

MINUTES OF THE NOVEMBER 15, 2017
FINAL BUDGET ADOPTION
and
REGULAR MEETING

Directors Present: Barb Bernard, Matt Cordova, Dennis Maroney, Ron Serna, Paul Willumstad

Also Present: Administrator Rick Kidd, Attorney Don Banner

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 10:00 am. A quorum was present.

Public Forum:

None

BUDGET HEARING

Kidd discussed the updates recommended at the last meeting, plus changes in construction costs and anticipated income. Bernard moved to approve the resolution adopting the 2018 budget as presented. Seconded by Cordova the motion passed. The budget hearing was closed at 10:06.

Serna moved to approve the resolution to appropriate sums of money as presented. The general fund appropriations are \$206,650.00 for Operating Expenses, \$3,775,345.00 for Capital Outlay, and \$1,400,000 for Debt Service. Cordova seconded and the motion passed.

Minutes:

The minutes of the October 18 regular meeting and October 24, 2017 special meeting were reviewed. Cordova noted that he was not present at the October 24 meeting. Kidd made a pen in ink change to the original minutes. Serna moved to approve the minutes and Cordova seconded. Motion to approve the minutes passed.

Treasurer's Report:

Accountant's Compilation Report – The October compilation report was reviewed. Kidd said that he had scheduled to meet with Larry Daveline and Alexandra Romero to discuss some issues he noted on the report. Bernard reported that she had requested Daveline to prepare a composite summary of capital expenditures. She passed out the prepared capital asset analysis report covering the period from January 1, 2004 through December 31, 2016. Bernard moved to receive and file the reports. The motion was seconded by Cordova. Motion passed.

Bills – Kidd commented that Willumstad attended the CWCB meeting in Walden and requested compensation for only the 496 miles traveled and two snacks. Bernard moved to pay the bills. Seconded by Cordova the motion passed.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 425.00	MBD&G, Monthly Accountant fees
\$ 500.00	Banner and Bower, Attorney fees
\$ 50.00	Banner and Bower, Web Site Updating
\$ 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
\$ 400.00	Martin, June and October Director's Fees
\$ 200.00	O'Hara, Director's Fee
\$ 350.00	O'Hara, Painter for painting over graffiti
\$ 200.00	Phillips, Director's Fee
\$ 200.00	Serna, Director's Fee
\$ 200.00	Willumstad, Director's Fee
\$ 286.46	Willumstad, CWCB Meeting attendance mileage and meals
\$ 1,320.00	Spaccamonti Excavating, Weed mowing
\$ 267.36	The Pueblo Chieftain, Budget advertisement

BSJ Construction Draw Account:

\$ 750.00	Kidd Engineering, Grant and loan meetings, documents, etc. October 17 thru November 10, 2017
\$ 315.88	Kidd Engineering, Van rental
\$ 375.00	Kidd Engineering, Phase 4 construction contract documents, pre-construction meeting, etc.
\$ 9,810.00	NorthStar Engineering, Arkansas Phase 4, Task G.3, G.4, and G.5 Construction Staking, Construction Observations, and Construction Testing

\$ 4,415.00	NorthStar Engineering, HARP Diversion Task H Bidding and Construction Documents
\$ 716.00	NorthStar Engineering, Arkansas Phase 4 Reimbursable copies
\$ 4,785.00	NorthStar Engineering, Maintenance Fund Assessment Support, Appraisal Phase III Services, Property Acquisitions, Artwork and Recreational Opportunities meetings
\$ 44.00	NorthStar Engineering, MFA support reimbursable copies, etc.

President's Report –

Willumstad reported that at the CWCB meeting there was some good feedback from the tour. The staff is very interested in our project and the potential it holds for the community. Banner suggested that we request the statute be changed to allow us to use some of the maintenance fund assessment monies for recreational purposes. Willumstad suggested that Banner prepare a list of little tweaks that could improve the legislation. Banner has mentioned in the past that there are some changes that would greatly improve the legislation.

Willumstad said that he had met with Daveline to discuss the District's audit and processes. They also discussed what still needed to be done to bring the Stifel Nicolaus and Morgan Stanley investments into compliance with State requirements.

Willumstad and Kidd attended a meeting with the Colorado Division of Wildlife, Pueblo Planning and Development, Pueblo Police, and Pueblo Parks and Recreation about potential improvements for the Lake Runyon area. Senator Garcia want a master plan for improvement of this area. The goal is to have a plan that can be taken to the 2018 Legislature for funding of design and improvements. The City is to take previous studies and provide them to the group for plan concepts. The next meeting is scheduled for December 4th at 3:30 pm. Mike Trujillo, with the Colorado Division of Wildlife, and Beritt Odom, with Pueblo Planning, are steering the planning and the meetings. Kidd questioned that the District even needs to maintain ownership of much of the Runyon area. Willumstad said that we may want to have a discussion about that next year. Maroney said that all of the drainage from downtown ends up in the lakes. There could be some water quality issues in the future. Willumstad said that the Police report that there is a homeless encampment area east of the railroad tracks, east of Runyon. Counters show that they come in to town over Fay's Crossing in the morning but diffuse through the town on the way back in the evening. Banner said that it is legal for the District to transfer property to the City.

Willumstad said that he is still concerned about the development of a levee trail along the railroad tracks. He has talked with Cuppy about a security fence along the property line and then a more decorative fence along the top of the levee. Kock said that the railroad will be brought into their planning meetings supporting the planning contract NorthStar has with the City. He said that the railroad will need some time to budget for fencing, and that they should expect a completion in about 2020. Kock suggested that at the end of the project a line be

established for the property boundary between the railroads and the District. The current property descriptions do not provide a good line of demarcation. Banner said that he supports creating that line by agreement between the owners.

Willumstad said that he received an email from Bret Housman. Housman is concerned that if Xcel does not agree to relocate a gas line then the property he offered to purchase will not be developable as planned. Xcel has told him that they will not move the line. However, they have not yet found that Xcel has an easement for the pipeline.

Administrator's Report –

Kidd deferred to allow Mike Cuppy time to talk about the 2017 Maintenance Fund Assessment.

2017 Maintenance Fund Assessment –

Cuppy reported that the assessment is \$1,778,043 this year. The amount increased from last year due to the 35-percent increase in the assessment rate, plus the property values have gone up about 12-percent across the board. There is a concern/question about why the number of parcels has gone down by about 800 this year. There has normally been a 50 to 100 parcel variation from year to year. NorthStar is continuing to work with the County to identify the reason for the lower number of parcels. Willumstad asked if the governmental and non-profit parcels are still excluded. Cuppy said that they are. He said that even if the Board did decide to start assessing these properties there is no valuation basis. The County told us in the past that they would have to do appraisals on a property by property basis. This would take them a long time to do. They said before that an outside appraiser cannot be used for this.

Fountain Creek Committees Reports –

Maroney said that Creek Week for cleanup of the water ways was held October into November this year. There were 2400 volunteers with \$156,000 value to the community. Over 30-tons of trash was picked up. Maroney suggested that the District be a sponsor next year. He believes that would be a politically good to have a sponsorship presence. He was disappointed that the City of Pueblo did not have a representative for the roll-out of the Drainage Criteria Manual at the Technical Advisory Committee meeting. Joan Armstrong, from the County, was there. She was the only local governmental representative.

Recreation Committee-

Serna said that there was not a meeting this month. The CWCB wanted more detailed information about the enhancements and cost estimates to support a revised application. The City and NorthStar are working on that as part of the City's kayak course area master plan. Serna thinks that Councilman Larry Attencio would support a tour for City and District personnel to the South Platte development area.

18th Street Bridge Mural-

Serna said that the artist has sketched his design on the wall. Willumstad said that the funding request did not make it on the agenda for the Monday City Council meeting, but it is supposed to be on the agenda for the December meeting. The amount is reduced to \$500 from the \$1200 hoped for. Kidd said that Serna and the artist had talked to him. Kidd told the artist that if no one else came through with funding for the paint that Kidd Engineering would pay for it.

Phase 4 Construction –

Kock reported that the pre-construction conference was held last week. It was well attended by primary contractor staff. Swerdfeger was invited and did attend the pre-construction conference. Later the Board will consider awarding the Schedule 2 work to them since Flat Iron Construction backed out on their bid. NorthStar is still holding ASI's notice to proceed because Union Pacific Railroad has not yet approved the agreement. Everything has been submitted to them and approval is anticipated. Jim Pioreschi is meeting with ASI today as they plan for mobilization and their approach to construction of the project.

Kock and Kidd met with the City and their personnel at the Union Avenue Bridge. The City is working on plans for replacement of this bridge. They requested NorthStar to provide their survey information, drawings and the State Historic Preservation Officer's statement for this area.

**Old Business:
Excess Properties -**

2018 Budget –

Levee Project Naming –

NorthStar will be asking for suggestions as they meet with various groups in their public input meetings.

New Business:

Construction Contracts –

Kock reported that at bid opening Flat Iron Construction was the low bid contractor for the work under Schedule 2. Their bid was \$194,700. The contractors were made aware at the pre-proposal conference and within the contract documents that bid schedules 1 and 2 were independent. Even though both NorthStar and Banner encouraged them to stand by their proposal Flat Iron decided to walk away from the project. KR Swerdfeger was the second low bidder at \$201,580 if Schedule 2 was awarded to them with Schedule 1. Their bid proposal was \$240,430 if only Schedule 2 was awarded to them. Kock said that he and Kidd had talked about putting this work off until a later phase of construction to see if we could get lower pricing for the work. They decided that they would be a lot of construction needing to happen in this reach when the concrete work is done and that it would be better to perform the Schedule 2 work now. Kock asked the Board to award the Schedule 2 work to KR

Swerdfeger with Willumstad having authority to sign the contracts and the notice to proceed. Maroney so moved and Cordova seconded the motion. The motion passed.

Banner said that he had given a thumb drive containing the contract and award processes to the Union.

Bookkeeping Services –

Bernard said that she had discussed using a strictly bookkeeping firm or individual for the monthly bookkeeping/accounting with Sam DeNardo. He discouraged it due to governmental requirements and the ensuing auditing requirements. Therefore, Bernard asked to take this concept off of the table.

Nominating Committee –

Willumstad asked for volunteers to serve on a committee for the 2018 officers. It was decided that Bernard would be the Chair with Maroney and Cordova serving with her.

Other Business:

Scanning of Documents – Banner has scanned the minutes from 1922 through 1935. The cost is \$150. Having Banner continue with this and discussion of what to do with the hard copies is to be discussed at the December meeting.

There being no other business to come before the Board the meeting was adjourned at 11:32 am. The next regular meeting date will be December 20, 2017, at 10:00 am.

APPROVED:

Paul Willumstad, President

Matt Cordova, Secretary