

MINUTES OF THE DECEMBER 18, 2019 REGULAR MEETING

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

Also Present: Attorney Lisha Coultrip
Administrator Rick Kidd

Guests: Kim Kock, NorthStar Engineering
Mike Cuppy, NorthStar Engineering
Shanna Lewis, Colorado Public Radio
Tom Latka, Lois Adams, Bob Marsh, Jeff Moody – Artist
Cynthia Ramu, Educator and Mural Artist

The regular meeting of the Pueblo Conservancy District was called to order by President Koehler at 10:00 am. There was not a quorum at that time. President Koehler proceeded with reports.

Public Forum:

The artists said that they would prefer to wait until the agenda item for the Levee Mural Project.

President's Report –

Koehler said that it had been a busy month. There was a lady with a rental house on West 15th who was concerned that we may have caused the ground water level to increase when we took out the houses on 16th Street. Her septic system was waterlogged and she had to have the house connected to the City sewer system. There had been numerous emails back and forth as Banner worked with City Attorney Jagger on an IGA for the District's contractor to do some of the recreation improvements on the Levee. Banner attended the CWCB meeting and we received a letter notification stating that the CWCB had approved our loan increase. It will be included in the 2020 Projects Bill to the State legislature. The amount is \$23,230,000 at 2.45 percent interest.

Minutes:

A quorum being present, the minutes of the November 18, 2019 regular meeting were reviewed. O'Hara moved to approve the minutes and Willumstad seconded. The motion passed.

Treasurer's Report:

Accountant's Compilation Report – Willumstad said that everything appeared in line, with no obvious discrepancies. Kidd mentioned that there is money in a Vectra money market

account that is declining from monthly charges. This is not an active account. Kidd pointed out that they is also about \$40,000 in the Vectra checking account that could be moved to an investment account. After discussion, Willumstad moved to close this account and move the money to the Bank of the San Juans account. Serna seconded and the motion passed. Willumstad moved to receive and file the accountants report and the motion passed.

Bills – Kidd reported that with the start of the Levee work the Swerdfeger December progress payment may exhaust the \$5M loan at the Bank of the San Juans and that we will have to start using funds in the Reserve Account until the proceeds from the CWCB loan come in. Willumstad moved to pay the bills and O'Hara seconded. The motion passed.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 450.00	Black Hills Energy, Lake Runyon Electricity
\$ 475.00	MGPM, Monthly Accountant fees
\$ 500.00	B&B, 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

BSJ Construction Draw Account:

\$ 1,550.00	Kidd Engineering, Phase 6 CA/CO and meetings
\$ 323.50	Kidd Engineering, West 16 th Street property demolition project
\$ 24,900.00	NorthStar Engineering, Phase 6 Construction administration and reimbursable expenses November 16 through December 14 , 2019
\$ 1,860.00	NorthStar Engineering, Maintenance and Artist Location indexing, mapping, and stamping
\$675,175.50	KR Swerdfeger Construction, Phase 6 Pay Request No. 1
\$ 36,980.00	Dirt N Demo, 1912, 1914 and 1914.5 West 16 th Street Building Demolition - Final

BSJ Reserve Account:

\$ 4,475.00	Pueblo Conservancy District – Transfer to Operating Account
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BSJ Bond Loan Account:

\$740,698.00	Pueblo Conservancy District – Transfer to Draw Account
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Administrator's Report –

Kidd reported that the safe was sold for \$500 and it has been moved out of the Heritage Museums storage area. He said that Laurie Clark had sent him an email from the County stating that the Board of County Commissioners reviewed the proposed Mission Foods access across Thomas Phelps Creek and they do not have an issue with it. Kidd said that he met the owner of the West 15th Street house on site. It was a cordial meeting with him explaining what had been done in the demolition and that a berm had been constructed to ensure that water would not run off of the 1912 West 16th lot and onto her property. Kidd said he told her that he would get a contractor to come in to clean out sediment and restore the swale that is to convey water that runs along the concrete wall and into the ditch on the south side of 15th Street.

Recreation Committee and IGA –

Kock reported that NorthStar had provided specifications to the City for their use in soliciting bids for procuring the 4th Street pedestrian bridge. It was written for bids to be received on January 10th. The City has received a DOLA grant of \$1M for a second bridge to be installed near Main Street and for construction of a low water crossing of Wildhorse Creek. He said that the City and the District have been invited to make a presentation at the January 8th meeting of the Pueblo Contractors Association. Corinne Koehler, Mike Cuppy, and Beritt Odom are schedule to attend.

Fountain Creek Committees-

Maroney was not present.

'21 In '21 Celebration-

No report.

Levee Mural Project –

Serna said that there had been a lot of responses due to the rejection of the mural proposed by Matt Taylor. Serna believes that there needs to be a different makeup for the mural review committee. He thinks it would be advisable to include representatives of other public bodies. Serna said that the artists would like for the guidelines to be rewritten to provide for an appeals process. He believes that this discussion should be put on hold until Don Banner can be involved. Willumstad asked what happened to the original concept of the murals being around themes of Pueblo, local culture, history, etc. Serna said that ultimately it needs to be up to the District Board to determine what art goes on the Levee. O'Hara said he thinks the appeals process would be a good idea. He suggested that the artists should also be required to provide a narrative to explain their mural. There have been three more applications received to be presented to the Board. Lois Adams is the secretary for the group. She reported that the number of applications after Taylor's rejection have really slowed down. Cynthia Ramu suggested that the narratives be received before the actual art sketches. Two of the proposals for review today are from projects that were originally brought in from the last round but more work was needed for the application and consideration. She suggested that reasons be provided for if a proposed mural is rejected and the artist be given an opportunity to resubmit.

The Colorado Lottery is interested in putting out a call to artists for a mural. O'Hara said that nine mural proposals were approved last month. Bob Marsh said that he would like to submit a proposal, but he was holding back since Taylor's rejection. He wonders who is judging the proposed art and what their qualifications are. Marsh said that one of the things that attracted him to move to Pueblo was the Levee murals. Maroney said that the mural concepts had to consider what graffiti could be put on them and the artists need to be cognizant of anything that invites graffiti. Martin asked how large the potential mural community is. Ramu said she believes it could be upwards of a couple hundred just within the State. Koehler said that the District has to be conservative in the artwork due to the broader community and concerns of citizens. O'Hara said that there are now 15 categories in the guidelines. This is a change from the original four, and that the Board had approved the guidelines with this change. Martin said that we do not want to stifle the artwork but that we also have a responsibility to the community. Coultrip said that Banner had recommended re-looking at the guidelines and come back after the first of the year. Koehler suggested holding off on any changes to the guidelines and take a look at the issues in January. Maroney reminded the attendees that the primary purpose of the Levee is flood protection – not an art canvas. Kock said that, for safety with the ongoing construction, there needs to be notice of any artists coming on to the Levee. Willumstad moved to table consideration of any new art until after new guidelines are established. Dennis seconded. The vote was three to three with Koehler breaking the tie stating that since this is such a contentious and divided issue we should wait until next month. Ramu said that temperatures should be over 50 °F when they paint anyway so she does not see a problem with waiting.

Levee Construction–

Kock reported that Swerdfeger is moving forward. They have removed the top half of the concrete. The fence is constructed from 11th Street to the ramp and they are working on it on up to 4th Street. They are saw cutting just above the water line for removal of the lower part of the concrete facing. Kock passed out a picture of a void near the HARP diversion structure and said that this is exemplary of why we have to take out the old concrete to repair the Levee. This is next to an area where a hole was drilled through the concrete to pump in grout, but this void was missed. Willumstad asked about plans to remove the old diversion gate control building. Kidd said that NorthStar and he are working on this but that it is not as simple of a project as was originally assumed. Water Works wants to be able to drive one of their trucks up on top and use a hydraulic drive to operate the gates. They also need a visual indicator so that they know how much the gates have been raised or lowered. Kidd said that the existing mechanism will have to be used, only set at a lower elevation. Then a drive system needs to be designed to replace the existing electric motor and chain drive. Kock said that the first concrete placement is scheduled for December 30th. He has not heard anything back from the Railroad yet. He sent out an email after the last meeting but there has not been any response.

Old Business:

IGA – Kock said that the IGA was successfully completed and approved by the City Council. It will be saving the City money due to mobilization and permitting costs.

CWCB Loan – As Koehle reported earlier, it has been approved and now we have to wait on the legislature to approve the bill.

Fountain Creek Committees-

Maroney reported that the USGS will be using a drone next year to do a LIDAR analysis. They will be looking at 10 specific sites. Colorado College will have six students working with the Fountain District on this project. Matrix is working on a management opportunity study and flood plain management plan. Construction in the Barr Farms segment has begun and the Overton Road segment will start next month.

Other Business:

O'Hara said that NorthStar has given him a print out for identification of locations for the artists to paint their murals.

Kidd said that at the January meeting we have to determine where meeting notices will be posted and the schedule for the meetings.

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 January 22, 2020, at 10:00 am.

APPROVED:

Corinne Koehler, President

Jerry Martin, Secretary