

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

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

Also Present: Attorney Don Banner  
Administrator Rick Kidd

Guests: Mike Cuppy, NorthStar Engineering  
Kim Kock, NorthStar Engineering  
Cynthia Ramu, Mural Art Committee  
John Wark  
Steven Meier, Pueblo Director of Parks and Recreation

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

**Budget Hearing:**

Kidd said that the 2022 Budget had been advertised in the Pueblo Chieftain and that no one contacted him requesting to review it. Banner said that he had prepared a Resolution to Adopt Budget. Willumstad moved to adopt the 2022 Budget as presented. Bernard seconded and the motion passed. Banner requested the Board to review the Resolution to Appropriate Sums of Money and requested a motion to approve it. Willumstad so moved and Bernard seconded. The motion passed.

**Minutes:** A quorum being present, the Minutes of the September 22, 2021 meeting were reviewed. It was moved by Cordova and seconded by Serna to approve the minutes. The motion was approved.

**Public Forum:**

None

**Wark Development:**

Banner disclosed a potential conflict of interests and said that he had talked to Koehler and Willumstad about it. He will not make any comment with respect to pricing of properties to be discussed. John Wark said that parcels 8002 and 8004 were missed in the quit claim deed. He presented some renderings and discussed basic plans that he has for the area. Wark said that he had been working with City Planning and Public Works in formulating his master plan. Banner said that 8002 was considered but was withheld until the area required for the City's 4th Street Pedestrian Bridge was settled, and that area is now known. He said that 8004 was not considered because of not knowing what the City was going to be doing for construction of the access road down to the kayak course. Banner said that a sale or transfer of this property could be worded to protect any existing easements and for the District's flood control and maintenance needs. Bernard moved to convey parcels 8002 and 8004 to John Wark for the nominal consideration of \$1.00. Willumstad seconded the motion and the motion passed.

**Levee Mural Proposals:**

Ramu said that she had four mural proposals to present to the Board:

Tranquillo, Brandi Ross. Ramu said that this mural is to be 24x24 and that the sides will be expanded out from the picture presented. Martin said that the pictures should show the actual sizes so that we would know what the true mural would look like. Phillips expressed her feeling that the thunderbird was a good idea because of the southwest Indian connection. Martin moved for approval and Cordova seconded. The motion passed.

History of Saint Mary-Corwin Hospital, Shannon Palmer. Willumstad moved for approval and Bernard seconded. Cordova asked if this mural was advertising, which is not to be allowed in the murals. The consensus of the Board was that it was not. Ramu said that the mural would be 100 feet long and would just appear on the concrete without a background. Martin suggested that it be tabled until we get a feel for how much space it would occupy. Willumstad asked if Parkview should be afforded the opportunity of a mural. Willumstad amended his motion that approval be subject to size determination and Bernard agreed. The motion passed.

Mother Earth Tattoo, Gina Pollock. Ramu said that this mural would be 24x37. Martin moved for approval and Phillips seconded. The motion passed.

No More Missing Sisters, Dolores Duran. Ramu noted that this is a re-presentation being made without changes to the proposed painting, but the artist provided additional information. Phillips said that she had shown this painting to a Navajo friend and they felt it was a good piece of art. Serna said that it is like a painting in Colorado Springs. Martin moved for approval and Cordova seconded. The motion passed with Bernard opposed.

Ramu reported that she is working on a narrative for all of the murals and a QR code that would link to this information. She said that raw concrete space could count toward the Guinness book of records if it was considered a part of the mural, as in the Saint Mary Corwin mural. Ramu said that the \$5000 contribution by the District has helped fund 13 artists. Koehler said that she should provide a written monthly report.

Ramu Contract. Banner said that Ramu had agreed to \$1500 per month and that the contract would be effective November 1<sup>st</sup>. Martin moved to approve her contract and Cordova seconded. Kidd noted that contract personnel are paid in arrears and that Ramu would still be paid \$2000 for October. The motion passed.

**Treasurer's Report:**

Willumstad said that he had reviewed the accountant's report and he moved to receive and file the report. The motion passed.

Willumstad said that the bills were routine and moved to approve payment of the bills. The motion passed.

Vectra Cash Account:

\$ 342.00 Bud O'Hara, School logo paint

BSJ Operations and Maintenance Account:

\$ 275.00	Black Hills Energy, Lake Runyon lighting
\$ 500.00	MGPM, Monthly Accountant fees
\$ 500.00	B&B, Attorney Fees
\$ 3,347.50	B&B, 3 <sup>rd</sup> Quarter billing
\$ 1,900.00	Kidd Engineering, Administrator/Engineer fees
\$ 247.50	Kidd Engineering, Executive Session attendance
\$ 2,000.00	Cynthia Ramu, Levee Mural Art Coordinator Fee
\$ 200.00	Bernard, Director's Fee
\$ 200.00	Cordova, Director's Fee
\$ 500.00	Koehler, President'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
\$ 6,767.98	Garren Ross & DeNardo, 2020 Audit
\$ 4,286.00	KR Swerdfeger, Cleaning of Thomas Phelps Creek at RR bridge and trash rack

BSJ Construction Draw Account:

\$ 165.00	Kidd Engineering, FEMA review meeting
\$ 1,485.00	Kidd Engineering, PCD/City IGA #1 and #2 meetings and CA/CO September 189 through October 22, 2021
\$ 2,170.00	NorthStar Engineering, Task C-3, Final Report
\$ 1,280.00	NorthStar Engineering, September 18 through October 22, 2021, Maintenance Assessment Support, Consultations, Artwork and Recreation
\$ 6,810.50	NorthStar Engineering, September 18 through October 22, 2021 PCD/City IGA#1 T&M Services and reimbursable expenses
\$72,694.89	KR Swerdfeger, Phase 6A PCD/City IGA#1 Pay Request #10
\$20,200.46	Churchich Recreation, Balance for benches, bike racks, and trash receptacles
\$ 357.50	B&B, 3 <sup>rd</sup> Quarter Levee billing
\$ 357.50	B&B, PCD/City IGA #2

BSJ Reserve Account:

\$ 21,923.98	Pueblo Conservancy District – Transfer to Operating Account
\$105,520.85	Pueblo Conservancy District – Transfer to Draw Account

**Old Business:**

Wave Shaper. Cuppy said that this has been in consideration for the last several months. The proposal is \$120,000 for conceptual design, or \$176,000 for preliminary design. Steven Meier said that the annual operation and maintenance costs for the wave shaper on the Platte in Sheridan is around \$10,000. He said that they do not have any numbers on usage. Kidd said that he had talked with CWCB staff and that they are very supportive of a proposal for a wave shaper and in-channel improvements. However, pretty much their maximum ask is \$1,000,000 with a minimum of fifty percent match. He said that the CWCB wants the sponsoring agencies to have actual cash in the match, not just other grants and in-kind work. The McLaughlin preliminary design needs to be completed to have a good cost estimate to support the grant application. Kidd said that the next submittal deadline date is December 1. This is not feasible so the following date is July 1, 2022. Cuppy said that NorthStar would have \$30,000 in engineering costs to meet the needs for McLaughlin's work. Martin moved to award contracts of \$30,000 to NorthStar and \$176,000 to McLaughlin White Water Engineers. Phillips seconded. Willumstad said he is reluctant to support this until we get firm City participation. Kock proposed that the award be made to NorthStar to move on with their work and then consider the award to McLaughlin next month. This would keep the project moving forward so the July submittal could be met. He said that the work they would be doing now could be used to support further design at any time in the future. Martin said that he is concerned that this is getting too far away from the basic mission of flood control. The motion failed on a vote of 2 yays and 4 nays. Martin moved to award the contract to NorthStar with a \$30,000 cap. Bernard seconded. The motion passed with 4 yays and 2 nays.

Dutch Clark Cleanup. Kidd said that he had received a text message with Swerdfeger quoting \$8,235.00 for this work. Serna moved to approve and Maroney seconded. The motion passed. Barriers on the trailway down. Kidd said that the text message from Swerdfeger quoted \$2,555 to move the concrete barriers from the end of Palm Street to this location. Willumstad moved to approve this with the price including necessary site work. Martin seconded and the motion passed.

HARP IGA. Maroney said that the District needs to notify HARP a year in advance if they are going to reduce the IGA contribution.

**New Business:**

PCD/City Mainstreet Bridge IGA. Banner said that he met with Bob Jagger and the City. He said that they have drafted some requests for working but Jagger has not gotten back on wording and meeting agreements. They have not agreed to advancement of funds.

Nominating Committee. Cordova said that the nominating committee is recommending Koehler for President, Willumstad for Vice President, Bernard for Treasurer, and Serna for Secretary.

**President's Report:** Koehler said that she attended the 2<sup>nd</sup> Opening of the 4<sup>th</sup> Street Bridge, now that the trail construction is complete. Other Board members also in attendance were Maroney and Serna. She has received designs for the name plates for the shade structures, benches, etc.

**Administrator's Report:** Kidd reported that the 2020 final audit report was completed and he has passed out copies for the Directors. Final payments will be in progress for KR Swerdfeger on Phase 6A. There is approximately \$3.78M in the Reserve Account.

October 27, 2021 Minutes, Page 5 of 5

**Pueblo Friends of the Arkansas:** Koehler reported that there has been a lot of interest and people have been helping to clean up along the River. The next cleanup is scheduled for November 6<sup>th</sup>.

**FEMA Certification:** Kock reported that the NorthStar team and Kidd had a virtual meeting with FEMA and CWCB representatives. He said that the meeting went well and that FEMA is to send a letter to clarify issues. They are wanting more information on stability and erosion control, an evacuation plan, a maintenance plan, a table of closures (penetrations through the Levee), and a land-side drainage evaluation. Kock said that the land-side evaluation will cost approximately \$25,000. He said that the only thing we have done to change the land-side impacts is the installation of pipes with outlet control so that when Wildhorse Creek floods it does not back up into the area of 15<sup>th</sup> Street. This also means that the storm water coming in from the channel at 15<sup>th</sup> Street cannot get out until water levels in Wildhorse Creek allow for the gates to open and let the water through. Maroney said that FEMA will be holding the certification hostage until this study is done.

**Recreation Committee Report:** Cuppy reiterated that the Phase 6A trail is now complete and all of the amenities have been installed. They are working of the final design for the layout of the trail sections of the proposed Phase 6B. Their fee in the City's budget is \$25,000 for design and construction inspection and testing. Phillips moved to make Phase 6B and amendment to the existing agreement. Willumstad seconded and the motion passed. Cuppy submitted the change order for the bollards for signature. This change order was previously approved. Willumstad asked what there was still a cable across the trail at Runyon. Kidd said that due to the width of the access to the 4<sup>th</sup> Street Bridge it was necessary to install the two bollards at that location, rather than one here and one at Runyon. He said that the City is to provide warning signage and then the intent is to have another bollard installed at Runyon as a part of the trail extensions.

**Fountain Creek Report:** No report

**Other Business:**

Koehler said that the District retreat has been set up for November 9<sup>th</sup>, from 4:00 – 7:00 pm. It will be at the Heritage Museum.

Banner requested approval to move forward with the PCD/City IGA#2 documents contingent upon agreements made in meetings and via emails. The IGA is to have the first reading at the next City Council meeting and then the 2<sup>nd</sup> reading and approval at the November 22 Council meeting. The consensus was to move forward.

There being no further business the meeting was adjourned at 12:11 pm. The next regularly scheduled Board meeting will be on November 17, 2021.

APPROVED:

---

Corinne Koehler, President

---

Ron Serna, Secretary