

RESOLUTION 2020-11-2

A RESOLUTION AUTHORIZING THE DISTRICT MANAGER OR HER DESIGNEE TO TAKE EMERGENCY RESPONSE ACTIONS, INCLUDING PROCUREMENT AND EXPENDITURE OF FUNDS

WHEREAS, Columbine Lake Water District (“District”) is a special district and political subdivision of the State of Colorado, acting pursuant to certain powers set forth in the Colorado Special District Act, § 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, the Board of Directors of the District (the “Board”) has powers including, without limitation, the authority to enter into contracts and agreements, to acquire and dispose of property, to manage, control and supervise the business and affairs of the District, and to appoint, hire and retain agents and employees to carry out the functions of the District related to the District’s provision of water services, pursuant to § 32-1-1001, C.R.S.; and

WHEREAS, on October 17, 2020, the Federal Emergency Management Agency declared the East Troublesome Creek Fire to be a disaster (FM-5378-CO); and

WHEREAS, the Board of County Commissioners of Grand County adopted Resolution 2020-10-22 on October 20, 2020, declaring a local disaster emergency in Grand County, Colorado, for the 2020 East Troublesome Creek Fire; and

WHEREAS, on November 2, 2020, the Board adopted Resolution 2020-11-1 declaring local disaster emergency within the boundaries of the District for the 2020 East Troublesome Creek Fire (the “Disaster”); and

WHEREAS, significant infrastructure, utilities, and water related impacts are possible as a result of the Disaster, as well as associated soil erosion, sedimentation, water quality, debris, and flow impacts; and

WHEREAS, the Disaster has the potential to cause service disruptions or delays and to severely impact District property and residents; and

WHEREAS, time is of the essence in making repairs and replacements to the District’s lines, mains, lift stations, manholes, treatment facilities, and other public infrastructure in order to provide water services to residents and customers served by the District and protect public health and welfare, as well as public and private property; and

WHEREAS, Three Lakes Water and Sanitation District (“Three Lakes”) operates and administers the District, pursuant to an Intergovernmental Agreement, effective January 1, 1994, as amended, and the General Manger of Three Lakes serves as the Manager of the District; and

WHEREAS, the Board has previously determined that it is necessary and appropriate for the Board to delegate certain authority to the District Manager, including general supervision over

the administration of the affairs and business of the District, the management of District property, and supervising the custody of District funds and the accounts of all District transactions; and

WHEREAS, the Board wishes to expressly delegate certain powers to the Manager and authorize the Manager to make certain purchases and decisions, as set forth herein, to allow for a quick response to the fire and to protect public health, safety and welfare, as well as public and private property.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COLUMBINE LAKE WATER DISTRICT, GRAND COUNTY, COLORADO, that:


1. Emergency Purchases. The Board finds and declares that the District is in an emergency situation caused by the Disaster. The emergency has created an immediate and serious need for goods and services to prevent injury or damage to public or private property, to protect public health and welfare and to restore and provide water services. The Board hereby authorizes the Manager or her designee to make emergency purchases up to the amount of \$10,000 per purchase without needing prior Board approval, for purchases necessary in response to the Disaster. All emergency purchases shall be reported to and ratified by the Board at the next Board meeting.
2. Signing of Contracts and Checks. The Board hereby authorizes the Manager to enter into and sign agreements on behalf of the District, up to the amount of \$10,000 per agreement, for goods and services determined in the Manager's reasonable discretion to be necessary to prevent or repair injury or damage to public or private property or persons and/or to restore and maintain water services. The Board authorizes the Manager to sign District checks in the amount of up to \$10,000, for expenses needed to respond to the Disaster, without requiring a second signature from a Director. Checks over \$10,000 must be signed by a Director in addition to the Manager.
3. Application for reimbursement or financial support. The Board hereby authorizes the District Manager, or her designee, to submit insurance claims and applications for funds related to the Disaster from local, county, state, or federal governmental agencies or other parties.
4. Emergency Actions. In the event that the District Manager needs immediate action or direction from the Board to respond to the Disaster and to protect the health and safety of District residents, private or public property or to restore/maintain water service, the District Manager may receive direction from as many Directors as are available, such actions which shall later be ratified by the Board and entered on the minutes at the next meeting of the Board.
5. Emergency Authorization to Use Reserve Funds. The Board hereby finds that the Disaster was not reasonable foreseen at the time of adoption of the budget for fiscal year 2020. Per Sec. 29-1-111, C.R.S., the Board hereby authorizes the expenditure of funds in excess of the appropriation from the Enterprise Reserve Fund for goods and services determined in the Manager's reasonable discretion to be necessary to prevent or repair injury or damage

to public or private property or persons and/or to restore and maintain water services. A certified copy of this Resolution shall be filed with the Colorado Division of Local Government.


6. This resolution is effective as of October 14, 2020 and shall remain in effect until June 30, 2021, unless expressly rescinded or extended by the Board of Directors of the District.

ADOPTED AND APPROVED THIS 2ND DAY OF NOVEMBER, 2020 BY THE BOARD OF DIRECTORS OF THE COLUMBINE LAKE WATER DISTRICT.

COLUMBINE LAKE WATER DISTRICT



By: Philip M. Goes

ATTEST:


By: 11/4/20

CERTIFICATION

I, Mark Trumbo, Treasurer of Columbine Water District (the "District"), having been duly authorized by the Board of Directors of the District, hereby certify that this is a true and correct copy of the Resolution 2020-11-2, as adopted by majority vote of the Board of Directors of the District at a public, special Board meeting held on November 2, 2020.



Treasurer M.W. GOLDEN

11/2/2020

Date of Certification