

MINUTES OF THE FEBRUARY 28, 2018 REGULAR MEETING

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

Also Present: Administrator Rick Kidd, Attorney Don Banner

Guests: Kim Kock, NorthStar Engineering
Jason Levinson, KW Realty
Brett Housman

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

Public Forum:

None

Minutes:

The minutes of the January 24, 2018 regular meeting and February 14, 2018 special meeting were reviewed. Barb Bernard was not present at the January 24 meeting. Kidd made a pen-in-ink change of the minutes. Serna moved to approve the January 24, 2018 minutes as corrected. Koehler seconded and the motion passed. Martin moved to approve the February 24, 2018 special meeting minutes and Willumstad seconded. Motion passed.

Excess Properties:

Brett Housman requested an opportunity to address the Board concerning the property between Main and Union. He said that his original plan was to construct a 6 story condominium complex on this property. In doing his due diligence he has found that there are a lot of utilities which impact the development of the lots. He said that there is a sanitary sewer along the front of the property, overhead power lines through the area that would have to be buried, and a natural gas line that cuts through the property. He said that no one has produced any easements for those utilities. Banner said that if a line is in place it is presumptive that they have an easement. Willumstad and Banner discussed that an easement for these utilities would have to be provided, but that they do not have to be along a direct route. The route must only be reasonable. Housman said that the Xcel gas line is the most difficult to deal with. Relocating it would be very expensive. Housman said that his finding is that there is only about 6000 square feet of the property that is suitable for building. Willumstad moved to allow Housman an opportunity to amend his offer and to table further discussion until the March meeting. Koehler seconded and the motion passed.

Resolved, that the President and Secretary of the District be and are hereby authorized to execute and deliver all documentation necessary to accomplish the issuance of the Refunding and Improvement Conservancy Maintenance Fund Bond, Series 2018A in the total principal amount of \$10,000,000.00 including but not limited to the Resolution, the Bond Purchase Agreement, the Bond, the Paying Agent and Registrar Agreement, the Tax Compliance Certificate and bond counsel engagement letter.

Bernard seconded the motion to approve the above stated resolutions. Motion passed.

Treasurer's Report:

Accountant's Compilation Report – Bernard said that she had reviewed the December 2017 and the January 2018 accountant compilation reports and she believes that they are in order. Kidd said that he would be meeting with Larry Daveline and Alexandria Romero to confirm the distributions to the various accounting codes. She moved to approve and file the reports. Serna seconded and the motion passed.

Bernard moved to authorize Kidd to purchase QuickBooks checks for paying the bills. Serna seconded. The motion passed.

Bills – Kidd mentioned that the bills this month include payment to KR Swerdfeger, for their work on the Phase 4 Schedule 2 work. Swerdfeger has completed the work and will only have the one pay request, plus the release of retainage.

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
\$ 1,700.00	Kidd Engineering, Administrator/Engineer fees
\$ 387.50	Kidd Engineering, February 14 special meeting
\$ 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
\$ 440.77	Special Districts Assn of Colorado, 2018 SACACO Membership Dues

any problems with the Diversion. Kidd invited them both to come the February Board meeting and speak during the public forum. O'Hara said that he would arrange to have the graffiti painted over.

Fountain Creek Committees Reports –

Maroney reported that the Fountain Creek Flood Control study set a target of reducing the Fountain Creek 100-year flood flow rate from the current 39,000 cfs to 14,000 cfs. This would protect considerable private land area. Maroney said he expressed an opinion that the costs do not justify the limited area protected. The consultants considered side detention structures as well as a main stream dam. The Fountain Creek District received a \$200,000 grant from the Colorado Water Conservation Board for work from 8th Street to 47th Street. Five projects are being designed for this reach of the Creek. The Highway 47 project is to be completed in June. They have changed from sheetpiling back to rock riprap. The riprap came available through another project agreement, plus the bedrock is not as deep as they had anticipated. They have learned that the county commissioners have the authority to remove obstructions from river channels. Maroney said that the Fountain District is paying the costs for the various projects.

Recreation Committee-

Koehler said that there have not been any committee meetings as such because the City's planning team (NorthStar Engineering) has taken it over for now. She will let Kim Kock talk about the design charrettes.

18th Street Bridge Mural-

Serna said Tonio wants to finish the project, even though it had been heavily damaged by graffiti. Serna also noted that an area across from Dutch Clark Stadium had been graffitied.

Phase 4 Construction –

Kock reported that Swerdfeger had completed Schedule 2 and that ASI is starting to close out Schedule 1 of Phase 4. Depending upon wind, it is anticipated that the last of the concrete will be placed tomorrow. The installed quantities are coming in very close to the bid schedule quantities. There have been a few small change orders. The Change Order Committee approved a change order to cut down the west wing of the HARP Diversion structure so that it will be new concrete all of the way across.

Phase 5 Design –

NorthStar provided a proposal for them to continue with design work for Phase 5. Kock said that the design for the kayak course area is not yet ready to go. So, in consultation with Kidd, it is proposed that Phase 5 will be the bottom end of the project area. The project reach from the end of Phase 4 to the Army Corps of Engineers levee segment east of the Santa Fe Bridge, plus the concrete paved areas along the south side of the River. The goal is to have the design work completed in time to allow an October 12 construction start. NorthStar and Kidd will be paying very close attention to the budget so that we will have adequate funds available for the work required through the kayak course area. Kim Kock discussed their cost proposal.