

MINUTES OF THE OCTOBER 29, 2007 REGULAR MEETING OF THE PUEBLO CONSERVANCY DISTRICT

Directors Present: Sandstrom, Farley, Haynes

Also Present: Administrator Rick Kidd, Counselor Don Banner

With a quorum present, the Pueblo Conservancy District board meeting was called to order at 8:03 am.

Minutes -- The Minutes of the October 11, 2007 Regular Meeting were reviewed. Farley moved to approve the Minutes. The Minutes were approved as posted.

Treasurer's Report:

The accountant's report for September 2007 was reviewed. Farley moved to receive and file the accountant's report. Motion passed.

Bills -- No bills to present at this meeting. They were paid at the October 11, 2007 meeting.

HARP IGA -- Sandstrom will bring this back for the next meeting. Tom Jagger has several comments to consider. One primary issue is who will select the seventh member of the HARP Board. After discussion it was decided that the District recommends that this be a "Community" seat.

Pueblo County Runyon Purchase -- Sandstrom reported that this is on the Board of County Commissioners agenda for Tuesday. Sandstrom will meet and receive payment and sign the deed drafted by Don Banner as soon as the resolution is approved.

CDOT 4th Street Bridge -- Kidd to email Johnson back to inform him that Johnson's transmittal had no changes from the legal descriptions originally sent by Michael Shay. The descriptions are still out of compliance with current standards and the needs of the District.

ACE Report on Arkansas River Levee Extension -- Sandstrom drafted a response letter and read it to the Board. The letter was approved to send with discussed changes.

Special Districts Workmen's Comp -- Sandstrom received notice from the SDA that workmen's compensation insurance is required for board members. Banner is to check out the referenced statute.

Assessment Records -- No additional records have been found to date. Offering an award for discovery of the second ledger book was discussed. Farley moved to offer an award of \$250 to encourage employees to do a diligent search. Motion passed. County Treasurer Sisneros and North Star Engineering are to be notified of the award.

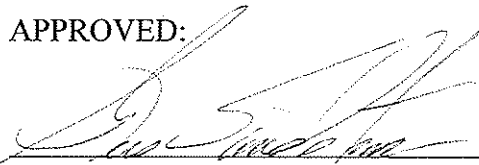
Tree Removal -- Sandstrom is to meet with DOC at 9:30 today to discuss removals in the Wildhorse Creek confluence area.

October 29, 2007 Minutes, Page 2 of 2

YMCA – Banner invited the Board to attend the ground breaking ceremony at 10:00 am on November 8, 2007

There being no further business to come before the Board, the business meeting was adjourned at 8:35 a.m.

APPROVED:



Gus Sandstrom, Director



Kathleen Farley, Director



Valerie V. Haynes, Director

THE PUEBLO CONSERVANCY DISTRICT

NOTICE OF MEETING

DATE: OCTOBER 29, 2007 (Monday) AT 8:00 A.M.

PLACE: SOUTHEASTERN COLORADO HERITAGE CENTER,
201 WEST B STREET, PUEBLO, COLORADO

AGENDA

1. ROLL CALL
2. APPROVAL OF OCTOBER 11, 2007 MINUTES
3. TREASURER'S REPORT
 - a. ACCOUNTANT'S REPORT
 - b. PAYMENT OF BILLS
4. HARP IGA
5. RUNYON TO COUNTY PROPERTY SALE
6. CDOT 4TH STREET BRIDGE EASEMENT
7. ASSESSMENT RECORDS
8. OTHER BUSINESS AS MAY BE BROUGHT BEFORE THE BOARD
9. ADJOURNMENT

Future meetings scheduled for:

November 14

December 19

ACCOUNTANTS' COMPILATION REPORT

Board of Directors
The Pueblo Conservancy District
Pueblo, Colorado

We have compiled the accompanying balance sheets – general fund only – of the Pueblo Conservancy District as of September 30, 2007 and December 31, 2006, and the related comparative statements of revenue and expenditures – actual and budget – general fund for the one month and nine months ended September 30, 2007, and the twelve months ended December 31, 2006, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit substantially all of the disclosures required by generally accepted accounting principles. If the omitted disclosures were included in the financial statements mentioned above, they might influence the user's conclusions about the District's financial position and results of operations. Accordingly, these financial statements are not designed for those who are not informed about such matters.

McPherson, Breyfogle, Daveline & Goodrich, PC

October 15, 2007

PUEBLO CONSERVANCY DISTRICT
BALANCE SHEET - GENERAL FUND ONLY
SEPTEMBER 30, 2007 AND DECEMBER 31, 2006

	<u>9/30/2007</u>	<u>12/31/2006</u>
ASSETS		
VECTRA BANK CHECKING	\$ 40,534	\$ 42,348
VECTRA BANK MONEY MARKET	11,701	11,593
BROKERAGE MONEY MARKET ACCOUNTS	20,621	65,804
COLOTRUST INVESTMENT	25,000	25,000
WACHOVIA SECURITIES INVESTMENT	569,485	528,952
PIPER JAFFRAY INVESTMENT	347,573	341,889
ACCRUED INTEREST	-	4,805
BOOK INVENTORY	<u>-</u>	<u>-</u>
 TOTAL ASSETS	 <u>\$ 1,014,914</u>	 <u>\$ 1,020,391</u>
LIABILITIES AND FUND EQUITY		
ACCOUNTS PAYABLE	\$ -	\$ 625
PAYROLL TAXES PAYABLE	124	330
DEFERRED INCOME	<u>1,667</u>	<u>1,042</u>
 TOTAL LIABILITIES	 <u>1,791</u>	 <u>1,997</u>
RESERVE FOR EMERGENCIES	6,000	6,000
DESIGNATED FOR SUBSEQUENT YEAR'S EXPENDITURES	156,376	156,376
UNDESIGNATED	<u>850,747</u>	<u>856,018</u>
 TOTAL FUND EQUITY	 <u>1,013,123</u>	 <u>1,018,394</u>
 TOTAL LIABILITIES AND FUND EQUITY	 <u>\$ 1,014,914</u>	 <u>\$ 1,020,391</u>

SEE ACCOUNTANTS' COMPILATION REPORT

PUEBLO CONSERVANCY DISTRICT
COMPARATIVE STATEMENT OF REVENUE AND EXPENDITURES -
ACTUAL AND BUDGET - GENERAL FUND
FOR THE ONE AND NINE MONTHS ENDED SEPTEMBER 30, 2007
AND THE TWELVE MONTHS ENDED DECEMBER 31, 2006

	ACTUAL				
	CURRENT MONTH	YEAR TO DATE	2007 BUDGET	UNUSED BUDGET	2006 ACTUAL
REVENUES					
INTEREST INCOME					
COLOTRUST	\$ 111	\$ 864	\$ -	\$ -	\$ 1,224
MONEY MARKET ACCOUNTS	87	952	-	-	1,550
WACHOVIA SECURITIES	2,501	21,288	-	-	29,739
PIPER JAFFRAY	1,101	8,481	-	-	13,413
UNREALIZED GAINS (LOSSES)	264	722	-	-	(2,309)
TOTAL INTEREST INCOME	4,064	32,307	30,000	(2,307)	43,617
LEASE PAYMENTS	208	1,875	2,500	625	2,700
OTHER INCOME	-	3,001	-	(3,001)	-
COST OF SALES	-	-	-	-	(6,290)
TOTAL REVENUES	\$ 4,272	\$ 37,183	\$ 32,500	\$ (4,683)	\$ 40,027
EXPENDITURES					
80 LEGAL FEES	\$ 300	\$ 2,700	\$ 7,000	\$ 4,300	\$ 8,833
81 DIRECTORS FEES	180	1,620	3,000	1,380	2,160
82 FICA TAXES	-	-	240	240	165
83 ENGINEER/ADMINISTRATIVE	400	3,200	4,800	1,600	4,800
90 AUDIT & BOOKKEEPING	250	2,000	3,000	1,000	2,700
92 INSURANCE/BONDS	-	2,908	2,500	(408)	2,034
96 OFFICE EXPENSE	306	695	650	(45)	264
97 OFFICE RENT	-	500	500	-	1,420
100 PROFESSIONAL FEES	-	-	8,000	8,000	3,462
APPRAISAL	-	-	60,000	60,000	-
103 TRAVEL	-	-	250	250	-
105 REPAIRS & MAINTENANCE	303	8,466	90,000	81,534	24,982
PIPING REPAIRS	-	-	75,000	75,000	-
108 CONTINGENCIES	-	-	500	500	-
109 EMERGENCY REPAIR	-	-	20,000	20,000	-
110 CAPITAL IMPROVEMENTS	-	-	25,000	25,000	-
111 PLANNING & DEVELOPMENT	-	-	5,000	5,000	-
112 HARP - O & M	-	20,000	20,000	-	50,000
113 SALES TAX	-	-	-	-	-
TOTAL EXPENDITURES	1,739	42,089	325,440	283,351	100,820
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	\$ 2,533	\$ (4,906)	\$ (292,940)	\$ (288,034)	\$ (60,793)

SEE ACCOUNTANTS' COMPILATION REPORT

PUEBLO CONSERVANCY DISTRICT
INVESTMENTS
9/30/2007

10/15/2007 1:23 PM

<u>BROKER</u>	<u>DESCRIPTION</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>PAR VALUE</u>	<u>BALANCE 12/31/2006</u>	<u>ADDITIONS</u>	<u>MKT VALUE CHANGE</u>	<u>REDEMPTION SALES</u>	<u>BALANCE 12/31/2007</u>	<u>INTEREST RECEIVED 12/31/2007</u>
<u>CASH ACCOUNTS</u>										
VECTRA BANK	Money Market Account				11,592.88	108.01	-	-	11,700.89	108.01
PIPER JAFFRAY	Money Market Account				8,703.05	2,246.33	-	-	10,949.38	334.71
WACHOVIA SEC.	Evergreen Money Mkt Fund				57,100.82	99,966.55	-	147,395.97	9,671.40	509.29
TOTAL CASH ACCOUNTS WITH BROKERS					77,396.75	102,320.89	-	147,395.97	32,321.67	952.01
<u>INVESTMENTS</u>										
COLOTRUST	Acct. 7081 - PLUS		6.240%		25,000.00	-	-	-	25,000.00	974.36
TOTAL COLOTRUST					25,000.00	-	-	-	25,000.00	974.36
WACHOVIA SEC.	FNMA 05-27 GA REMIC MULTICLASS CMO	4/25/2034	5.500%	450,000.00	102,107.43	-	(818.71)	52,633.63	48,655.09	3,660.38
	FHLMC 3040 CA REMIC MULTICLASS CMO	9/15/2019	5.000%	108,000.00	-	-	-	-	-	-
	FNMA 03-52 BD REMIC MULTICLASS CMO	3/25/2033	5.500%	28,000.00	-	-	-	-	-	-
	FHLMC 2646 LL RETAIL LOTTERY	8/15/2033	5.000%	78,000.00	32,194.08	-	(606.60)	-	31,587.48	1,500.00
	FHLMC 2688 DD RETAIL LOTTERY	11/15/2033	5.500%	36,000.00	34,173.36	-	(712.80)	-	33,460.56	1,650.00
	FHLMC 2804 UC REMIC MULTICLASS CMO	11/15/2033	6.000%	8,000.00	-	-	-	-	-	-
	FHLMC 3004 GG RETAIL LOTTERY	7/15/2034	5.000%	80,000.00	64,572.27	-	469.02	20,000.00	45,041.29	2,500.00
	FHLMC 3133 MB REMIC MULTICLASS CMO	3/15/2036	6.000%	150,000.00	148,267.50	-	(2,115.00)	-	146,152.50	7,500.00
	FNMA 05-16 WD REMIC MULTICLASS CMO	1/25/2035	5.000%	56,000.00	18,973.61	-	(851.56)	4,306.78	13,815.27	676.53
	GNMA 06-27 WE REMIC MULTICLASS CMO	6/20/2036	6.000%	50,000.00	49,494.00	-	375.50	-	49,869.50	2,000.00
	FHLMC 3230 BB REMIC MULTICLASS CMO	4/15/2036	5.750%	50,000.00	49,170.00	-	(1,321.50)	-	47,848.50	2,395.80
	FHLMC 3264 UU REMIC MULTICLASS CMO	6/15/2036	5.750%	50,000.00	-	50,006.00	(1,544.11)	1,000.00	47,461.89	1,651.51
	FHLMC 3290 WA REMIC MULTICLASS CMO	4/15/2007	5.000%	58,000.00	-	54,391.62	533.11	6,139.15	48,785.58	520.74
	FHLMC 3357 AA REMIC MULTICLASS CMO	12/15/1936	6.000%	32,000.00	-	32,087.50	(309.90)	-	31,777.60	(90.67)
	NATIONAL CITY CD	6/15/2007	5.150%	30,000.00	30,000.00	-	-	30,000.00	-	1,540.77
	WORLD SAVINGS BK FSB CD	5/2/2008	5.200%	25,000.00	-	25,000.00	30.25	-	25,030.25	-
TOTAL WACHOVIA SEC.					528,952.25	161,485.12	(6,872.30)	114,079.56	569,485.51	25,505.06
PIPER JAFFRAY	GNMA POOL #24920	6/15/2008	8.250%		1,729.94	-	(65.86)	1,055.39	608.69	75.54
	FEDL HOME LN MTG CORP FREDDIENOTES B/E	12/15/2009	3.000%	120,000.00	113,568.00	-	2,894.40	-	116,462.40	2,700.00
	FEDL NATL MTG ASSN INVT NOTES B/E	8/20/2010	4.000%	100,000.00	96,688.00	-	1,906.00	-	98,594.00	2,999.97
	FEDL NATL MTG ASSN INVT NOTES B/E	6/24/2011	4.000%	130,000.00	124,677.80	-	2,722.20	-	127,400.00	3,899.97
	FHLMC #170217	3/1/2017	8.000%		5,225.72	-	138.27	856.23	4,507.76	287.22
TOTAL PIPER JAFFRAY					341,889.46	-	7,595.01	1,911.62	347,572.85	9,962.70
TOTAL INVESTMENTS					895,841.71	161,485.12	722.71	115,991.18	942,058.36	36,442.12
TOTAL ALL ACCOUNTS					973,238.46	263,806.01	722.71	263,387.15	974,380.03	37,394.13

MINUTES OF THE SEPTEMBER 20, 2007 REGULAR MEETING OF THE PUEBLO CONSERVANCY DISTRICT

Directors Present: Sandstrom, Farley, Haynes

Also Present: Administrator Rick Kidd, Counselor Don Banner

Guests: Pat Coffee, Pueblo County Dept of Public Works

With a quorum present, the Pueblo Conservancy District board meeting was called to order at 8:00 am.

Runyon Property Purchase – Pat Coffee represented Pueblo County in their request to purchase additional property to allow for the expansion of the Runyon Baseball Park. Coffee provided a March 19, 1985 survey by Fred Adams indicating that part of the property identified has already been transferred to the County. There remains approximately 17,185.5 square feet in the 12 lots identified by Kidd that could be transferred to the County. Even though this is more “buildable” land than what was sold to Jimmy Dawson, it was agreed to support the County in their efforts to improve the Runyon Lake area and sell this property at a comparable rate. Coffee indicated that the County would like a lower price but that she would take the request back to her office. Farley moved to approve selling the property for \$0.836 per square foot. Motion passed with Haynes abstaining. Farley then moved that Banner would prepare the deed and that the County would have to survey the parcels and have the survey and deed recorded. Motion passed with Haynes abstaining.

The Minutes of the August 15, 2007 Regular Meeting were reviewed. Farley moved to approve the Minutes. The Minutes were approved as posted.

Treasurer's Report:

The accountant's reports for July and August 2007 were reviewed. Farley moved to receive and file the accountant's reports. Motion passed.

Bills – The following bills were posted for review and approval

\$ 250.00	MBD&G, Accountant fees
\$ 114.41	Aquila, Electricity
\$ 300.00	Don Banner, Attorney fees
\$ 306.00	Don Banner, Court Order copies and recording fees
\$ 400.00	Kidd Engineering, Administrator/Engineer fees
\$ 55.41	Sandstrom, Director's Fee
\$ 55.41	Haynes, Director's Fee
\$ 55.41	Farley, Director's Fee
\$ 186.47	Chem-Way Lawn Care, Weed Spraying

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

October Meeting – It was agreed to set the 2008 budget hearing meeting for October 11. This will be a regular meeting of the Board and will be held at the Heritage Center at 8:00 am. Kidd is to provide a budget template to Farley.

HARP IGA – The District has been requested for a commitment of at least \$50,000 per year to HARP. The Board discussed this at the August 15, 2007 meeting. It was agreed that the District could make this commitment but that it would have to be subject to annual appropriations and the District's success in instituting assessments. Farley moved that Sandstrom inform at the next HARP IGA meeting that the District's participation is contingent upon Court approval of our maintenance assessment. Motion passed.

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Funding -- Banner and Sandstrom are to take the draft order and meet with Judge Maes. The Judge will have to acknowledge and agree and the recording will have to be contingent upon it possibly being November 1, 2008 before the District has the valuation data in place for the basis of the assessments. Assuming that Judge Maes signs the Court Order, Kidd to ask the County how the spreadsheet data can be sorted to simplify cross-referencing. Farley moved to authorize Attorney Banner and Chairman Sandstrom to submit the Order to Judge Maes requesting an assessment of up to 3.5 percent as soon as practicable for determining legal descriptions and assessment valuations. Motion passed.

Kidd is to look for summary data that the assessments book are based on. Look in the minutes after the 1923 adoption. The Court Order was December 1923.

4th Street Bridge -- Kidd reported that Flat Iron Construction was the low bidder and that their bid was based upon CDO' design. Therefore, there will be no access roads built into the levee or pier penetrations made into the levee.

Budget -- There were preliminary discussions about funding categories and amounts for Farley's guidance in developing the draft 2008 budget.

Kidd is to place the public notice for the Budget Hearing held on October 11, 2007.

It was decided that we should hold a special meeting of the Board on Monday, October 29.

Future Meeting Dates --

October Meeting	10-29-2007 (Monday)
November Meeting	11-14-2007 (Wednesday)
December Meeting	12-19-2007 (Wednesday)

There being no further business to come before the Board, the business meeting was adjourned at 9:11 a.m.

APPROVED:

Gus Sandstrom, Director

Kathleen Farley, Director

Valerie V. Haynes, Director

Main Identity (RICK)

From: "Johnson, Larry D" <Larry.D.Johnson@DOT.STATE.CO.US>
To: <kiddecms@earthlink.com>
Cc: <g.sandstrom@comcast.net>
Sent: Thursday, October 11, 2007 11:16 AM
Attach: conservancy district final legals.pdf; PE15rev-15A-15Brev Pueblo Conservancy District.doc
Subject: Conservancy District PE's

Good Morning Rick,

I just spoke with Mr. Sandstrom regarding the closing at Security title.

I apologize if communications broke down during this process and thought that you had been provided with information and copies of the signed legal descriptions for your review. As a matter of practice during negotiations to acquire property rights CDOT doesn't normally circulate original legal descriptions but opt to provide the final signed document to the title company to be filed and recorded once closing takes place.

Please note that the legal descriptions attached to this e-mail were not scanned in color but the originals attached to the Permanent Easement Deed at the title company are stamped in red and signed in blue by Mr. Mark Lane.

I hope that this information and the information previously submitted to you will clarify CDOT position regarding our process in preparing ROW plans and legal descriptions according to the filed MOU with the Board of Professional Land Surveyors.

Please present these documents to the Board and request that Mr. Sandstrom execute the deed at his earliest convenience. If Mr. Sandstrom would prefer we can instruct Security Title to conduct a mail out closing which would alleviate the need for Mr. Sandstrom to have to go to the title company. Please let me know if this would be an option you would prefer we utilize.

I just received a copy of the resolution regarding the bridge design.. I appreciate the Conservancy District's willingness to provide input during the design process and once again apologize for the delay in providing you certified legal descriptions.

<<conservancy district final legals.pdf>> <<PE15rev-15A-15Brev Pueblo Conservancy District.doc>>

Larry Johnson
Acquisition/Relocation Supervisor
905 Erie Ave
Pueblo, CO 81002
719-546-5412
719-251-7811 cell
mailto:larry.d.johnson@dot.state.co.us

10/28/2007

THE PUEBLO CONSERVANCY DISTRICT

P.O. BOX 234, PUEBLO, CO 81002

BOARD OF DIRECTORS:

GUS SANDSTROM, PRESIDENT
VALERIE HAYNES, SECRETARY
KATHY FARLEY, TREASURER

ADMINISTRATOR / ENGINEER:

RICK KIDD, PE
(719)544-5239

June 5, 2007

Michael Shay
Colorado Department of Transportation
Region 2, Right of Way Services
PO Box 536
Pueblo, CO 81002

Subject: 4th Street Bridge Easement Acquisition

Dear Mr. Shay:

Inadequately described and recorded easements and land acquisitions from past transactions are impacting our current effort to compile updated and accurate mapping of Pueblo Conservancy District ownership and granted easements. This is why we are now insisting that all new transactions be surveyed and monumented. It appears that the only monumented point for any of the three proposed tracts is in the southwest corner of tract PE-15 Rev. This is a point established by another surveyor. There are six other corners and angle points of tract PE-15 Rev that have not been monumented. Furthermore, there are three points on proposed tract PE-15A, and eight points on proposed tract PE-15B Rev that should be monumented. The given point of beginning for PE-15B Rev appropriately references a lot corner, but there is no indication that this lot corner is currently established by survey. The point of beginning for PE-15A is not tied to any survey with a monumented corner of an existing lot, tract, or parcel of land.

I have studied the Memorandum of Understanding that you attached to your May 10, 2007 email. I have also met with the Pueblo County Surveyor to discuss the matter of your proposed legal descriptions. I want to direct your attention to lines 3 and 4 under "Compliance with Colorado Statutes", on page 2 of the Memorandum of Understanding. It states:

It is the intent of this memorandum to bring the Colorado Department of Transportation into full compliance with the state statutes and Board Bylaws and Rules of Procedure and Rules of Professional Conduct.

This, simply, is what we are requesting the Colorado Department of Transportation to do. There are appropriate protocols of how descriptions are to be written to reduce confusion and there are surveying rules that are to be adhered to. Your compliance with Point Nos. 3, 6, 7, and 8 on page 3, and

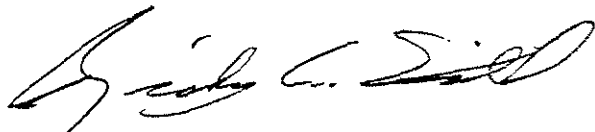
subsequent Joint No. 1 on page 3 of the Memorandum of Understanding will provide the documentation required to accurately define and locate the tracts for which you are seeking to acquire a permanent easement.

We have duly noted Point Nos. 2 and 3 under "Further Understanding". We do not accept that these stated exceptions apply to the permanent easements that you wish to acquire.

These issues and our interpretation of the Memorandum of Understanding have been discussed with the Pueblo County Surveyor, Dan Boyd. Mr. Boyd is in agreement with our interpretation and has affirmed that the requests in my April 9, 2007 letter to you are appropriate and that the legal descriptions provided by the Colorado Department of Transportation should be in compliance with those requests, the requirements specifically referenced above, and the other specific and referenced requirements of the first dated December 9, 1994 Memorandum of Understanding between the Colorado State Board of Registration for Professional Engineers and Professional Land Surveyors and the Colorado Department of Transportation. Mr. Boyd also checked and if you have actually surveyed these tracts there have been no land survey control diagrams or right of way plans submitted to his office by the Colorado Department of Transportation, as required by State statute.

The Pueblo Conservancy District has agreed and voted to sell the requested permanent easements to the Colorado Department of Transportation for the amount of \$4,500. However, it has been established that a condition of this sales transaction is that the Colorado Department of Transportation correctly prepare land surveys and the legal descriptions therefor, and that the parcels be appropriately monumented and referenced to existing monuments so that they can be identified in the field. The County Surveyor has also requested that GPS coordinates be provided to facilitate inclusion in their GPS land data base.

Sincerely,

A handwritten signature in black ink, appearing to read "Ricky A. Kidd". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ricky A. Kidd, PE
Administrator / Engineer



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

BUCKEL SA
BOURGEOIS MMB
SHAMPINE CS

August 13, 2007

Operations Division
Emergency Management Branch

Mr. Gus Sandstrom
Pueblo Conservancy District
P.O. Box 234
Pueblo, Colorado 81003

Dear Mr. Sandstrom:

The Floodway Levee Extension, Arkansas River, and Pueblo County, Colorado was built by the U.S. Army Corps of Engineers (Corps) in 1949 and 1952. At that time the Pueblo Conservancy District took ownership of the project and became responsible for operation and maintenance. This project is currently in the Corps' rehabilitation and inspection program, and may be eligible for rehabilitation by the Corps if damaged during an infrequent and unusual flood event.

Last year, on August 1, 2006 Corps representatives, Suzanne Hess and Thomas Ryan, made an inspection of the project with Mr. Rick Kidd of your office. Inspection results were discussed with your representative, during and at the conclusion of the inspection. Due to deficiencies identified during the inspection, this project was rated "Minimally Acceptable". Based upon this rating the project will remain in "Active" status, making it eligible for rehabilitation, in this program. Deficiencies identified during the inspection, including tree growth and rutting occurring on the land side of the levee embankment, are noted in the enclosed inspection report. These maintenance deficiencies must be corrected within 18 months of the date of this letter.

Mr. Rick Kidd showed LTC Estok, the Albuquerque District Commander, and I the extent of the project during a subsequent visit in January 2007. The Pueblo Conservancy District needs an on-going proactive maintenance program that will maximize the life of these projects and maintain project design function for the people of the City of Pueblo.

These maintenance deficiencies must be corrected by February 2009, or the project will receive an 'Unacceptable' rating and be placed on "inactive" status. Once a project has been placed on inactive status it will no longer be eligible for rehabilitation in the event of damage from an unusual storm event.

The Pueblo Conservancy District's participation in these inspections and their continued cooperation on these matters is greatly appreciated. Please feel free to call me at (505) 342-3267 or Mr. Thomas Ryan at (505) 342-3268 if you have questions regarding the suggestions or any phase of the project.

Sincerely,



Matthew M. Bourgeois, P.E.
Chief, Emergency Management
Branch

Enclosures

Copies Furnished:

Ms. Kathy Farley
Pueblo Conservancy District
PO Box 234
Pueblo, CO 81003

Mr. Van A. Truan
Albuquerque District US Army Corps of Engineers
Southern Colorado Regulatory Office
421 North Main
Suite 205
Pueblo, Colorado 81003-3046

CESPA-OD-E

MEMORANDUM FOR FILE

SUBJECT: Inspection of work performed as FLOODWAY LEVEE EXTENSION, ARKANSAS RIVER, PUEBLO, COLORADO, under Contract Number DA-29-005 ENG-759.

1. Inspection date: 01 August 2006
2. Scope of Work: The work consisted of enlarging the existing levee (Contract No. W-29-005 eng-704), constructing a new levee and installing three drainage structures. This work was completed 11 November 1952.
3. Sponsor: Pueblo Conservancy District.
4. Contact: Mr. Rick Kidd: Office: (719) 544-5239;
Mobile: (719) 258-1881
5. Observed Conditions: The project continues to have tree growth (woody vegetation) both on the top of the levee and near the riverside and landside levee toes. A pathway has become worn on the landside of the levee by foot or wheeled traffic. The project is rated Minimally Acceptable based on the current criteria, which the District does not yet have a copy of but is to be sent with this evaluation.
6. Recommendations: Remove all woody vegetation on the levee and within 15 feet of the toe. Place a traffic restriction device at both the toe and the top of the worn path just west of the interior drain pathway and fill in and compact area as needed.
7. General: Mr. Kidd accompanied Suzanne Hess (Geotech) and myself on the inspection.

Thomas Ryan
Civil Engineer
Emergency Management Branch