

**QUARTERLY MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #3  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
December 3, 2020 at 8:00 a.m.  
By Zoom/Teleconference**

**Present:** LeRoy Salazar, President; Nathan Coombs, Vice-President/Secretary/Treasurer; Sam Vance, Manager; Warren Crowther, Manager; Ruben Sandoval, Manager; and, Dwight Martin, Ex-Officio Member.

**Absent:** Doug Bagwell, Manager.

**Staff and Consultants:** Pete Ampe, Hill & Robbins, P.C; Amber Pacheco, Program Manager; Rose Vanderpool, Program Assistant; Clinton Phillips, Davis Engineering; Michael Carson, Database Administrator; and, April Mondragon, Administrative Assistant.

**Guests:** David Hofmann and Deb Sarason.

**Meeting Called to Order**

President Salazar called the meeting to order at 8:03 a.m. A quorum was present. The Pledge of Allegiance was recited. Sam Vance led the opening prayer.

**Approval of the Consent Agenda**

President Salazar asked to remove the Agenda for separate consideration from the Consent Agenda. He asked for any amendments or a motion to approve the consent agenda items:

- September 3, 2020- Quarterly Meeting Minutes
- September 3, 2020- Executive Session Minutes
- October 6, 2020- Special Meeting Minutes

A motion was made by Sam Vance to approve the consent agenda. The motion was seconded by Nathan Coombs and unanimously approved.

**Approval of the Agenda**

President Salazar asked to add an update from the Subdistrict cooperation meeting and a discussion regarding an efficiency improvements incentives program under new business.

A motion was made by Sam Vance to approve the agenda as amended. The motion was seconded by Warren Crowther and unanimously approved.

**Public Comment:**

President Salazar asked for public comment. There were none.

**Attorney's Report**

President Salazar asked for the Attorney's Report. Pete Ampe highlighted the joint subdistrict discussions and reported working with Subdistrict Nos. 4 and 5 on remedy portfolios. He highlighted the difficulties these Subdistricts are having securing Well Injury Payment agreements. He also provided an update on the Subdistrict No. 1 budget litigation and court order.

**Program Manager's Report**

President Salazar asked for the Program Manager's report.

- **Financial Report**  
Amber Pacheco presented the Subdistrict tracking sheet and highlighted the remaining balance due to the Rio Grande Water Conservation District. She also presented the balance sheet, accounts receivable, and the profit and loss statement.
- **Update on Replacement Operations**  
Amber Pacheco reported on the preliminary replacement operations. President Salazar provided an update on a meeting he attended which was held with the State in an effort to foster cooperation and keep water costs down. Ms. Pacheco provided the amount of wet water the Subdistrict released and on the forbearance agreements used. President Salazar expressed his appreciation to the Subdistrict No. 6 Board of Managers for their hard work

She highlighted the coordination act that was drafted between the Fish and Wildlife Service(FWS) Bureau of Reclamation (BOR) and Colorado Parks and Wildlife (CPW). Ms. Pacheco reported on a number of wells needing to contract into Subdistrict No. 5 and the BOR, CPW and FWS's inability to cover the fees financially. She explained the idea of a potential pro-rata cost-share agreement between the Subdistricts to cover the Subdistrict Fees for the Closed Basin Project wells. Discussion was held on the 60/40 agreement, the benefits of the Closed Basin Project to the Subdistricts, and the lack of participation from the BOR.

A motion was made by Nathan Coombs to support paying a pro-rata share of the Subdistrict fees billed to the Closed Basin Project mitigation wells with Subdistrict Nos. 1, 2, 3, 4, 5, and 6 contributing their proportional share. The motion was seconded by Ruben Sandoval and unanimously approved.

Discussion was held on the BORs position and responsibilities. Staff was directed to draft a resolution to the BOR and CPW to ask them to consider the efforts of the Subdistricts and the need to limit well use.

Nathan asked to amend the motion to be on a year-to-year basis. The amended motion was seconded by Ruben Sandoval and unanimously approved.

**Consideration of resolution to offer forbearance bonuses**

President Salazar asked for consideration of the resolution to offer forbearance bonuses. Amber Pacheco presented the draft resolution. She reported how bonus payments help secure three (3) year forbearance agreements.

A motion was made by Nathan Coombs to approve the resolution regarding forbearance contract bonuses. The motion was seconded by Doug Bagwell and unanimously approved.

**Discussion on additional forbearance agreements**

President Salazar asked for discussion on additional forbearance agreements and he provided updates he had. Nathan Coombs and Amber Pacheco also updated the Board on potential additional forbearance agreements.

**Executive Session**

President Salazar asked for a motion to enter into executive session to receive legal advice concerning the purchase of real property. A motion was made by Nathan Coombs to enter into executive session. The motion was seconded by Doug Bagwell and unanimously approved.

Mr. Ampe stated the Board was entering into executive session to receive legal advice concerning the purchase of real property. The Board would take no formal action or position.

**Action on Executive Session**

President Salazar asked for action on executive session.

A motion was made by Nathan Coombs to authorize Nathan Coombs to enter into negotiations and make a down payment/lease option payment for the year, up to, but not to exceed \$30,000, on a potential purchase of property on behalf of the Subdistrict. The motion was seconded by Sam Vance. Ruben Sandoval abstained. The motion passed with all remaining members voting yes.

**Next Meeting**

The Annual Meeting was scheduled for March 4, 2021, beginning at 8:00 a.m.

**Adjournment**

A motion was made by Nathan Coombs to adjourn the meeting. The motion was seconded by Doug Bagwell and unanimously approved.

The meeting was adjourned at 10:50 a.m.

  
President

  
Vice-President/Secretary/Treasurer