

MINUTES OF THE JUNE 26, 2019 REGULAR MEETING

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

Also Present: Administrator Rick Kidd

Guests: Kim Kock, NorthStar Engineering
Mike Cuppy, NorthStar 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 May 22, 2019 regular meeting were reviewed. Maroney moved to approve the minutes and Serna seconded. . The motion passed.

Public Forum:

None

Treasurer's Report:

Accountant's Compilation Report – Willumstad he had just received a copy of the report to review. Kidd said that the accountants were did not get the reports done until late Tuesday and that he had just picked them up this morning. Willumstad and Kidd did a quick review of the accountant's May 2019 report and both said they did not notice anything of concern. Willumstad moved receive and file the accountant's report for May. The motion passed.

Bills – Kidd said that the bills were routine, with the addition of paying Spaccamonti Excavating to remove the homeless camp at Upper Lake Elizabeth. Willumstad moved to approve payment of the bills and Serna 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
\$ 232.00	Kidd Engineering, GOCO Grant meetinig
\$ 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
\$ 234.00	Postmaster, Post Office Box Rental
\$ 2,372.50	Spaccamonti Excavating, Homeless Shelter Removal and Disposal

BSJ Construction Draw Account:

\$ 310.00	Kidd Engineering, City of Pueblo Flood Plain Permitting
\$ 542.50	Kidd Engineering, Phases 3 and 4 Warranty Walks and Work Inspections
\$ 310.00	Kidd Engineering, Phase 5 CA/CO, Construction Meetings, Punch Lists, etc. May 18 through June 21, 2019
\$ 232.50	Kidd Engineering, Phase 6 HARP diversion Structure meeting with Pueblo BOWW
\$ 1,677.50	NorthStar Engineering, Phase 5 construction staking, observations, construction testing, and reimbursable expenses May 18 through June 21, 2019
\$ 2,609.00	NorthStar Engineering, Phase 6 design, price quotation documents and reimbursable expenses May 18 through June 21, 2019
\$ 5,512.50	NorthStar Engineering, Maintenance Fund Assessment Support, Consultations, etc. and reimbursable expenses
\$ 7,600.00	NorthStar Engineering, Maintenance and Artist Location indexing, mapping, and stamping
\$ 23.22	Pueblo Chieftain, Phases 5 and 5A Final Payment Ads

BSJ Reserve Account:

\$ 7,314.00	Pueblo Conservancy District – Transfer to Operating Account
-------------	---

BSJ Bond Loan Account:

\$ 18,817.22	Pueblo Conservancy District – Transfer to Draw Account
--------------	--

President's Report –

Koehler reported that Willumstad had arranged another Levee tour so that Mayor Gradisar could be more familiar the work that the District is doing and the reasoning for the various grants that the City was applying for. Eight showed up, including Mayor Gradisar and Laura Solano, his assistant. Alan Hamel also attended. Gradisar and Solano were both engaged and Hamel consistently supported the work and its importance to the City. Koehler said that Pueblo was picked as one of six finalists for the GOCO Connections Grant. Four grants are to be awarded. The City's next application stage is due on August 2nd. The City is also looking

at DOLA grant opportunities, and they are hoping to be able to do another pedestrian bridge from the existing trail to the top of the Levee. It would be below the Main Street Bridge.

Martin suggested inviting Commissioner Wiseman to the next Board meeting.

Administrator's Report –

Kidd said that his report would be covered in other agenda items.

Recreation Committee –

Kock said that the grant application was sounding positive. His team is looking at alternatives for the wave shaper. Martin suggested inviting PEDCO to participate because they are pushing Pueblo as a recreation mecca.

Fountain Creek Committees-

Maroney said that there was a tour of the project areas on May 30th. They have contracts to date of \$1.8M at Pinion, \$6M at Highway 47, \$1.8M along Overton Road, and \$5.8M at Barr Farms. Maroney is concerned that debris from future floods will lodge and build up islands, then vegetation will develop on the islands and impede flow resulting in changes in the water course. He is concerned about losing the project improvements if there is not some means of maintaining the facilities installed. Terry Hart (County Commissioner) and Larry Attencio (City Councilman) are on the Fountain board. O'Hara suggested an effort to get the news media to write articles highlighting the maintenance need. Maroney said that he would talk to Larry Small, the Fountain Creek Executive Director, about ways to move forward to secure maintenance funding.

'21 In '21 Celebration-

Bernard reported that the committee met last week. O'Hara and Banner were at this meeting. She invited Lionel Trujillo to talk about a sculpted memorial. They would like for him to provide a concept design by their January 2020 meeting. There may be an opportunity to work with the CSU-Pueblo Mass Communications department and Leadership Pueblo. The next meeting will be September 19th at 1:30.

Levee Construction--

Kock said that Phases 5 and 5A have been finalized. The State came and did a stormwater permit revue. Swerdfeger had taken action with respect to their concerns. ASI has taken care of the Phase 4 warranty issues identified on the 1-year warranty inspection. They have not taken any action to correct the problems noted on the Phase 3 2-year warranty inspection. This is still being worked out internally between the entities of the "old" ASI and the "new" ASI. Kock said that he has been successful in making a contact with the UP Railroad. He has provided her some information about the fencing and she is working that up through the UP chain of command.

Old Business:

Mural Guidelines –

Serna reported that a mural of the flood on the Levee may be a possibility. The water is currently too high for any painting. The proposed guidelines are in the packet. Serna confirmed with Kock and Kidd that there should be about a six week time period this fall when painting can be done. The initial paintings will be school logos, with Pueblo West High School being the first one. Kock said that NorthStar has established identification points except for through the kayak course area. They are setting up the computer exhibit now. Willumstad asked about indemnity of the District for any plagiarized art work. Serna said that the intent is to go out with a call to artists after the guidelines are in place. After discussion it was decided to delay approval of the guidelines until the August meeting.

City Flood Plain Permit –

Kock and Kidd reported that they had met with Jeff Hawkins, City Stormwater Engineer. Kidd said that he will fill out the permit for the Arkansas Levee. It is going to include a lot of N/A's. Kock said he will continue compiling the information required for the Wildhorse Levee. It was extended upstream and the City needs documentation for resultant water surface elevations. Hawkins is to provide an example for NorthStar to use in preparation of their documents. Kidd said that with the expansion of the Pueblo Conservancy District to County wide a question came up of which entity should really have the responsibility of controlling flood plain development. Should the District have the primary responsibility and then delegate that to the City and the County, with the District maintaining control over the Levee corridor? O'Hara suggested that something similar to the old Joint Underground Utility Meeting be put in place. It was suggested that this committee start with Jeff Hawkins, Joan Armstrong, Dennis Maroney, Larry Small, Rick Kidd, and either Kim Kock or Mike Cuppy.

New Business:

Bylaws –

Phillips suggested tabling considering the bylaws until Banner is present. Koehler will not be able to attend the July meeting. It was decided to put consideration of the bylaws on the agenda for the August meeting.

Statutory Changes –

Kidd read Banner's email report. Koehler said that the legislators are working ahead with the proposed changes. She said that Leroy Garcia and Daneya Esgar would like to go on a tour of the Levee. She suggested inviting them to attend with the upcoming GOCO staff tour if possible. Koehler said that she would talk to Berrit Odom about that. It was also suggested that Don Valdez and Bri Buentello be added to the list.

Fountain Zone --

Kock reminded the Board of the lengthy process NorthStar's team went through in determining appropriate assessments for the Arkansas River and Wildhorse Creek Levee project maintenance fee assessment rates. Based upon information from the NorthStar report the Board agreed to a three tier matrix. Banner had suggested that NorthStar take a look at a Fountain Creek Tier. For the first round, NorthStar decided to consider the Fountain Creek Flood Plain area as if the Fountain levees did not exist, and see how much revenue would be generated if they applied the current Tier 3 rate. Cuppy said that they have to develop a boundary area to provide to the County GIS department. Then they will be able to determine the parcels that would be in this potential Fountain Creek Zone. NorthStar has Fountain Creek Flood Plain mapping for the area above Pueblo, but they do not have mapping for if the Fountain Creek Levees did not exist. Maroney said that he believes FEMA has mapping that shows that area. Kidd agreed that when they came down to meet with the County, City, and District in 2006 that they had mapping for without the Fountain Creek Levees and the East Dry Creek Levee. Kock said that NorthStar has estimated costs of approximately \$12,000 for them to do a preliminary conceptual of possibilities. O'Hara moved to authorize NorthStar to do this work on a time and materials basis not-to-exceed \$12,000. Bernard seconded and the motion passed.

Other Business:

Bernard said that when the District's accountants and auditor met for the pre-audit meeting it was discovered that the funds for the purchase of the 1912, 1914 and 1924.5 West 16th Street properties were not reflected in the financial accounting. This information will be obtained so that the correction can be made in the 2018 financial reporting.

There being no other business to come before the Board the meeting was adjourned at 11:34 pm. The next regular meeting will be on July 24, 2019, at 10:00 am.

APPROVED:

Corinne Koehler, President

Jerry Martin, Secretary