



Legislation Text

File #: 22-558, **Version:** 1

To: Board of County Commissioners

Through: Bryan Weimer, Director, Public Works and Development

Prepared By:
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Presenter: Daniel Wiseheart, Staff Engineer, Public Works and Development

Subject:
1:30 PM *Updated Utility Relocation Policy

Purpose and Request:

The Board is requested to review and adopt the updated Utility Relocation Policy, which was updated following the 2021 adoption of the Utility Relocation Policy and direction from the BOCC. Updates are based on one year of evaluation of the policy.

Background and Discussion: In 2020 and 2021, a draft of the revised policy was circulated internally for review and comment to staff within PWD, and then externally for additional review and comments to Utility Providers, contractors, and other local jurisdictions. Comments from 2021 were received from 9 PWD staff members and from 4 external sources: Darryl Farrington (Cherry Creek Valley Water and San), Lane Grady (MCI/Verizon), Jeff Walker (Xcel Energy), and Brandon Felipe (East Cherry Creek Valley Water and San). Both sets of review comments were discussed, and appropriate revisions made, as needed. The final draft of the policy was then sent to the Director of PWD and Arapahoe County Legal department for final review. All comments have been addressed and final edits have been made.

Presented here within is the final policy document for BOCC review and adoption. Since the 2021 adoption, the policy has not been exercised. However, PWD staff have been working on supporting documents, accompanying standard operating procedures, and minor edits to the policy. PWD staff feel that the creation and maintenance of such documents is an iterative process, and the first iteration of such is hereby presented to the Board.

Fiscal Impact: Under the 2021 policy, the County is responsible for 50% of utility relocation costs for water and sanitary utilities. It was determined that within the prior 10-years Policy 87-5 has cost the County upwards of \$1M for utility relocations. The revised policy presented for readoption will require Water and Sanitary District Utility Providers to bear 100% of utility relocation costs. It should be noted that in some instances, federal or state funding may require the County to fund a portion of relocation costs. PWD anticipates evaluating the effectiveness of this policy on an annual basis.

Alternatives: The Board can decide to:

- Alternative #1: Adopt revised Policy, requiring 100% of relocation costs to be borne by Utility

Providers, aligning with most local jurisdiction relocation policies.

- Alternative #2: Do not adopt revised Policy and continue using Policy adopted in 2021, requiring the County to pay for 50% of utility relocation costs for wet utilities.

Alignment with Strategic Plan:

- ☒ Be fiscally sustainable
- ☒ Provide essential and mandated service
- ☒ Be community focused

Staff Recommendation: Staff recommend the BOCC adopt the 2022 edits into the policy and direct staff to continue work on supporting documentation.

Concurrence: PWD staff, including the Director of PWD, has reviewed the policy. The Arapahoe County Attorney's Office has reviewed the policy and recommend adopting the revised Policy, requiring Utility Providers to pay 100% of relocation costs for wet utilities.