

MINUTES OF THE FEBRUARY 22, 2006 REGULAR MEETING OF THE PUEBLO CONSERVANCY DISTRICT

Directors Present: Sandstrom; Haynes; Farley

Also Present: Councilor Don Banner; Administrator Rick Kidd

President Sandstrom called the Pueblo Conservancy District board meeting to order at 8:00 am.

With a quorum present, the Minutes of the January 18, 2006 Regular Meeting were reviewed. Haynes moved to approve the Minutes. The Minutes were approved as posted.

Treasurer's Report:

No accountant's report was available.

Bills – Farley moved to approve payment of the following monthly bills. Motion passed.

\$ 225.00	MBD&G, Accountant fees
\$ 117.04	Aquila, Electricity
\$ 100.00	HARP Authority, 10-20-05 Lease
\$ 300.00	Don Banner, Attorney fees
\$ 400.00	Kidd Engineering, Administrator/Engineer fees
\$ 55.41	Sandstrom, Director's fee for February 2006
\$ 55.41	Haynes, Director's fee for February 2006
\$ 55.41	Farley, Director's fee for February 2006
\$ 500.00	Southeastern Colorado Heritage Center, Associate Membership
\$ 1,665.00	SCA Insurance, SDA Liability Pool Insurance
\$50,000.00	HARP Authority, 2005 M&O Agreement
\$10,000.00	HARP Authority, Maintenance Fee Extension
\$ 369.00	2006 Membership

Levee Investigation – Kidd reported on testing done by Atkinson-Noland Associates. Voids were found below drop structures #3 and #4. Water was visibly leaking out at 8 joints on the days of the inspection. Atkinson-Noland is to have a report to us prior to the next Board meeting.

Kidd passed on some information from Dennis Maroney, City of Pueblo Drainage Engineer, about a FEMA levee certification program. Maroney requested that we schedule a special meeting with himself, Dave Galli (City Manager), and Tom Jaggar (City Attorney). The purpose is to discuss the levee certification requirements. It was agreed that we could meet on March 7, at 8:00 am. The City will provide the meeting space. Kidd is to confirm this date and time with Maroney. Rick is to talk to Scott Hobson (City of Pueblo) to see if the Corps of Engineers will be in Pueblo the week of March 7.

Meeting Dates -- Sandstrom said that the Heritage Center had accepted the Conservancy District as associate members. We will be having our future meetings there, but need to schedule the next several in advance. The following dates were agreed:

March 22	June 21
April 11	July 26
May 17	August 23

Special Districts Attorney – Per request at the January meeting, Banner contacted the Colorado Special Districts Association to request referrals of "special districts" attorneys. Banner

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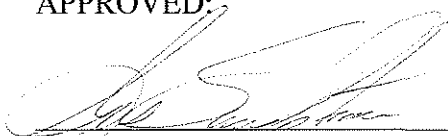
contacted Jim Collins. Collins told him that would need to investigate using either an assessment or a mil levy, and would need to consider the impacts of TABOR. Collins' fee is \$290 per hour and estimates a \$3,000 to \$5,000 fee. Sandstrom stated that one of the key elements is to assess the value that the Conservancy District is providing to the community. The group needs to develop questions to ask potential consulting attorneys. Sandstrom will prepare an introductory letter to state why it is necessary for the District to obtain a revenue source. The letter will address anticipated major repairs, maintenance, budget status, etc.

Sandstrom stated that the minutes need to reflect that the Special Districts Association dues are \$369, not \$144 as stated at the January 18, 2006 meeting.

Reminder that the next meeting will be held at the Southeastern Colorado Heritage Center on March 22 at 8:00 am.

There being no further business to come before the Board, the meeting was adjourned at 9:00 a.m.

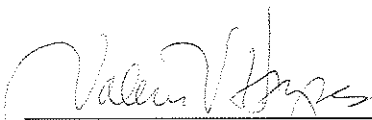
APPROVED:



Gus Sandstrom, Director



Kathleen Farley, Director



Valerie V. Haynes, Director

THE PUEBLO CONSERVANCY DISTRICT

NOTICE OF MEETING

DATE: FEBRUARY 22, 2006 (Wednesday) AT 8:00 A.M.

PLACE: VECTRA BANK, 200 1ST STREET, PUEBLO, COLORADO
HARP FOUNDATION OFFICE, 3RD FLOOR CONFERENCE ROOM
(Off elevator, go right to hallway, left to HARP Foundation)

AGENDA

1. ROLL CALL
2. APPROVAL OF JANUARY 18, 2006 MINUTES
3. TREASURER'S REPORT
 - a. PAYMENT OF BILLS
4. DISCUSSION ON LEVEE INVESTIGATION
5. DISCUSSION ON FEMA LEVEE CERTIFICATION
5. OTHER BUSINESS AS MAY BE BROUGHT BEFORE THE BOARD
6. MARCH THRU AUGUST 2006 MEETING DATES
7. ADJOURNMENT

MINUTES OF THE JANUARY 18, 2006 REGULAR MEETING OF THE PUEBLO CONSERVANCY DISTRICT

Directors Present: Sandstrom; Haynes; Farley

Also Present: Councilor Don Banner; Administrator Rick Kidd

President Sandstrom called the Pueblo Conservancy District board meeting to order at 8:15 am.

With a quorum present, the Minutes of the December 19, 2005 Regular Meeting were reviewed. Farley moved to approve the Minutes. The Minutes were approved as posted.

Treasurer's Report:

The accountant's December 2005 Compilation Report was discussed. Farley moved to receive and file the Accountant's report. Motion passed.

2005 Budget – Year end adjustments are needed for the accounts. Farley moved that \$300 be transferred from Repairs and Maintenance to Bookkeeping (This change is necessary because the monthly fee for bookkeeping was increased \$25 for 2005. This increase was made after the 2005 budget was approved.) and that \$184 be transferred from Repairs and Maintenance to Office Rent (This change was necessary because we have made advance payments to Belmont Storage.). Motion passed.

Bills – Farley moved to approve payment of the following monthly bills. Motion passed.

\$ 225.00	MBD&G, Accountant fees
\$ 115.31	Aquila, Electricity
\$ 100.00	HARP Authority, 10-20-05 Lease
\$ 300.00	Don Banner, Attorney fees
\$ 400.00	Kidd Engineering, Administrator/Engineer fees
\$ 15.60	Kidd Engineering, Stamps
\$ 55.41	Sandstrom, Director's fee for October 2005
\$ 55.41	Haynes, Director's fee for October 2005
\$ 55.41	Farley, Director's fee for October 2005
\$ 82.62	IRS, 4 th Quarter 941 FICA
\$ 510.00	Kidd Engineering, COPAA Easement Map

Funds Transfer – Sandstrom suggested transferring \$70,000 from the Wachovia Money Market account. Out of this, \$50,000 will be paid to HARP per the two year agreement, \$10,000 will be paid to HARP for operation and maintenance (This motion was passed at the December 19, 2005 meeting.), and \$10,000 will be deposited into the Vectra Money Market account. Haynes so moved. Motion passed.

Special Districts Association – Sandstrom has completed the annual survey and application. The calculated 2006 membership fee is \$144.00. Haynes moved to authorize the application and submit payment. Motion passed.

Southeast Colorado Heritage Center -- As directed at the December 19, 2005 meeting, Sandstrom met with the Heritage Center and discussed the potential benefits of the Pueblo Conservancy District becoming a member. They agreed to provide us with storage space, provide conference space for up to two meetings per month, and they would like to display some of our historical documents. The annual membership fee is \$500. Haynes moved to authorize the application and pay the \$500 membership fee. Motion passed.

RECORD OF PROCEEDINGS

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Safe -- Kidd is to contact Beggs Safe and Lock to see if they can set a new combination for the safe.

Easements -- Kidd suggested that when future easement requests are presented that action will be tabled until the next meeting. This will allow the Board to consider impacts and supporting documentation that will be required before granting the easement.

PCD Assessments -- Banner suggested that a budget item be added to obtain outside legal opinion on PCD initiation of assessments. The Board requested Banner to go to the SDA, and other sources, to obtain recommendations for firms who could provide this service.

The next meeting is to be held on Wednesday February 22, 2006, at 8:00 am. The meeting location will be determined and the Board notified. Board members are to bring their calendars for planning the next several Board meeting dates. Meetings at the Heritage Center must be scheduled in advance.

There being no further business to come before the Board, the meeting was adjourned at 8:55 a.m.

APPROVED:

Gus Sandstrom, Director

Kathleen Farley, Director

Valerie V. Haynes, Director

PUEBLO CONSERVANCY DISTRICT

JANUARY 2006 - FEBRUARY 2006

RECEIPTS

VENDOR	ITEM	AMOUNT
First Clearing, LLC	Interest Payment	\$ 1,043.87
First Clearing, LLC	Interest Payment	\$ 1,554.42
PiperJaffray	Interest Payment	\$ 1,130.50
Wells Fargo, COLOTRUST	Dividend	\$ 90.19
First Clearing, LLC	Dividend	\$ 1,030.33
Wachovia Money Market	Interest Transfer	
		\$ 4,849.31

DEBITS

VENDOR	ITEM	AMOUNT	CHECK	Code
MBDG, PC	January Bookkeeping	\$ 225.00	3287	90
Belmont Self Storage	Storage Rental	Paid through April 2006		97
Aquila	Electrical Billing	\$ 117.04	3285	105
HARP Authority	2-20-06 Office Lease	\$ 100.00	3288	97
Don Banner – BB&C, PC	Attorney Fees	\$ 300.00	3289	80
Kidd Engineering	Engineer/Admin Fees	\$ 400.00	3290	83
Director Sandstrom	Fees	\$ 55.41	3291	81
Director Farley	Fees	\$ 55.41	3292	81
Director Haynes	Fees	\$ 55.41	3293	81
Southeasten Colo Heritage Cntr	Associate Membership	\$ 500.00	3284	97
SCA Insurance	Liability Pool Insurance	\$ 1,665.00	3286	92
HARP Authority	2005 M&O Agreement	\$ 50,000.00	3294	112
HARP Authority	Maintenance Fee Extension	\$ 10,000.00	3295	105
Special Districts Association	2006 Membership	\$ 369.00	3297	92
		\$ 63,842.27		

Summary of FEMA Requirements for Mapping Levees

Levee Policy Review Task Committee Meeting # 2

December 21, 2005

REGULATORY REQUIREMENTS

44 CFR 59.1 Definitions

- *Levee*- "...a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding."
- *Levee System*- "...a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices."

44 CFR 61.12 Rates based on a flood protection system involving Federal funds

- Referred to as the "Brooks Act"
- Flood protection systems involving Federal funds can be mapped as if the system is complete if adequate progress has been made:
 - 100% of total cost authorized
 - At least 60% of total cost appropriated
 - At least 50% of total cost expended
 - All critical features under construction and at least 50% complete
 - Community has not been responsible for any delay in project completion
- Designated as Zone A99 on FIRMs
 - No depths or BFEs specified
 - Mandatory purchase requirement applies

44 CFR 64.3 Flood Insurance Maps

- Zones B and X (shaded) defined as "Area of moderate flood hazards"
 - Purchase of flood insurance is voluntary and at lower rates than A Zones
- On FIRM panel legend, Zone X (shaded) is defined as "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with less than 1 foot or with drainage area less than 1 square mile; and areas protected by levees from 1% annual chance flood."
- Majority of FIRMs that post-date the 65.10 criteria (August 25, 1986) include the following standard note in the protected area:

"This area protected from the one percent annual chance (100-year) flood by levee, dike, or other structures subject to possible failure or overtopping during larger floods."

44 CFR 65.10 Mapping of Areas Protected by Levee Systems

- Levee systems must meet, and *continue to meet*, minimum design, operation, and maintenance standards to be recognized as providing protection from the 1% annual chance flood on NFIP maps
- Design criteria

Freeboard	Riverine Levees	▪ 3 foot minimum ▪ Additional 1 foot within 100 feet of either side of structures (e.g., bridges) riverward of levee or where flow is constricted ▪ Occasional exceptions allowed with engineering analyses demonstrating adequate protection with lesser freeboard. ▪ Never less than 2 feet of freeboard accepted ▪ Requests for exception must evaluate uncertainty in the estimated BFE profile and include: - Statistical confidence limits of 100-year discharge - Changes in stage-discharge relationships - Sources, potential, and magnitude of debris, sediment, and ice accumulation
	Coastal Levees	• 1 foot above 1% wave or max. wave runup (whichever is greater) associated with 1% stillwater surge • Occasional exceptions allowed with engineering analyses demonstrating adequate protection with lesser freeboard. • Never less than 2 feet of freeboard above 1% stillwater surge elevation be accepted. • Requests for exceptions must evaluate uncertainty in estimated base flood loading conditions. - Emphasis must be place on effects of wave attack and overtopping levee stability
Closures		• Openings must have closure devices • Closures must be structural parts of the levee during operation and designed according to sound engineering practice
Embankment protection		• Requires engineering analyses demonstrating: - no appreciable erosion of levee embankment during base flood - anticipated erosion will not result in levee embankment/foundation failure through reduction of seepage path and subsequent instability • Engineering analyses to be addressed: - Expected flow velocities - Expected wind and wave action - Ice loading - Debris impact - Slope protection techniques - Flooding duration and velocities - Embankment and foundation materials - Levee alignment, bend, and transitions - Levee side slopes
Embankment and		• Requires engineering analyses evaluating expected seepage

foundation stability	during base flood loading conditions - Analyses must demonstrate seepage into/through levee foundation and embankment will not jeopardize stability - Alternative analysis demonstrating levee is designed and constructed for stability against Case IV loading conditions defined in USACE manual "Design and Construction of Levees" may be used. - Factors to be addressed in analyses include: - Flooding depth - Flooding duration - Embankment geometry and seepage path length - Embankment and foundation materials - Embankment compaction - Penetrations - Other factors affecting seepage and stability
Settlement	- Engineering analysis assessing potential freeboard loss due to settlement showing that minimum freeboard maintained - Assessment must address: - Embankment loads - Embankment soil compressibility - Age of levee system - Construction compaction methods - Detailed settlement analysis must be submitted - Can procedures from USACE manual "Soil Mechanics Design- Settlement Analysis" (EM 1100-2-1904)
Interior drainage	- Analysis identifying source(s) and magnitude of interior flooding - Must be based on joint probability of interior and exterior flooding - Must consider capacity of drainage lines and pumps to evacuate interior floodwaters
Other design criteria	- FEMA may require on case-by-case basis that other design criteria and analyses be submitted - Can be used for levee systems with relatively high vulnerability "Sound engineering practice" will be the standard

- Operation Plans and Criteria

- Closure devices and internal drainage mechanical systems must be operated following an officially adopted operation manual
- Operations must be under jurisdiction of Federal or state agency, an agency created by Federal or state law, or NFIP participating community
- Must document flood warning system triggering emergency operation activities
 - Must demonstrate sufficient warning time
- Closures:
 - Formal plan of operation, including specific actions and assignment of responsibility by individual name or title
 - Periodic operation (no less than annually) for testing & training
- Interior drainage systems:
 - Include storage areas, gravity outlets, and/or pumping stations

- Formal plan of operation, including specific actions and assignment of responsibility by individual name or title
 - Manual backup for activation of automatic systems
 - Periodic inspection and operation (no less than annually)
- FEMA may require other operating plans and criteria
 - Sound emergency management practice will be the standard
- Maintenance Plans and Criteria
 - Levee system must be maintained following an officially adopted maintenance plan
 - Maintenance must be under jurisdiction of Federal or state agency, an agency created by Federal or state law, or NFIP participating community
 - Must ensure that stability, height, and integrity of levee and associated structures maintained
 - Must specify maintenance activities to be performed, frequency of their performance, and responsible person by name or title
- Certification Requirements
 - Structural requirements data must be certified by a registered Professional Engineer
 - Certified "as built" plans must be submitted
 - Federal agency with responsibility for levee design may certify that levee has been adequately designed and constructed to provide protection against the base flood in lieu of certification of structural requirements

44 CFR 65.14 Remapping of Areas for which local flood protection systems no longer provide base flood protection

- Describes procedures to designate flood control restoration zones (Zone AR)
 - Community may be eligible to apply for this designation if system was:
 - Constructed using Federal funds
 - Recognized as providing protection from the base flood on the effective FIRM
 - Decertified by a Federal agency responsible for flood protection design or construction
 - Restoration must be completed within certain timeframe
 - 10 years from application submittal for restoration projects with Federal funding (or meet 61.12)
 - 5 years for restoration projects with no Federal funding (61.12 not an option)
 - Flood control restoration zones designated as Zone AR
 - Mandatory purchase requirement applies
- Rates will not exceed the rates for unnumbered A zones

