

MINUTES OF THE APRIL 25, 2018 REGULAR MEETING

Directors Present: Barb Bernard, Matt Cordova, Corinne Koehler, Dennis Maroney, Jerry Martin, Ron Serna, Paul Willumstad

Also Present: Administrator Rick Kidd, Attorney Don Banner

Guests: Kim Kock, NorthStar Engineering
Jim Munch

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

Public Forum:

None

Minutes:

The minutes of the March 28, 2018 regular meeting were reviewed. Willumstad moved to approve the minutes and Cordova seconded. Motion passed.

Treasurer's Report:

Accountant's Compilation Report – Kidd said that he would be working with Daveline to set up accounting codes for Phase 5. Bernard said that she had reviewed the March 2018 accountant compilation reports and she believes that they are in order. She moved to approve and file the reports. Willumstad seconded and the motion passed.

Bills – Kidd said that the bills include Banner's first quarter billing, payment to ASI for Phase 4 construction progress, and DeNardo for completion of Form 8038G..

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 500.00	Black Hills Energy, Lake Runyon electricity
\$ 450.00	MBD&G, Monthly Accountant fees
\$ 500.00	Banner and Bower, Attorney fees
\$ 694.75	Banner and Bower, 1 st quarter legal fees
\$ 35.67	Banner and Bower, Postage
\$ 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

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\$ 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
\$ 388.00	Garren, Ross and DeNardo, Form 8038G computations, etc.

BSJ Construction Draw Account:

\$ 620.00	Kidd Engineering, Phase 4 construction administration oversight, meetings, etc., March 27 thru April 22, 2018
\$ 387.50	Kidd Engineering, Phases 5 & 6 Planning meetings, etc., March 27 thru April 22, 2018
\$14,054.50	NorthStar Engineering, Arkansas Phase 4, Task G.3, G.4, and G.5 Construction Staking, Construction Observations, and Construction Testing thru April 20, 2018
\$ 42.50	NorthStar Engineering, Arkansas Phase 4, Reimbursable copies, mileage, etc. thru April 20, 2018
\$ 7,237.50	NorthStar Engineering, Arkansas Phase 5, Task I.2, Price Quotation and Construction Documents, thru April 20, 2018
\$ 0.00	NorthStar Engineering, Arkansas Phase 5, Task I.3., I.4. and I.5., Bid and Construction Staking, Construction Observation, and Construction Testing, thru April 20, 2018
\$ 0.00	NorthStar Engineering, Arkansas Phase 5, Reimbursable copies, mileage, etc. thru April 20, 2018
\$666,762.58	ASI Construction, Phase 4 Schedule 1 and Add Alt #1, Pay Request
\$ 2,625.00	Banner and Bower, 2018 Bond and financing documents

Bernard said that she had reviewed the bills and that everything appeared to be in line and moved for payment of the bills. Willumstad seconded. Motion passed.

Pasquin Property Access:

Kidd said that he had heard from Todd and this is currently a dead issue.

Excess Properties:

Levinson was not in attendance to report. Kidd said that there is a gap between ownerships as identified by the City and by the District so the potential buyer of the Pearl Street Parking Lot area is not interested until ownership boundaries are rectified.

President's Report –

Koehler asked Jim Munch to provide comments concerning the County's interest in District property. Munch said that one of the 1A identified projects was youth baseball. They have engaged ALTA Surveys and Capstone Title for property ownership and mapping. They are

still trying to confirm if the railroad has a right even though it has abandoned the rail bed through District property. Munch asked how the Board would like to receive an offer from the County. Their mapping will determine the size of the area that the County wishes to acquire. He was told to submit a written offer to Kidd and he will bring the offer to the Board. Munch said that either the City or the County may want to take over the balance of the Lake area. Martin suggested that Willumstad, Kidd, and Banner meet with the County for negotiations or price discussions. Munch said that Part 2 of the 1A project was to extend the River Walk to Santa Fe Drive. They have identified several problems with this due to ownerships and existing infrastructure. They are wondering if it would make more sense to look at expanding to the Upper Lake Elizabeth area. The Pueblo Board of Water Works is trying to get the 200 cfs diversion right changed to a 100 cfs water right. Water Works would have to make up the evaporation losses due to this being a new right. Munch asked if it would be alright if the County does their due diligence to look at developing this area. The Board consensus was to allow the County to proceed as long as there is no money involved from the District.

Administrator's Report –

Kidd said that he had received a letter from Lura Zimmerman saying she enjoyed the presentation O'Hara made to the Audubon Society. She was concerned about the plans narrowing the wildlife route along the south side of the River. Kidd sent her a letter letting her know that the current planning concepts are that everything would be done on the north side and nothing will be changed along the south side. Kidd was contacted by CDOT because backup in Thomas Phelps Creek was starting to flood out some of the Ilex Interchange project. It was determined that weeds were lodged at the railroad bridge and that was causing the back up. There was also weeds and debris lodged at the culvert through the Levee. Kidd contacted Spaccamonti Excavating and they had come in to clean everything out. Lynn Clark, with HARP, called Kidd and said that they are having trouble with some beaver activity and requested permission to have the beavers trapped and relocated.

Fountain Creek Committees Reports –

Maroney reported that work along Fountain Creek has been meeting the 1031 requirements. One project is now complete. They anticipate that the work at the Highway 47 bridge will be done in June of this year. A Fountain Creek report is to be submitted to the CWCB in June.

Recreation Committee-

Corrine deferred to Kim Kock. He said that the master plan development is progressing. He would like to have 30 minutes on the retreat schedule so that his team could present their concepts to the Board.

18th Street Bridge Mural-

Serna reported that Tonio is about half done. Serna is trying to get a sign made to acknowledge contributors to the project.

Phase 4 Construction –

Kock reported that the Phase 4 contract with ASI is closing out. There are a couple of pending change orders. The punch list work has been completed and they have received a final pay request, less retainage and the pending change orders.

Phase 5 Design –

Kock said that the design is moving forward, with consideration of the Phase 6 master plan. They are working with ASI on some pricing options. They have to consider Phase 6 costs so that we know how much money can be allocated to the Phase 5 construction. Banner is going to send a letter to City Manager Azad concerning safety concerns for the hanging bridge.

Old Business:

Trail Naming –

Kock does not have a final tally of the votes. He has informed the planning team and the City that the final decision will be up to the Board.

1912 16th Street –

Banner stated that the District's original offer was \$25,000. He has talked to the Assessor's office but they will be slow to do a reappraisal. He checked with Regional Building and was told that there had not been any recent building permits pulled for this address. Martin moved to send a letter to the owners stating that they had only paid \$19,500 for the property, that NorthStar's engineering opinion is that the Levee project did not have an adverse impact on them, and that there were no permitted improvements to the property; and that therefore the original offer of \$25,000 would be extended for another 30 days. Motion was approved.

Board Retreat --

Kidd said that he will work with Phillips on this to help organize and set it up. She told him that she would be working on an agenda with time allocated to each topic.

Rock Sales –

Kidd reported that he had contacted three landscape materials companies. Two were not interested saying that they buy all of their rock products directly from quarries. Donley's was interested in purchasing it at a price of \$4 per ton. They would have to load, haul, and re-screen the rock before they could sell it. Kidd said that Bessemer Ditch Company hauled an estimated 80 cubic yards. Rock will vary from 1.25 to 1.5 tons per yard. An earlier retail price was \$30 per ton. Bernard moved to charge Bessemer \$10 per ton for the material they hauled. Martin said \$20. Bernard's motion died for lack of a second. Martin moved to charge \$20 per ton and this motion was seconded by Willumstad. Motion passed. Kidd asked about selling the remainder of the rock to Donley at \$4 per ton. Willumstad suggested to table this until later in case the District had a need for it in the future.

Meeting Protocol –

Banner said that there are a couple statutes concerning meetings. There is the Colorado Open Records Act and the Colorado Sunshine Law. The Sunshine Law does not apply because we are not a State government entity.

Old Minutes –

Banner had asked what the Board would like to have done with the old minutes after he scans them. Kidd said that he had talked to Maria Tucker, with the Library District, and she said

that they would be interested in reviewing the minutes for particular items of historical significance and then, with the District's approval, discard the remaining documents. Bernard moved to donate the scanned minutes to the Library for use and ultimate disposal. Martin seconded and the motion passed.

New Business:

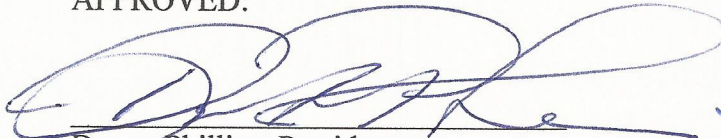
HARP O&M –

Banner said that Water Works is open to paying for half of the work on the diversion outlet works and for the operation and maintenance. They have no problem with the District participating in inspections and making requirements to ensure the integrity of the structure as it may affect the Levee. Water Works would do the work. Maroney said that FEMA may have a problem with an entity other than the District being responsible for the maintenance. Kock said that he thought FEMA would be agreeable to an IGA that establishes responsibilities.

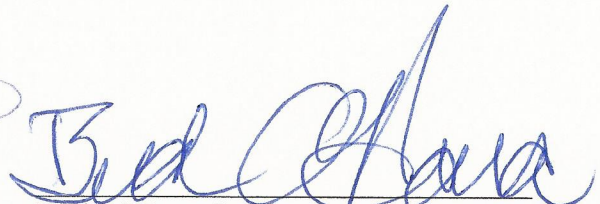
Other Business:

There being no other business to come before the Board the meeting was adjourned at 11:37 am. The next regular meeting date will be May 23, 2018, at 10:00 am.

APPROVED:



Donna Phillips, President



Bud O'Hara, Secretary