

# MINUTES OF THE AUGUST 28, 2019 REGULAR MEETING

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

Also Present: Attorney Don Banner  
Administrator Rick Kidd

Guests: Kim Kock, NorthStar Engineering  
Sam DeNardo, District Auditor  
Chris Wiseman, County Commissioner  
Mathew Taylor, Muralist

The regular meeting of the Pueblo Conservancy District was called to order by President Koehler at 10:00 am. A quorum was present.

## **Minutes:**

The minutes of the July 24, 2019 regular meeting were reviewed. Bernard moved to approve the minutes and Cordova seconded. The motion passed.

## **Public Forum:**

None

## **Treasurer's Report:**

**Accountant's Compilation Report** – Willumstad said he had not received the report from the accountants in time for a full review. He has glanced over it and has not noticed anything out of line. Willumstad moved receive and file the accountant's report for July. The motion passed. Kidd said DeNardo had informed him that there is a 2018 budget discrepancy due to the loan funding cycling. DeNardo said that the District could amend the 2018 budget and then he could remove the footnotes. Willumstad moved to amend the 2018 budget to account for the finance restructuring. Bernard seconded and motion passed.

**Bills** – Kidd reported that the current bills include payment to NorthStar for their work on the Levee project and preliminary work on developing a Fountain Creek maintenance fund assessment tier; and progress payments for the work associated with demolition of the 16<sup>th</sup> Street properties. Willumstad moved to approve payment of the bills and Bernard seconded. Motion passed. Not listed on the bill payment schedule is payment of one year of accrued interest on the CWCB loan. The amount for payment effective August 31, 2019 is \$323,246.72. Banner recommended payment of the interest. Willumstad so moved and

Bernard seconded. The motion passed. This payment will be made via wire transfer from the Bank of the San Juans Reserve account to the State of Colorado's Colorado Water Conservation Board loan account.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 400.00	Black Hills Energy, Lake Runyon electricity
\$ 475.00	MGPM, Monthly Accountant fees
\$ 200.00	MGPM, Audit planning and preparation meeting
\$ 1,478.25	B&B, 2 <sup>nd</sup> Quarter legal – bylaws, mural guidelines, land sales, statutory changes, scan minutes
\$ 1,700.00	Kidd Engineering, Administrator/Engineer fees
\$ 262.11	Kidd Engineering, Levee tour van rental and gas
\$ 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	Martin, Director's Fees
\$ 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
\$ 650.00	Special Districts Association of Colorado, 2019 Annual Conference registration for Kidd and Phillips

BSJ Construction Draw Account:

\$ 3,490.00	NorthStar Engineering, Phase 6 design, price quotation documents and reimbursable expenses July 20 through August 23, 2019
\$ 2,385.00	NorthStar Engineering, Maintenance Fund Assessment Support, Consultations, etc. and reimbursable expenses
\$ 3,270.00	NorthStar Engineering, Maintenance and Artist Location indexing, mapping, and stamping
\$ 3,760.00	NorthStar Engineering, Fountain Creek Floodway Zone MFA Analysis
\$ 3,050.00	All –Phase Environmental, 16 <sup>th</sup> Street properties additional asbestos testing
\$15,004.74	Dirt N Demo, Progress payment on 16 <sup>th</sup> Street properties demolition

BSJ Reserve Account:

\$ 5,787.11	Pueblo Conservancy District – Transfer to Operating Account
\$323,246.72	State of Colorado – CWCB Loan Program, Accrued interest

BSJ Bond Loan Account:

\$ 28,129.74 Pueblo Conservancy District – Transfer to Draw Account

**Lake Runyon –**

Chris Wiseman said that the County's interest in the Lake Runyon area was piqued by a combination of Senator Leroy Garcia's legislation to spur development of the area and the voter approved 1A measure for the development of youth sports opportunities. They see this land as affording an opportunity to increase the number of ball fields at the Runyon Sports Complex plus provide an opportunity for a managed campground. He said that camp-glamp brings tourism in and that he knows from personal experience that parents look for camping venues where there is a multitude of youth engagement opportunities, and places to camp as the parents support their kids in club sports programs. The County is interested in the entire area around Lake Runyon. As well as the Pueblo Conservancy District land there is a small sliver of EVRAZ property that they hope to reach an acquisition agreement on. They would be using 1A funding for the purchase costs. They are not sure of the time frame but all three Commissioners are very interested in developing Lake Runyon into a recreation area. They have been discussing concepts and opportunities with both the Mayor and the Chamber of Commerce. When asked about the homeless situation in the area and how that would be addressed Wiseman said that he sets on the Homeless Commission and they are working on alternatives to help manage that situation.

**President's Report –**

Koehler said that there had been several emails going around about the GOCO funding for Phase 1 of the Levee recreation work. GOCO partially awarded the City's request at \$1.2M. They will be meeting with DOLA tomorrow to discuss the potential of DOLA funding to help with the short fall. Steven Meier is officially the Pueblo Parks and Recreation Director and Scott Hobson is the Interim City Planning and Development Director. HARP gave her a copy of their preliminary 2020 plan and budget. Koehler passed it on to Willumstad. He is concerned about monies going from us to HARP every year. He said that the District could use that \$50,000 on other projects. Banner said that the District would have to pull out of the Intergovernmental Agreement to get out of the \$50,000 a year commitment.

**Administrator's Report –**

Kidd said that a land owner in the Grove neighborhood keeps calling him about the weeds along the Levee, but that he has contacted several contractors and has not found anyone available to go cut and remove the weeds. He reported that at the last Arkansas Basin Round Table meeting it sounded like there may be some funding available to help with some of the Levee corridor enhancements projects. Kidd said that for some reason, in the last year, there had been a lot of movement of the 18<sup>th</sup> Street Bridge sidewalk that KR Swerdfeger installed. Even though it is past the construction warranty period, Swerdfeger has agreed to remove and replace the sidewalk. They are currently in progress of that work.

**Recreation Committee –**

Kock reported that there had been a meeting to coordinate CDOT and other grants that the City has received or applied for to complete work in the Levee corridor. They are setting up a meeting with City Purchasing to try to develop a path for the grant funds to be transferred to the District, thereby using the District's construction contractor for the work. This would cut out potential conflicts between a City contractor and the District's contractor, plus Swerdfeger already has the necessary access permits and processes in order.

**Fountain Creek Committees-**

Maroney said that he had asked Jeff Hawkins, City Drainage Engineer, how much funding the City has put into maintenance of the Fountain Creek floodway. The response was \$50,000. Maroney expressed concerns that budgeting \$50,000 a year is not nearly enough to maintain the \$16.4M floodway improvements investments along Fountain Creek within Pueblo County. The Fountain Creek Greenway and Flood Protection District has hired a public relations firm to get the word out about the work that has been done and what is being done. They are currently working on producing a brochure about what has been done. Larry Small, the Fountain Creek Executive Director, said that they are having trouble getting print coverage of the work being done. They have been submitting information but it is not being printed. Koehler suggested that they talk to Steve Henson at the Pueblo Chieftain.

**'21 In '21 Celebration-**

Bernard reported that they have been working on a call to artists and she called attention to a Murals Across America article that she emailed out to the Board. The next meeting is scheduled for September 18<sup>th</sup> at 1:30. It will be held at the El Pueblo Museum.

**Levee Construction–**

Kock said that it is getting closed to the construction season. They are continuing to work with Swerdfeger on tweaks to coordinate and improve the project. The team is looking at an October 1 construction start date.

**2018 Audit Presentation:**

DeNardo passed out copies of the draft audit report. He said that there was nothing surprising in the audit review. The two cycles of debt restructuring caused an overspending on paper, however there were ample funds in reserve to cover this. Since the District is going to amend the budget, he will make changes to the footnotes on page 18. Kidd will prepare the amended budget and send the proposed revisions to Banner for filing with the State. DeNardo said that there are no cash flow compliance issues. Approval of the audit report will be put on the September meeting agenda.

**Old Business:**

**Mural Guidelines** – Serna said that the water levels are still too high for painters to come in. He still has hopes that some of the school logos will be painted soon. He and O'Hara would like to receive comments on the draft guidelines sent out to the Board so that they can be

approved at the September meeting. Banner said that, since Serna has learned that it is going to cost more than originally quoted for the school logos, Serna should go back to the schools and explain the situation to them and tell them that it is going to cost \$1500 per logo versus the original asking of \$600.

**Statutory Changes** – Banner said that he thinks it is going well. Senator Garcia is sponsoring the bill and Esgar is a co-sponsor in the House.

**Bylaws** – It was discussed that the current terms and term limits need to be determined. There seems to be some conflict in understandings. Bernard moved to approve the bylaws and Willumstad seconded. The motion passed. Kidd was told that a final copy of the bylaws should remain in the director books.

**Fountain Zone** –

Kock said that they now have an area of potential flooding from the County line to the confluence with the Arkansas River. They are checking it against a new FEMA map published on August 14<sup>th</sup>. After any differences are resolved they will submit the boundaries to the County to get information on valuations.

**New Business:**

**City Work Session** – there has not been a scheduled date response from Council President Dennis Flores. He is the one who had indicated that he would like for the District to attend a work session to provide the Council with information about the Levee and the work being undertaken. Koehler said that she would contact him again about a scheduled date.

**Other Business:**

Kidd informed the Board of the costs for he and Phillips to attend the Special Districts Association meeting. The cost for registration is \$650 and it will be over \$1100 for lodging. Then there will be mileage costs and some fee for Kidd's time to attend the meetings. After further discussion Martin moved that no one would be sent this year. Maroney seconded and the motion passed. Kidd said that he would cancel the registration and room reservations, but that the first night of lodging will not be refunded.

There being no other business to come before the Board the meeting was adjourned at 11:35 pm. The next regular meeting will be on September 25, 2019, at 10:00 am.

APPROVED:

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Corinne Koehler, President

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Jerry Martin, Secretary