

MINUTES OF THE MAY 27, 2020 REGULAR MEETING

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

Also Present: Attorney Don Banner
Administrator Rick Kidd

Guests: Mike Cuppy, NorthStar Engineering
Shanna Lewis, Colorado Public Radio
Cynthia Ramu, Pueblo Mural Artist

The regular meeting of the Pueblo Conservancy District was called to order by President Koehler at 10:00 am. It was noted that Phillips, Maroney and Lewis were attending via Zoom, therefore, the Board meeting was in compliance with the Governor's order.

Minutes:

A quorum being present, the minutes of the April 15, 2020 regular meeting were reviewed. O'Hara moved to approve the minutes and Bernard seconded. The motion passed.

Public Forum:

None.

Treasurer's Report:

Accountant's Compilation Report – Kidd said he noted that the amounts for the HARP IGA and the HARP O&M needed to be swapped. O'Hara moved to receive and file the accountant's report and Phillips seconded.

Bills – Kidd reported that the bills were routine. There is not a payment to KR Swerdfeger because they did not get the pay request in until 9:30 last night. This was a surprise because they were eligible to reduce the amount held in retainage to only 5-percent, per the contract. So far, \$1.1M from the Maintenance Fund Assessment has been received this year, and there is \$3.1M in the Reserve Account to cover construction costs, loan payments, and other expenses. Bernard moved to pay the bills and Cordova seconded. The motion passed.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 520.00	Black Hills Energy, Lake Runyon Lighting
\$ 475.00	MGPM, Monthly Accountant fees
\$ 500.00	B&B, Attorney Fees

\$ 1,800.00	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
\$ 2,090.00	Spaccamonti Excavating, Homeless Shelter Removals
\$ 480.00	All-Phase Environmental, Moffat/Lansing Properties Environmental Assessment

BSJ Construction Draw Account:

\$ 1,155.00	Kidd Engineering, April 11 through May 17, 2020 Phase 6 CA/CO and meetings
\$ 247.50	Kidd Engineering, Arkansas River Levee City/PCD IGA
\$ 11,979.50	NorthStar Engineering, Phase 6 Construction administration, staking, testing, etc. and reimbursable expenses April 18 through May 15, 2020
\$ 681.00	NorthStar Engineering, April 18 through May 15, 2020 expenses for maintenance fund support work, consultations, etc.
\$ 1,740.00	NorthStar Engineering, April 18 though May 15, 2020 Maintenance and Artist Location Indexing and Mapping
\$ 1,440.00	NorthStar Engineering, Task D – Engineering Design Services, Permitting and Regulatory Approval

BSJ Reserve Account:

\$ 7,665.00	Pueblo Conservancy District – Transfer to Operating Account
\$ 17,253.00	Pueblo Conservancy District – Transfer to Draw Account

BSJ Bond Loan Account:

\$ 0.00	Pueblo Conservancy District – Transfer to Draw Account
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President's Report:

Koehler reported that some action was required regarding City notices on the old buildings and that this would be discussed under new business. Koehler said that Barb Bernard told her that she does not want to move on up to the President's chair next year. She is concerned that the Pueblo West Metropolitan District may not reappoint her as their representative to the Board. However, Bernard would like to keep working on the Levee dedication plans for next year. Koehler said that she had received a letter from Lois Adams and this will be discussed more with the art mural guidelines. She has not yet completed the press release but will get it done.

Administrator's Report:

Kidd said that he will not be able to attend the June 24 meeting. Banner said that he would take notes for the minutes. Kidd will get all of the board packet documents and checks to Banner.

Railroad:

Banner said that he had made contact with both Santa Fe and Union Pacific railroads. Santa Fe rents trackage from UP. Union Pacific sent Banner a 2001 exchange agreement. Banner has asked NorthStar to look at the legal descriptions of that document. UP is adamant that they will not be putting up a fence. Banner said that he explained to them some of the problems and hazards that they will be having with the potential of the public crossing through their rail yard. Koehler asked that if the railroad does not do something does the District have an obligation. Banner suggested that maybe the District should because we know that there is a relatively hazardous condition posed by the public accessing the top of the Levee. Banner said that the line between the railroad and the District has not been surveyed. He said that the UP is open to a boundary line agreement. Cuppy was asked approximately how much a fence would cost. He said that the current fence along the river side of the Levee was about \$290,000. This fence would be a little bit longer so he would anticipate about \$300,000 for a similar fence. NorthStar was asked to get pricing for the five-strand cable fencing like we put in along the river and also for a 42-inch high chainlink fence.

Recreation Report:

Cuppy reported that NorthStar has been working with the City and Bridge Brothers on concepts for the bridge. They are looking at a suspension bridge. That has received favorable response from the committee. One advantage is that there will not be a need for equipment to get into the River for construction of it. Some concepts for the towers have been sent out for the committee's review and comments. The City has also contracted with NorthStar for a pedestrian bridge and Main Street. The Geotech drilling is done and the survey work has started. The City hopes that they can get the 4th Street and Main Street bridges installed at the same time. They are hoping for an October 2020 start date. One of the 4th Street Bridge towers would be constructed in the Levee and the other near the parking lot on the opposite side. The parking lot location is about 4.5 feet lower than the top of the Levee. The grade would be ADA compliant.

'21 In '21 Celebration-

Bernard said that she had met with Diane Hochevar last week to discuss design of a plaque. She needs to know what information the District want on the plaque. Bernard gave Kidd an \$200 check as a donation toward the plaque. Later in the meeting, O'Hara gave Kidd his \$200 Director payment check endorsed to the District as a donation toward the plaque.

Old Business:

Mural Project Guidelines – Banner passed out a draft of the guidelines with questions that need to be addressed. These are discussed as follows:

1. Sponsors – O’Hara said that he supports mural sponsors being recognized. The consensus was agreement, but that the recognition should be appropriately sized and placed on the mural.
2. Amount of fee – Originally it was a \$100 fee with \$50 being given back after successful completion and clean-up. The artists just want it to be a flat \$50 fee. This was agreed to.
3. Number and make-up of the Mural Committee – After discussion it was decided that there should be a number and mix of: 2 PCD Board members, 2 Artists, and 3 At-large from the community.
4. Art outside of the guidelines – It was decided that the Board would set aside areas of the Levee where art outside of the guidelines content could be painted. The art design would still have to be approved by the Mural Committee and the Board.

Martin moved to approve these changes/additions to the guidelines. Serna suggested adding a non-discrimination clause. The consensus of the Board was that this is the responsibility of the PCD Board. Martin asked who would appoint the Mural Committee members. Banner said that the PCD Board would. The motion passed.

O’Hara said that he felt like he should resign from the Mural Committee because he is concerned that he has ruffled feathers and has caused conflict between the arts community and the District. He thinks someone such as Willumstad should be on the Committee because of the legal questions raised by the arts community. Martin volunteered to replace O’Hara. O’Hara so moved and Bernard seconded. Motion passed.

Excess Properties – Phillips said that Tony Greer could not join the meeting today. He has been working on some ideas for development and developers. Phillips said the listing agreement is with Keller Williams and, therefore, there does not need to be a new listing agreement even though there is a change of agent. It was decided to move this discussion to the next meeting. Koehler asked about appraisers for Lake Runyon and the surrounding properties. Phillips responded that she could provide a list of appraisers. She recommended, however, that that appraisal be done after someone makes an offer.

New Business:

Moffat/Lansing Buildings – Koehler said that the District had been issued a violation notice by City Code Enforcement. She said that with the current budget picture she doubts that the City will have money to purchase the Lake Runyon land in the near future. Kidd said the Spaccamonti Excavating had give a quote of \$6,000 to demolish and remove the buildings. Serna moved to demolish the buildings. Cordova seconded and the motion passed.

Upper Lake Elizabeth Area – Banner, Phillips, Kidd and Greer are to schedule to tour the area and provide recommendations for disposal of this area.

Other Business:

Banner asked that NorthStar be authorized to survey a property line from the Depot to the railroad bridge. NorthStar is to bring a proposal to the next meeting.

Kidd was requested to schedule a Board tour of the Levee in July.

Bernard suggested that the City, County and Pueblo Conservancy District get together to form a recreation district as a special district. Her thought is that this would facilitate an ongoing funding source. O'Hara said this should include the Pueblo Board of Water Works as well. Banner said that he talked to the City and County several years ago. I broke down when they were trying to decide who would control the new district. He thinks it is a good idea if we can get agreement to cooperation. It was agreed that this is something to consider later.

Fountain Creek Report:

O'Hara reported that the Technical Advisory Committee met on May 6th. There is a geomorphology group and they found that 13 percent of the Colorado Springs population lives with the Fountain Creek District. There are currently ten sites being monitored for stability and erosion. Three of them are in Pueblo County. They look at the shape of the channel and banks over time. A high cut bank outside of Fountain contributes 26,000 tons of sediment per year. They have a project to try to re-channel the Creek through this area. Fountain Creek has undercut Southmore Drive.

There being no other business to come before the Board the meeting was adjourned at 11:40 am. The next regular meeting will be on June 24, 2020, at 10:00 am.

APPROVED:



Corinne Koehler, President



Ron Serna, Secretary