

MINUTES OF THE SEPTEMBER 26, 2018 REGULAR MEETING

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

Also Present: Administrator Rick Kidd, Attorney Don Banner

Guests: Kim Kock, NorthStar Engineering
Jason Levinson, Keller Williams
Tonio LeFebre, Mural Artist

President Phillips called in and said that she would be about ten minutes late. The regular meeting of the Pueblo Conservancy District was called to order by Vice President Koehler at 10:00 am. A quorum was present.

Minutes:

The minutes of the August 15 regular meeting and September 4 special meeting were reviewed. Willumstad moved to approve the August 14 minutes and Bernard seconded. Motion passed. Martin moved to approve the September 4 special meeting minutes and Bernard seconded. Motion passed.

Public Forum:

Larry Fancher -- Mr. Fancher spoke on concerns he has for a consistent and quality water supply to the HARP Channel, the need for a ground water study to determine sources and the damages/costs to the downtown area, and retention of the railroad bridge at 11th Street.

Treasurer's Report:

Accountant's Compilation Report – Bernard reported that we received accountant's reports for both July and August. She has requested that the accountants provide a balance sheet that better defines the District's obligations and liabilities with respect to the construction and loans. She said that the expenses appear to be fairly in line with the budget. Bernard moved to receive and file the reports and Koehler seconded. The motion passed.

Bills – Bernard moved to pay the bills and Koehler seconded. Kidd noted that there were two checks to him that were reissued to replace lost checks. The motion passed.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 550.00	Black Hills Energy, Lake Runyon lighting
\$ 450.00	MBD&G, Monthly Accountant fees

\$ 500.00	Banner and Bower, Attorney fees
\$ 1,700.00	Kidd Engineering, Administrator/Engineer fees
\$ 296.50	Kidd Engineering, Time and meal expenses in connection with hosting the Logan County Water Conservancy District representatives
\$ 128.30	Kidd Engineering, Office supplies
\$ 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
\$ 650.00	O'Hara, Reimbursement for paying Don Watson Painting for graffiti cover
\$ 200.00	Phillips, Director's Fee
\$ 200.00	Serna, Director's Fee
\$ 200.00	Willumstad, Director's Fee
\$ 900.00	Spaccamonti Excavating, Mowing weeds at the 16 th Street properties
\$ 5,573.84	Garren, Ross and DeNardo, 2017 Audit Report

BSJ Construction Draw Account:

\$ 1,123.75	Kidd Engineering, Phase 5 Construction and planning meetings, Funding meetings, 16 th Street properties, etc. August 11 through September 21, 2018
\$10,955.00	NorthStar Engineering, Preliminary FEMA certification documents for submittal to CWCB
\$ 2,871.00	NorthStar Engineering, Phase 5 construction documents and construction pricing RFP, and reimbursable expenses
\$ 2,040.00	NorthStar Engineering, Maintenance Fund Assessment support, Consultations, CWCB loan documents, FEMA requirements, etc.
\$ 162.50	David Lytle, BSJ Bonds and CWCB loan consultation
\$ 945.00	MBD&G, PC, BSJ Bonds and CWCB loan consultation
\$ 9,000.00	Spencer Fane, BSJ Bonds and CWCB loan consultation
\$ 23.66	The Pueblo Chieftain, Phase 4 ASI final payment advertisement
\$ 1,700.00	Kidd Engineering, Replace check #1162 from the BSJ O&M Account
\$ 2,625.00	Kidd Engineering, Replace check #1093 from the BSJ Construction Account

President's Report –

Phillips said that she did not have anything to add outside of later discussions.

Administrator's Report –

Kidd discussed the time that he spent with and the tour he gave to the representatives from the Logan County Water Conservancy District. He read a thank you note that he received from them. Kidd reported that he had attended meetings with the City and NorthStar as they continue to work on grant applications. The owner of the tree trimming business that has encroached onto District property at 11th Street has expressed an interest in purchasing that property. Kidd told them that the District would be open to receiving an offer and that they should contact Jason Levinson.

Jason responded that he had not been contacted by them. He said that Brett Housman had come back in saying that Xcel Energy had said that they would relocate the gas lines on the Union to Main property and that he would like to again offer \$50,000 for the property. Then Housman came back and said that they would not do it and so he is not interested.

Willumstad expressed concerns about the District selling properties that may constitute an illegal subdivision. Banner said that the District conveys property via a quit claim deed and that the City has no recourse against the District.

Kidd said that he had also been involved in discussions with County representatives and their surveyor for the pending acquisition of property north of Lake Runyon.

Bernard asked if the District could be a promoter of economic development by making land available cheaply. It was suggested that after the parcels are discretely defined that the District discuss a policy for what to do with the properties. Willumstad said that he has a concern about them ending up in the hands of tax exempt entities and thereby missing a goal of getting these properties back on tax roles. Levinson said that he would look at areas where it would make sense to bundle the properties. It could be that some of the less desirable properties could be put into a bundle with highly desirable properties.

Fountain Creek Committees -

Neither Maroney nor O'Hara were present to provide a report.

Recreation Committee –

Kock said that the Levee Master Plan has been completed and submitted to the City. NorthStar has started working on the design of some of the improvements proposed in the plan. They have also developed more detailed cost estimates for use in grant applications. Kidd reported that he had met with Chelsea Nutter and she indicated that there may be some of the proposed channel improvements that would fit into CWCB programs that do have funding. She encouraged us to make applications after the Master Plan has been approved and the designs are completed.

18th Street Bridge Painting –

Serna introduced Tonio LeFebre. Tonio said that he is down to the last few days of work. He thanked the District for allowing him the chance to produce this mural. He said that the local community has really started to take ownership and appreciation of the mural. Tonio passed

around pictures and explained some of the concept and symbolism he used in designing the mural. Koehler proposed contacting the Chieftain and get them to do an article on it when it is done. Tonio said that he has had some contact with them and that they had done a small article. Tonio said that he has a contact in California who has had an anti-graffiti sealant put over his murals. He will find out what the product is and pass that information on to Kidd. Serna said that he has talked to Pepper Whitlef and she said that she would have the City's sign department make a sign noting that the City and County were donors to the mural project. Kidd asked if it was now appropriate for the District to pay Tonio the funds donated by the City and County. It was agreed to pay Tonio from the donations.

Phase 5 –

Kock said that the designs are done and that he has sent final documents to both CDOT and Union Pacific for their review. They have touched base with Moore Automotive and will be have a meeting with the operator and owner of the business within a couple of weeks. The Corps of Engineers 404 permit has expired. The documents for renewal of the permit were sent in March. The Corps representative has indicated that the permit should be renewed within a couple of weeks.

Old Business

1912 W. 16th Street –

Willumstad reported that the ad hoc committee of Bernard, Cordova and himself, along with Kidd met at the properties. Bernard had asked the Pueblo Housing Authority to attend also and provide their opinion of the possibility of the units being brought to a standard for eligibility to rent the units under their programs. Two representatives did come to join for the inspection. Their opinion was that the units could be rented but that some significant improvements would be required. The consensus of the committee was that the best option was to have the buildings demolished. They had asked Kidd to get pricing for doing an asbestos assessment and a budget price for demolition. Kidd did receive a proposal from All Phase Environmental to perform the asbestos testing and provide a report. The amount of the proposal is \$3,355. Willumstad moved to approve the All Phase proposal at a fee not to exceed \$3,355. Bernard seconded and the motion passed.

CWCB Loan –

Banner reported that he received notice that the loan had been approved. He has received information from them about invoicing for reimbursement and working through the CWCB formatting and procedures. He has asked NorthStar to provide an expenditures schedule to be used to request reimbursements from the CWCB loan. Banner said that draws from the BSJ account after reaching the full amount of the CWCB loan would result in the least costs to the District. He said that the Bank of the San Juans had expressed that they would prefer to be drawn on first. Banner said that this is something to consider so that the District would be considered a good neighbor and since the Bank has worked very hard to meet the needs of the District.

Phase 5 Construction –

Kock said that he had received a quote from ASI. They came in with a quote of approximately \$8M and, based on past pricing from ASI, NorthStar and Kidd were expecting a cost of around \$3.5M for Phase 5, and then maybe as much as \$4.5M for Phase 6. Construction of the maintenance road that would ramp down and under the bridges is a significant contributor to the costs of the Phase 5 construction. This would serve dual purpose as a recreational trail connecting to Lake Runyon. Also included in the Phase 5 scope of work was to grout under the concrete slab facing that lies below the low water line, rather than dewatering the grade control ponds and full replacement of the levee face. CTL Thompson is supportive of this concept because it will save a significant amount of money and it will still meet the stability requirements. The proposed grouted area would be below the low water line and would be where the water recreationists have requested a benched ledge so that the kayakers, boarders, etc. would have a way of escape. NorthStar requested KR Swerdfeger to provide pricing for them to do the grouting. They came in at a price of \$500K versus the ASI proposal of \$1.7M for this work. Kidd and NorthStar both believe that we should give ASI a chance to reconsider their numbers, but also request Swerdfeger to provide pricing for the proposed Phase 5 work. This information would be brought back to the October meeting. An October award would still allow time for the work to be performed this construction season.

Other Business –

Serna said that he has an artist that quoted a price of \$6600 to paint nine school logos on the levee. They would be located across from Dutch Clark Stadium.

There being no other business to come before the Board the meeting was adjourned at 12:05 pm. The next regular meeting will be on October 24, 2018, at 10:00 am.

APPROVED:

Donna Phillips, President

Bud O'Hara, Secretary