

MINUTES OF THE MAY 24, 2023 REGULAR MEETING
OF THE PUEBLO CONSERVANCY DISTRICT

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

Also Present: Attorneys Don Banner and Lisha Coultrip
Administrator Rick Kidd

Guests: Alli Schuch, Fountain Creek Executive Director
Terry Hart, Fountain Creek Board Member
Tyler Graff, Bridge Brothers
Mike Cuppy, NorthStar Engineering
Cynthia Ramu, Mural Art Coordinator
Jean DelMonico, 413 Rush Street Homeowner
Kim Hillson, Artist

The regular meeting of the Pueblo Conservancy District was called to order by President Koehler at 10:00 am. Koehler announced that Kathy Farley had passed away. Kathy was a Conservancy District Board Member for many years.

Minutes: A quorum being present, the Minutes of the April 26, 2023 meeting were reviewed. It was moved by Maroney and seconded by Martin to approve the minutes. The motion to approve the minutes was approved.

Public Forum:

None

Fountain Creek Greenway and Flood Control District –

Terry Hart said that they are running out of the 1041 funding that Colorado Springs was to spend on Fountain Creek improvements. Thirty-three million has been spent to date, leaving approximately \$9M in the budget. They are continuing to submit grant applications to obtain more funding for the work that needs to be done. However, they expect that they will ultimately have to go to the El Paso County voters to secure ongoing funding. The District covers 972 square miles.

Alli Schuch said that the Fountain Creek District spans from Palmer Lake, to Green Mountain Falls, and to Pueblo. The \$50M of the 1041 funding has to be spent on new construction that will help flooding problems in Pueblo County. No money can be spent on maintenance. The responsibility for maintenance of constructed improvements is to rest with the landowners. This has not been working well. Fountain Creek drops from an elevation of 14,000 feet to 4,600 feet in 70 miles. They are looking at various funding mechanisms including: mil levy, sales tax, and IGA contributions. One billion dollars of work has been identified. Mil levy funds must be spent in the area that they come from, therefore, they could not spend mil levy income for work in Pueblo County. The Fountain Creek District is patterned after the Mile High Flood Control

District, in Denver. They are looking at what is working for them that may work for El Paso and Pueblo counties.

Main Street Bridge -

Tyler Graff introduced himself. He is Bridge Brothers' Project Controller. He said that Bridge Brothers has enjoyed working on this second suspension bridge, just as they did on the one at 4th Street. He said that was not involved in the 4th Street Bridge as he started working for Bridge Brothers a short time before the Main Street Bridge project came up.

Levee Mural Project:

Ramu said that she has three mural submissions to present for approval.

Pueblo Flood, Tia Monson. Ramu said that this mural would be 24x36 and would be painted in the historic area. Maroney moved to approve it and Prioreshi seconded the motion. Kidd asked Ramu if the elevation of the water level as depicted is the actual elevation that the water reached. Ramu said that she would find out. The motion passed.

Koehler expressed safety concern about artists working on the Levee right now since the water levels were so high. She noted that the water is currently covering the bottoms of some of the murals.

Mandala 24 Section Time Piece, Bryan Rivera. Ramu said that this mural would be 24x24. Prioreshi moved to approve the mural and Martin seconded. The motion passed.

Freedom Between the Ears, Dan Levinson. Ramu said that this mural would be 24x48 and is being sponsored by the organization Southern Colorado Trail Builders. Martin moved to approve the mural and Prioreshi seconded. The motion passed.

Kidd asked for clarification if an artist can collect the District's \$1000 incentive for historic murals plus the amount that a sponsor is paying to them. The Board agreed that they could. There was a discussion about mural sponsorships versus mural commissions. Murals are not to be advertisements. Banner is working on updates for the guidelines.

Levee Sculpture Project:

Eric McCue said that he was working with Kronwitter to get his mural up. Eric said that he is working on two other sculptures for the remaining two pads. Cuppy is to get pricing for construction of up to five more pads like the current sculpture pads.

Treasurer's Report:

Prioreshi said that he had reviewed the March accountant's compilation report and balance sheet and it is pretty much standard. Prioreshi moved to receive and file the reports. The motion passed. Prioreshi said that he had reviewed the monthly bills and that they are normal billings and moved to pay the bills. The motion passed.

Kidd noted that the City had reimbursed the District for \$957,000 of the Nuckolls Bridge cost this last month.

The following bills were posted:

BSJ Operations and Maintenance Account:

\$ 450.00	Black Hills Energy, Lake Runyon Lighting
\$ 500.00	MGPM, Monthly Accountant fees
\$ 1,000.00	B&B, PC, Attorney Fees
\$ 4,453.00	B&B, PC, 1 st Quarter Services Billing
\$ 3,000.00	Kidd Engineering, Administrator/Engineer fees
\$ 5.02	Kidd Engineering, Certified Mail charge
\$ 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
\$ 29.38	Serna, 47miles
\$ 300.00	Willumstad, Director's Fee
\$ 150.00	Tia Monson, Graffiti Paint Over
\$ 1,000.00	Celest Rodriguez, Historic Area Mural Stipend
\$ 200.00	JERBCO, April Website Maintenance
\$ 20.00	Signs by Scott, McCue Soul Seeker Sculpture Sign
\$ 750.00	Eric McCue, Soul Seeker Sculpture Rental
\$ 50,000.00	HARP Authority, 2023 IGA Contribution
\$ 10,000.00	HARP Authority, 2023 IGA Maintenance Agreement

BSJ Construction Draw Account:

\$ 2,887.50	Kidd Engineering, PCD/City IGA #1A Main Street Pedestrian Bridge Meetings and CA/CO
\$ 1,660.00	NorthStar Engineering, Maintenance Assessment Support, Consultations, Artwork and Recreation, Attend meetings and reporting
\$ 4,874.50	NorthStar Engineering, PCD/City IGA#1 Revision, Task K Main Street Bridge and reimbursables
\$ 14,281.00	NorthStar Engineering, PCD Trail Extension-West and reimbursables for April and May
\$178,053.30	Swerdfeger Construction, PCD Trail Extension-West
\$173,458.30	Bridge Brothers, Main Street Pedestrian Bridge PR No. 5

Old Business:

Administrative Assistant. Kidd said he had asked NorthStar to consider contracting for this. Cuppy responded he did not really have the available personnel but that they would think about it.

Colorado DPW Contract. Banner said that we are still in the time window for CPW to approve the agreement.

Hyde Park Properties. Banner said that PURA still seems to have some interest. He will follow up with Jerry Pacheco.

Levee Event Guidelines. Banner said that he and Steven Meier are working together on guidelines and for City Parks to administer the event permits.

Bridge Lighting. Pioreschi said that he is working with Pueblo Electric to get concepts and budget pricing.

Pueblo Water Low Head Dam. Serna attended the public meeting hosted by Pueblo Water. He said that several locals who are adjacent to the site offered comments and they are not in favor of the development. However, Pueblo Board of Water Works is planning to proceed because of the safety issues of the current installation. Maroney said that he thinks he could get someone to come make a presentation to the Board if so desired.

Boulder Purchase. Pioreschi said that he is trying to get prices for only the purchase of boulders and their delivery and stockpile on site.

DelMonico License. Banner said that DelMonico's had gone to their attorney, Hank Geisel. Geisel asked Banner about some of the wording and he responded that this proposed license parallels one from 25 years ago. One of the major concerns seems to be that there is a potential that part of an addition to the DelMonico house is on Conservancy District property. Jean DelMonico said that one of the sheds that the District wants removed was on the property when they bought it. They have moved the other one. She said that Antonio is her son's name and this needs to be changed on the license. Banner said that it will have to be the same as on the property deed. He will get a copy of the deed from the Assessor and make any required changes. Kidd said that he would have the contractor remove the shed when they go in to remove trees.

New Business:

Change Order for Bridge Brothers Main Street Bridge Work. Kidd reviewed his May 17, 2023 letter he had sent to Bridge Brothers. It addressed outstanding change order requests and his opinion for payments. This letter had been previously sent out to the Board as well. The total of the change order, as proposed by Kidd, is \$93,606.00. The original request was for over \$200,000. Kidd said that he proposed some of the work to be taken out of Bridge Brothers scope and the District pay Swerdfeger directly. Tyler Graff was asked if he would accept the change order per Kidd's letter. He responded that he would. Martin moved to approve a total change order as stated in Kidd's letter. Willumstad seconded. Maroney voiced an opinion that there had been a lot of change orders on this project. Kidd said that he did not believe so based on the way that the City structured their request for proposals, the conditions encountered on site, and the additional work that Bridge Brothers was requested to do. The motion passed.

Change Order for K.R. Swerdfeger Main Street Bridge Work. Kidd said that he had received a texted proposal of \$42,920.00 from Swerdfeger for the work deleted from the Bridge Brothers request and the balance of work required to complete the Main Street Bridge work. Kidd noted that the total, including the approved Bridge Brothers change order, would be \$136,526.00. This total is significantly less than Bridge Brothers' original request and includes a little additional work. Martin moved to approve the \$42,920 change order with Swerdfeger. Pioreschi seconded and the motion passed.

President's Report:

Koehler said that porta potties at Lake Runyon would be discussed at the next Executive

Committee meeting. She said that some had been arranged for delivery prior to the Summer Solstice event. The Summer Solstice celebration will be held at the north parking lot of Lake Runyon on June 17th. The auction for the Trout on the Route painted fish will be held on June 22. This is a fund raiser for the Pueblo Friends of the Arkansas River. The Lee and Nuckolls bridge names are in progress at Signs by Scott. The dedication of the Lee and Nuckolls bridges and the pedestrian trail from Lake Runyon to Wildhorse Creek is currently scheduled for September 29, 2023.

Administrator's Report:

Kidd said that he did not have anything outside of today's business to report.

FEMA Certification:

Cuppy said that there have not been any additional responses from FEMA. He will check in with them to find out the current status of the review and approval process.

Main Street Bridge:

Cuppy reported that the bridge work is nearly completed. It is anticipated that the bridge work and the trail tie-in work will be completed before the end of June.

Levee Amenities:

Pioreschi said that we are still waiting on delivery of the trash receptacles. They are waiting for the receptacles to come in before placing the concrete for the remaining benches so that it can all be done at one time. Cuppy said that approximately 1500 lineal feet of the west Levee Trail has been completed.

Maroney has been working with the City to use their stockpiled concrete trash receptacles for planters. There are 12 of them and he sees using probably four in the first installation. Until an irrigation system is put in, the planters will have to be served by way of a water truck.

Presentation to City Council:

The District was invited to make a presentation at a City Council work session. Corinne has accepted the invitation. She is going to push for development of a Master Plan for the trail and bridge system from the Nature Center to the Moffitt parking lot. The preliminary estimate is \$100-150,000. Cuppy said that there was a plan for the trails done several years ago. She asked if the District would be willing to chip in some money if the City does. The consensus was that we would. Kidd said that the District had agreed to support Pueblo Water's Low Head Dam project up to \$350,000 and that they had only requested half that amount. This leaves up to \$175,000 that could be redirected to support a master plan. This planning area includes the Pueblo Water Low Head Dam area.

Bridge Name Signs:

Koehler said that due to space the names for the Charles W. Lee Bridge and the George Havey Nuckolls Bridge will be shortened to Charles Lee and G. Harvey Nuckolls.

Property Values / MFA Adjustment:

Koehler said that the average property values, according to the County Assessor, have gone up by over 40-percent. She wondered if the District should respond by reducing the applied

Maintenance Fund Assessment multiplier. It was discussed that this new assessment will only apply for two years and then the valuations may well go down some. The consensus of the Board was to leave the Maintenance Fund Assessment as is. It has been noted that some properties seem to be missing from the assessment listing. Cuppy is to check in to this and see if he can find out why.

Fountain Creek Report:

Martin said that there was nothing more to report beyond the presentations by Terry Hart and Alli Schuch this morning.

Other Business:

None

There being no other business, the meeting was adjourned at 12:20 pm. The next regularly scheduled Board meeting will be on June 28, 2023.

APPROVED:

Corinne Koehler, President

Ron Serna, Secretary