

MARCH
MINUTES OF THE ~~FEBRUARY~~ 27, 2019
REGULAR MEETING

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

Also Present: Administrator Rick Kidd, Attorney Don Banner

Guests: Kim Kock, NorthStar Engineering
Mike Cuppy, NorthStar Engineering
Paul Arellano, Photo Artist
Cynthia Ramu, Pueblo Levee Mural Artist
Anthony
Shanna Lewis, Colorado Public Radio

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

Minutes:

The minutes of the February 27, 2019 regular meeting were reviewed. Bernard moved to approve the minutes and Phillips seconded. Motion passed.

Public Forum:

Cynthia Ramu – Cynthia has been working with the Library District and an archivist for Levee mural images that she has. She said that Dave Roberts (Pueblo Chieftain) has turned over his records. They are in the process of digitizing the documentation. They hope to produce a table top book. She also has images taken by John Wark. This year is the 40th Anniversary for the Levee mural painters. She would like to have a mural festival.

Levee Mural Project:

Paul Arellano – Paul provided a computer display of some of the photo art work he has done and ways that he would like to show case the Levee. He would like to promote the Levee and the murals as a destination attraction. He said that he would like to work with Serna to do this.

Serna passed out guidelines he has drafted. He reported that he has talked to another artist that may be interested in painting the school logos. Serna requested the Board to have a longer meeting to allow sufficient time to discuss the mural art criteria. It was agreed to run the April meeting longer, and Kidd is to arrange for sandwiches. Kock said that Serna had requested NorthStar to mark the Levee so that panels could be delineated for artist's work. This will be discussed later in the meeting.

Treasurer's Report:

Accountant's Compilation Report – Willumstad said the he had reviewed the accountant's February 2019 report and believes it is in order. He moved for approval of the report. Motion passed.

Bills – Willumstad said that he had reviewed the bills for this month. He asked Kidd if he had reviewed NorthStar's billings and if they had reviewed Swerdfeger's billings. Kidd and Kock affirmed that the billings had been reviewed and were in accordance with agreements and the work actually done. Willumstad moved to approve payment of the bills and O'Hara seconded. Motion passed.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 475.00	MBD&G, Monthly Accountant fees
\$ 500.00	Banner and Bower, Attorney fees
\$ 1,700.00	Kidd Engineering, Administrator/Engineer fees
\$ 23.15	Kidd Engineering, Postage
\$ 542.50	Kidd Engineering, 11 th Street parcel with City Code Enforcement and A Better Tree Service
\$ 620.00	Kidd Engineering, Planning meetings with City and NorthStar, GOCO tour
\$ 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
\$ 1,050.00	Pueblo Heritage Museum, 2019 Membership Dues for meetings and storage
\$ 300.00	Let's Get Graphic, Logo, Letterhead and business card design
\$ 50,000.00	HARP Authority, Annual IGA Contribution
\$ 10,000.00	HARP Authority, Annual O&M Charge

BSJ Construction Draw Account:

\$ 620.00	Kidd Engineering, Phases 3 & 4 Warranty and site cleanup, February 22 through March 22, 2019
\$ 930.00	Kidd Engineering, Phase 5 CA/CO, Construction and planning meetings, etc. February 22 through March 22, 2019
\$ 310.00	Kidd Engineering, Phase 6 Planning and Design Review, February 22 through March 22, 2019

\$ 45,547.00	NorthStar Engineering, Phase 5 construction staking, observations, construction testing, and reimbursable expenses February 22 through March 22, 2019
\$ 4,612.50	NorthStar Engineering, Phase 6 design, price quotation and reimbursable expenses February 22 through March 22, 2019
\$ 1,433.00	NorthStar Engineering, Maintenance Fund Assessment Support, Consultations, etc. and reimbursable expenses
\$948,031.98	KR Swerdfeger, Phase 5 Pay Request #4 through February 28, 2019

BSJ Reserve Account:

\$ 67,160.65 Pueblo Conservancy District – Transfer to Operating Account

BSJ Bond Loan Account:

\$1,001,484.48 Pueblo Conservancy District – Transfer to Draw Account

President's Report –

President Koehler said that she did not have anything to report.

Administrator's Report –

Kidd reported that he drove to take City staff, Cuppy, and the GOCO representative for a tour of the Levee system from 18th Street to Lake Runyon. GOCO now appreciates the value and opportunities to connect the communities to each other, the River, the Levee, and other recreational amenities afforded by the trail system.

Kidd said that he received an offer for a large parcel of District land lying west of the Corona curve along the bluff. He believes the \$6224 offer is ridiculously low. Phillips said that she and Kidd looked at this parcel months ago and she agrees.

Kidd gave a current status of construction funding. We have used all of the \$17M loan from CWCB and we are now \$2.2M into the Bank of the San Juans (BSJ) \$5M loan, leaving approximately \$2.8M still available. In addition to this there is almost \$4.2M currently in the Reserve Account at BSJ. Some of this Reserve account money could be used for construction but the payments on the loans come out of this account, and BSJ requires a certain reserve level. Kidd said that NorthStar will be discussing the estimated obligations and costs to complete the construction work later in the meeting. Kidd reported that the asbestos abatement contractor has scheduled to work on the 16th Street properties in May. Then Dirt-N-Demo will demolish the buildings.

Recreation Committee –

Kock said that the City is applying for a GOCO grant next week. Corinne provided a letter of support. The grant project focuses on the trail area through the kayak course stretch of the River. They are using the costs of the District's maintenance road as matching money for the grant. This is \$800,000 of match money.

Fountain Creek Committees-

Maroney was not in attendance and O'Hara did not attend the meetings.

'21 In '21 Celebration-

Bernard reported that the committee has met twice. She reviewed some of the concepts being discussed. They are considering producing a booklet about the '21 Flood and the Levee. Formation of a 501.c.3 for community support donations is being considered. They are requesting the Board to commit some funds for memorial plaques, etc. Banner said that he believes the Pueblo Community Foundation may work as a pass-through so that the group would not have to form their own non-profit. Kock said that NorthStar would provide \$1000 for seed money and Banner said that his firm will also.

Phase 5 Construction –

Kock said that he has several change order matters to discuss under new business. The construction work under the Phase 5 and 5A agreements is substantially complete. Swerdfeger has done quality and timely work. Kidd requested authorization to advertise for final payment as soon as he felt it was warranted. A few minor items and the retainage is all that remain for payment. Bernard so moved and Willumstad seconded. The motion passed. Kock added that the original award value was \$3,594,832.25. There is \$142,548.00 of change order work, but downward quantity adjustments in the amount of \$95,562.68; resulting in a final contract amount of \$3,641,817.67. The net to the District will be reduced because \$47,504 will be reimbursed by the Board of Water Works and approximately \$25,000 from the City of Pueblo. Therefore, the net project cost will be a little under the awarded amount.

Phase 6 Design –

Kock reviewed the current contract values to complete construction and design to date, and the Phase 6 price quote from Swerdfeger. The values currently total to \$4,988,127.87. This includes the cost to construct the maintenance access road under the Santa Fe, I-25 and railroad bridges. The District has approximately \$2,800,000 of funds available from the BSJ loan. This leaves a differential margin of about \$2.2M needed for completion. He pointed out that there is about \$70,000 that the City and the Board of Water Works are to reimburse the District. The Board of Water Works is also holding \$100,000 of District money in escrow for any repairs that may be required for their access road. As Kidd discussed in the Administrator's Report, it is tight but it looks like there should be sufficient funding for completion of the Levee project. The KR Swerdfeger quoted pricing for Phase 6 is \$3,437,115 plus \$798,750 for the access road. Kidd said that it appears there is sufficient funding available, but that we would not be able to restore the District's balance to what it was before work started on the Levee reconstruction. The consensus was to move forward for now, but that the contract may not be awarded until the May meeting. The District needs to have a full understanding of their repayment obligations and anticipated income.

New Business:

Kock went over the status of the Phase 5 change orders.

Change Order No. 6 is for abandonment and filling of the 36-inch sanitary sewer pipe that the City had taken out of operation. It was approved to be done on a time-and-materials basis at a value not-to-exceed \$60,000. The final amount is \$28,163.00.

Change Order No. 7 was also a time-and-materials change order for filling the 18-inch clay pipe the City took out of use. The final amount of it is \$6,724.

Change Order No. 8 is force account work for restoration of the island at the lower end of Phase 4. Twenty Thousand dollars was held out of the ASI final contract payment to cover costs for this restoration. The final cost from Swerdfeger is \$6,346.00. Willumstad moved to approve this change order and Bernard seconded. The motion passed.

Change Order No. 9 is for tree removal along the land side of the Levee, hauling excess dirt over for use at the 16th Street properties backfill and berm, and erosion repair on the Levee in the Lake Runyon area. The amount of the change order is \$8,000.00 and was approved last month.

Change Order No. 10 is for saw cutting around the Santa Fe Bridge. CDOT requested that the demolition of the concrete facing to leave a one foot margin around the existing bridge abutment walls. Even though CDOT had toured and been consulted about the interface during the design process, this request was not made until another site review during construction. The work in this change order also includes cutting around the bulkhead of the new sanitary sewer pipe under the Levee to Rush Street. Swerdfeger's cost for this work is \$7,423.00. O'Hara moved to approve this change order and Willumstad seconded. The motion passed.

Change Order No. 11 is for the labor and equipment required to replace the broken HARP Diversion gate slide. Mike Hart, of ASI, agreed to pay for the cost of the slide as a warranty issue. Hart and Banner will continue to discuss responsibilities for payment of the costs to remove the old slide and install the new one. The cost for this change order is \$2,838.00. Bernard moved to approve the change order and Phillips seconded. The motion passed.

2018 Budget Amendment – Kidd reported that he received an email from Todd Mihelick stating that the budget did not need to be amended.

Old Business:

16th Street Parcel – Kidd said there is nothing to add to his administrator's report on this.

Other Business –

Levee Panel Designations – Kock suggested that the emergency tie-off plates could be stamped with stationing information. Then NorthStar could provide a detailed mapping of the panels and the identifiers. This information could be used by Serna to delineate locations for murals to be painted, and for Kidd to use for locating required maintenance work. NorthStar offered to do the stamping and interactive mapping at a cost not-to-exceed \$25,200.00. O'Hara moved to approve the stamping and mapping and Phillips seconded. The motion passed.

Keller Cares – Phillips said that Keller Williams Real Estate was founded by Gary Keller. Their motto is "God, Family, Business". Every year the company sponsors work under Keller Cares. This program has all agents going out one day per year to work on clean-up or other projects needed in their community. She wondered if the District had an area that could be suggested to them for cleaning. Kidd recommended the land side of the Levee through the

Grove neighborhood. We just completed the construction work through here and there was a lot of trash (not construction related) that has collected or been dumped between the Levee and the private properties. Phillips said that she would take this recommendation to the agency. Keller Williams is targeting to do work the week of May 9th.

Tour of Board – Willumstad suggested taking the new Pueblo Mayor on a tour of the Levee system. This would give him familiarity of what the District does and an understanding of the work that City Planning is trying to get funding for. Banner reminded that the Board historically has tried to take an annual or semi-annual tour of the Levee and suggested that this could be scheduled as a combined tour. It was agreed that Willumstad will work out a scheduled date with Mayor Gradisar, City officials, the Board, and potentially other dignitaries.

Fencing – Willumstad would like to see a commitment from the Union Pacific Railroad to pay for safety fencing between the Levee and the railyard.

There being no other business to come before the Board the meeting was adjourned at 11:45 am. The next regular meeting will be on April 24, 2019, at 10:00 am. This meeting will run until approximately 1:00 pm. Lunch will be provided for the Board

APPROVED:

Corinne Koehler, President

Jerry Martin, Secretary