

MINUTES OF THE APRIL 24, 2019 REGULAR MEETING

Directors Present: Barb Bernard, Matt Cordova, 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
Dillon Thurston, K.R. Swerdfeger Construction
Don and Jamie Wycoff
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 March 27, 2019 regular meeting were reviewed. Bernard moved to approve the minutes and Serna seconded. Motion passed.

Public Forum:

None

Treasurer's Report:

Accountant's Compilation Report – Willumstad said the he had reviewed the accountant's March 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. 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:

\$ 500.00	Black Hills Energy, Lake Runyon electricity
\$ 475.00	MBD&G, Monthly Accountant fees
\$ 500.00	Banner and Bower, Attorney fees
\$ 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

\$ 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
\$ 558.81	Colorado Special Districts Association, 2019 Membership Dues

BSJ Construction Draw Account:

\$ 775.00	Kidd Engineering, Phase 5 CA/CO, Construction and planning meetings, etc. March 23 through April 19, 2019
\$ 387.50	Kidd Engineering, Phase 6 Planning and Design Review, March 23 through April 19, 2019
\$ 310.00	Kidd Engineering, CWCB loan meeting
\$ 17,045.00	NorthStar Engineering, Phase 5 construction staking, observations, construction testing, and reimbursable expenses March 23 through April 19, 2019
\$ 4,412.50	NorthStar Engineering, Phase 6 design, price quotation and reimbursable expenses March 23 through April 19, 2019
\$ 1,205.00	NorthStar Engineering, Maintenance Fund Assessment Support, Consultations, etc. and reimbursable expenses
\$ 2,940.00	NorthStar Engineering, Maintenance and Artist Location indexing and mapping
\$ 1,100.00	Don Banner, 1 st Quarter attorney fees for correspondence, phone calls, meetings, etc.

BSJ Reserve Account:

\$ 6,033.81	Pueblo Conservancy District – Transfer to Operating Account
-------------	---

BSJ Bond Loan Account:

\$ 27,075.00	Pueblo Conservancy District – Transfer to Draw Account
--------------	--

President's Report –

President Koehler said that Banner would be talking later about the CWCB loan meeting, but that it was a good and promising meeting. Lynn Clark notified her about a homeless camp at Upper Lake Elizabeth.

Administrator's Report –

Kidd reported that he had the opportunity to talk to Anna Maus at the Arkansas Basin Roundtable meeting. Anna was in town for the Colorado Water Forum. She told Kidd that she would have Chris Sturm get in touch with him to talk about the Arkansas River potential in-channel projects.

Recreation Committee –

Koehler reported that the City has submitted a pre-application for a GOCO Connectivity Grant. It was submitted on April 4th. GOCO will evaluate the applications received at the June meeting. Full applications for the potential projects selected will be due in August. Kock said the City affirmed that the Phase 6 contract may be awarded but that work on the portions used for matching of the grant cannot be started until after the grant is awarded. Senator Leroy Garcia wrote a letter of support for the grant.

Fountain Creek Committees-

O'Hara said that Maroney is concerned about who will be maintaining the improvements made in the channel. This could be in our realm but there is not an expectation for us to do it.

'21 In '21 Celebration-

Bernard reported that the group met last Thursday. They are trying to work out dates and logistics. The Southern Colorado Foundation does not want to handle processing donations and expenditures. Bernard said that the HARP Foundation may be willing, or that we could set up a new 501.c.3 entity. Banner said that he does not believe a tax exempt entity is necessary for the small donations that will be received. Bernard said that the next meeting will be held at 1:30 on June 20th, at the El Pueblo Museum.

Phase 6 Design –

Kock said that the design is complete except for a few loose ends. Swerdfeger has provided pricing for a river-side fence and for a safety ledge between drop structures 1 and 2. This ledge is a part of the master plan developed for the City of Pueblo. It is eight to nine feet wide and about 300 feet long.

New Business:

CWCB Loan – Banner said that the District currently has two loans, one with the CWCB and the other with the Bank of the San Juans. A meeting was held to discuss increasing our current loan with the CWCB to cover both loans. Rachel Pettinger said that it will be necessary to make a full presentation to the CWCB Board. He has been going back to the previous application and pulling everything together into one package.

Pipe Abandonment – Banner turned over a check he had received for the agreed City's proportionate share of the costs to grout and property abandon the two pipes.

Listing Agreement – Banner said that Jason Levinson had prepared a listing agreement for him to continue working with the District on the disposal of excess properties. Willumstad moved to approve the agreement and Phillips seconded. The motion passed.

Legislative Change – Banner said that he is working on a recommendation and request to change the statute concerning maintenance fund assessments so that funds derived from these assessments may also be used to promote recreational improvements within conservancy district project areas. The Logan County Conservancy District operates under the same State statute as the Pueblo Conservancy District. Their attorney notified Banner that they will support this change through their legislators.

Phase 6 Construction Contract – Kock passed out a summary of the KR Swerdfeger pricing and obligations. Swerdfeger is aware that they cannot start work on project elements that the City is using for matching money for the GOCO connectivity grant until that grant is approved and signed by the City. Kock said that awarding the contract to Swerdfeger now will allow them to lock in their materials prices and their subcontractors. The proposed contract value of \$4,675,465 includes the get-out ledge, the safety ledge, and a post and multi-line cable fence along the top of the Levee. Bernard moved to approve the contract amount, plus a five percent contingency. Phillips seconded. Kidd expressed a concern about vandalism of the fence and the added maintenance costs of it. The motion passed. Dillon Thurston notified the Board that Keith and Ray Swerdfeger committed to contributing \$2000 to help defray expenses for the '21 In '21 Celebration.

Business Cards and Emails – Bernard asked if the District's website setup allowed for each director to have an email address. Banner said that he will find out. Bernard requested authorization for Diane to design business cards using the logo that she designed for the District. Bernard said she envisions individuals being able to take the design and print off their own cards as needed. She moved to approve the additional work at a cost up to \$100. Phillips seconded and the motion passed.

Wycoff Offer - Wycoff's made an unsolicited offer for District property lying west of the Arkansas River, and between Coronal and Short streets. Kidd said that he believes the land area provided on the County Assessor site, and the basis of the Wycoff offer, is much lower than the actual area. Phillips agreed and stated that she believes this property has development potential and that the District should consider valuation based on highest and best use. Phillips moved to table this until the next meeting. O'Hara seconded. The motion passed with Bernard opposing. Don Wycoff said that he and his wife, Jamie, have been paying to clean this area up for the last three years. They would like to be in ownership so that they could maintain it to their standards, or at the very least that the District be more proactive in keeping the area cleaned up and the homeless out.

Old Business:

None

Other Business –

Mayor Tour – Willumstad provided sixteen names of people who said they would be attending. The tour will convene at the south door to City Hall at 9:30. Kidd is to arrange for two vans.

Weed Control – Kidd said that he had contacted Colorado Vegetation Management and Chem-Way Lawn Care about provided chemical weed control again this year. Colorado Vegetation Management has traditionally been used for the face of the levee because they have licensing for chemical application near water. This used to be a joint contract with the County but they decided to quit participating three years ago. The District has used Chem-Way for other areas of the Arkansas Levee and for excess parcels.

Mural Painting Guidelines:

Cynthia Ramu was present for this discussion. Serna passed out some guidelines that he has drafted. The guidelines were discussed and comments offered by the Board for Serna to consider in future drafts. Ramu said that new paint should be used to insure quality and longevity. She liked the idea of their being a registry to identify mural locations, the artist, the subject matter, and when it was painted. Sponsors could also be noted. Serna is to consider if there should be a mural permit fee to cover legal and administrative costs. Banner recommended trying to get a corporate paint sponsor. The company could use this in their advertising. The current consensus is that murals for commercial purposes would not be allowed. There was a discussion on access and how to provide access without District representatives having to open, police, and close access for artists. A final draft of the guidelines is to be ready for Board review at the June meeting. Then schedule a ^{public} meeting to discuss the guidelines and requirements will be scheduled.

There being no other business to come before the Board the meeting was adjourned at 12:48 pm. The next regular meeting will be on May 22, 2019, at 10:00 am.

APPROVED:

Corinne Koehler, President

Jerry Martin, Secretary