

RECORD OF PROCEEDINGS

O'Brien Prtg. & Stof. 85836

MINUTES OF THE BOARD OF DIRECTORS MEETING OF THE PUEBLO CONSERVANCY DISTRICT - JULY 19, 1976

The Directors met at 4:00 P.M. on the above date at the office of the District, 1104 N. Main Street, Pueblo, Colorado.

DIRECTORS PRESENT: J. M. Martin, R. W. Taylor, and Otto W. Snapp, Jr.

ENGINEER PRESENT : S. F. Elliot

ATTORNEY PRESENT : Donald Banner

The meeting was called to order and the minutes of the June 11 meeting were read and approved.

The following vouchers were approved:

16114	S. F. Elliot	\$220.00
16115	Dept. of Labor and Employment	135.14
16116	Colorado Dept. of Revenue	39.00
16117	Dept. of Treasury Internal Revenue	105.00
16118	R. W. Taylor	75.00
16119	J. M. Martin	75.00
16120	O. W. Snapp, Jr.	75.00
16121	S. F. Elliot	75.00
16122	Predovich & Ward	150.00
16123	R. W. Taylor	141.22
16124	J. M. Martin	117.69
16125	R. M. Hutchison	55.56

The Bank Balance in the checking account is now \$23,577.84

The minutes of July 20, 1960 were reviewed in regard to granting Ambrose Spitzer permission to construct a fence, enclosing certain of the District's land adjacent to the south levee, immediately west of Santa Fe Avenue.

It was agreed that the permission granted on July 20, 1960 should be noted in a document that could be recorded, so that any subsequent heirs or assigns to the Spitzer property would be aware of the District's ownership within the fence, and that limitations be placed on the use of the District's land.

Mr. Banner was instructed to draft the instrument, using the description of the District's land within the fence obtained by survey, made by McIntire & Quiros of Colorado, certification dated July 12, 1976.

It was further decided that a similar instrument should be drafted by Mr. Banner, whereby Krasovec could use District's land for storage purposes only, on lands as described in the "Declaration of Pueblo Conservancy District", and as attached to the minutes of June 26, 1975.

Mr. Banner discussed the opinion of County Attorney Edwin McMartin in regard to cancellation of the District's remaining outstanding tax certificates.

Mr. Banner concluded that the County Treasurer should initiate the request to the District for cancellation of the Certificates.

Reference to this action is in accordance with 73 C.R.S. 39-11-149 (5). Mr. Banner indicated he would provide further guidance in this matter.

In reference to the City's request for use of District's land for an outlook site, attached hereto is Mr. Elliot's recommendation.

The Directors approved the recommendation, and directed that a copy of the letter be sent to the City Manager, together with the Director's approval.

Mr. Banner advised the Directors concerning the sequence of events to follow regarding a budget for the calendar year 1977, and that he would provide the Directors with detailed guidance to follow.

RECORD OF PROCEEDINGS

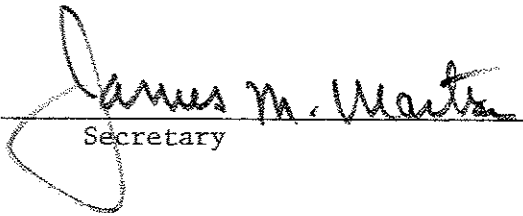
 O'Brien Prtg. & Stat. 85836

Mr. Elliot outlined the need of Alpha Beta Packing Company to develop two replacement wells on land formerly occupied by the old channel, immediately west of Santa Fe Avenue.

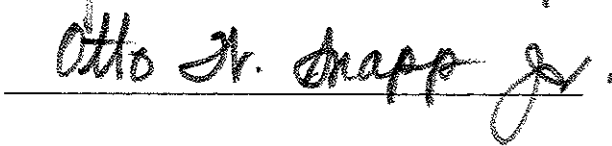
The Directors, noting the Company's asset to the economy of Pueblo, indicated that they would enter into a leasing agreement with the Company for the location of two well sites on District property, and directed the Engineer to so notify the proper Company officials, and to further prepare a formal request for leasing, containing legal descriptions of the site, terms, etc.

A letter from Col. Richard E. Leonard, District Engineer, Department of the Army, complimenting the District on the condition of the levees east of Santa Fe Avenue, and it was directed that the letter be attached to and made a part of these minutes.

There being no further business to come before the Directors, the meeting was adjourned at 5:20 P.M.


Secretary

READ AND APPROVED:



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
P. O. BOX 1580
ALBUQUERQUE, NEW MEXICO 87103

SWACO-OP

22 June 1976

The Pueblo Conservancy District
P.O. Box 369
Pueblo, Colorado 81002

Gentlemen:

On 19 April 1976, an inspection was made by my representative, Mr. Frank Collins, of the Flood control work completed in 1949 and 1952 under Contracts Nos. W-29-005 eng-704 and DA-29-005 eng-759, respectively. The work was performed along the north bank of the Arkansas River below the Santa Fe Avenue bridge and near the Runyon Ballpark in Pueblo, Colorado.

The overall condition of the project is excellent. Mr. Collins reported the repair of the grating at Control Structure B which had been destroyed by vandals.

Mr. S. F. Elliott, your engineer, discussed the project inspection with Mr. Collins. Your continued cooperation in maintaining this project in first-class condition is appreciated.

Sincerely yours,

Richard E Leonard

RICHARD E. LEONARD
Colonel, CE
District Engineer



THE PUEBLO CONSERVANCY DISTRICT

BOARD OF DIRECTORS
ROBERT W. TAYLOR
PRESIDENT
JAMES M. MARTIN
SEC'Y & TREAS.
OTTO W. SNAPP, JR

1104 N. MAIN STREET
544-1083
PUEBLO, COLORADO

MAILING ADDRESS:
P. O. BOX 369
PUEBLO, COLO. 81002

14 July 1976

To: The Directors
Pueblo Conservancy District
Pueblo, Colorado.

Gentlemen:

I have reviewed the proposal of the City of Pueblo to acquire from the District certain of the District's lands for the purpose of developing and maintaining a public outlook site, described as follows:

"Lots 3-13, Re-subdivision of Terrace View and Lots 1-5, Rainey's Sub-division of lot 3, Block "I", of South Pueblo."

The information as furnished by Kermit Johnson of the Parks Division, received on June 11, 1976, indicates a rather elaborate development, at an estimated construction cost of \$172,000. If developed as planned, the project will greatly enhance the area.

It is my recommendation that the Directors consider a long-term lease of the lands, rather than conveyance by fee title, inasmuch as it has been long a policy of the District not to convey any of the District's lands which abut, or are adjacent to the channel. The consideration and term of the lease are matters for further consideration, both by the Directors and the City.

In drafting the lease, you may wish to consider the following:

1. That the District be held harmless relative to the operation of the outlook.
2. That in the event the City wishes to vacate certain streets and/or alleys adjacent to the site, the District will not enter an objection to such an action, nor will the District participate in the cost of such an action.
3. That the City will be responsible for removal of trash which results from public use of the outlook, including both the adjacent slope and channel below.
4. That no pedestrian or vehicular ramp, leading from the outlook site to the channel below will be permitted until such time as agreements are entered into with the District relative to the development and operation of a trails system which has been proposed for the channel area.
5. That a cancellation clause be considered, making the lease void should the project not be started and completed within three years from the date of the lease.

To: The Directors

Page 2 of 2 pages

6. That if a monument or plaque is placed on the site, that due recognition be given the Pueblo Conservancy District relative to the site location.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Simon F. Elliot". The signature is stylized with a large, sweeping initial "S" and a distinct "F".

Simon F. Elliot,
Engineer for the District.

SFE:s

c. c. Predovich and Ward.