipitation outlooks are shown in Figures 2 and 3. Modeling indicates that temperatures in western Colorado are leaning below normal and precipitation is leaning near normal to above normal through the end of February.

Figure 2: 8-14 Day Temperature Outlook February 15, 2023 (NOAA Climate Prediction Center).

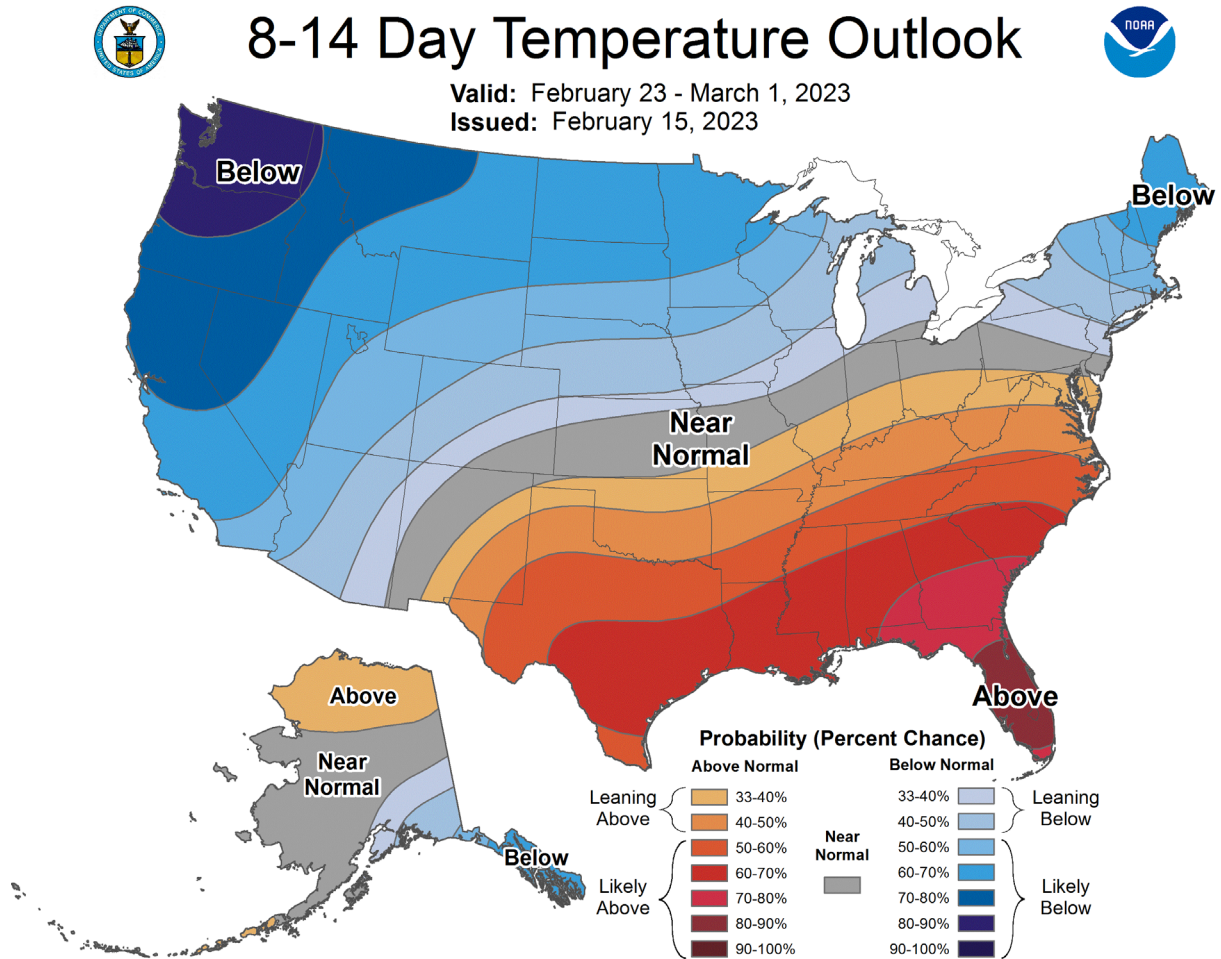
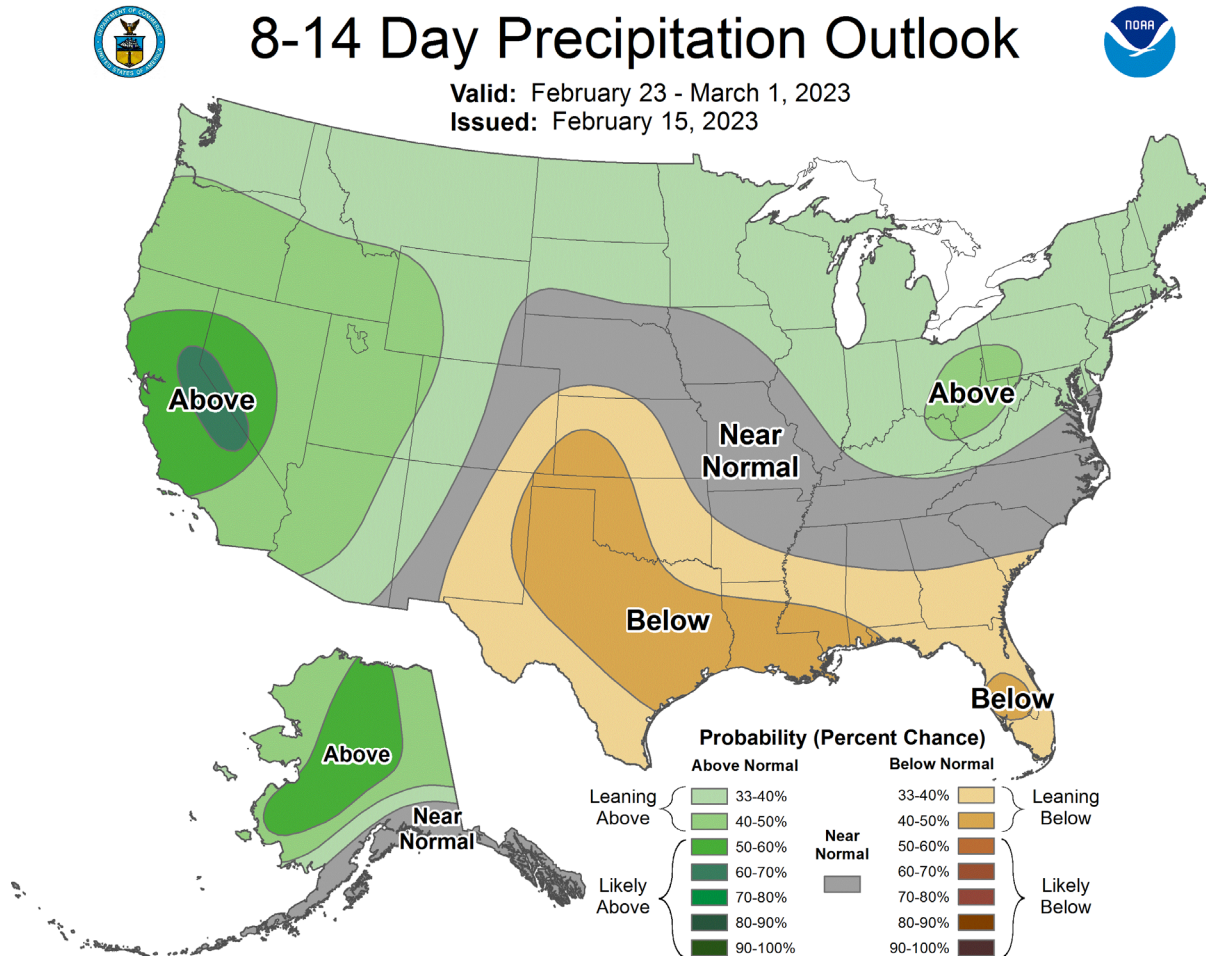


Figure 3: 8-14 Day Precipitation Outlook February 15, 2023 (NOAA Climate Prediction Center).



Snow Water Equivalent (SWE) graphs at the Vail Mountain and Freemont Pass SNOTEL sites are shown in Figures 4 and 5 respectively. The Vail Mountain Snotel site is 122% of median for this date with 14.4 inches of SWE. The Freemont Pass Snotel site still continues to lag the Vail site at 89% of median with 10.0 inches of SWE. Despite positive overall snowpack trends to date, the Freemont Pass Snotel site sits at 50% of the median Peak SWE with about 3 months remaining before the typical peak occurs. Above average spring snowfall will be needed for the site to reach the median peak. Overall snowpack conditions on the Western Slope remain above average with the upper Colorado River basin at 122% of normal (Figure 6).

Figure 4: Snow Water Equivalent at Vail Mountain SNOTEL, February 15, 2023 (USDA).

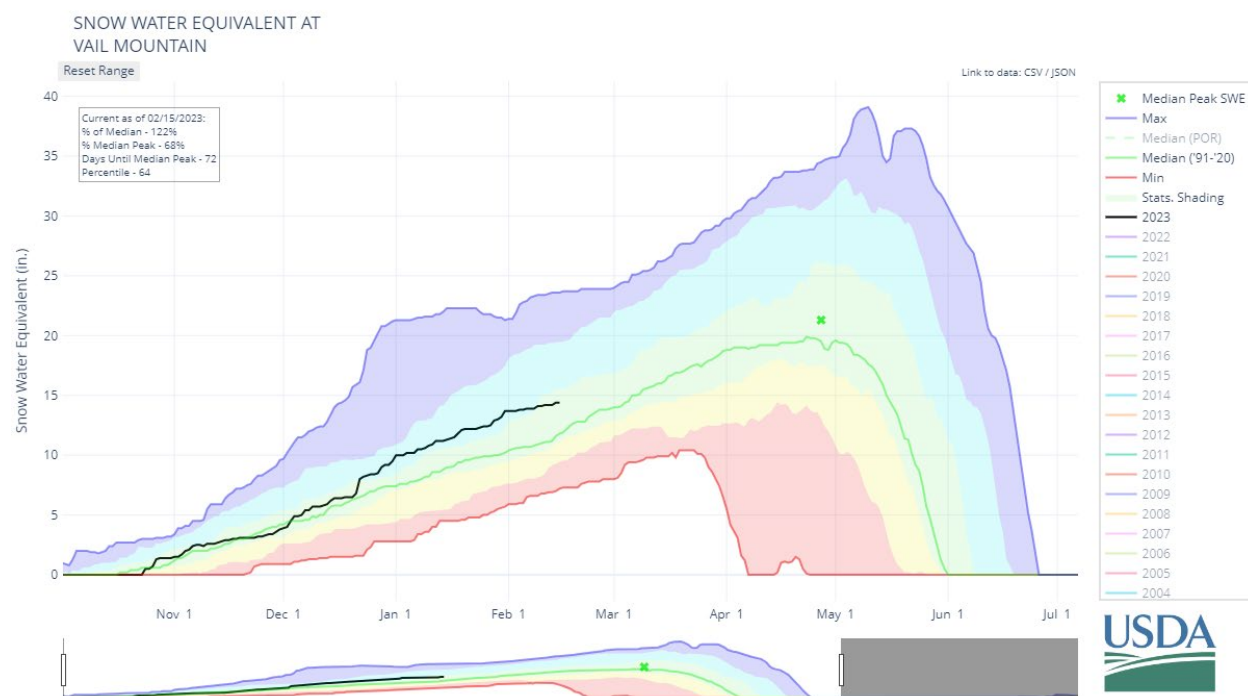


Figure 5: Snow Water Equivalent at Fremont Pass SNOTEL, February 15, 2023 (USDA).

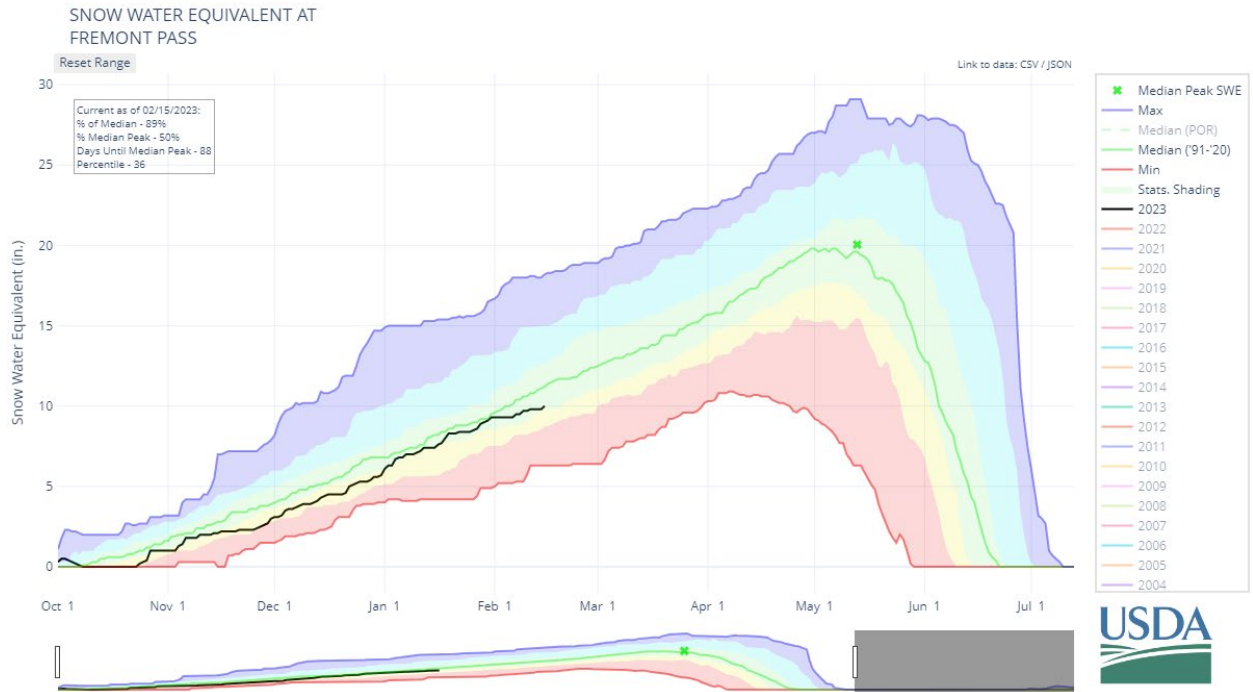
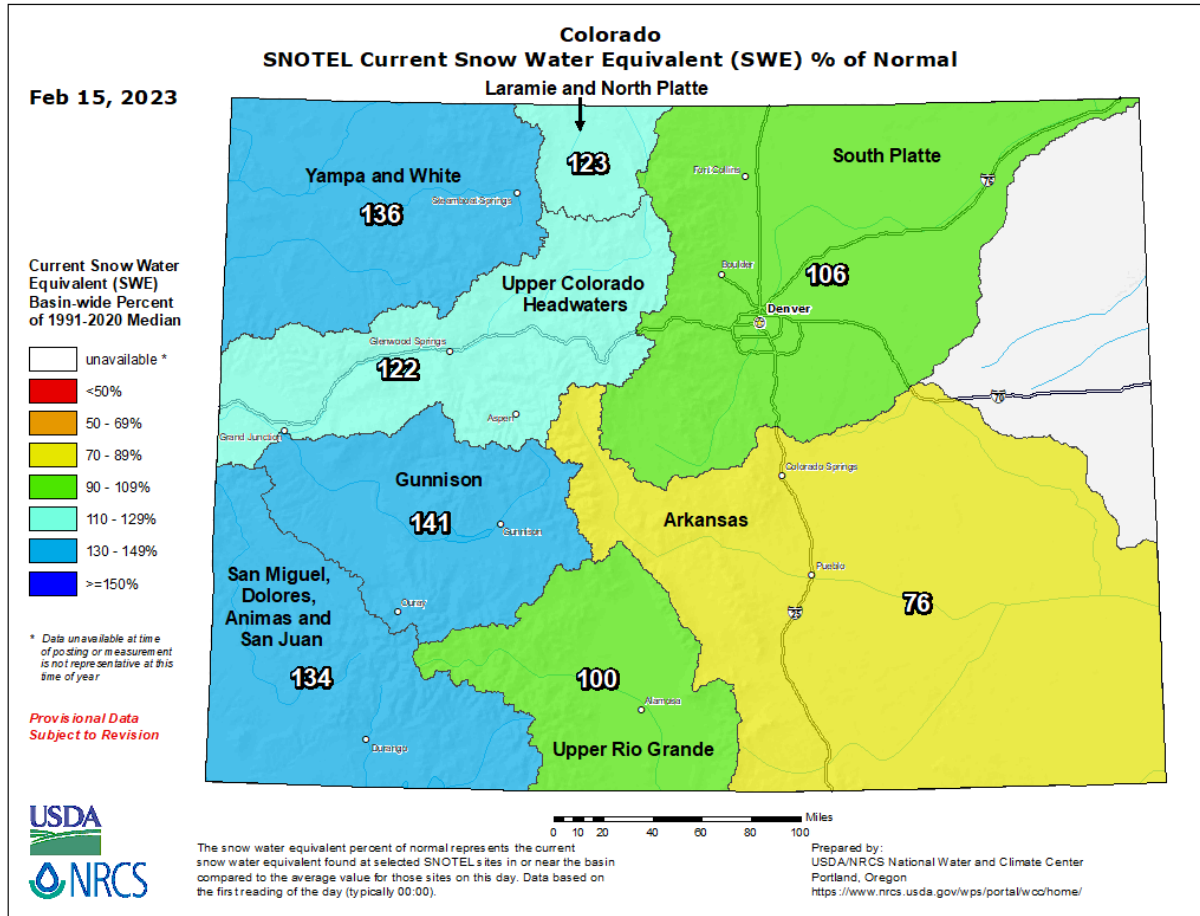




Figure 6: Colorado Current Snow Water Equivalent (SWE) % of Normal February 15, 2023 (USDA).





**MEMORANDUM**

**TO:** Board of Directors  
**FROM:** Brian Thompson, Designated Election Official  
**DATE:** February 17, 2023  
**RE:** Board of Directors election update

Three board seats (Director Districts 2, 4, and 6) are up for election this May. We have received self-nomination and acceptance forms from one candidate in each director district and verified their eligibility.

We satisfied the statutory requirement to post the call for nominations on the [district website](#) and in the Eagle Valley Enterprise. We also published Notice in the Vail Daily and issued a news release, which the Vail Daily [posted online](#) Feb. 7 and ran in print on Feb. 8.

The deadline for candidates to submit a self-nomination and acceptance form is 4 p.m. Feb. 24. The deadline for write-in candidates to submit an affidavit of intent is 4 p.m. Feb. 27. Pursuant to §1-13.5-513(1), C.R.S., the election may be cancelled if no additional self-nomination and acceptance forms are received and no affidavits of intent are received by the respective deadlines.

I will provide an oral update at the meeting with any additional information.



1155 CANYON BOULEVARD, SUITE 110, BOULDER, CO 80302  
OFFICE: 303-449-2834 FAX: 720-535-4921  
SOMACHLAW.COM

## MEMORANDUM

TO: Eagle River Water & Sanitation District Board of Directors  
FROM: Kristin Moseley  
SUBJECT: Do Not Flush Wipes Labeling Legislation - Senate Bill 23-150  
DATE: February 15, 2023

---

We are pleased to report that Do Not Flush Wipes Labeling legislation has been introduced into the Colorado Senate as Senate Bill 23-150. A copy of the introduced bill is attached, as well as our updated legislative primer. Senator Dylan Roberts (D), Avon and Senator Perry Will (R), New Castle, are listed as co-prime Senate sponsors on the bill, and Senator Chris Kolker (D), Centennial, has also signed on to sponsor. Representative Meg Froelich (D) Englewood, and Representative Lisa Frizell (R), Castle Rock are co-prime House sponsors, and Meghan Lukens (D) Steamboat Springs, has also signed on to sponsor.

Senate Bill 23-150 has been assigned to the Senate Business, Labor and Technology Committee in the Senate, and we anticipate it will be scheduled for a Committee Hearing in early March.

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 23-0338.01 Yelana Love x2295

**SENATE BILL 23-150**

---

**SENATE SPONSORSHIP**

**Roberts and Will, Kolker**

**HOUSE SPONSORSHIP**

**Froelich and Frizell, Lukens**

---

**Senate Committees**

Business, Labor, & Technology

**House Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT CERTAIN PERSONS LABEL**  
102 **DISPOSABLE WIPES.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Starting December 31, 2023, the bill requires each entity described below to label packages of premoistened, nonwoven disposable wipes (covered product) with the phrase "Do Not Flush":

- A manufacturer of a covered product that is sold or offered for sale in this state; and
- A wholesaler, supplier, or retailer that is responsible for the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*

labeling or packaging of a covered product.

The bill specifies that a knowing or reckless violation of the requirements of the bill is a deceptive trade practice under the "Colorado Consumer Protection Act".

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 18.9 to  
3 title 25 as follows:

4 **ARTICLE 18.9**

5 **Disposable Wipes**

6 **25-18.9-101. Legislative declaration.** (1) THE GENERAL  
7 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

8 (a) OVER THE PAST SEVERAL YEARS, CONSUMER DEMAND FOR  
9 PREMOISTENED, DISPOSABLE WIPE PRODUCTS, INCLUDING BABY WIPES,  
10 SURFACE CLEANING WIPES, HAND SANITIZING WIPES, AND MAKEUP  
11 REMOVAL WIPES, HAS SIGNIFICANTLY INCREASED;

12 (b) THESE WIPE PRODUCTS ARE COMPOSED, ENTIRELY OR IN PART,  
13 OF PETROCHEMICAL-DERIVED FIBERS THAT WERE NEVER DESIGNED TO BE  
14 FLUSHED DOWN TOILETS;

15 (c) CONSUMER CONFUSION HAS RESULTED IN MILLIONS OF THESE  
16 NONFLUSHABLE WIPES BEING IMPROPERLY DISPOSED OF BY BEING FLUSHED  
17 DOWN TOILETS;

18 (d) WIPES THAT WERE NOT DESIGNED TO BE FLUSHED DO NOT  
19 BREAK DOWN LIKE TOILET PAPER, SO WHEN IMPROPERLY DISPOSED OF IN  
20 TOILETS, THE WIPES OFTEN CAUSE SEWER BLOCKAGE AND OVERFLOW,  
21 CLOG PIPES AND MECHANICAL EQUIPMENT, RELEASE PLASTIC MATERIALS  
22 AND WASTEWATER INTO WATERWAYS, AND BLOCK PRIVATE DRAIN LINES,  
23 WHICH CAN RESULT IN FLOODED HOMES AND BUSINESSES;

1 (e) THE NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES HAS  
2 DETERMINED THAT UNITED STATES MUNICIPALITIES AND WASTEWATER  
3 TREATMENT PROVIDERS INCUR COSTS IN EXCESS OF ONE BILLION DOLLARS  
4 ANNUALLY ON MAINTENANCE TO REMOVE CLOGS CAUSED BY WIPES; AND

5 (f) CLEAR "DO NOT FLUSH" LABELING ON THE PACKAGES FOR  
6 WIPES THAT ARE NOT DESIGNED TO BE FLUSHED IS A CRITICAL STEP IN  
7 HELPING CONSUMERS PRACTICE RESPONSIBLE FLUSHING HABITS, WHICH IN  
8 TURN LEADS TO HEALTHIER HOMES AND COMMUNITIES AND THE  
9 PROTECTION OF THE ENVIRONMENT, WATERWAYS, AND PUBLIC  
10 INFRASTRUCTURE USED FOR THE COLLECTION, TRANSPORT, AND  
11 TREATMENT OF WASTEWATER.

12 **25-18.9-102. Definitions.** AS USED IN THIS ARTICLE 18.9:

13 (1) "COVERED ENTITY" MEANS:

14 (a) THE MANUFACTURER OF A COVERED PRODUCT THAT IS SOLD OR  
15 OFFERED FOR SALE IN THIS STATE; AND

16 (b) A WHOLESALER, SUPPLIER, OR RETAILER THAT IS RESPONSIBLE  
17 FOR THE LABELING OR PACKAGING OF A COVERED PRODUCT.

18 (2) (a) "COVERED PRODUCT" MEANS A CONSUMER PRODUCT SOLD  
19 OR OFFERED FOR SALE IN THIS STATE THAT IS:

20 (I) A PREMOISTENED, NONWOVEN DISPOSABLE WIPE MARKETED AS  
21 A BABY WIPE OR DIAPERING WIPE; OR

22 (II) A PREMOISTENED, NONWOVEN DISPOSABLE WIPE THAT IS:

23 (A) COMPOSED ENTIRELY OF OR IN PART OF  
24 PETROCHEMICAL-DERIVED FIBERS; AND

25 (B) LIKELY TO BE USED IN A BATHROOM WITH SIGNIFICANT  
26 POTENTIAL TO BE FLUSHED.

27 (b) "COVERED PRODUCT" INCLUDES BABY WIPES, BATHROOM

1 CLEANING WIPES, TOILET CLEANING WIPES, HARD SURFACE CLEANING  
2 WIPES, DISINFECTING WIPES, HAND SANITIZING WIPES, ANTIBACTERIAL  
3 WIPES, FACIAL CLEANSING WIPES, MAKEUP REMOVAL WIPES, GENERAL  
4 PURPOSE CLEANING WIPES, PERSONAL CARE WIPES FOR USE ON THE BODY,  
5 FEMININE HYGIENE WIPES, ADULT INCONTINENCE WIPES, ADULT HYGIENE  
6 WIPES, AND BODY CLEANSING WIPES.

7 (3) "HIGH CONTRAST" MEANS:

8 (a) TONAL CONTRAST THAT IS SHOWN BY EITHER A LIGHT SYMBOL  
9 ON A SOLID DARK BACKGROUND OR A DARK SYMBOL ON A SOLID LIGHT  
10 BACKGROUND; AND

11 (b) HAVING AT LEAST SEVENTY PERCENT CONTRAST BETWEEN THE  
12 SYMBOL ARTWORK AND BACKGROUND USING THE FORMULA  $[(B1 - B2) \div$   
13  $B1] \times 100$ , WHERE:

14 (I) B1 IS THE LIGHT REFLECTANCE VALUE OF THE RELATIVELY  
15 LIGHTER AREA; AND

16 (II) B2 IS THE LIGHT REFLECTANCE VALUE OF THE RELATIVELY  
17 DARKER AREA.

18 (4) "LABEL" MEANS A REPRESENTATION MADE BY STATEMENT,  
19 WORD, PICTURE, DESIGN, OR EMBLEM ON A COVERED PRODUCT PACKAGE,  
20 WHETHER AFFIXED TO OR WRITTEN DIRECTLY ON THE PACKAGE.

21 (5) "LABEL NOTICE" MEANS:

22 (a) THE PHRASE "DO NOT FLUSH" IN A SIZE EQUAL TO AT LEAST  
23 TWO PERCENT OF THE SURFACE AREA OF THE PRINCIPAL DISPLAY PANEL;

24 (b) FOR COVERED PRODUCTS REGULATED PURSUANT TO THE  
25 "FEDERAL HAZARDOUS SUBSTANCES ACT", 15 U.S.C. SEC. 1261 ET SEQ.,  
26 AS AMENDED, BY THE FEDERAL CONSUMER PRODUCT SAFETY COMMISSION  
27 UNDER 16 CFR 1500.121, THAT IF AT LEAST TWO PERCENT OF THE

1 SURFACE AREA OF THE PRINCIPAL DISPLAY PANEL WOULD RESULT IN A  
2 TYPE SIZE LARGER THAN FIRST AID INSTRUCTIONS PURSUANT TO THE  
3 "FEDERAL HAZARDOUS SUBSTANCES ACT", THEN, TO THE EXTENT  
4 PERMITTED BY FEDERAL LAW, THE PHRASE "DO NOT FLUSH" IN TYPE SIZE  
5 EQUAL TO OR GREATER THAN THE TYPE SIZE REQUIRED FOR THE FIRST AID  
6 INSTRUCTIONS; AND

7 (c) FOR COVERED PRODUCTS REQUIRED TO BE REGISTERED BY THE  
8 FEDERAL ENVIRONMENTAL PROTECTION AGENCY UNDER THE "FEDERAL  
9 INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT", 7 U.S.C. SEC. 136 ET  
10 SEQ., AS AMENDED, THAT IF AT LEAST TWO PERCENT OF THE SURFACE AREA  
11 OF THE PRINCIPAL DISPLAY PANEL WOULD RESULT IN A TYPE SIZE ON THE  
12 PRINCIPAL DISPLAY PANEL LARGER THAN A WARNING PURSUANT TO THE  
13 "FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT", THEN, TO  
14 THE EXTENT PERMITTED BY FEDERAL LAW, THE PHRASE "DO NOT FLUSH"  
15 IN A TYPE SIZE EQUAL TO OR GREATER THAN THE TYPE SIZE REQUIRED FOR  
16 THE "KEEP OUT OF REACH OF CHILDREN" STATEMENT REQUIRED UNDER  
17 40 CFR 156.66.

18 (6) "PRINCIPAL DISPLAY PANEL" MEANS THE SIDE OF A PRODUCT  
19 PACKAGE THAT IS MOST LIKELY TO BE DISPLAYED, PRESENTED, OR SHOWN  
20 UNDER CUSTOMARY CONDITIONS OF DISPLAY FOR RETAIL SALE.

21 (7) "SYMBOL" MEANS THE "DO NOT FLUSH" SYMBOL, OR A  
22 SYMBOL THAT IS EQUIVALENT, AS DEPICTED IN THE INDA/EDANA CODE  
23 OF PRACTICE SECOND EDITION AND PUBLISHED WITHIN "GUIDELINES FOR  
24 ASSESSING THE FLUSHABILITY OF DISPOSABLE NONWOVEN PRODUCTS",  
25 EDITION 4, MAY 2018, WHICH IS IN A SIZE EQUAL TO AT LEAST TWO  
26 PERCENT OF THE SURFACE AREA OF THE PRINCIPAL DISPLAY PANEL, EXCEPT  
27 AS SPECIFIED IN SECTION 25-18.9-104 (1)(a)(II)(C).



1           **25-18.9-103. Determination of surface area of a principal**  
2 **display panel.** (1) FOR A CYLINDRICAL OR NEARLY CYLINDRICAL  
3 PACKAGE, THE SURFACE AREA OF THE PRINCIPAL DISPLAY PANEL  
4 CONSTITUTES FORTY PERCENT OF THE PRODUCT PACKAGE AS MEASURED  
5 BY MULTIPLYING THE HEIGHT OF THE CONTAINER BY THE CIRCUMFERENCE.

6           (2) FOR A FLEXIBLE FILM PACKAGE IN WHICH A RECTANGULAR  
7 PRISM OR NEARLY RECTANGULAR PRISM STACK OF WIPES IS HOUSED  
8 WITHIN THE FILM, THE SURFACE AREA OF THE PRINCIPAL DISPLAY PANEL  
9 IS MEASURED BY MULTIPLYING THE LENGTH BY THE WIDTH OF THE SIDE OF  
10 THE PACKAGE WHEN THE FLEXIBLE PACKAGING FILM IS PRESSED FLAT  
11 AGAINST THE STACK OF WIPES ON ALL SIDES OF THE STACK.

12           **25-18.9-104. Labeling requirements - exceptions.** (1) EXCEPT  
13 AS PROVIDED IN SUBSECTIONS (2), (3), (4), AND (6) OF THIS SECTION, A  
14 COVERED PRODUCT MANUFACTURED ON OR AFTER DECEMBER 31, 2023,  
15 SHALL BE LABELED CLEARLY IN ADHERENCE TO THE FOLLOWING  
16 REQUIREMENTS:

17           (a) FOR CYLINDRICAL OR NEAR CYLINDRICAL PACKAGING  
18 INTENDED TO DISPENSE INDIVIDUAL WIPES, A COVERED ENTITY SHALL:

19           (I) PLACE THE SYMBOL AND LABEL NOTICE ON THE PRINCIPAL  
20 DISPLAY PANEL IN A LOCATION REASONABLY VIEWABLE EACH TIME A WIPE  
21 IS DISPENSED; OR

22           (II) PLACE THE SYMBOL ON THE PRINCIPAL DISPLAY PANEL AND  
23 EITHER THE SYMBOL OR LABEL NOTICE, OR THE SYMBOL AND LABEL  
24 NOTICE IN COMBINATION, ON THE FLIP LID, SUBJECT TO THE FOLLOWING:

25           (A) IF THE LABEL NOTICE DOES NOT APPEAR ON THE FLIP LID, THE  
26 LABEL NOTICE SHALL BE PLACED ON THE PRINCIPAL DISPLAY PANEL;

27           (B) THE SYMBOL OR LABEL NOTICE, OR THE SYMBOL AND LABEL

1 NOTICE IN COMBINATION, ON THE FLIP LID MAY BE EMBOSSED, AND IN  
2 THAT CASE ARE NOT REQUIRED TO COMPLY WITH SUBSECTION (1)(f) OF  
3 THIS SECTION; AND

4 (C) THE SYMBOL OR LABEL NOTICE, OR THE SYMBOL AND LABEL  
5 NOTICE IN COMBINATION, ON THE FLIP LID MUST COVER A MINIMUM OF  
6 EIGHT PERCENT OF THE SURFACE AREA OF THE FLIP LID.

7 (b) (I) FOR FLEXIBLE FILM PACKAGING INTENDED TO DISPENSE  
8 INDIVIDUAL WIPES, A COVERED ENTITY SHALL:

9 (A) PLACE THE SYMBOL ON BOTH THE PRINCIPAL DISPLAY PANEL  
10 AND THE DISPENSING SIDE PANEL; AND

11 (B) PLACE THE LABEL NOTICE ON EITHER THE PRINCIPAL DISPLAY  
12 PANEL OR DISPENSING SIDE PANEL IN A PROMINENT LOCATION  
13 REASONABLY VISIBLE TO THE USER EACH TIME A WIPE IS DISPENSED.

14 (II) IF THE PRINCIPAL DISPLAY PANEL IS ON THE DISPENSING SIDE  
15 OF THE PACKAGE, TWO SYMBOLS ARE NOT REQUIRED.

16 (c) FOR REFILLABLE TUBS OR OTHER RIGID PACKAGING INTENDED  
17 TO DISPENSE INDIVIDUAL WIPES AND BE REUSED BY THE CONSUMER FOR  
18 THAT PURPOSE, A COVERED ENTITY SHALL PLACE THE SYMBOL AND LABEL  
19 NOTICE ON THE PRINCIPAL DISPLAY PANEL IN A PROMINENT LOCATION  
20 REASONABLY VISIBLE TO THE USER EACH TIME A WIPE IS DISPENSED.

21 (d) FOR PACKAGING NOT INTENDED TO DISPENSE INDIVIDUAL  
22 WIPES, A COVERED ENTITY SHALL PLACE THE SYMBOL AND LABEL NOTICE  
23 ON THE PRINCIPAL DISPLAY PANEL IN A PROMINENT AND REASONABLY  
24 VISIBLE LOCATION.

25 (e) A COVERED ENTITY SHALL ENSURE THAT THE PACKAGING  
26 SEAMS, FOLDS, OR OTHER PACKAGE DESIGN ELEMENTS DO NOT OBSCURE  
27 THE SYMBOL OR THE LABEL NOTICE.

1 (f) A COVERED ENTITY SHALL ENSURE THAT THE SYMBOL AND  
2 LABEL NOTICE HAVE SUFFICIENTLY HIGH CONTRAST WITH THE IMMEDIATE  
3 BACKGROUND OF THE PACKAGING TO RENDER THE SYMBOL AND LABEL  
4 NOTICE LIKELY TO BE SEEN AND READ BY AN ORDINARY INDIVIDUAL  
5 UNDER CUSTOMARY CONDITIONS OF PURCHASE AND USE.

6 (2) FOR COVERED PRODUCTS SOLD IN BULK AT RETAIL, BOTH THE  
7 OUTER PACKAGE VISIBLE AT RETAIL AND THE INDIVIDUAL PACKAGES  
8 CONTAINED WITHIN MUST COMPLY WITH THE LABELING REQUIREMENTS IN  
9 THIS SECTION APPLICABLE TO THE PARTICULAR PACKAGING TYPES, EXCEPT  
10 FOR:

11 (a) INDIVIDUAL PACKAGES CONTAINED WITHIN THE OUTER  
12 PACKAGE THAT ARE NOT INTENDED TO DISPENSE INDIVIDUAL WIPES AND  
13 CONTAIN NO RETAIL LABELING; AND

14 (b) OUTER PACKAGES THAT DO NOT OBSCURE THE SYMBOL AND  
15 LABEL NOTICE ON INDIVIDUAL PACKAGES CONTAINED WITHIN.

16 (3) IF A COVERED PRODUCT IS PROVIDED WITHIN THE SAME  
17 PACKAGING AS ANOTHER CONSUMER PRODUCT FOR USE IN COMBINATION  
18 WITH THE OTHER CONSUMER PRODUCT, THE OUTSIDE RETAIL PACKAGING  
19 OF THE OTHER CONSUMER PRODUCT DOES NOT NEED TO COMPLY WITH THE  
20 LABELING REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION.

21 (4) IF A COVERED PRODUCT IS PROVIDED WITHIN THE SAME  
22 PACKAGE AS ANOTHER CONSUMER PRODUCT FOR USE IN COMBINATION  
23 WITH THE OTHER PRODUCT AND IS IN A PACKAGE SMALLER THAN THREE  
24 INCHES BY THREE INCHES, THE COVERED ENTITY RESPONSIBLE FOR THE  
25 LABELING OR PACKAGING OF THE COVERED PRODUCT MAY COMPLY WITH  
26 THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION BY PLACING THE  
27 SYMBOL AND LABEL NOTICE IN A PROMINENT LOCATION REASONABLY

1 VISIBLE TO THE USER OF THE COVERED PRODUCT.

2 (5) A COVERED ENTITY, DIRECTLY OR THROUGH A CORPORATION,  
3 PARTNERSHIP, SUBSIDIARY, DIVISION, TRADE NAME, OR ASSOCIATION IN  
4 CONNECTION WITH THE MANUFACTURING, LABELING, PACKAGING,  
5 ADVERTISING, PROMOTION, OFFERING FOR SALE, SALE, OR DISTRIBUTION  
6 OF A COVERED PRODUCT, SHALL NOT MAKE ANY REPRESENTATION, IN ANY  
7 MANNER, EXPRESSLY OR BY IMPLICATION, INCLUDING THROUGH THE USE  
8 OF A PRODUCT NAME, ENDORSEMENT, DEPICTION, ILLUSTRATION,  
9 TRADEMARK, OR TRADE NAME, ABOUT THE FLUSHABLE ATTRIBUTES,  
10 FLUSHABLE BENEFITS, FLUSHABLE PERFORMANCE, OR FLUSHABLE  
11 EFFICACY OF A COVERED PRODUCT.

12 (6) (a) IF A COVERED PRODUCT IS REQUIRED TO BE REGISTERED BY  
13 THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY UNDER THE  
14 "FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT", 7 U.S.C.  
15 SEC. 136 ET SEQ., AS AMENDED, AND THE DEPARTMENT OF AGRICULTURE  
16 UNDER THE "PESTICIDE ACT", ARTICLE 9 OF TITLE 35, THEN THE COVERED  
17 ENTITY SHALL SUBMIT A LABEL COMPLIANT WITH THE LABELING  
18 REQUIREMENTS OF THIS SECTION NO LATER THAN DECEMBER 31, 2023, TO  
19 THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY.

20 (b) IF THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY DOES  
21 NOT APPROVE A PRODUCT LABEL THAT OTHERWISE COMPLIES WITH THE  
22 LABELING REQUIREMENTS OF THIS SECTION, THE COVERED ENTITY SHALL  
23 USE A LABEL THAT COMPLIES WITH AS MANY OF THE REQUIREMENTS OF  
24 THIS SECTION AS THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY HAS  
25 APPROVED.

26 (7) A COVERED ENTITY MAY INCLUDE ON A COVERED PRODUCT  
27 WORDS OR PHRASES IN ADDITION TO THOSE REQUIRED FOR THE LABEL

1 NOTICE IF THE WORDS OR PHRASES ARE CONSISTENT WITH THE PURPOSES  
2 OF THIS SECTION.

3 **25-18.9-105. Enforcement.** A COVERED ENTITY THAT KNOWINGLY  
4 OR RECKLESSLY VIOLATES THE LABELING REQUIREMENTS OR ANY OTHER  
5 REQUIREMENT OR PROHIBITION SPECIFIED IN SECTION 25-18.9-104  
6 ENGAGES IN A DECEPTIVE TRADE PRACTICE PURSUANT TO SECTION 6-1-105  
7 (1)(e).

8 **SECTION 2. Act subject to petition - effective date.** This act  
9 takes effect at 12:01 a.m. on the day following the expiration of the  
10 ninety-day period after final adjournment of the general assembly; except  
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
12 of the state constitution against this act or an item, section, or part of this  
13 act within such period, then the act, item, section, or part will not take  
14 effect unless approved by the people at the general election to be held in  
15 November 2024 and, in such case, will take effect on the date of the  
16 official declaration of the vote thereon by the governor.



## SENATE BILL 23-150 A BILL REQUIRING “DO-NOT-FLUSH” LABELING ON DISPOSABLE WIPES

### BILL SPONSORS

Senate: Dylan Roberts (D), Perry Will (R), Chris Kolker (D)

House: Meg Froelich (D), Lisa Frizell (R), Meghan Lukens (D)

### THE ISSUE

Over the past several years, consumer demand has significantly increased for disposable wipe products. The amount of people who use disinfectant wipes five or more times per week has increased by 138% since the start of the COVID-19 pandemic, contributing to a 50% increase in sewer backups because most wipes do not break down in a wastewater system. Millions of wipes that were never designed to be flushed down a toilet clog pipes and mechanical equipment, creating a host of public health issues and costly problems for public utilities, individual homeowners, and businesses including:

- **Clogging of private drain lines and flooding of homes and businesses.**
- **Sewer blockage and overflow, with potential release to waterways.**
- **Clogging, damage, and breakdown of public wastewater infrastructure.**
- **Release of plastic materials into waterways.**

Although everyone agrees that certain wipes are not designed to be flushed, there is often no label to inform consumers. Clear labeling is a critical step in helping consumers practice responsible flushing habits, leading to healthier homes and communities for all of us. Many Colorado organizations have launched campaigns to raise awareness of non-flushable wipes, but legislative action is needed to create a clear standard on labeling.

### A SOLUTION

[SB23-150](#) would require that disposable “non flushable wipes” made of petrochemical-derived fibers be clearly labeled “Do Not Flush” with a related symbol on a product’s packaging. The bill will not create restrictions or burdens on retail businesses and will reinforce health and safety standards on manufactured products sold in Colorado.

Like the laws enacted in in [California](#), [Oregon](#), [Illinois](#), and [Washington](#), this bill avoids the issue of setting a standard for the term “flushable” on packaging due to first amendment protections. By focusing solely on “Do Not Flush” labeling on wipes that are recognized as non-flushable, this legislation will provide clear direction to consumers that petrochemically based wipes, which account for over 90% of manufactured wipes, should not be flushed. Similar bills have received bipartisan support from lawmakers, wastewater utilities, and the wipes industry.

**For more information** about SB23-150, contact Peggi O’Keefe with Clear Strategies at [peggi@clearstrategies.biz](mailto:peggi@clearstrategies.biz) or (303) 884-5517.



**Support SB23-150, a bill requiring “Do Not Flush” labeling on wipes that should not be flushed down the toilet. By enacting state legislation, Colorado will take steps to protect its wastewater infrastructure, limit potential damage of public and private property, and benefit the health and safety of Coloradans.**

## **Supporters**

Albert Frei & Sons, Inc.  
Arapahoe County Water & Wastewater Authority  
Carollo Engineers, Inc.  
Central Clear Creek Sanitation  
City of Arvada  
City and County of Broomfield  
City of Fort Collins  
City of Littleton  
City of Northglenn  
City of Montrose  
Cottonwood Water & Sanitation District  
Eagle River Watershed Council  
Eagle River Water & Sanitation District  
Evergreen Metro District  
Inverness Water & Sanitation District  
LRE Water  
Metro Water Recovery  
Plum Creek Water Reclamation Authority  
South Platte Renew (Littleton / Englewood)  
Stonegate Village Metropolitan District  
Town of Carbondale  
Town of Eagle  
Town of Gypsum  
Town of Silt  
Town of Silverthorne  
Town of Windsor  
Upper Blue Sanitation District  
Upper Eagle Regional Water Authority  
Widefield Water & Sanitation District  
Winter Park Water & Sanitation District  
Zancanella & Associates