

MINUTES OF THE MAY 22, 2019 REGULAR MEETING

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

Also Present: Administrator Rick Kidd, Attorney Don Banner

Guests: Kim Kock, NorthStar Engineering
Mike Cuppy, NorthStar Engineering
Jason Levinson, Keller Williams
Tony Greer, Keller Williams
Todd Pasquin
Laurie Clark, Clark Engineering

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 April 24, 2019 regular meeting were reviewed. O'Hara moved to approve the minutes and Phillips seconded. Bernard suggested, under New Business-Pipe Abandonment, to add the amount of the check received from the City. O'Hara said that in the last sentence concerning Mural Painting Guidelines should read: Then *schedule* a meeting to discuss the guidelines and requirements *with the public* will be scheduled. O'Hara and Phillips agreed to the recommended changes to the minutes. The motion passed.

Public Forum:

Laurie Clark and Todd Pasquin – Paquins have owned the Rockwool property since 1994. The property has only one entrance and it is on the north end. Train traffic often blocks this entrance, sometimes for an extended period of time. This is also the access to the City of Pueblo Police Department shooting range. Todd claims that they traded some property to the District for COPPA to use. Laurie said they would like to propose a 24-ft wide box culvert bridge, with gated access, to provide a crossing over Thomas Phelps Creek. Banner recommended Board consensus to explore the possibility of this. Maroney suggested that Clark and Pasquin also talk to the HARP Authority.

Treasurer's Report:

Accountant's Compilation Report – Willumstad was not present, so Kidd said the he had reviewed the accountant's April 2019 report and he did not notice anything of concern. Bernard moved for approval of the report and Cordova seconded. Motion passed.

Bills – Kidd noted that the bills included payment of KR Swerdfeger’s Phase 5 retention and payment to Colorado Vegetation for spraying sterilant on the face and along the top of the Arkansas Levee. Martin moved to approve payment of the bills and Maroney 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
\$ 1,085.00	Kidd Engineering, Additional meetings and tour
\$ 209.00	Kidd Engineering, April 22 meeting catering cost
\$ 212.31	Kidd Engineering, Tour van rental and gas
\$ 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
\$ 65.00	Let’s Get Graphic, Business card design
\$ 4,060.00	Colorado Vegetation Management, Levee sterilant

BSJ Construction Draw Account:

\$ 387.50	Kidd Engineering, Phase 5 CA/CO, Construction and planning meetings, etc. April 20 through May 17, 2019
\$ 6,736.00	NorthStar Engineering, Phase 5 construction staking, observations, construction testing, and reimbursable expenses April 20 through May 17, 2019
\$ 1,472.50	NorthStar Engineering, Phase 6 design, price quotation documents and reimbursable expenses April 20 through May 17, 2019
\$ 5,540.00	NorthStar Engineering, Maintenance Fund Assessment Support, Consultations, etc. and reimbursable expenses
\$ 3,070.00	NorthStar Engineering, Maintenance and Artist Location indexing and mapping
\$57,997.10	KR Swerdfeger, Phases 5 and 5A, Pay Request #5
\$364,181.77	KR Swerdfeger, Phases 5 and 5A, Pay Request #6-Retainage, Final Payment. Check to be delivered after the advertising date.

BSJ Reserve Account:

\$ 10,106.31 Pueblo Conservancy District – Transfer to Operating Account

BSJ Bond Loan Account:

\$439,364.87 Pueblo Conservancy District – Transfer to Draw Account

President's Report –

Koehler said that the tour was a good overview of the work that had been going on at the Levee, and to better understand the possibilities for development. It was unfortunate that the Mayor, the President of the Council, one of the County Commissioners and the Chieftain reporter were not able to attend. Representatives of the District had a good meeting with Commissioner Wiseman about the County's preliminary plans for expanding the Runyon baseball complex toward Lake Runyon.

Administrator's Report –

Kidd reported that he had received a \$1000 check from NorthStar and a \$2000 check from KR Swerdfeger to help defray costs for the '21 in '21 – 100 Year Celebration of the 1921 Flood and the Pueblo Conservancy District. He said that the asbestos abatement at the West 16th Street properties is scheduled to begin this week.

Recreation Committee –

Koehler said that she and other representatives from the District had attended a meeting with the City to discuss implementation of the Master Plan, and how the District could support the grant requests and work to be done. The City will hear in June if they have passed the first round and will be invited to support a full grant request to GOCO. If the preliminary application is successful, the full application will be due in August. One of the ways that the District may be able to help is for the City to bid fabrication and delivery of the proposed pedestrian bridge, and then for the District to work with their Phase 6 contractor, KR Swerdfeger, for the erection of the bridge and construction of the trail. It is thought that this could be a change order to the District's contract with reimbursement coming from the City. This would be similar to other agreements between the District and the City and the Pueblo Board of Water Works. The City would be responsible to pay NorthStar for all additional design costs. A couple of advantages to contracting this way is simplified access and coordination with the Phase 6 contractor, and the District would be in direct control of the work. Banner said that the District needs to get the City to advance the funding so that we are not in a position of waiting for City action on the reimbursements. Banner also suggested that it may be possible to form an alliance with a non-profit group who could help solicit funds from foundations, such as El Pomar.

Fountain Creek Committees-

Maroney said that Tezak Construction has been awarded a contract for improvements north of the Pinon Bridge, and that Sun Construction had been awarded a contract for improvements south of the Pinon Bridge. Maroney asked Banner if the District, since we expanded to County wide, has any obligation to maintain these improvements. Banner responded that

there is not an obligation, but there may be an opportunity. The District may be able to go to the Court and get a Fountain Creek boundary area that would be subject to a higher maintenance fund assessment for that area. He said that if the District wants to do that, then the process needs to be started. The consensus of the Board was to have NorthStar move forward with some concepts and budgeting for developing the new zone. Maroney, Martin, Banner and Kidd are to work together on this.

'21 In '21 Celebration-

Bernard said that the next meeting is to be on June 2, at 1:30. It will be held at the El Pueblo Museum. She sent, to the Board, pictures of the Pillars used in New Orleans to demonstrate the flood water depths.

Levee Construction-

Kock said that the last pay application for the retainage closes out the Phase 5 construction contract. There are some final punch work and completion of the final payment advertising period that have to be completed before Kidd will release the final payment to Swerdfeger. Minutia for final Phase 6 construction plan is being worked out. NorthStar has written an annual update letter to FEMA.

Old Business:

Mural Painting – Serna suggested adopting the guidelines as discussed and modified at the last meeting. After discussion with artists, he does not believe there should be a charge for permits to paint. There has been agreement for painting of the Pueblo West Cyclones logo on the Levee, at a cost of \$600. A location two panels wide has been designated for this logo. A “panel” is defined as an area between control joints from the top of the Levee to the bottom.

New Business:

11th Street Property – Kidd said that Ray Brown had contacted him and wanted an opportunity to purchase the District’s property lying east of theirs. The location of the adjoining property line is in dispute. Kidd has drafted a letter to send to Mr. Brown, asking him to mutually agree to a title company and surveyor to have this line established. Banner is reviewing the draft.

Flood Plain Permit – Kock said that this issue came up a few months ago when we were dealing with the Marston property issue. Originally Earl Wilkinson, Jeff Bailey, Mickey Byer, Rick Kidd and he had met to discuss any permits or permissions required. Wilkinson had said that no permits would be required and the City would allow the District to do whatever work needed to be done on City owned property adjoining the work. The current City Drainage Engineer, Jeff Hawkins, is now demanding the flood plain development permits be issued for both the Wildhorse Creek and the Arkansas River levees. Plans, hydrology and hydraulic (H&H) studies, water rise certifications, etc. must be submitted as part of this process. NorthStar has submitted the Wildhorse Levee record drawings and the H&H model they developed.

Osprey Nest – O’Hara said that the HARP Authority want to install an osprey nest at the Upper Lake Elizabeth cooling pond. The osprey scare the geese and keep them from nesting.

This would help to control the goose population and problems along the HARP corridor. O'Hara moved for approval to allow the installation of an osprey nest. The motion passed.

Other Business:

Statutory Change – Koehler will work to set up a meeting with Senator Garcia and Representative Esgar.

There being no other business to come before the Board the meeting was adjourned at 11:37 pm. The next regular meeting will be on June 26, 2019, at 10:00 am.

APPROVED:

Corinne Koehler, President

Jerry Martin, Secretary