

MINUTES OF THE AUGUST 26, 2020 REGULAR MEETING
OF THE PUEBLO CONSERVANCY DISTRICT

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

Also Present: Attorney Don Banner
Administrator Rick Kidd

Guests: David Lytle, Attorney-Bond Counsel
Mike Cuppy, NorthStar Engineering
Seth Clayton, Pueblo Board of Water Works
Shanna Lewis, Colorado Public Radio
Steven Meier, City of Pueblo Director of Parks and Recreation
Tony Greer, Keller Williams Broker
Cynthia Ramu and Spencer Little, Mural Art Committee members

The regular meeting of the Pueblo Conservancy District was called to order by President Koehler at 10:00 am. Directors Maroney, O'Hara, and Phillips attended by Zoom meeting.

Minutes: A quorum being present, the Minutes of the July 22, 2020 meeting were reviewed. Serna moved to approve the minutes and Cordova seconded. The motion was approved.

Public Forum: No one was present.

Pueblo Board of Water Works Low Head Dam: Seth stated that Maroney had told him that the District would be open to partnering on a project to improve the navigable safety of Pueblo Water's Southside Intake Low Head Dam. Pueblo Water had, in 2018, a feasibility study done on concepts for making this a navigable boat chute. Pueblo no longer needs this diversion but the Riverside Dairy diverts 3 cubic feet per second from it. They have engineers working toward a design that they believe would be an appropriate concept for this location. Pueblo Water's intent is to look for grant opportunities after a design is completed. They have been given ballpark estimates of \$1.5M to \$10M, but the \$1.5M concept is only for installation of boulders below the dam to break up the hydraulic roll. They are hoping that the engineers will come up with an appropriate plan in the \$4-7M cost range. They are hoping to have better information by the end of this year or the beginning of 2021. Clayton said that there are several entities interested in improving the safety at this diversion. Banner suggested that El Pomar would be a potential source for grant funding. He offered to help with the application. Clayton said the even though Pueblo Water does not use this diversion the water elevations must be maintained for their Northside supply to remain viable.

CWCB Loan: Banner offered an amendment of a resolution to increase the District's current CWCB loan from \$17,170,000 to \$23,230,000. The interest rate on the revised loan is ~~2.65~~ 2.45 percent for 30 years, with an annual payment of \$1,102,488.59. Willumstad moved to adopt the resolution amendment and Serna seconded. The motion passed. David Lytle then offered his opinion that the documents are an update to the existing loan. He has reviewed the historic

documents and has opined to the points that the CWCB said that they needed. The documents have been signed by officers of the Board.

Levee Trail Project: Steven Meier provided information he had on various types of shade shelters and benches. Both shelters would provide about 40 feet of shade but the cantilever shade structure costs nearly twice as much as a four-post structure. The prices are \$30-40,000 versus \$80,000. These prices include design, construction and installation. The canvas type covers have a stated life of 7-years, but the City has some at Bessemer Park that have been there for over 10-years. The memorial benches that the City have been using cost \$2-3,000 installed. Bernard said that she prefers a more solid roof rather than canvas. Banner said that he thinks an option for metal roofing should be looked at.

Treasurer's Report: The financial documents presented by the District's accountants and the bills presented for payment were reviewed by the Directors. Maroney said that he has reviewed the accountant report and found it acceptable to receive and file. Kidd said that he did ask the accountant about the wording of the 2nd and 3rd paragraphs stating that management has omitted certain disclosures, etc. The accountant told him that the issues have been routinely addressed by footnote discussion in the audit reports. That it would be very costly to the District to address these issues on a monthly basis.

Kidd said that the bills this month include the \$537,500 payment on the loan at the Bank of the San Juans. Bernard moved to pay the bills and Willumstad seconded. The motion passed.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 475.00	MGPM, Monthly Accountant fees
\$ 3,000.00	MGPM, Audit Preparatory Work
\$ 500.00	B&B, Attorney Fees
\$ 1,800.00	Kidd Engineering, Administrator/Engineer fees
\$ 412.50	Kidd Engineering, Art Committee Levee Tour
\$ 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
\$537,500.00	Bank of the San Juans, Construction Loan Payment

BSJ Construction Draw Account:

- \$ 495.00 Kidd Engineering, July 19 through August 21, 2020 Phase 6 CA/CO and meetings
- \$ 10,394.50 NorthStar Engineering, Phase 6 Construction administration, staking, testing, etc. and reimbursable expenses June 20 through July 17, 2020
- \$ 2,240.00 NorthStar Engineering, Task D – Engineering Design Services, Permitting and Regulatory Approval
- \$ 1,243.50 NorthStar Engineering, Maintenance Assessment Support, Consultations, Loan Documents, etc.

BSJ Reserve Account:

- \$ 7,987.50 Pueblo Conservancy District – Transfer to Operating Account
- \$ 14,373.00 Pueblo Conservancy District – Transfer to Draw Account
- \$537,500.00 Bank of the San Juans – Transfer to Loan Payment

President's Report: Koehler reported that it had been a busy month. Lynn Clark has requested the District to maintain their same level of support to HARP. They are requesting increased funding from the City and the County. Banner suggested that when we send them the check next year, we include a letter stating that the District expects the HARP Authority to maintain the Riverwalk area clean, safe, and homeless free. Koehler said that she is helping with a video script concerning the Levee to go with the City's 150-year celebration. Koehler appointed Phillips to be the Chair and Cordova to serve on the nominating committee for the 2021 officers. They will be voted on in December. She has been working on story panels for the history and reconstruction of the Levee. The Rawlings Foundation said that the District could apply to them for a \$5000 grant. The application is due on September 15th.

Administrator's Report: Kidd reported that he received an acknowledgement and appreciation from Mike Cira, with City Code Enforcement, for removal of the buildings at Moffat. Cira told Kidd that a neighbor is continuing to complain about some brush and tree limbs that were dumped on District property. He had tried to ignore this in hopes that the complaints would go away but they have not. Since debris removal is the responsibility of the property owner he requested to have these limbs removed. Kidd said he contacted Spaccamonti about removing the debris, cleaning out the trash rack at the entrance to Lake Runyon, and removal of weeds along the Levee through the Grove area.

Recreation Committee Report: Mike Cuppy reported that Bridge Brothers has provided drawings for their proposal for the bridge. They are recommending going with a wood deck instead of concrete. It will still be vehicle rated but will cost less to install than pumping concrete across the expanse. The towers have a heavy steel look and the railing will be tubular steel to match the bridge aesthetic. They are hoping to have both the 4th Street and the Main Street pedestrian bridge in place by June 2021.

Mural Art Committee: Cynthia Ramu said she had emailed the scoring document out to the Directors. She presented three mural proposals that had been submitted and that the committee recommended approval of. They were considered by the Board individually and all three were approved. Ramu said that there was another mural proposed by Latkas but the committee felt that it was too large. The consensus of the Board was also that it was too large and suggested that it be revised to shorten it and then be presented for approval at the next meeting. Phillips suggested that all of the submittal documents, and especially the artist's narrative explaining their murals, be made available to the Board before considerations for approval. Willumstad seconded this suggestion. It was agreed that the Latka proposal will be tabled until the September meeting.

Fountain Creek Report: None.

Arkansas River Levee: Cuppy said that the Levee construction work is pretty well complete. They are working on final cleanup and the last change order work. The materials for the added fencing have been ordered and it is expected that they will have the fencing completed in the next week or so. He has prepared a change order for signature. It is a consolidation of the work that was approved at the July meeting. Therefore, no motion for approval is required. Willumstad asked about plans to fill in the gap between the end of the maintenance access road to tie in with the concrete trail at Lake Runyon. It was anticipated that the City would make this extension as a part of their future trails work.

'21 Celebration: Bernard said that the group believes the plaques should be installed somewhere in the area of the new bridge. They are considering a concrete pillar with a sloped front and have Williams or Latka do some decorative design work around it. Due to Covid, it may be necessary to just put up tents up on the Levee rather than having the reception at the Historic Union Depot. The current plan is to have story boards that talk about the Arkansas River, the 1921 Flood, the construction of the Arkansas River Levee, and Pueblo Dam. They will have narrative of the history and pictures. The cost will be approximately \$1400 for each of the four story boards.

Old Business:

Excess Properties: Tony Greer said that he will be assuming the role that Jason had. Tony is the owner of the local Keller Williams offices. He has had an opportunity to look at some of the District owned properties. He wants to look at all of them on the ground and develop values of the inventory. Kidd is to meet with him to tour and discuss the properties.

Railroad Fencing: Banner said that there has been no additional response, past that Covid has many of their personnel working from home and that has impacted their operations.

Runyon Field Expansion: Koehler said that there is nothing new to report.

Levee Fencing Clark to Palm: Kidd said that the adjacent landowner called to complain about the concrete barriers that the District had placed along the top of the Levee. He believes they are unsightly and should be replaced by continuing the cable fencing to the east side of Palm. Kidd

said he told the gentleman that he knew the barriers are in poor condition but they were put there to keep anyone from trying to drive up to get on top of the Levee. The City is going to be expanding their trail system and will be doing improvements along the top of the Levee. It is presumed that the City will do something along here as part of their future work. Kidd said that it would cost \$3-4,000 to extend the fence, the barriers could be removed, or they could be left until the City does something in their improvements. The consensus of the Board was to leave them as they are.

Homeless Camps: Banner said that people walking the Riverwalk have had confrontations with some of the homeless, and that they are making this gem in the City dirty and an undesirable place for people to go. He said that the City has proposed an ordinance to make the Riverwalk area a park and thereby not overnight stays would be allowed. HARP and the City need to work together to come up with some way to improve the conditions. Kidd said that is also a problem under the bridges along the maintenance access road. He has asked Swerdfeger's fence contractor to provide pricing to fence these areas out similar to what CDOT did at their 4th Street Bridge.

Other Business:

Kidd passed out the draft audit report and said that Sam DeNardo would be at the next meeting to address questions and hoped for approval of the audit at that time.

There being no further business the meeting was adjourned at 11:45 am.

APPROVED:

Corinne Koehler, President

Ron Serna, Secretary