

MINUTES OF THE MAY 24, 2017 REGULAR MEETING

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

Also Present: Administrator Rick Kidd, Attorney Joe Bower

Guests: Kim Kock, NorthStar Engineering
Mike Cuppy, NorthStar Engineering

The regular meeting of the Pueblo Conservancy District was called to order by President Willumstad at 10:32 am. A quorum was present.

Minutes:

The minutes of the April 26, 2017 regular meeting and May 10, 2017 special meeting were reviewed. Serna moved to approve the minutes and Bernard seconded. Motion passed.

Public Forum:

None

Treasurer's Report:

Accountant's Compilation Report – Kidd said that he and Larry Daveline have scheduled to meet and discuss revisions to the 2016 budget. Bernard moved to approve the report and seconded by O'Hara. Motion passed.

Bills – Bernard said that she had reviewed the construction related invoices. Cordova moved for payment of the bills and seconded by Phillips. Kidd reviewed the meetings he attended and had invoiced for. The motion to pay the bills passed.

The following bills were posted for review and approval:

Vectra:

\$ 425.00	MBD&G, Monthly Accountant fees
\$ 500.00	Banner and Bower, Attorney fees
\$ 127.08	Banner and Bower, Advertising and E-filing fees
\$ 1,700.00	Kidd Engineering, Administrator/Engineer fees
\$ 905.30	Kidd Engineering, Public Outreach Presentations
\$ 375.00	Kidd Engineering, Maintenance Fund Assessment Court Preparation and Attendance
\$ 200.00	Bernard, Director's Fee
\$ 200.00	Cordova, Director's Fee
\$ 200.00	Koehler, Director's Fee

\$ 200.00	Maroney, Director's Fee
\$ 78.30	Maroney, Fountain Creek committees' mileage
\$ 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
\$ 2,700.00	Kidd Engineering, Levee Phases 2&3 CA/CO, Construction, Financing and Planning meetings
\$ 4,862.50	NorthStar Engineering, Arkansas Tasks F.3, F.4, and F.5 Construction staking, observation, and testing
\$ 3,525.00	NorthStar Engineering, Maintenance Fund Assessment Support, Appraisal Phase III Services, Property Acquisitions, Artwork and Recreational Opportunities meetings
\$ 25,348.14	K.R. Swerdfeger, Arkansas and Whildhorse Levees, Phase 2
\$ 69.00	Altman, Keilbach, Lytle et.al., Wildhorse Creek Area Eminent Domain and Land Acquisitions 4-30-17 invoice

CNB Reserve Account:

\$ 0.00

CNB Draw Account:

\$ 0.00

Latka – Willumstad invited Jean Latka to come address the Board about concerns she has with downed branches in the area above Corona Street. Latka said that there is a large ravine adjacent to her house that is owned by the Conservancy District. The late snow storm broke off a lot of tree branches and now there is a lot of dead timber in this ravine. She is concerned about the fire hazard. Latka said that the City has a sewer line down this ravine and there is also an easement for an overhead power line. Asplundh did some tree trimming along the power line but did not pick up all of the slash. She has contacted Black Hills Energy about this. Latka's would like to purchase the Conservancy District owned properties adjacent to their house. Phillips said she would contact a real estate agent about listing and selling the District's excess properties in the area. Willumstad suggested that Latka contact Nancy Keller, as the head of City Waste Water, and also Joe Martellaro for getting the City to clean their right-of-way. Kidd said that he would also contact the City and that he would work toward getting bids for clearing out the dead timber. Kidd will meet with Phillips concerning the excess properties.

President's Report –

None

Administrator's Report –

Kidd reported that Doug Miller has contacted both him and Phillips about wanting to buy District properties above the Arkansas River. The primary area he is interested in is currently the Pearl Street Parking Lot. Kidd made a presentation at the Arkansas Basin Water Forum. At the end of the meetings they did a text in wrap up of the two day event. One of the questions was: What is the one thing that you will remember as a take away from this meeting? Kidd said that someone texted "The Pueblo 1921 Flood".

Fountain Creek Committees Reports –

O'Hara attended the Technical Advisory Committee meeting. They heard a report for the new Colorado Springs Storm Water Director. Colorado Springs has reorganized the department and they are taking storm water more serious. The staff went from 16 to 44 people.

Recreation Committee-

Serna reported that the City is working on grant applications that are due June 1. The committee has discussed opportunities for bridges, the look of the wall, and other improvements. The Levee has been posted with No Trespassing signs.

Arkansas and Wildhorse Levee Construction –

Kock reported that ASI is complete except for installation of a handrail around the HARP Diversion intake structure. It will probably be installed in a couple of weeks. Swerdfeger has finished with their seeding. They have a little drainage issue and are working on regrading the area.

Willumstad asked NorthStar about contacting the UP Railroad about a fence along their side of the Levee. Kock responded that the City has an RFP out for planning through the water park corridor. The Railroad wants to be involved in that planning. Kock thinks that as we get into the planning of this corridor the Railroad will come in.

Old Business:

Tier 3 Areas – Kock reported that currently all of the flood plain area, both upstream and downstream of the City limits is in Tier 3. Banner asked NorthStar to take a look at the impact of removing the areas from Tier 3 that do not receive a direct benefit from the levees. Kock said that if these areas were shifted into Tier 2 and Tier 3 there would be about a \$110,000 loss in the maintenance fund assessments. O'Hara said that the water upstream of the levees could actually be higher with them in place because the water no longer spread out over a large area. Kock said that the old boundary of the Pueblo Conservancy District is the floodplain boundary line used outside of the City limits. O'Hara moved to table this discussion and the motion was seconded by Phillips. After discussion O'Hara decided to withdraw his motion. He is concerned, however, that this could become an issue if the District increases the fees. Bernard asked about simply allowing appeals to come in and the Board would consider on a case by case basis. O'Hara moved to table the discussion until the June meeting. Bernard seconded and the motion passed.

Future Funding – Kidd briefed the Board on the work done for the Scope of Work, loan Feasibility Study, and the applications for the loan and Water Supply Reserve Fund grants.

New Business:

NorthStar Phase 4 Proposal – Kim said that Banner had requested him to put together a proposal for the Board to consider at the May meeting. It is possible to move on to the next phase since the Court approved increasing the maintenance fund assessment. The terms and conditions are the same as in prior proposals. NorthStar's fees have gone down a little bit, in comparison to previous services contracts, but CTL Thompson has gone up some. Their proposal also includes Task H for the reconstruction of the HARP Diversion structure. The proposed area for construction is from the last drop structure down to the railroad bridge. It includes lowering the Levee through the Grove area since we are closer to that end now. They are looking at the Phase 4 construction having three parts: 1) Continuing the Levee refacing as in previous phases, 2) Reconstruction of the HARP Diversion, and 3) Lowering the Levee through the Grove neighborhood. Banner said that it had been considered to extend ASI's contract, but he has decided that the District should go through their adopted proposal and bidding process. Kidd asked NorthStar if they had included enough time in their oversight proposal to cover the construction time. Kock said that they had. Serna moved to approve the NorthStar proposal in the amounts of \$191,000 for the Arkansas River Levee plus \$33,000 for the HARP Diversion structure. O'Hara seconded. Motion passed.

18th Street Mural – Serna said that Ed Posa is wanting to back out. He does not feel that he will be physically able to design and oversee the painting of the project. Therefore, Serna is looking for someone else who would be interested. Willumstad suggested contacting Nathan Salano. Kock said that there is another muralist who did some work for the City of Pueblo. He believed that he is a friend of Koehler's. Serna said that he would follow up on leads.

Other Business:

None

There being no other business to come before the Board the meeting was adjourned at 12:08 pm. The next regular meeting date will be June 28, 2017, at 10:30 am.

APPROVED:

Paul Willumstad, President

Matt Cordova, Secretary