

**RIO GRANDE WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING
February 18, 2022 at 12:00 P.M.
8805 Independence Way, Alamosa CO 81101
And By Zoom Teleconference**

Present: Greg Higel, President; Armando Valdez, Vice-President; Dwight Martin, Secretary/
Treasurer; Peggy Godfrey, Board of Director; Cory Off, Board of Director; Mike Kruse, Board of
Director; Steve Keller, Board of Director; Zeke Ward, Board of Director; and, Dale Bartee, Board of
Director.

Staff and Consultants: David Robbins and Pete Ampe, Hill & Robbins, P.C.; Amber Pacheco, Acting
Deputy General Manager; Chris Ivers, Program Manager; Wylie Keller, Water Resource Specialist;
Rose Vanderpool, Program Assistant; Casandra McCuen; HCP Coordinator/Program Assistant; Kylie
Gregg; Office Manager; Clinton Phillips, Davis Engineering; and April Mondragon, Administrative
Assistant.

Guests: Deb Sarason, David Hofmann, and Erin Minks.

CALL TO ORDER

President Greg Higel called the meeting to order at 12:08 p.m. There was a quorum present for the
meeting.

INTRODUCTION OF STAFF AND GUESTS

President Greg Higel welcomed all those present and asked for introductions.

OATH OF OFFICE

Dale Bartee was sworn in as a Board of Director of the Rio Grande Water Conservation District for
Saguache County.

APPROVE AGENDA

President Higel asked for amendments or a motion to approve the agenda. A motion was made by
Cory Off to approve the agenda as presented. The motion was seconded by Armando Valdez and
unanimously approved.

PUBLIC COMMENT

President Higel asked for public comment. Peggy Godfrey commented that standing up for her rights
is not hostility, its freedom which may not make everyone happy.

REVIEW AND CONSIDER APPROVAL OF EMPLOYMENT CONTRACTS

President Higel asked to review and consider approval of employment contracts. A motion was made
by Cory Off to approve the employee contracts in regards to Amber Pacheco and Cleave Simpson.
The motion was seconded by Peggy Godfrey. David Robbins reported for the record the contracts had
been previously discussed and the Board agreed to the general framework of employment structure
Ms. Pacheco and Mr. Simpson have been following for the last two (2) months. Armando Valdez
reported the Management Committee also met and discussed the recommendation that the Board put
forth. The motion was voted on and passed unanimously.

DISCUSS AND CONSIDER APPROVAL OF LETTERS TO THE DELEGATION

President Higel asked to discuss and consider approval of letters to the delegation regarding the RWR
export proposal. David Robbins reported the last time there was a water export threat from the Valley,
a letter was written to the Senators requesting their support. Mr. Robbins highlighted how this letter
was a little different from the letter written last time and how he hopes the Senator's will respond. Mr.
Robbins also reported he is in the process of developing a letter to the House of Representatives asking
them to support the San Luis Valley and oppose the water export proposal.

A motion was made by Zeke Ward to approve the letters to go to the Senators today and similar letters
to go to the Congressmen early next week, both to be signed by Greg Higel. The motion was seconded
by Cory Off and passed unanimously.

DISCUSS AND CONSIDER APPROVAL OF A SOLE SOURCE CONTRACTING POLICY


President Higel asked to discuss and consider approval of a sole source contracting policy. Amber Pacheco provided the requirements that come with the Bureau of Reclamation's WaterSmart grant when putting together your team of professionals. David Robbins explained public agencies are expected to provide notice to seek contract services and explained how sole source contracting works.

A motion was made by Cory Off to approve the sole source contracting policy. The motion was seconded by Peggy Godfrey and unanimously approved.

ADJOURN

The meeting was adjourned at 12:37 p.m.

The next scheduled quarterly meeting will be held on April 19, 2022.



President



Secretary/Treasurer

SOLE SOURCE PROCUREMENT POLICY
BOARD OF DIRECTORS OF THE RIO GRANDE WATER
CONSERVATION DISTRICT

The Rio Grande Water Conservation District Board of Directors (“the District”), at a Special Meeting held at the District Office on February 18, 2022, at the hour of 12:00 pm, makes the following findings, and, based upon those findings, adopts this Sole Source Procurement Policy.

WHEREAS, there are occasions when it is necessary for the District to contract for services without going through a formal public procurement process including public notice and opportunity for competitive bid; and

WHEREAS, the District is committed to utilizing a full, free and open competitive process at every reasonable opportunity that includes compliance with any applicable legally required or recognized preferences for certain classes of potential bidders; and

WHEREAS, in seeking the procurement of services the District shall always award the contract to the lowest responsive and responsible bidder, unless otherwise justified, including the award of a contract pursuant to this policy; and

WHEREAS, the District reserves the right to continue or renew existing contracts for professional services on a year-by-year basis without engaging in a formal competitive process, including contracts or commitments to insure the provision of engineering, legal, government relations, and public affairs services to the District; and

WHEREAS, the District General Manager shall seek specific authority from the Board of Directors before engaging a consultant or executing a contract for services using a sole source contract under this policy; and

WHEREAS, in requesting authority to use a sole source contract to provide services to the District, the General Manager shall prepare a document which provides justification for the decision not to utilize an open competitive process to acquire the services required; and

WHEREAS, the justification for a sole or single source contract should include at least one of the following conditions:

1. The services to be acquired are unique or proprietary to a specific vendor;
2. Because of time constraints imposed on a particular project by external requirements where there is only one known source of required expertise able to meet the required time line;
3. Information or data is unavailable for a competitive procurement process;
4. It is necessary that the service is acquired from the single source because it needs to be compatible with an existing process or procedure;
5. If there is a third-party funder for a particular activity which expressly requires the use of a particular vendor or expressly authorizes a noncompetitive process;
6. If, after solicitation of a number of comparable sources, it is determined that the competition is inadequate or incapable of providing the required services.

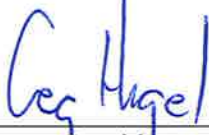
NOW THEREFORE BE IT RESOLVED that the Board of Directors adopts this Sole Source Procurement Policy to govern those situations where an open, competitive bid process to select persons or entities to provide services to the District is determined not to be in the interests of the District, including the following conditions:

* The foregoing WHEREAS clauses containing the Board's findings are incorporated herein;

* This Policy will remain in force and effect until amended or repealed by formal action of the Board at a regular or special meeting of the Board;

* This Policy will be used sparingly and the District will place primary reliance on the use of an open competitive process except for the conditions described in this Resolution.

Dated this 18th day of February, 2022.



Greg Higel, President



Dwight Martin, Secretary/Treasurer