

AGENDA

Denver Board of Water Commissioners

Denver Water Board Room, 1600 W 12th Avenue, Denver, Co 80204 and

Video Conference: <http://zoom.us/join>, Meeting ID: 882 3417 6376 - Passcode: 600590 or

Dial in (669) 900-6833 - Meeting ID: 882 3417 6376 - Passcode: 600590

Members of the public are welcome to attend either in person or by video conference

Wednesday, January 25, 2023 - 9:00 a.m.

I. INTRODUCTORY BUSINESS

A. Call to Order and Determination of Quorum

B. Public Comment and Communications

At this point in the agenda, the Board may allow members of the public to address the Board on any item of interest within the jurisdiction of the Board, and not on the agenda for action. Speakers wishing to address a specific Action Item will be invited to address the Board when the item is being considered. Three minutes are allowed for each person unless the President determines otherwise.

1. Distributor Communications
2. Citizen Advisory Committee Communications

C. Ceremonies, Awards and Introductions

D. Legislative Update Andrew Hill 10 minutes

II. ACTION ITEMS

A. Consent Items

Items listed below are considered routine and may be enacted by one motion and vote. If any Board member desires discussion beyond explanatory questions, or corrections to the Minutes, the President may order that item to be considered in a separate motion and vote.

1. First Amendment to the June 17, 2021 Inter-Governmental Agreement and Temporary Amendment of the March 3, 1987 Rock Creek Lease Agreement as Previously Modified - Contract 504884; and the 2023 Wolford Mountain Reservoir Budget Agreement Contract 505585

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B. Individual Approval Items

III. POLICY MATTERS

A. Water Supply update Nathan Elder 10 minutes

IV. EXECUTIVE UPDATE

A. CEO Update

B. CFO Update

C. Operations Update

V. BRIEFING PAPERS & REPORTS

A. Briefing Paper

B. Report

VI. ADJOURNMENT

VII. TRUSTEE MATTERS

VIII. EXECUTIVE SESSION

The Board may adjourn the regular meeting and reconvene in executive session on topics authorized by D.R.M.C Sec. 2-34.

A. Confidential Report

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 25, 2023

Board Item: II-A-1

First Amendment to the June 17, 2021 Inter-Governmental Agreement and Temporary Amendment of the March 3, 1987 Rock Creek Lease Agreement as Previously Modified Contract 504884 and The 2023 Wolford Mountain Reservoir Budget Agreement Contract 505585

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to approve the First Amendment to the June 17, 2021 Inter-Governmental Agreement and Temporary Amendment of the March 3, 1987 Rock Creek Lease Agreement (First Amendment to the 2021 Temporary Agreement) and the 2023 Wolford Mountain Reservoir Budget Agreement (2023 Budget Agreement), both with the Colorado River Water Conservation District (River District).

On June 17, 2021, Denver Water and the River District entered into the 2021 Temporary Agreement to pilot modifications to the process used by the parties for budgeting for annual operation, maintenance and rehabilitation (OM&R) expenses at Wolford Mountain Reservoir. The term for the 2021 Temporary Agreement expired on December 31, 2022, and Denver Water and the River District desire to continue to pilot the modifications to the Wolford OMR budgeting process for an additional two years. In addition, under the March 3, 1987 Rock Creek Lease Agreement, as amended, the parties must reach agreement on an annual budget for OM&R for Wolford for calendar year 2023.

Under the First Amendment to the 2021 Temporary Agreement, the parties will continue to test the modified budgeting process by extending the 2021 Temporary Agreement through 2024. In addition, the 2021 Temporary Agreement approves the form of the 2023 Budget Agreement, which is attached to the First Amendment as First Amendment Exhibit A. Under the 2023 Budget Agreement, which will be executed separately under Contract 505585, Denver Water commits to expend \$770,312 in 2023 for OM&R expenses for Wolford. Pursuant to the terms of the First Amendment to the 2021 Temporary Agreement, the parties will negotiate a similar agreement for the OM&R budget in calendar year 2024.

Budget and Schedule:

The First Amendment to the 2021 Temporary Agreement extends the term of the agreement through December 31, 2024 and does not involve an expenditure of funds.

The total amount of the 2023 Budget Agreement is \$770,312 and the term of the contract is January 25, 2023 through December 31, 2023. Funds for the 2023 Budget Agreement will come from the 2023 budget for Wolford Mountain, which has sufficient funds to pay the \$770,312 estimated to be needed in 2023.

S/MWBE Information:

Small/Minority and Women-owned Business Enterprise goals are not applicable for this item.

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Recommendation:

Staff recommends that the Board approve the First Amendment to Contract 504884 with the River District and for an extension of the contract period through December 31, 2024.

Additionally, Staff recommends that the Board approve Contract 505585 with the River District for the expenditure of Denver Water's OM&R contribution in 2023 for Wolford Mountain Reservoir for the contract period January 25, 2023 to December 31, 2023 for a total contract amount not to exceed \$770,312.00.

Approvals

- | | |
|---|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input checked="" type="checkbox"/> Angela C. Bricmont, Chief Finance Officer | <input checked="" type="checkbox"/> Thomas J. Roode, Chief Operations Officer |