

# RECORD OF PROCEEDINGS

100 LEAVES

## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PUEBLO CONSERVANCY DISTRICT

May 27, 1946

A special meeting of the Board of Directors of the Pueblo Conservancy District was held at the office of the District, 113 West Fifth Street, at 7:30 P.M. o'clock on May 27, 1946.

Directors Present: John M. Holmes, W. T. Mathis and Frank Pryor

Also Present: S. F. Elliot, Engineer for the District.

The minutes of the meetings of March 26, 1946 and April 12, 1946, were read and approved.

Mr. Holmes reported that pursuant to the decision of the Directors made at the meeting of April 12, 1946, the C. M. Hanes Construction Co., of Colorado Springs, Colorado, had been awarded the levee repair job. Mr. Pryor moved that the awarding of this contract be approved and ratified. Mr. Mathis seconded this motion and the vote in favor was unanimously carried.

The following Vouchers were read and approved for payment:

10905	Elbert D. Greene (Mar)	\$40.00
10906	Elbert D. Greene (Mar)	161.10
10907	Collector Internal Revenue	23.90
10908	Mountain States Tel & Tel Co.	1.76
10909	W. J. Nafe	65.00
10910	J. E. Creel, County Treasurer	.50
10911	Herbert L. Reno	10.00
10912	Oman Construction Co.	10.00
10913	Brown Construction Co.	10.00
10914	John M. Holmes	10.00
10915	W. T. Mathis	10.00
10916	J. E. Creel, County Treasurer	17.75
10917	Star Journal Publishing Co.	45.57
10918	J. E. Creel, County Treasurer	5.00
10919	C. M. Hanes Construction Co.	4,280.00
10920	S. F. Elliot	256.80
10921	Elbert D. Greene (Apr)	40.00
10922	Elbert D. Greene (Apr)	161.10
10923	Collector Internal Revenue	23.90
10924	Mountain States Tel & Tel Co.	1.76
10925	Greene & Company	175.00
10926	Pueblo Typewriter Exchange	6.12
10927	Mountain States Tel & Tel Co.	2.03
10928	J. E. Creel, County Treasurer	1.40
10929	First National Bank of Pueblo	12,777.50
10930	John M. Holmes	10.00
10931	Frank Pryor	10.00
10932	W. T. Mathis	10.00

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Mr. Mathis moved that the sale of Certificates listed below be approved because they were sold in a manner believed to be in the best interest of the District and the property holder. Mr. Pryor seconded the motion and the vote in favor was unanimous.

Receipt Pages 146 - 167 Inclusive

Certs. Nos. 94803 (Partial)	10.00	Miguel Rodriquez
99904	172.80	H. M. Shanstrom and George W. Opp
99954	291.18	Harry Rosenblum
92722	20.19	Theresa M. Simonich
88055	222.27	C. O. Chipman etal
90416; 81125; 87947; 85664;	132.64	Joe Ellis
88330; 91086; 93069; 94885;		
96525; 97799		
90822	222.28	C. O. Chipman etal
99988	38.35	Vincent Massari
2317; 58072; 59767; 61537;	67.29	Angelo Giarratano
64662; 70701; 75010; 77785;		
81034; 83164; 85347; 87988;		
90749; 92733; 94567; 96211;		
97840; 98627; 99881		
64663; 70702; 75011; 77786;	52.50	Angelo Giarratano
90423; 83165; 85348; 87989;		
90750; 92734; 94568; 96212;		
97841; 98628; 99882		
96563; 97511	563.11	Robert B. Kyle
85399	332.05	Robert B. Kyle
96332	88.02	Onorio Izzi
85508 (Partial)	25.00	Joe T. Rocco
94803 (Balance)	10.08	Miguel Rodriquez
75340; 78098; 90611; 87898;	1,550.51	Est. J. E. Holderman
85606; 88270; 91036; 94834;		
96469; 98896		
94914; 96555; 97832; 98972;		
100172	43.22	Jackson Carlile Land Co.
98674	814.23	D. C. Neuman
96582	6.32	Richard Gomey
88244; 91012	28.03	John Germ
85508 (Partial)	25.00	Joe T. Rocco
97608	87.93	Onorio Izzi

Mr. Mathis introduced the following resolution and moved its adoption:

BE IT RESOLVED by the Board of Directors of the Pueblo Conservancy District: That that petition heretofore presented to the Board by Ruth Covington and Grace Sitton Chance for distribution of benefits of Lots 3 and 4, Block 2, State Addition, be and the same is hereby granted and the Prseident of the Board is hereby authorized and directed to file a waiver and consent in court, proceeding accordingly, and all acts of the officers of the Pueblo Conservancy District in conformity with this resolution are hereby ratified, confirmed and approved.

The motion was seconded by Mr. Pryor and upon being put to vote was unanimously passed.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF COLORADO

THE UNITED STATES OF AMERICA )

Petitioner, )

VS. )

NO. 11484

CERTAIN PARCELS OF LAND LYING )  
PARTLY IN THE CITY OF PUEBLO, )  
COLORADO, PARTLY IN THE COUNTY )  
OF PUEBLO, COLORADO; THE COUNTY )  
OF PUEBLO, COLORADO, a quasi- )  
municipal corporation, et al., )

D I S C L A I M E R

RESPONDENTS. )

Comes Now, The Pueblo Conservancy District, a public corporation, and hereby disclaims any right, title, and interest in or to the just compensation for the taking by the United States of America, Petitioner, of easement for sewer across Lots 31 to 36, inclusive, Block 32, Stanton and Snyder's Addition to the City of Pueblo, Colorado, included in the property which is the subject matter of the above entitled action.

THE PUEBLO CONSERVANCY DISTRICT,  
a public corporation.

By \_\_\_\_\_  
President.

ATTEST:

\_\_\_\_\_  
Secretary.

Simon F. Elliot  
Civil Engineer  
Thatcher Bldg.  
Pueblo, Colo.

18 May 1946

Board of Directors  
Pueblo Conservancy District  
Pueblo, Colorado,

In Re: South Bank Arkansas River at  
Union Ave. Viaduct.

Gentlemen:

As per the request of Mr. Greene, Secretary to the Board, I made an investigation of the conditions of the south bank of the Arkansas River, immediately adjacent to the easterly abutment of the Union Ave. Viaduct. Attached herewith you will find photographs which show the conditions as they now exist. The following is a brief outline of the situation:

There is at present a 15" storm sewer outlet draining over the face of the embankment, about ten feet below street level. Due to the fact that the slag rip-rap now there is not grouted, or provided with a means of preventing the drainage from this sewer from entering the voids between the slag, storm water from the aforementioned sewer has been discharged at a high rate from the sewer, and in so doing, has dislodged the slag rip-rap, both above and below it. In the absence of the slag rip-rap, continued discharge from the sewer has eroded a considerable channel below the outfall of the sewer, and in so doing has endangered rip-rap adjacent to it, and in addition, has exposed the abutment to the viaduct. Although it is felt that the viaduct is in no immediate danger, steps should be taken to prevent further erosion and scour from the waters discharged from the sewer.

Immediately east of the above situation, surface water, caused by storms of high intensity have eroded a small section of the slag rip-rap at the top of the slope, for a distance of about ten feet, and a width of about the same dimension. This rip-rap has been damaged by causes as enumerated above, i.e. water working into the voids between the slag, and the high rate of discharge subsequently dislodging the slag. In order to prevent this damage from becoming greater, steps should be taken to make repairs.

The following is recommended for your consideration in order to correct the above situations:

1. Clear out, and excavate the toe of the slope below the sewer, at river level, so as to have a firm footing for new rip-rap work. This will involve approximately fifty cu.yd. of excavation, mainly slag and debris which has accumulated. Salvage value of the slag now on the river bottom is doubtful.
2. Place new slag rip-rap on slope, both below and above the sewer outlet. The thickness of this work will vary, due to irregularities in the sub-grade, but it is felt that it will be economical to bring the slope to grade with slag, rather than fine grade with filled earth. Thickness will therefore vary roughly from 8" to 24". Rip-rap specifications identical

Board of Directors  
Pueblo Conservancy District

to those under which C.M. Hanes is now working under should be used, so as to avoid too much fine material being present, thereby prevent grout from entering voids of the slag. Estimated quantity of slag is about 300 cu.yd.

3. The slag should be "dished" below the sewer, so as to confine the discharged storm water to a restricted path.

4. An extension of about 15 feet will be required on the end of the 15" sewer, to replace a section, and bring it beyond the finished new grade line.

5. Grout the entire new slag surfacing with a cement grout, using the same specifications as those under which C.M. Hanes is now working. It is estimated that about 150 cu.yd. will be required.

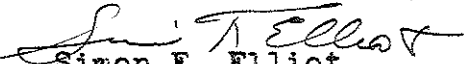
6. Replace slag rip-rap immediately east of the above work, and grout. It is estimated that 10 cu.yd slag, and 5 cu.yd. grout will suffice.

7. Existing rip-rap adjacent to, and easterly from the aforementioned work should be given an application of cement grout. This work should extend for a distance of about 80 feet from the viaduct. This phase of the work is merely a safeguard for existing rip-rap, but should be considered at this time in conjunction with the aforementioned work. It is estimated that about 50 cu.yd of grout will be required.

8. It is suggested that work be let by contract, on the basis of unit cost, on two items only, namely (1) slag rip-rap in place, per cu.yd., and (2) cement grout in place, per cu.yd.. The price should be such in these two items so as to cover minor items of the work involved, such as excavation at toe of slope, re-placing storm sewer outlet, etc., rather than have several items for the basis of payment.

9. It is estimated that the cost of the work should be from low price of \$3500 to a high of \$4500. Cost will largely depend on the amount needed to bring the slope to grade, waste, etc.

Respectfully submitted,

  
Simon F. Elliot  
Civil Engineer.

Encl: Photographs  
SFE/s

Mr. Mathis introduced the following resolution and moved its adoption:

BE IT RESOLVED by the Board of Directors of the Pueblo Conservancy District: That the petition heretofore presented to the Board by Harry E. Lynch, John A. Giarratano and Settimo S. Giarratano and Cosden Petroleum Corporation, for distribution of benefits of Lots 2 to 8, inclusive, Block 17, State Addition, be and the same is hereby granted and the Prseident of the Board is hereby authorized and directed to file a waiver and consent in court, proceeding accordingly, and all acts of the officers of the Pueblo Conservancy District in conformity with this resolution are hereby ratified, confirmed and approved.

The motion was seconded by Mr. Pryor and upon being put to vote was unanimously passed.

Mr. Greene read a letter which he had received from the United States Attorney in Denver requesting that the District disclaim compensation from The United States of America for an Easement for sewer across Lots 21 to 26, inclusive, Block 32, Stanton and Snyder's Addition.

Mr. Mathis thereupon introduced the following resolution and moved its adoption:

BE IT RESOLVED by the Board of Directors of the Pueblo Conservancy District: That the petition of THE UNITED STATES OF AMERICA for a disclaimer from the District for compensation for the taking by THE UNITED STATES OF AMERICA of Easement for sewer across Lots 21 to 26, inclusive, Block 32, Stanton and Snyder's Addition to the City of Pueblo, Colorado, be granted; that the President and Secretary of the District be hereby authorized to execute the Disclaimer, copy of which is attached hereto.

Mr. Pryor seconded the motion and upon vote the motion was unanimously carried. Copy of the Disclaimer is attached hereto.

Mr. Holmes called attention to the fact that the Conservancy District deposit box at the First National Bank contains \$175,000.00 in negotiable bonds and that he considered it advisable to insure the contents of this box against theft, robbery and mysterious disappearance. Mr. Pryor and Mr. Mathis concurred with Mr. Holmes and ratified his having purchased an insurance policy to cover these risks.

Mr. Holmes called attention to the fact that the District owns \$75,000.00 7/8% U. S. Government Certificates which will mature on June 1st, 1946. He stated that he had authorized the Treasurer to deliver these bonds in the amount of \$75,000.00 to the First National Bank of Pueblo with instructions to the Bank to send them to the Federal Reserve Bank for exchange into new Certificates which would expire June 1st, 1947. Mr. Holmes explained that the Federal Reserve Bank would probably not issue more than bonds in the amount of about \$50,000.00 but that he believed it advisable for the District to accept such bonds as the Federal Reserve would issue; the balance of the \$75,000.00 to be returned to the District in cash. Mr. Mathis stated that he agreed with Mr. Holmes and moved that sending these bonds to the Federal Reserve Bank for exchange be approved and ratified. Mr. Pryor seconded the motion and upon vote, it was unanimously carried.

Mr. Greene stated that he believed it advisable to apply for Tax Titles on certain properties on which the owners were making no effort to pay back Conservancy taxes. Upon motion by Mr. Pryor, seconded by Mr. Mathis and unanimously carried, Mr. Holmes and Mr. Greene were authorized to proceed in applying for such Tax Titles as they saw fit.

Mr. Holmes read a letter from Mr. S. F. Elliot regarding the condition of the south bank of the Arkansas River immediately adjacent to the easterly abutment of the Union Avenue viaduct. Mr. Elliot's letter is attached hereto. All of the Directors had recently inspected the levee where Mr. Elliot had recommended repairs and were in agreement that the repairs recommended by Mr. Elliot should be made. It was further agreed by the Directors that the best way to get this work done quickly at a fair price and a satisfactory manner was for Mr. Holmes to act in the matter as his best judgment indicated. Upon motion made by Mr. Mathis and seconded by Mr. Pryor and unanimously carried, Mr. Holmes was instructed to proceed.

There being no further business, the meeting adjourned.

*Elliot Holmes*  
Secretary

Read and approved:

*J. M. Holmes*  
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*J. W. Mathis*  
\_\_\_\_\_  
*Frank Pryor*  
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