

MINUTES OF THE REGULAR NOVEMBER MEETING OF THE
PUEBLO CONSERVANCY DISTRICT ON DECEMBER 5, 1995

DIRECTORS PRESENT: K. Farley, P. Kelly, G. Sandstrom
D. Banner and R. Koester

The meeting was called to order at 8:20 A.M. on the above date and the minutes of November 8, 1995, meeting were approved as mailed. The Treasurer's report was approved as prepared (copy attached) and the following bills were approved for payment:

Ck No.	Vendor	Amount
1265	Colorado National Bank	\$37,936.77
1266	Engineer Koester	\$400.00
1267	KLH Partnership	\$100.00
1268	Banner & Enck	\$200.00
1269	Kathy Farley	\$55.41
1270	Pat Kelly	\$55.41
1271	Gustave Sandstrom	\$55.41
1272	Steel City Agency	\$250.00
1273	KLH/Pueblo	\$11,440.00
1274	WestPlains Energy	\$50.00
1275	Colorado Compensation Ins.	\$154.00
1276	Pueblo Chieftain	\$20.16
1277	U.S. Postmaster	\$32.00
1278	Jubilee Inn	\$79.13
1279	IRS	\$110.16
18191	Design Studios West, Inc.	\$37,232.29

1996 Budget hearing was held and with no comments, the Board unanimously approved the Budget as prepared (copy attached). Attorney Banner will submit the budget to the state to complete the mandatory Budget procedure.

The Board reviewed and approved the Letter of Intent with Progress Rail Services Corporation, City of Pueblo and the Pueblo County District (copy attached).

The Board approved the intergovernmental agreement concerning HARP Title work (copy attached).

The Board recognized the letter prepared by Pat Kelly to the Great Outdoors Colorado Board regarding support of Legacy Grant to City for HARP. The Board also approved funding the pledge of \$1,000 made to the Legacy of Parks Planning unit be accomplished before December 31, 1995 (Account 111) as a part of the 1995 Budget.

It was moved and approved to elect for one year the following for 1996 officers:

Chair - P. Kelley
Treasurer - G. Sandstrom
Secretary - K. Farley

There being no further business, the meeting adjourned at 8:45 A.M.. The December meeting is scheduled for Wednesday, January 3, 1995 at 8:00 A.M. at the District's office at 111 E. 5th Street.

APPROVED:

Patricia Kelly

Kathleen M. Farley
Secretary/Treasurer

THE PUEBLO CONSERVANCY DISTRICT

BOARD OF DIRECTORS
P. KELLY
K. FARLEY
G. SANDSTROM

111 EAST FIFTH STREET
544-6823
PUEBLO, COLORADO

MAILING ADDRESS:
P. O. BOX 234
PUEBLO, COLO. 81002

November 30, 1995

NOTICE OF NOVEMBER MEETING

DATE : December 5, 1995 (Tuesday)
TIME : 8:00 A.M.
PLACE: Jubilee Inn (following Fishing is Fun)

- A G E N D A -

1. Roll Call
2. Approval of Minutes of October (October 31st) meeting
3. Treasurers Report for November 1995
4. Hearing and acceptance of 1996 Budget
5. Old Business
 - a. Review and consider HARP Intergovernmental Agreement
6. New Business
7. Set date for next regular meeting
8. Adjourn

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111 EAST FIFTH STREET

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ACCOUNTS PAYABLE TO APPROVE 12/05/95

Ck #	Vendor	Amount
1266	Engineer Koester	\$400.00
1267	KLH Partnership	\$100.00
1268	Banner & Enck	\$200.00
1269	Kathy Farley	\$55.41
1270	Patricia Kelly	\$55.41
1271	Gustave Sandstrom	\$55.41
1272	Steel City Agencies	\$250.00
1273	KLH Engineering of Pueblo	\$11,440.00
1274	WestPlains	\$50.00
1275	Colorado Compensation Ins.	\$154.00
1276	The Pueblo Chieftain	\$20.16
18191	Design Studios West, Inc.	\$37,232.29

8411100.405

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Date: November 30, 1995

TOTAL EXPENDED THROUGH CURRENT MONTH \$87,949.45

VOUCHERS NO. 1265 THROUGH 1276
VOUCHERS NO. 18191 THROUGH

AMOUNT TO BE TRANSFERRED \$ 37,232.00 CNB TO CHECKING X
AMOUNT TO BE TRANSFERRED \$ 50,717.00 MINN TO SAVINGS

DEPOSITS \$ 64,023.00

MINNEQUA MONEY MARKET	\$ <u>8,747.</u>
CNB SAVINGS	\$ <u>16,922.</u>
MINNEQUA CHECKING	\$ <u>36,127.</u>
CNB CHECKING	\$ <u>33.</u>
NORWEST MONEY MARKET	\$ <u>1,930.</u>
COLOTRUST	\$ <u>140,830.</u>

TOTAL CD'S \$ 189,000. TREASURY BILLS \$ 1,090,000.

CHECKING ACCT BALANCE	<u>11/30/95</u>	\$36,160.
TELEPHONE TRSF BALANCE	<u>11/30/95</u>	25,669.
MATURED T BILL'S		00.
MATURED CD'S		00.
INTEREST EARNED - CD'S		4,442.
INTEREST EARNED - COLOTRUST		00.
INTEREST EARNED - SAVINGS		173.
OTHER EARNINGS - MONEY MARKET		18.
- DAIN BOSWORTH		7,000.
- SMITH BARNEY		2,561.
- KEMPER		00.
LEASE		00.

	-----	76,023.
CD'S PURCHASED		00.
T BILLS'S PURCHASED		00.
CURRENT MONTHS VOUCHERS		50,717.

CASH BALANCE @ 11/30/95 \$ 25,306.

INTEREST EARNED:			
Jan.	\$11,406.	July	8,844.00
Feb.	6,919.	Aug.	9,279.00
Mar.	3,460.	Sept.	4,810.00
Apr.	5,124.	Oct.	0.00
May		Nov.	14,201.00
Jun.	21,286.	Dec.	
			TOTAL \$ 85,329.

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TREASURER'S REPORT

DATE: NOVEMBER 30, 1995

ACCT #	ACCOUNT	SPENT 1994	1995 BUDGET	TOTAL USED OCT 31, 1995	CURRENT MONTH EXPENSES	TOTAL USED NOV 30, 1995	UNUSED PORTION BUDGET
80	LEGAL FEES	2400.00	2400.00	2200.00	200.00	2200.00	200.00
81	DIRECTOR'S FEES	3120.00	4000.00	2340.00	180.00	2520.00	1480.00
82	FICA TAXES	266.00	500.00	170.00	0.00	170.00	330.00
83	ENGINEER/ADMIN	4320.00	4560.00	3760.00	400.00	4160.00	400.00
90	AUDIT FEES	1200.00	1400.00	1200.00	0.00	1200.00	200.00
92	INSURANCE & BONDS	1230.00	2000.00	7150.00	404.00	7554.00	-5554.00
96	OFFICE EXPENSE	206.00	650.00	68.00	17.00	85.00	565.00
97	OFFICE RENT	1200.00	1200.00	1000.00	100.00	1100.00	100.00
100	PROFESSIONAL FEES	3243.00	12000.00	0.00	0.00	0.00	12000.00
103	TRAVEL	690.00	2500.00	2484.00	0.00	2484.00	16.00
105	REPAIRS/MAINTEN	27882.00	75000.00	16712.00	11490.00	28202.00	46798.00
105B	TOPO FOR SPECIAL STUDY	0.00	0.00	0.00	0.00	0.00	0.00
108	CONTINGENCIES	0.00	500.00	150.00	0.00	150.00	350.00
109	EMERGENCY FLOOD REPAIR	0.00	20000.00	0.00	0.00	0.00	20000.00
110	CAPITAL IMPROVEMENTS	44444.00	75000.00	38631.00	18616.00	57247.00	17753.00
110A	SPECIAL STUDY	0.00	0.00	0.00	0.00	0.00	0.00
111	PLANNING & DEVELOPMENT	0.00	25000.00	0.00	0.00	0.00	25000.00
		90201.00	226710.00	75865.00	31407.00	107072.00	119638.00
110B	CAPITAL IMPROVEMENTS (CITY OF PUEBLO)		150000.00	113631.00	18616.00	132247.00	17753.00

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TREASURER'S REPORT

*Hold
12-4-95*

DATE: OCTOBER 31, 1995

ACCT #	ACCOUNT	SPENT 1994	1995 BUDGET	TOTAL USED SRPT 30, 1995	CURRENT MONTH EXPENSES	TOTAL USED OCT 31, 1995	UNUSED PORTION BUDGET
80	LEGAL FEES	2400.00	2400.00	~~1800~~ ~~1600.00~~	200.00	~~2000~~ ~~2200.00~~	~~200.00~~ 400
81	DIRECTOR'S FEES	3120.00	4000.00	~~1980~~ ~~1772.00~~	~~300~~ ~~130.00~~	2340.00	1660.00
82	FICA TAXES	266.00	500.00	170.00	0.00	170.00	330.00
83	ENGINEER/ADMIN	4320.00	4560.00	3914.00	400.00	3760.00	800.00
90	AUDIT FEES	1200.00	1400.00	1200.00	0.00	1200.00	200.00
92	INSURANCE & BONDS	1230.00	2000.00	500.00	0.00	7150.00	-5150.00
96	OFFICE EXPENSE	206.00	650.00	68.00	0.00	68.00	582.00
97	OFFICE RENT	1200.00	1200.00	800.00	100.00	1000.00	200.00
100	PROFESSIONAL FEES	3243.00	12000.00	0.00	0.00	0.00	12000.00
103	TRAVEL	690.00	2500.00	2537.00	0.00	2484.00	16.00
105	REPAIRS/MAINTEN	27882.00	75000.00	14636.00	556.00	16712.00	58288.00
105B	TOPO FOR SPECIAL STUDY	0.00	0.00	0.00	0.00	0.00	0.00
108	CONTINGENCIES	0.00	500.00	0.00	0.00	150.00	350.00
109	EMERGENCY FLOOD REPAIR	0.00	20000.00	0.00	0.00	0.00	20000.00
110	CAPITAL IMPROVEMENTS	44444.00	75000.00	23609.00	15022.00	38631.00	36369.00
110A	SPECIAL STUDY	0.00	0.00	0.00	0.00	0.00	0.00
111	PLANNING & DEVELOPMENT	0.00	25000.00	0.00	0.00	0.00	25000.00
		90201.00	226710.00	50806.00	16458.00	75865.00	150845.00
110B	CAPITAL IMPROVEMENTS (CITY OF PUEBLO)		150000.00	47281.00	66350.00	113631.00	36369.00

November 30, 1995

**Great Outdoors Colorado Board
Denver, Colorado**

Dear Board Members:

I want to express the complete support of the Pueblo Conservancy District for the application of the City of Pueblo for a Legacy Grant from GOCO for the Historic Arkansas Riverwalk Project. The Conservancy District has been a full partner with the City in the planning of this project, sharing those costs with the City on a 50/50 basis.

Much of the land involved in this project is Conservancy District land. We are responsible for its use in the best interests of the public. We fully concur that the HARP Project puts the property to that best use. It will give an opportunity for an educational natural area in mid-town. The trails will be a continuation of those we have jointly developed with the City along the Arkansas River, and now most recently along Thomas Phelps Creek.

We anticipate visitors from the entire southern Colorado area to this site, just as they come to the Sangre de Cristo Art Center and to the Pueblo Zoo. Pueblo is the urban and educational center of southern Colorado. We really work to make students and other visitors from the area welcome and to inform nearby towns of events and programs here which would be of interest to them.

We appreciate your consideration of funding appropriate portions of this large project. The Conservancy District has every intention of continuing to be fully involved, as HARP develops and in its operation.

Sincerely,

Letter of Intent

The undersigned, representatives of parties to this declaration of intent, acknowledge agreement to resolve the issues set forth herein. The parties declare that their mutual interests are served by this letter of intent. It is necessary because final contract provisions cannot be completed within time restrictions imposed upon the City of Pueblo to comply with a grant for the construction of the trail referred to in this document.

1. Prior to the purchase of land adjacent to property of public entities in Pueblo, Colorado by Progress Rail Services Corporation an easement was granted by Union Pacific Railroad. The easement, dated 4/11/94, between UPRR and the City of Pueblo was for construction, maintenance and use of a non-vehicular Recreation Trail (Runyon Commuter Trail) between M.P. 894.64 and M.P. 895.85 in Pueblo, Colorado. The property on which this easement was granted was sold to Progress Rail Services Corporation Corporation (formerly Wheelstar).

2. Progress Rail Services Corporation, the City of Pueblo and the Pueblo Conservancy District have, since the purchase, been negotiating and drafting plans for land use within and surrounding the boundaries of the easement referred to in paragraph 1.

3. The City of Pueblo is ready to proceed with trail construction.

4. On September 29, 1995 the City was asked by UPRR to execute a mutual termination of the easement. The grounds for the request were that the land had been sold and that the new activity on the property would create a safety hazard that is unacceptable.

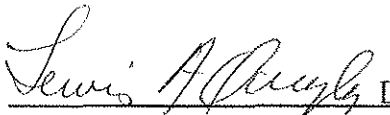
5. The City of Pueblo is in the position of losing the grant for the trail if it cannot proceed with construction by November 17, 1995. The construction grant is in part based on having access across the railroad tracks on the east end of the easement already granted. For this reason the City of Pueblo is unwilling to execute the mutual termination.

6. The City of Pueblo acknowledges that negotiations are in progress to resolve the issues of safety and use affecting Progress Rail Services Corporation. The negotiations are designed to identify a means of modifying the easement to the benefit of both Progress Rail Services Corporation and the City of Pueblo. Both parties and the Pueblo Conservancy District, a land owner of part of the affected property and a partner with the City of Pueblo in the trail development at this site, acknowledge agreement to negotiate in good faith the modification of the easement. The modification will take into consideration location, method of crossing (enclosed bridge, tunnel, culvert) cost, time of construction, impact on the operations of Progress Rail Services Corporation and safeguards to protect the general public.

7. The parties acknowledge that a temporary safety plan has been developed and can be implemented and put into use until such time as a permanent solution and easement modification, if any, is completed. The safety plan will be implemented and constructed by Progress Rail Services Corporation.

8. The parties agree that the trail construction should proceed under the current plan. Further, it is agreed that in the event contract arrangements regarding the railroad crossing are finalized prior to the construction phase on the east end of the project, a change order will be implemented. In the event the project is completed with the temporary safety plan implemented the trail crossing at the railroad will be modified as soon as practical in accord with the final agreement.

Executed on the dates set forth by:


City of Pueblo, City Manager

Date: 11/10/95


Progress Rail Services Corporation,

Date: 11/14/95


Pueblo Conservancy District,
President

Date: 11/15/95