

MINUTES OF THE DECEMBER 19, 2018 REGULAR MEETING

Directors Present: Barb Bernard, Matt Cordova, Corinne Koehler, Jerry Martin, Bud O'Hara, Dennis Maroney, Ron Serna, Paul Willumstad

Also Present: Administrator Rick Kidd, Attorney Joe Bower

Guests: Kim Kock, NorthStar Engineering

The regular meeting of the Pueblo Conservancy District was called to order by Vice President Koehler at 10:00 am. President Phillips was ill and not able to attend. A quorum was present.

Minutes:

The minutes of the November 28 regular meeting were reviewed. Cordova moved to approve the minutes with pen-in-ink changes on page 3 and O'Hara seconded. Motion passed.

Public Forum:

None

Treasurer's Report:

Accountant's Compilation Report – Bernard said that she had received and reviewed the accountant report. She noted that there may be a need to amend the 2018 budget. Kidd is to bring recommendations from the accountant after they have the year-end documentation. Bernard moved to receive and file the report and Willumstad seconded. The motion passed.

Bills – Bernard said that she had reviewed the bills and they are fairly routine. Kidd said that the Pay Request #2 to CWCB is only for the Swerdfeger pay request. The NorthStar and Kidd Engineering expenses, not included in Pay Request #1 will be included in Pay Request #3.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 450.00	MBD&G, Monthly Accountant fees
\$ 500.00	Banner and Bower, Attorney fees
\$ 1,700.00	Kidd Engineering, Administrator/Engineer fees
\$ 200.00	Bernard, Director's Fee
\$ 200.00	Cordova, Director's Fee
\$ 200.00	Koehler, Director's Fee
\$ 200.00	Maroney, Director's Fee
\$ 79.03	Maroney, Fountain Creek Committees Mileage
\$ 200.00	Martin, Director's Fees

\$ 200.00	O'Hara, Director's Fee
\$ 102.42	O'Hara, Reimbursement for school logo paint
\$ 200.00	Phillips, Director's Fee
\$ 200.00	Serna, Director's Fee
\$ 200.00	Willumstad, Director's Fee

BSJ Construction Draw Account:

\$ 1,007.50	Kidd Engineering, Phase 5 Construction and planning meetings, etc. November 26 through December 14, 2018
\$ 27,911.50	NorthStar Engineering, Phase 5 construction staking, observations, construction testing, and reimbursable expenses
\$ 6,039.00	NorthStar Engineering, Phase 6 design and reimbursable expenses
\$ 2,050.50	NorthStar Engineering, Maintenance Fund Assessment Support, Consultations, etc. and reimbursable expenses
\$318,587.40	KR Swerdfeger, Phase 5 Pay Request #1

BSJ Reserve Account:

\$ 4,631.45	Pueblo Conservancy District – Transfer to Operating Account
\$355,595.50	Pueblo Conservancy District – Transfer to Draw Account

Bernard moved to pay the bills and Willumstad seconded. The motion passed.

Old Business

County Land Purchase – Willumstad said that there had not been a committee meeting since the County is on hold. He said that it will probably be after the first of the year before there will be any more action. Kidd reported that the EPA super fund testing contractor had received agreement to add addition plots along the north side of Lake Runyon, to square off the line of demarcation they had with the County's requested sampling area. This revision does not include the additional area that the County is discussing purchasing from the District. Mark Wood said that requests for that area would have to come from the County to the EPA, since this testing is being done by the EPA in cooperation with the Colorado Department of Health and Environment and the Pueblo City-County Health Department. O'Hara moved to have Banner send a letter to the County requesting that this additional area be included with the testing program. Maroney seconded and the motion passed.

President's Report –

None

Administrator's Report –

Kidd reported that the contractor is to submit their pay request the first week of the month. Then NorthStar and he review and approve it. Then Kidd is to prepare a pay request for CWCB eligible expenses and send that and a progress report off to the CWCB. The timing goal is for CWCB to process the pay request in time for the funds to be deposited in the District's account prior to the meeting so that the funds are there to cover the checks. To

facilitate this process, Kidd requested authority to sign the pay request submitted to the CWCB. The CWCB requires that someone who can obligate funds be the ones signatory for the pay requests. Kidd asked for formal authority limited only to the CWCB pay request and for the funds to be deposited into the District's Draw Account at Bank of the San Juans. After discussion, Willumstad moved to have Joe Bower/Don Banner prepare a resolution with Kidd having a limited power-of-attorney to sign the CWCB pay requests. Bernard seconded and the motion passed.

Fountain Creek Committees -

Maroney reported that two more construction contracts have been approved. One is for construction work at the Pinon Bridge and the other is for stabilization at Barr Farm. The Pinon Bridge project is to begin January 2, 2019. The Highway 47 channeling and stabilization project is complete. Maroney requested that one of the Fountain Creek Watershed Flood Control and Greenway District's stake holder meetings be held in Pueblo, He was told that this could not be done but that Executive Director Larry Small would be willing to come make a presentation to the Pueblo Conservancy District. It was agreed to invite him to the January 23, 2019 meeting.

Recreation Committee –

Koehler reported that she had obtained a copy of the Master Plan that NorthStar had produced, under contract with the City of Pueblo. She said that there is a lot of good information provided in the plan and will make her copy available for routing to the members. Koehler said that she has been trying to get in contract with the local State legislators to encourage them to support funding for recreational improvements along the Arkansas River Park corridor. She has not yet received any response from them. Kock said that NorthStar is working on the designs and construction documents for the pedestrian bridge to be erected downstream of the 4th Street Bridge. This design is part of their contract with the City. The geotechnical investigation work has been done. They are waiting on the report and then will continue with the design.

Mural Committee –

Serna reported that the work on the East High School mural started a couple of days ago. No money has been received from the other schools yet. He has been contacted by the Steel Workers Union. They would like to have their logo painted on the Levee. Kock expressed concerns about muralist needing to increase to better safety practices. He is using a harness, but the rope is similar to clothesline roping rather than a safety rope. Willumstad asked if HUB could provide a quote for a project liability compensation policy. Bower said that he would contact Ralph Williams.

O'Hara said that Banner had given him letters to present to Sherwin Williams, Home Depot and Lowes to request paint donations or reduced pricing. The Home Depot and Lowes letters specifically asked for paint for the school logos. Lowes responded that they would be willing to donate some paint. Sherwin Williams said that they would donate one 5 gallon bucket of anti-graffiti coating and reduce the price on the purchased one to approximately \$627. The

paint is on order and should be here soon. The East High School logo may be painted by Friday.

Serna asked about requesting the City to provide signs to mark Wildhorse Creek. O'Hara suggested using CDOT standards for river signage. Consensus was for Serna to pursue the City to see if they are interested and willing to do the signs.

Phase 5 –

Kock reported that progress meetings are held on a weekly basis. Swerdfeger is placing concrete about every day. The weather has been cooperative. They are about to start work under the railroad bridge. The crane to fly the rebar panels into place will be moving around to the east side of the bridge on Friday. The quality of the work is improving. The concrete crew has started listening to Jim Pioreschi's input based upon the prior three phases of concrete work.

The core drilling for injection of grout under Phase 5A has begun. The occurrence of voids has been somewhat varied with some being quite significant. They will start the grout injection after the first of the year. Kock said that the purpose of the grouting is to stabilize the slope below where the safety ledge will be constructed. He reminded the Board that the design team decided that grouting should fill the voids and provide adequate stabilization and structural integrity, while saving the high costs of trying to dewater the pond areas.

New Business:

Proposed Phase 5 Construction Change Orders -

Kock said that he had three proposed change orders.

Proposed Change Order No. 1 is for a catwalk that the Pueblo Board of Water Works designed and wants around the slide gates at the HARP Diversion. Seth Clayton has told Kock that Water Works will pay for it, they would just like for it to be under our contract. Steve Anselmo has reviewed Swerdfeger's pricing and has said to proceed, and affirmed that Water Works will pay for it. The amount is \$47,504.00. O'Hara moved to approve this change order subject to written affirmation from Water Works. Maroney seconded and the motion passed.

Proposed Change Order No. 2 is for buttressing an existing retaining wall at the abutment of the railroad bridge. The retaining wall is the railroad's construction and is in bad condition, but that is a situation they need to deal with. The old Levee fill and concrete facing had come provided some support of this wall in the past. Removing the old concrete face and lowering the top of the Levee has taken away support that was being afforded by the Levee fill and concrete. The original proposal we received for constructing a buttress was \$11,000, and from Swerdfeger's Levee face concrete contractor. We requested KRS to get bids from other concrete contractors. They talked to two others and the current proposal of \$8,712.00 is based on the lowest quote received. O'Hara moved to approve the change order at a cost not to exceed \$8,712.00. Serna seconded and the motion passed.

Proposed Change Order No. 3 is for railing at the top of the Levee, along the area at Moore's Automotive. A hand rail along here was a part of the plan for the access road along the face

of the Levee. It was not a part of the access road, but was planned to be a pedestrian guardrail and a visual barrier for vehicles parking at Moore's. The access road is an \$800K item that was delayed until we knew more about Phase 6 costs. Moore's have a legitimate concern about vehicles driving over the edge. The \$22,765.19 proposal from Swerdfeger is for installation of a guard rail. This works out to approximately \$100 per lineal foot. The handrailing originally designed for this area was priced out at \$146 per lineal foot in Swerdfeger's bid. Therefore, the guard rail proposal is about \$8000 less. It was decided to table this item and get costs for other concepts, and then bring it up at the meeting in January.

Offer on 11th Street Property –

Kidd said that the offer was not included in the Board packet and he had not had the opportunity to discuss it with either Jason Levinson or Phillips. This item was tabled until the January meeting.

Other Business –

Kidd said that he had not yet received the environmental report for the properties at 1912 West 16th Street.

Maroney said that there is going to be a celebration at the HARP office on January 17th, at 1:00 pm. District Board members are invited to attend.

There being no other business to come before the Board the meeting was adjourned at 11:30pm. The next regular meeting will be on January 23, 2019, at 10:00 am.

APPROVED:

Donna Phillips, President

Bud O'Hara, Secretary