

MINUTES OF THE JANUARY 27, 2021 REGULAR MEETING
OF THE PUEBLO CONSERVANCY DISTRICT

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

Also Present: Attorney Don Banner
Administrator Rick Kidd

Guests: Mike Cuppy, NorthStar Engineering
Tony Greer, Keller Williams Realty
Cynthia Ramu and Spencer Little, Mural Art Committee members
Shanna Lewis, Colorado Public Radio
Kathy Garcia and Clarice Navarro, Representative Boebert's Office

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

Public Forum: None

Minutes: A quorum being present, the Minutes of the December 16, 2020 meeting were reviewed. Martin moved to approve the minutes and Bernard seconded. The motion was approved.

Excess Property Sales:

Greer said that he and Kidd had met to refine the parcels available for sale to Wark. There are a couple that ownership needs to be followed up on. The parcel east of the Main Street Bridge has the City's river trail cutting through it. There may be a need to increase the City's easement for the installation of the new pedestrian bridge. The consensus of the Board was to put selling this parcel on hold until after the new pedestrian bridge is completed. There may be some additional space needed for moving the trail and for construction access. Kidd said that the Board packet includes a copy of an unsolicited offer for property by the 11th Street Bridge. The offer is \$13,077 for 35 acres. The outline of the property included in this offer includes a portion of the Wildhorse Creek Levee and the railyard. Willumstad moved to decline the offer and Martin seconded. The motion to decline the offer from WPL Holdings LLC was approved.

Levee Mural Proposals:

Ramu said that there are three applications to present to the Board:

1. Howard – Mountain and Iris. Willumstad moved to approve the mural and Martin seconded. Motion passed.
2. Santisteven – Abstract face. Bernard moved for approval and Cordova seconded. The motion passed.
3. Monson – Mermaid. Martin moved for approval and Willumstad seconded. The motion passed.

Artists have been asking if they could use spray paint for their work. The Committee suggests approval based on three conditions: 1)The spray paint must be the smallest portion of the mural,

2)The concrete surface must have primer applied before painting with spray paint, and 3)The artists are to be made aware that liquid latex paint will last longer. Martin moved to approve the use of spray paint policy per the Committee’s recommendations. Willumstad seconded and the motion passed.

The Committee is discussing what “historical” means in determining the murals allowed between 4th Street and Main Street.

Bernard asked if a mural for the District could be painted before the June 3, 2021 dedication. Cuppy said that the area from 4th Street to the HARP Diversion is still under warranty period and some cracks will need to be patched. It was mentioned that this had been previously discussed and it was recommended to have a banner printed up and use it at the time of the dedication.

Treasurer’s Report:

Willumstad said that there is not an accountant’s report for December 2020. Kidd said that it is a year end report and will not be available until everything comes in.

The following bills were posted for review and approval:

Vectra Bank Cash Account:

\$ 356.98 Bud O’Hara, Paint for County school logo murals

BSJ Operations and Maintenance Account:

\$ 450.00 Black Hills Energy, Lake Runyon Lights
\$ 475.00 MGPM, Monthly Accountant fees
\$ 500.00 B&B, Attorney Fees
\$ 2,275.00 B&B, 4th Quarter – Land sales, mural guidelines, budget documents, PCD/City IGA#1, etc.
\$ 1,800.00 Kidd Engineering, Administrator/Engineer fees
247.50 Kidd Engineering, Meeting w/ Greer on land sales
\$ 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

BSJ Construction Draw Account:

\$ 330.00 Kidd Engineering, December 13, 2020 through December 31, 2020 Phase 6 CA/CO and meetings

\$ 330.00	Kidd Engineering, December 13, 2020 through December 31, 2020 PCD/City IGA#1 Planning and CA/CO
\$ 742.50	Kidd Engineering, January 1 through January 22, 2021 PCD/IGA#1 Planning and CA/CO
\$ 82.50	Kidd Engineering, CWCB Loan documents
\$ 896.50	NorthStar Engineering, December 12 through December 31, 2020, Phase 6 Construction administration, staking, testing, etc. and reimbursable expenses
\$ 6,420.50	NorthStar Engineering, December 12 through December 31, 2020, PCD/City IGA#1 T&M Services and reimbursable expenses
\$ 1,627.50	NorthStar Engineering, January 1 through January 22, 2021, Maintenance Assessment Support, Consultations, Loan Documents, etc.
\$ 3,355.00	NorthStar Engineering, January 1 through January 22, 2021, Task D – Engineering Design Services, Permitting and Regulatory Approval
\$ 11,556.00	NorthStar Engineering, January 1 through January 22, 2021, PCD/City IGA#1 T&M Services and reimbursable expenses
\$237,199.05	KR Swerdfeger, Phase 6 Arkansas Levee PR No. 11
\$ 85,284.45	KR Swerdfeger, Phase 6A – PCD/City IGA#1 Bridge and Trail
\$ 900.00	B&B, 4 th Quarter – CWCB Loan documentation and documents

BSJ Reserve Account:

\$ 7,247.22	Pueblo Conservancy District – Transfer to Operating Account
\$348,724.00	Pueblo Conservancy District – Transfer to Draw Account

Kidd said that the bills include reimbursement to O'Hara for \$356.98 of paint for County school logos. The County donated \$2400 to the District for painting 4 school logos. Three logos have been painted so far and the District has paid John Montano \$600 for each of those. After discussion it was agreed that the County will be requested to contribute additional funding for the paint for the four school logos. Kidd said that there are two pay requests for Swerdfeger, one is for Phase 6A and the second one is for the IGA with the City. Cuppy explained quantity adjustments within the bid schedule for the final costs of Phase 6 and Phase 6A final construction contract costs. Willumstad moved to pay the bills as presented. Martin seconded and the motion passed.

President's Report: Koehler reported that she and Willumstad met with Seth Clayton, Pueblo Board of Water Works, and discussed some of the issues that came up at the meeting last month. The Board of Water Works would like to review the plans for the modifications to the HARP Diversion gate control modifications. Water Works has submitted the grant application for the work at the Low Head Dam. They expect it will be mid 2022 before they receive the funding if FEMA approves the grant request. Banner suggested that the \$120,000 that Water Works still holds for security on the access road could be used as part of the District's commitment to the Low Head Dam project. Koehler said that she had received a call from Dennis Flores suggesting a drone video of the new Levee. Cuppy said that Swerdfeger and NorthStar have both taken drone videos of the work in progress and completion. Koehler suggested that the District may

need to form a 501c3 for donations to help pay for amenities on the top of the Levee. Banner said that could be a good idea. The first thing is to get the right people on the board of the 501c3. Pulling that together will take the most time and expense. The Board agreed to allocate \$2500 to start the process.

Administrator's Report: Kidd said that he had met with Tony Greer to confirm parcels that the District owns and could be included in the sale to Wark.

Recreation Committee Report: Mike Cuppy reported that the 4th Street bridge towers are up. Work to continue with the erection of the pedestrian bridge is progressing. Koehler said the five of the interpretive sign boards have been completed and five more are in progress. Willumstad moved to pay Signs By Scott for five of the sign boards as soon as an invoice is received. The motion passed.

Levee Amenities:

Koehler said that the shade structures have been ordered but not the benches or trash bins.

Fountain Creek Report: O'Hara said that they are continuing to work on rerouting and armoring Fountain Creek from 13th Street to the Arkansas River.

Arkansas River Levee: Cuppy reported that the Levee reconstruction work is completed. He said that ASI has not been responding to come in and do the warranty repair work on Phase 4. ASI had representatives attend the warranty walk through but they have not been back in to do any of the work. Banner requested information of the contacts made and he will prepare a letter to them. He also requested that we have Swerdfeger provide a budget for them to do the work. Willumstad expressed a concern about an embankment at the Wildhorse Creek outlet to the Arkansas. Cuppy said that he would check this out.

'21 Celebration: Bernard reported that she has talked to Wark about pictures of the Levee work. She said that she would like for him to take some aerial pictures of the dedication ceremony as well. She asked about a date by which cancellations would have to be made if Covid restrictions prohibit the planned ceremony. There is a concern about accessibility of people to attend the dedication. Cuppy said that the City will not have their tail access to the south end of the new bridge by June. Willumstad asked Banner if it is feasible for the District to advance money to the City to get this work done, with an agreement for the City to reimburse the District when their funding comes through.

Old Business:

None

New Business:

2021 Meeting Dates – Willumstad suggested moving the December meeting up one week to December 15th. Martin moved to approve the meeting dates suggested and Phillips seconded. The motion passed.

Posting Locations – Kidd said that the current posting locations are the Heritage Museum, City Hall and the County Court House. Martin moved to designate these three places for the 2021

postings. O'Hara seconded and the motion passed.

President's Monthly Fee – The president currently receives that same \$200 per month compensation as the rest of the Board members. Koehle suggested that the District get the Courts approval to increase this starting in 2022. Martin suggested increasing it to \$400 per month. Willumstad suggested \$500 per month retroactive to January 1, 2021. Martin said he

agreed with that and so moved. Bernard seconded the motion. The motion passed.

Website Updating – Koehler said that it has been several years since the website has had a full update. Phillips said that she is used to updating websites and that she would be willing to help keep it updated. Banner said that he would work with Rick Thomas and Donna for her to start maintaining the District's website. Kidd was instructed to add website updating and management to every January meeting.

CWCB Loan – Banner is working on the pay request submittal. Part of the proceeds will be used to pay off the loan at the Bank of the San Juans. The balance will go into the District's treasury to backfill expenses paid out of their reserve account. Banner said that then the District will really know where they are at financially. Banner requested a motion to have Koehler sign the pay request when it is completed. Willumstad moved to authorize Koehler to sign the pay request to the CWCB from the loan with them. Martin seconded. The motion passed.

Other Business:

Maroney said that the next HARP Authority meeting is February 10th. Kidd is to work with Cordova and Cuppy to provide a description of the property that the District could convey to HARP.

Martin asked what is happening to the Lake Runyon area and the City and County interest. Cuppy said that NorthStar is working on a master plan for the County. He said that Mike Ricottone is expressing interest in the County purchasing the area.

There being no further business the meeting was adjourned at 11:50 am.

APPROVED:

Corinne Koehler, President

Ron Serna, Secretary