

MINUTES OF THE SEPTEMBER 23, 2015
REGULAR MEETING
OF THE PUEBLO CONSERVANCY DISTRICT

Directors Present: Bill Alt, Barb Bernard, Matt Cordova, Bud O'Hara, Corrine Koehler,
Donna Phillips, Ron Serna, Paul Willumstad

Also Present: Administrator Rick Kidd, Attorney Don Banner

Guests: Kim Kock, NorthStar Engineering
Chris Woodka, Pueblo Chieftain
Shanna Lewis, Colorado Public Radio

The regular meeting of the Pueblo Conservancy District was called to order by President Willumstad at 10:30 am. A quorum was present.

Minutes:

The minutes of the August 26, 2015 regular meeting were reviewed. Phillips moved to approve the minutes. Motion passed.

Public Forum:

None

Treasurer's Report:

The August 2015 accountant's compilation report was reviewed. Kidd said that he would be working with the accountants for a better breakdown of item codes for 2016. Koehler moved to receive and file the compilation report. Seconded by Phillips. Motion passed

Kidd stated that the invoice from NorthStar included an additional \$3000 under Task A for the Wildhorse Levee contract. This was for their extra surveying costs to fight the weeds and brush in lieu of the quote from Spaccamonti to cut it out. Alt moved to approve paying the bills. Seconded by O'Hara. Motion passed.

Bills – The following bills were posted for review and approval:

\$ 375.00	MBD&G, Monthly Accountant fees
\$ 500.00	Banner and Bower, Attorney fees
\$ 1,200.00	Kidd Engineering, Administrator/Engineer fees
\$ 350.00	Kidd Engineering, Levee Construction and Planning Meetings
\$ 420.00	Kidd Engineering, District's Special Meeting and Audit Support
\$ 200.00	Alt, Director's Fee
\$ 200.00	Bernard, Director's Fee
\$ 200.00	Cordova, Director's Fee
\$ 200.00	Koehler, Director's Fee
\$ 200.00	Maroney, Director's Fee
\$ 200.00	O'Hara, Director's Fee
\$ 200.00	Phillips, Director's Fee
\$ 200.00	Serna, Director's Fee
\$ 200.00	Willumstad, Director's Fee
\$ 7,895.00	NorthStar Engineering, Task E Arkansas Levee Construction Support Services, Geotechnical Testing, Staking, As-Builts
\$ 6,602.50	NorthStar Engineering, Task A Wildhorse Levee "Original As-Constructed" and Boundary Surveys
\$ 7,990.00	NorthStar Engineering, Task C Wildhorse Levee Design, Permitting, and Regulatory Approvals

\$ 2,240.00	NorthStar Engineering, Meetings, Consultations, State Assessed and Non-Profit Valuations, Art & Recreation Meetings
\$ 17.50	NorthStar Engineering, Reimbursable copies, etc.
\$ 357.50	Chem-Way Lawn Care, Levee Weed Spraying

President's Report –

HARP will be holding a reception this evening from 5:00 to 7:00 at the Convention Center. They will be talking about the Riverwalk Expansion. Light hors d'oeuvres will be served. All are invited.

Administrator's Report –

TRS has provided a set of proposed temporary and permanent easements for construction of the 11th Street Bridge. Kidd provided these to NorthStar for review of their impact with respect to the construction and maintenance of the Wildhorse Levee. We are also continuing to work with the City for acquiring ownership and easements of some of their properties for construction of the Wildhorse Levee.

Fountain Creek Committees Reports –

O'Hara attended for Maroney. The Fountain Creek Watershed Flood Control and Greenway District has entered into a \$437,500 contract with Matrix to study the tributaries to Fountain Creek and potential detention sites. A new storm water design manual has been developed and approved by the District. For enforcement, however, it must be adopted by all of the governmental entities, including Pueblo County. Friday morning at 10:00 am the Pueblo County Commissioners are to be discussing the SDS 1041 permit and Colorado Springs' compliance. Kock said that Maroney had told him that the District is working on a shortened version of their PowerPoint presentation and will be available for a presentation to the Pueblo Conservancy District.

Arkansas River / Wildhorse Creek Levee Construction Contract –

Kock reported that the Wildhorse land surveys are completed. The hydraulic modeling is pretty well pulled together with preliminary design assumptions. They are working on design documents and Levee layout. They expect the geotechnical testing to be completed and the report finished this week. The Army Corps of Engineers responded that the Wildhorse Levee project is non-jurisdictional so there will not be any additional permitting requirements through them. The draft of the qualifications proposal was sent to the Phase I contractors, the City of Pueblo, Pueblo County, and the operators' union for their review and comment. O'Hara and Swerdfeger are the only ones who have sent any comments to Kock. Kock said that it appears that Swerdfeger is trying to take the qualifications ratings from Phase I and apply them to theoretical application of the Phase II package. This does not work because the rating scheme and criteria is totally different. This new package was put together in concept with the processes that the Union said they would like to see followed. Swerdfeger is also pushing to go through a qualifications process and then only the pre-qualified contractors preparing bids. NorthStar is currently in the process of trying to schedule a meeting with Swerdfeger and have Banner in attendance. Banner said that he had responded to Swerdfeger and is willing to participate in a meeting. The Phase II package does include requirements to submit both qualifications statements and pricing, but the bid pricing will not be opened until after the qualifications evaluations are completed. The scope of Phase II includes lowering the top of the Arkansas Levee and construction of the Wildhorse Levee. It does not include construction of the Arkansas Levee continuing from where Phase I ended.

Old Business:

Levee Mural Sub-Committee – Kochler said that there is nothing new.

Recreation Sub-Committee – Kochler reported that there have been meetings. The committee heard a presentation from McLaughlin Water Engineers. They offered a budget cost proposal of

approximately \$50,000 for studies and design of improvements through the water park area. Scott Hobson, from the City of Pueblo, has talked to DOLA about a planning grant. The maximum grant available through them is \$25,000, leaving \$25,000 of matching money that needs to be made available. Hobson is willing to write the grant and believes that the City would be able to contribute \$10,000. This leaves \$15,000 more needed and Koehler hoped that the District could make this contribution. Kidd reported that the District has budgeted \$5,000 per year in their budget for planning for several years. This category has not been being used. Kidd said that he thinks there is a valid argument that the Maintenance Fund Assessment moneys could be used for this planning. The improvements would affect the stability and integrity of the Levee and how the new construction preserves the Legacy Project constructed by the City and Corps of Engineers. Proper planning now will save costs in the future. Koehler said that the concept discussed is that the District would continue to own the land and improvements, but the City would be responsible for maintenance. Banner said that this does fit in with the statute because it allows for the District to engage in recreation projects. Koehler moved that the District provide \$15,000 in matching money for the DOLA grant. The planning contract would be through a competitive process and the deliverable would be plans and drawings for the future improvements. O'Hara seconded. It was discussed that this funding would come from the \$5,000 in the 2015 budget and then \$10,000 to be budgeted in 2016. There was not a motion on this proposal, but the concept did not have any objections. Willumstad asked for conformation from FEMA that work in the water park area could be undertaken, and that they be kept in the loop as plans develop.

Board of Water Works Access Road Agreement – Banner said that they have all of the papers. Water Works had requested that Banner provide the agreement in a Word document to register their comments. He has not yet received any review comments.

Land Purchase Offer – Phillips and Kidd met with Cheryl Hindsley to discuss the offer from Mike Shuster, and the market value of the land. Phillips said that the offer was on Terrace Lots 1-13. This area is on the Bluff, off of the Corona Curve. Phillips said that this is the District's premier property and is a great parcel for commercial development. She recommended not offering this parcel for sale until future planning was completed. Kidd said that one of the River Trail accesses that the City is considering is coming down from this area with improvements to the bluff slope. It was agreed to not accept offers on this parcel, at this time.

New Business:

Construction Financing – Banner reported that the loan is approved subject to Canon National Bank's review of the documentation they requested. He had given David Lytle an October 15 deadline for review of the documentation. The pending acquisition of Canon National by another bank will not affect this transaction

Lower West Side Urban Renewal IGA – Kock reported that Jerry Pacheco had met with the Pueblo Urban Renewal Authority. They do not have any money to support this project and will not have any TIF funding coming back from it for some time. PURA said that if they were to be a party to this IGA they would require that Federal land acquisition standards be followed. Pacheco talked to City Manager Sam Azad and he is supportive of the City participating with the District. If the District acquires the properties then the City would take care of the demolition outside of the District's construction lines. Kidd met with Phillips and Hindsley and discussed the properties that it was necessary for the District to acquire for construction of the Wildhorse Levee. Banner said that under statute the District can purchase the properties directly. This may be less costly than participating with PURA and applying Federal standards.

Other Business:

Website – Banner said that he had requested Rick Thomas to add 2.6 GB of space to the District's site.

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Chris Woodka said that FEMA External Affairs had dropped by his office. They talked about flood insurance and some other issues. He then took them up to Dutch Clark Stadium to look down on The Arkansas River Levee and the work that was done in Phase I.

O'Hara attended the HARP annual budget meeting. He stressed that there is a difference between the HARP Authority and the HARP Foundation and they have separate budgets. He was impressed with the budgeting and detail of the budgets. None of the District's IGA contributions go in to supporting the events hosted on the River Walk.

Runyon Concrete Bunker – Kidd reported he had received a proposal from Spaccamonti Excavating. Their cost would be \$5700 to only breakup and cave in the bunker; or \$9726 to demolish it, collect together some other concrete in the area, and then bury it all with on-site materials. All moved to have the concrete demolished and buried for \$9726. Seconded by O'Hara. Asked if this had to be put out to bid Banner said that contracts below \$10,000 do not have to be put out to competitive bid. Motion passed.

Willumstad reminded the Board that the November and December meetings will be held a week earlier due to the holidays.

The meeting was adjourned at 11:46 am.

The next regular meeting date will be October 28, 2015, at 10:30 am.

APPROVED:

Paul Willumstad, President

Matt Cordova, Secretary