

**EXECUTIVE COMMITTEE
MINUTES
March 19, 2020**

A meeting of the Executive Committee was held on Thursday, March 19, 2020 at 10:00 a.m. at the Southeastern Colorado Water Conservancy District, and via electronic and telephonic participation.

Chairman Bill Long announced a quorum was present.

COMMITTEE MEMBERS PRESENT:

Bill Long – Chairman, Tom Goodwin (via phone), Alan Hamel (via computer), Ann Nichols (via phone and computer), Carl McClure (via phone), and Jim Broderick

COMMITTEE MEMBERS ABSENT AND EXCUSED:

Curtis Mitchell, Seth Clayton, and Kevin Karney

OTHERS PRESENT:

Leann Noga, Chris Woodka, Garrett Markus, Lee Miller, and Kevin Meador (via computer), SECWCD staff.

APPROVAL OF MINUTES:

Chairman Long confirmed that members of the Committee received their copy of the July 25, 2019 minutes, and asked if there were any corrections or additions. Hearing none, Ms. Nichols moved, seconded by Mr. Hamel, to approve the minutes. Motion unanimously carried.

PRESENTATIONS:

None

ACTION ITEMS:

The Executive Committee approved three action items, acting on behalf of the Board. The Board meeting scheduled for March 19, 2020 was cancelled because of federal and state guidelines against gatherings of 10 or more people as a precaution against spread of the coronavirus (COVID-19).

Another precaution announced by Mr. Long at the meeting is to close District offices to the public, with most staff working from home until further instruction from government and health officials.

General Counsel Lee Miller told the Executive Committee that the actions required ratification by the Board at a later date, when the Board is able to meet again.

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Inclusion of Land Annexed by Colorado Springs

Three parcels of land adjacent to Colorado Springs were approved for inclusion into the District through annexation. They are described in the table below.

RESOLUTION NO.	More Commonly Known As	Legal	Acres	County
2020-02D INCL-AX	Peak Center Addition No. 1	Sec29 & 28 T12SR66	9.761	El Paso
2020-03D INCL-AX	Dickerson Addition No. 1 Annexation	Sec26 T13SR66	.331	El Paso
2020-04D INCL-AX	Jovenchi-1 Annexation	Sec21 T12SR66	2.088	El Paso

Mr. Markus gave a detailed presentation of the location of parcels, and reported that the Resource and Engineering Planning Committee recommended inclusion at its March 5, 2020 meeting.

Ms. Nichols made the following motion, seconded by Mr. Goodwin:

I move that the Executive Committee approve, by Resolution, the inclusion of the Peak Center Addition No. 1, Dickerson Addition No.1 Annexation, and Jovenchi-1 Annexation annexed by Colorado Springs subject to the following terms and conditions:

1. Approval of these inclusions into the Southeastern Colorado Water Conservancy District will not increase the amount of Fryingpan-Arkansas Project water available to the city. Any Fryingpan-Arkansas Project water used on these included lands will need to come from the water allocated to the city through Fryingpan-Arkansas Project water allocations made pursuant to the District’s Allocation Principles and Policies; and
2. Any use of Fryingpan-Arkansas Project water on the included lands is subject to the decrees for the Fryingpan-Arkansas Project, and to all lawful rules, regulations, principles, policies, and contractual obligations of the District; and
3. The annexed lands will be subject to ad valorem taxes levied by the District as any other similarly situated lands in the District at the time of this inclusion; and
4. Prior to the District filing a petition for District Court approval of this inclusion, the Municipality, and/or owner(s) of the annexed lands shall have paid all the costs charged by the United States in connection with the contracting officer’s assent to this inclusion.

The motion passed unanimously.

Asset Valuation Contract Approval

The Committee approved a contract with Providence Infrastructure Consultants in the amount of \$58,920 for a valuation of assets of the Fryingpan-Arkansas Project and the District. The

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District had four responses to a request for proposals, with two bids. A staff team rated the proposals based on an evaluation rubric.

Mr. McClure asked about timelines. Mr. Markus explained that this is the first phase in a condition assessment study, and timing is critical in order to inspect West Slope features of the Project in the second phase. The first phase should be completed by July 1, 2020.

Mr. Goodwin made the following motion, seconded by Mr. Hamel:

The Executive Committee approve the Asset Valuation Study contract with Providence Infrastructure Consultants.

The motion passed unanimously.

Approval of Stipulation in the Application of Connell Development Company, Case No. 18CW3162 (Water Division 5)

General and Special Water Counsel and District staff recommended that the Board authorize Special Water Counsel to execute a stipulation with Connell Development Company (“Connell”) regarding Connell’s application for a water storage right and plan for augmentation on the Fryingpan River upstream of Ruedi Reservoir, Case No. 18CW3162 (Water Division 5), consenting to entry of a decree that is no less restrictive on Connell and no less protective of the District than the proposed decree dated February 26, 2020.

Lee Miller explained that the purpose of the stipulation is to protect minimum stream flow requirements measured at the Thomasville Gage. Connell’s diversions may cause injury to the District’s water rights. Depletions also could reduce inflows to Ruedi Reservoir.

Mr. Hamel made the following motion, seconded by Ms. Nichols:

To authorize Special Water Counsel to execute a stipulation in the Connell Development Company’s Case No. 18CW3162, consenting to entry of a decree in the case that is no less restrictive on Connell and no less protective of the District than the proposed decree dated February 26, 2020.

The motion passed unanimously.

INFORMATION ITEMS:

None

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OTHER BUSINESS:

Mr. Long said the Finance Committee's Surcharge Study will resume when face-to-face meetings resume.

Chairman Long said necessary business of the District and Enterprise will be conducted through the Executive Committee via electronic and telephonic methods until face-to-face meetings resume. Executive Committee meetings will be noticed and open to the public.

Mr. Broderick said that starting Monday, March 23, 2020, most staff will work from their homes. A public notice will be prepared. Committee members agreed with this approach.

NEXT MEETING

To be determined.

ADJOURN

Chairman Long adjourned the meeting at 10:24 a.m.

Respectfully submitted,

Chris Woodka
Senior Policy and Issues Manager