

MINUTES OF THE FEBRUARY 22, 2023 REGULAR MEETING
OF THE PUEBLO CONSERVANCY DISTRICT

Directors Present: Carl Elley, Corinne Koehler, Dennis Maroney, Jerry Martin, Donna Phillips,
Jim Pioreschi, Ron Serna, Paul Willumstad

Also Present: Attorney Lisha Coultrip
Administrator Rick Kidd

Guests: Mike Cuppy, NorthStar Engineering
Cynthia Ramu, Mural Art Coordinator
Terry Hart, Fountain Creek Greenway and Flood Control District Board
Member

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

Minutes: A quorum being present, the Minutes of the January 25, 2023 meeting were reviewed. It was moved by Serna and seconded by Pioreschi to approve the minutes. The motion to approve the minutes was approved.

Public Forum:

None

Fountain Creek Greenway and Flood Control District – Board Director Terry Hart
Hart said he appreciated the opportunity to come speak to the District. They have hired a new Executive Director and would like to bring her to a future meeting. The District was formed in 2009 to address multiple issues along Fountain Creek. Some of these include erosion, sediment transport, water quality, open spaces, recreational opportunities, and wildlife and aquatic habitat. The District is funded by nine member governments. Fountain Creek has become a river with some water flowing all of the time. It used to run only occasionally. These constant flows and higher flood flows have increased erosion and sedimentation. They are doing studies to better determine what is happening and what can be done to solve some of the issues, and a priority order for projects that can be funded. The current available funding sources do not provide for more than minimal maintenance. Their establishment statute allows them to have taxing and fee authority. The District is aware that they need to develop a sustainable funding source. They are hoping to use recreation and other projects to help do projects that address some of the maintenance work.

Levee Mural Project:

Ramu said that she has a couple of artists who are working on adjusting their designs. She met with City Council on the Pueblo designs. They will be moving forward with a voting process. Hopefully there will be a decision before the next Board meeting. It was agreed that artists working on non-sponsored murals in the historic area will invoice for their \$1000 incentive after their work is finished. Ramu said that the incentive funds deposited at D&S paint are not being

used for sponsored murals. She is doing podcasts on the 17th of each month. They are holding an artist meet and greet at the El Pueblo Museum on April 17th. She said that the art committee does not like the \$100 refundable cleaning deposit even though Don Banner had said that he would put up funds to sponsor it on a revolving basis.

Sculptures – Ramu reported that her and Eric McCue had attended the last Executive Committee meeting. There is now a better understanding of the expectations. McCue is to be at the next Arts Committee meeting.

Treasurer’s Report:

Prioreschi said that he had reviewed the December accountant’s compilation report and nothing stands out. Prioreschi said that the bills appear appropriate for payment. Prioreschi moved to receive and file the reports and pay the bills and Phillips seconded. The motion passed.

The following bills were posted:

BSJ Operations and Maintenance Account:

\$ 500.00	MGPM, Monthly Accountant fees
\$ 1,000.00	B&B, PC, Attorney Fees
\$ 3,000.00	Kidd Engineering, Administrator/Engineer fees
\$ 1,500.00	Cynthia Ramu, Levee Mural Art Coordinator Fee
\$ 200.00	Elley, Director’s Fee
\$ 500.00	Koehler, President’s Fee
\$ 200.00	Maroney, Director’s Fee
\$ 200.00	Martin, Director’s Fees
\$ 200.00	Phillips, Director’s Fee
\$ 300.00	Prioreschi, Director’s Fee
\$ 300.00	Serna, Director’s Fee
\$ 35.63	Serna, 57miles
\$ 300.00	Willumstad, Director’s Fee
\$ 900.00	Tia Monson, Graffiti Paint Over
\$ 750.00	John Wilbar, Sculpture Lease
\$ 20.00	Signs by Scott, Elley Name Tag
\$ 5,373.00	Signs by Scott, Bridge Name Plaques
\$ 600.00	JERBCO, December, January and February Website Maintenance
\$ 1,956.00	Colorado Special Districts Property and Liability Pool, 2023 Liability Insurance
\$ 1,237.50	Special District Association, 2023 Annual Membership
\$ 9,595.00	K.R. Swerdfeger Construction, Attempted Thomas Phelps Creek Flood Gate Repair, Cleaning Trash Rack, and Debris Removal

BSJ Construction Draw Account:

\$ 525.00 Kidd Engineering, PCD/City IGA #1A Main Street Pedestrian Bridge Meetings and CA/CO

\$ 960.00 NorthStar Engineering, Maintenance Assessment Support, Consultations, Artwork and Recreation, Attend meetings and reporting

\$ 6,644.50 NorthStar Engineering, PCD/City IGA#1 Revision, Task K Main Street Bridge and reimbursables

\$ 40,752.90 K.R. Swerdfeger, Phase 6B PCD/City IGA#2 River Trail

\$ 25,804.00 K.R. Swerdfeger, Demolition of Concrete Wall in Levee

Old Business:

Administrative Assistant. Kidd said that two applications have been received to date. He and Koehler will schedule interviews with the two applicants. The job posting will remain open until the position is filled.

Colorado DPW Contract. Coultrip said that there is nothing to report.

Hyde Park Properties. Pioreschi reported that he has not yet received a response from PURA. He will contact them.

Levee Event Guidelines. This was tabled until the March meeting, when Banner will be present.

The Spring Runoff Run is scheduled for March 5th. They obtained a permit from the City, but neither the City Parks nor the runners knew that the event must also be approved by the District. It was agreed to allow it to proceed, but City Parks needs to add the Pueblo Conservancy District to their permit approval routing. The District will not open their lock and police access for water delivery. Koehler is to inform the runners group that they may see if the City will coordinate access for them.

Board Vacancy. Koehler said that the City has made a selection and the City Council will be voting on the selection next Monday.

Bridge Lighting. Pioreschi said that the City has not gotten back to him about where the transformer will be located at the Kyak Course drop off. He is also trying to schedule a meeting with them to discuss the new Main Street Bridge power supply route.

Pueblo Water Low Head Dam. Kidd is to schedule them to make a presentation at the March meeting

Debris. Kidd did not locate the rebar that Koehler was concerned about. They are to meet to look at it.

New Business:

Levee Tour. Koehler said that this will probably not be held until April or May.

Fabrication of New Thomas Phelps/Runyon Flood Gates. Kidd said that since plans to repair the existing gates did not work the metals fabricator and Swerdfeger have developed a proposal to fabricate and install new mild steel gates. The proposed costs is \$107,108.00. Willumstad asked about them providing more than a one-year warranty. Phillips moved to approve the proposal except with the requirement of a two-year warranty. Elley seconded and the motion passed.

Boulders, Gate and Bollard at the West End of the Runyon Parking Lot. Kidd said that Serna has witnessed people driving past the end of the parking lot and around to the back side of Lake Runyon. He considered the site and requested Swerdfeger to provide a proposal to furnish

and install boulders at the end of the parking lot, with a multiple lock access gate, and install a bollard in the bike trail. The amount of the proposal is \$18,058.00. Willumstad moved to approve this proposal and Marten seconded. The motion passed.

Reconstruction of Fish Habitat. Kidd said that he had received a proposal for reconstruction of the fish habitat rock structures that were removed during the reconstruction of the Levee above 4th Street. Chaparral Construction, from LaVeta, offered a proposal to construct three W-weirs and a vane off of the River bank for \$34,900.00. Kidd said that Chaparral has constructed fish habitat in reaches of the Arkansas River above this area. They also have experience in many other rivers in Colorado. Phillips moved to approve the proposal and Martin seconded. The motion passed.

2023 Accountant Engagements. Kidd said that the District's current accounting firm, McPherson, Goodrich, Paolucci & Mihelich, PC, had requested approval of engagement letters for monthly accounting and year end audit preparation services. The monthly accounting fees will remain at \$500.00 per month. The annual audit preparation work services will not exceed \$4000.00 per year. Kidd said that this is less than the fees charged in several prior years. Martin moved to approve the two engagement letters. Phillips seconded and the motion passed.

President's Report:

Koehler said that she continues to work on trash clean up. She reported that there is a lot of trash in the Main Street Bridge area. The City Parks Department is now working to clean the area up. There was recently a fire in that area. Now water is flowing through the burn scar and washing char and debris into the River.

Administrator's Report:

Kidd said that Aptim contacted him about access to the District's property at the end of Rush Street. Tony DelMonico has a lock on the gate and refuses to unlock it and allow them in. This is Conservancy District owned property that the DelMonicos have been using as part of their yard for years. At a meeting last year it was agreed that the District would allow them to have an access easement on our property. Coultrip said she would draft a letter directing DelMonico to remove the lock.

PFAR:

Koehler said the group cleaned along the Faye's Crossing trail area on the February cleaning day. She said that there were over 25 volunteers of all ages helping. They noticed a homeless encampment in the area of I-25 and the railroad tracks. She contacted Steven Meier about it. He is to reach out to the railroad asking them to remove it.

George Harvey Nuckolls Bridge and Trail Report:

Cuppy reported that they are still waiting for the State to approve a dewatering permit to pump water out of the excavation for the tie-back anchor on the south side. It is expected to be approved within the next week. Bridge Brothers has said that they expect the bridge cables to be shipped in mid-March. Beritt Odom has submitted the documentation and request to GOCO for the grant extension. Approval has not been received yet.

Levee Amenities:

NorthStar tendered a design services offer for extension of the concrete trail from the Charles Lee Bridge northward, then down along the current Levee access ramp, across the Wildhorse Creek Bridge, and tying in with the City's existing concrete trail. Their proposal is \$26,400.00 for design services, and \$32,000.00 for construction support services. Cuppy said that if the District keeps K.R. Swerdfeger on board as the construction contractor for this project some of the regular construction and contract work will not be necessary in the design and NorthStar will take \$10,000.00 off of the design services proposal. Cuppy said that if awarded the work Swerdfeger has agreed to maintain their current unit cost pricing even though the cost of concrete and fuel have gone up. Phillips moved to approve the NorthStar proposal. Pioreschi said that he would recuse himself from this vote. The motion passed.

Cuppy then asked about extending the current trail construction contract with Swerdfeger to include this reach of the trail construction. He said that the advantages would be that Swerdfeger will hold their pricing, they have the necessary permits, and they have the level of insurance required by the Missouri Pacific Railroad. Phillips moved to add this work to the existing Swerdfeger contract and Elley seconded. Kidd said that our agreement with the Board of Water Works for the Carbon Gate access route has been terminated and the retainage released. He would like for the City to commit to road maintenance with the Board of Water Works. The motion passed. Cuppy then said that they would take \$10,000.00 off of their proposal and bring back a new services agreement.

Cuppy said that Swerdfeger had submitted pricing to install the new trash receptacles when they arrive. It is \$458.00 if they can be mounted on existing pad areas and \$633.00 if a new concrete pad has to be installed. Pioreschi moved to approve Swerdfeger's proposal and Willumstad seconded. The motion passed.

Fountain Creek Report:

Martin said that Hart had given his report. He suggested inviting Terry Hart and the new Executive Director to the May meeting. This was agreed. It was then suggested that we invite Alex Zipp to come to the April meeting to discuss the Frost Bite Fish Off and the work being done with the funds that they raise. And then invite Steven Meier to come make a presentation at the June Board meeting.

Other Business:

Restroom Facilities. Elley said that he has met with the City to see their vision for the Pillar Park development. They are estimating the facility will cost approximately \$600,000 for a restroom and changing areas. They are planning to bring in porta potties again for this summer.

There being no other business, the meeting was adjourned at 11:55 am. The next regularly scheduled Board meeting will be on March 22, 2023.

APPROVED:

Corinne Koehler, President

Ron Serna, Secretary

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