

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF BOARD OF DIRECTORS MEETING OF THE PUEBLO CONSERVANCY DISTRICT OCTOBER 26, 1978

The meeting of the Board of Directors was called to order by the President, Pat Kelly, at 10:00 A.M., on the above date, in the Conference Room at the District's Office, 111 E. 5th Street, Pueblo, Colorado.

DIRECTORS PRESENT : P. Kelly, K. Farley and G. Sandstrom
ENGINEER PRESENT : R. Koester
ATTORNEY PRESENT : L. Ward
OTHERS PRESENT : V. Isele, Martinez and Perry of the Power Co.

It was moved and carried that the minutes of the September 28, 1978, meeting be approved as written.

The Treasurer's report was approved from the written report mailed to the Directors, copy of which is attached hereto.

The following vouchers were approved for payment:

16398	Park National Bank	\$100,000.00
16399	K L H Engineering Consultants, Inc.	380.00
16400	K L H Engineering Consultants, Inc.	50.00
16401	Star Journal Publishing Corp.	34.30
16402	Kathleen Farley	40.00
16403	Patricia Kelly	40.00
16404	Gus Sandstrom, Jr.	40.00
16405	Predovich & Ward Attorneys	150.00
16406	U. S. Postmaster	15.00

Mr. Isele presented the Power Company's request for enlargement of easement near Clark Street. The Board asked the Power Co. to review all of their crossings and easements and report at the November meeting, the condition and proposed revisions if contemplated, to make the area of the recreation trails safe to occupy with their structures in place. The Directors then moved to grant the easement and signed the document having been previously approved as to form by Attorney Ward. A copy of the easement is attached to these minutes.

Directors Kelly and Sandstrom had talked with Judge Phelps regarding the intention to pay Directors for extra sessions of the Board. The Judge asked that a Resolution be made by the Directors for the benefit of the Court. To this end, the Directors made the following Resolution:

WHEREAS, in carrying out its statutory function, the Board of Directors of the Pueblo Conservancy District acts as not only a policy making board but also as a working board in the administration of the District's financial affairs, supervision of the adequacy of the flood protection facilities and in the coordination of activities with other affected bodies, and

WHEREAS, from time to time it becomes necessary to hold meetings of the Board in addition to the planned monthly meeting in order to accomplish the work of the District,

NOW THEREFORE, be it resolved that: to the extent meetings of the Board of the Pueblo Conservancy District in addition to the planned monthly meetings are deemed necessary by the Board, compensation of the Board members pursuant to statute should be made for those meetings.

The Directors moved to accept the budget for 1979, as prepared, having heard no comments or protests during the advertisement period, and no revisions were deemed necessary at this meeting. The motion carried and the Attorney was asked to forward copies to all bodies as required. A copy of the 1979 Budget is attached to these minutes.

RECORD OF PROCEEDINGS

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The Directors considered the Bids for the November 1 Certificate of Deposit, bids taken on October 24th. The apparent high bid was by Park National Bank. It was moved and carried to accept this bid and a certificate will be purchased with the proceeds of certificates at Midtown Bank which matures on November 1st. A copy of the bid tabulation is made a part of these minutes

Engineer Koester gave his report on the Capitol Improvement Program he was asked to prepare by this meeting. In the discussion of Item No. 1- revision of the diversion structure of the Power Company, the Directors asked that a meeting be set up with the Power Company people, the Directors and Engineer Koester, to look at the wooden structures at the intake, and review the site in preparation for the Power Company to offer a plan to upgrade the physical condition of the intake. The Directors then reviewed, briefly, the remainder of the report, and asked that a copy be forwarded to Judge Phelps along with the customary copy of the minutes.

The offer by Ray Bryan for additional insurance to cover office equipment and records was considered. It was discovered that there are duplicates of every piece of record in storage at other locations, and the additional coverage for this purpose was not deemed cost effective. The Directors agreed that no additional insurance was needed.

K. Farley reported to the Directors that the controlled burning program on the levee, and partially on Conservancy property, was being scheduled by the Division of Wildlife in about 10 days. The Division of Wildlife will be in charge of the operation.

It was moved and carried that the Division be given permission to act for them for the burning operation at the Runyon Field site.

The next regular meeting will be at 10:00 A.M. on November 30, 1978, at the office of the District.

There being no further business to come before the Board, the meeting adjourned at 11:30 A.M.


Kathleen Farley, Secretary

KNOW ALL MEN BY THESE PRESENTS:

That THE PUEBLO CONSERVANCY DISTRICT, a body corporate and a political subdivision of the State of Colorado, organized and existing under the Conservancy Act of Colorado, hereinafter called the grantor, in consideration of the sum of One Dollar and other valuable consideration to it in hand paid by SOUTHERN COLORADO POWER DIVISION, CENTRAL TELEPHONE & UTILITIES CORPORATION, a corporation organized and existing under the law of the State of Kansas, hereinafter called the grantee, the receipt of which consideration is by said grantor hereby acknowledged, does hereby grant and convey unto said grantee, its successors and assigns, forever, the right, privilege and easement to construct, operate and maintain its lines for the transmission of electrical energy, including the necessary poles, steel towers, wires, guys, stubs and other fixtures along, over, upon and across the following described property situate in the County of Pueblo and State of Colorado, to wit:

A strip of land 50 feet in width, being in the Northeast Quarter of Section 1, Township 21 South, Range 65 West of the 6th Principal Meridian, said strip being 25 feet in width on each side of the following described Centerline:

Commencing at the Westerly corner of Lot 7, Block 127, of the former town of South Pueblo, now part of the City of Pueblo, according to the recorded plat thereof; thence S.45°53'W, along the Southerly line of Clark Street, a distance of 81.60 feet; thence N.44°07'W., a distance of 13.0 feet to the first point of beginning; thence S.1°48'W., a distance of 393.2 feet to a point of intersection; thence continuing S.1°48'W., a distance of 36.8 feet, more or less, to a point on the boundary line common to the Pueblo Conservancy District and the Denver & Rio Grande Western Railroad; commencing at the aforesaid point of intersection; thence N.42°26'W., a distance of 51.76 feet, more or less, to a second point of beginning, said point being on the boundary line common to the Pueblo Conservancy District and the Denver & Rio Grande Western Railroad; thence S.42°26'E., a distance of 193.28 feet to a point of terminus, said point being on the boundary line common to the Pueblo Conservancy District and the Denver & Rio Grande Western Railroad.

Provided always that the easement hereby granted shall always be subject and subservient to the purposes of the grantor to which the property over which said easement is granted shall be devoted by said grantor, and in case said easement shall ever be inconsistent with such purposes of the grantor, said grantee will at the request of the grantor remove its poles, lines and fixtures from said strip of land hereinbefore described at its own cost and expense; and said grantee shall assume all liability for personal injury or death or for property damage arising or growing out of the easement hereby granted.

IN WITNESS WHEREOF said grantor has caused its corporate name to be hereunto subscribed by its President, and its corporate

seal to be hereunto affixed and attested by its Secretary, this
26TH day of OCTOBER, A.D. 1978.



THE PUEBLO CONSERVANCY DISTRICT,

By Patricia D Kelly
Its President

ATTEST:

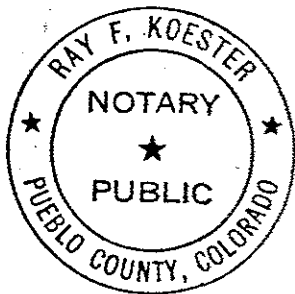
Kathleen Farley
Its Secretary

STATE OF COLORADO)
COUNTY OF PUEBLO) ss.

The foregoing instrument was acknowledged before me this
26TH day of OCTOBER, A.D. 1978, by PATRICIA D. KELLY
as President and by KATHLEEN FARLEY as Secretary of THE
PUEBLO CONSERVANCY DISTRICT.

My commission expires 2-26-81.

WITNESS my hand and official seal.



Ray F. Koester
Notary Public.

10-1-11

246-53250

BLK 127
5 PUEBLO

FALM STREET

CONSERVANCY

DISTRICT

RUSH STREET

KS-1, CLARK TO SANTA FE
PUERCO COLORADO

(Beginning)
PT OF TERMINUS -
STA 18+74.20

~~NORTH LEEVE~~
~~18+27.70~~

4-30' EASEMENT

SOUTH LIVER
ST. 15+13

PT OF INTERSECTION
STA 14+81

(Tet minus)

PT. OF INTERSECTION
ST. 15 + 59.48

A technical survey map showing the intersection of South Levee St. and the Rio Grande Western Railroad. The map includes stationing (STA 14+81, STA 15+13), bearings (N 42° 26' W), and distances (368.0').

PUEBLO CONSERVANCY DISTRICT
SEPTEMBER 28, 1978

BUDGET FOR 1979

	1978 Income and Expenditures (Estimated)	Proposed 1979 Budget
INCOME		
Interest on Certificates of Deposit	\$ 76,800.	\$ 94,800.
Rentals	200.	200.
Miscellaneous	60.	--
TOTAL INCOME	\$ 77,060.	\$ 95,000.
EXPENDITURES		
Attorney fees	\$ 1,800.	\$ 1,800.
Director fees	1,400.	2,160.
Engineering and Administrative fees	4,560.	4,560.
Audit fees	575.	750.
Insurance and bonding	888.	1,100.
Office supplies, postage, etc.	410.	700.
Office rent	600.	600.
Professional fees	400.	12,000.
Repairs and maintenance	11,971.	30,000.
Reserve for emergency flood repairs	--	36,330.
Contingencies, unforeseen	--	5,000.
TOTAL EXPENDITURES	\$ 22,604.	\$ 95,000.
EXCESS OF INCOME OVER EXPENDITURES	\$ 54,456.	\$ --

Approved at the regular meeting of the Directors, held on
October 26, 1978, and the same entered as a part of the
minutes of the said meeting.

DIRECTORS OF THE PUEBLO
CONSERVANCY DISTRICT

By:

Patricia D. Kelly
President

PROPOSED 1979 BUDGET
PUEBLO CONSERVANCY DISTRICT
SEPTEMBER 28, 1978

	1978 Income and Expenditures (Estimated)	Proposed 1979 Budget
INCOME		
Interest on Certificates of Deposit	\$ 76,800.	\$ 94,800.
Rentals	200.	200.
Miscellaneous	60.	--
TOTAL INCOME	\$ <u>77,060.</u>	\$ <u>95,000.</u>
EXPENDITURES		
Attorney fees	\$ 1,800.	\$ 1,800.
Director fees	1,400.	2,160.
Engineering and Administrative fees	4,560.	4,560.
Audit fees	575.	750.
Insurance and bonding	888.	1,100.
Office supplies, postage, etc.	410.	700.
Office rent	600.	600.
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TOTAL EXPENDITURES	\$ <u>22,604.</u>	\$ <u>95,000.</u>
EXCESS OF INCOME OVER EXPENDITURES	\$ <u><u>54,456.</u></u>	\$ <u><u>--</u></u>

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

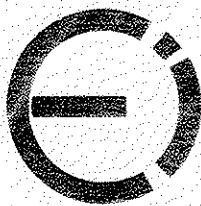
October 24, 1978

BID TABULATION - 4:00 P.M.

<u>BIDDER</u>	<u>INTEREST RATE (%)</u>	<u>COMPOUNDED</u>	<u>ANNUAL YIELD</u>
American Federal Savings	No Bid		
Centennial Bank of Pueblo	8.410	Quarterly	\$8,690.
Columbia Savings & Loan Assoc.	8.750	Quarterly	\$9,040.
First National Bank of Pueblo	8.875	Simple	\$8,875.
(2) Majestic Savings & Loan Assoc.	9.086	Daily	\$9,510.
Midtown National Bank	9.110	Simple	\$9,110.
(3) Otero Savings & Loan	8.950	Daily	\$9,360.
(1) Park National Bank of Pueblo	9.550	Simple	\$9,550.
The Minnequa Bank of Pueblo	8.610	Simple	\$8,610.
United Bank of Pueblo	8.625	Simple	\$8,625.

APPARENT BEST BID: Park National Bank

Amount: \$100,000. Certificate of Deposit
Time : 365 Days - November 1, 1978 to
October 31, 1979



KLH ENGINEERING CONSULTANTS, INC.
ENGINEERING • SURVEYING • LAND PLANNING
Post Office Box 234 • 111 East Fifth Street • Pueblo, Colorado 81002 • (303) 544-6823

October 25, 1978

KLH 77 111 00

Board of Directors
The Pueblo Conservancy District
111 East 5th Street
Pueblo, Colorado 81003

Board Members,

As you have requested of me, as Engineer for the District, I have prepared a review, study and hereby make a recommendation on considerations of capital improvements to the Flood Protection Works of the District. Along with this I submit a "philosophy" of Improvements and Maintenance I believe to be acceptable.

The first consideration made, was by observations on my part from my consulting with the District on improvement items, perhaps as early as 1955, but with more determined inspection of works beginning in 1975. I then have made inquiry into the minutes of the District in years past, from which I can draw the recorded requirements and goals of the Engineers and Directors regarding opinions and known responsibilities for maintenance and improvement deemed necessary in those days for the Flood Works. I also reviewed the Corps of Engineers reports, comments and recommendations, where their input was primarily on the Flood works below (east of) Santa Fe Avenue. With these various and weighted considerations I hereby draw my recommendations for you.

Any capital improvements contemplated are items of physical change or addition, larger in scope usually than "maintenance" work, resulting in added project plant and works. Capital Improvements would be for the purpose of further safeguarding the City against the possibility of flood when flood water escaped from the levee works because the works did not perform as designed and built.

I would present then, not necessarily in the order of importance or urgency to get built, but in an order I see them needing to be accomplished:

1. - Revision, and redesign of the Power Company's diversion structure across the river and thru the levee. I am suggesting that the design changes, as well as the cost-sharing arrangement be worked out with the Power Company.

2. - Underpinning of the slope paving toe wall and sharing up of levee fill exposed to river flow. The toe wall of the sloped concrete paving on the levee face in original construction, was trenched in and poured to a specified depth below planned river floor, and in many places not down to shale or rock. Since the

very clean water has run in the river since completion of Pueblo Reservoir, all soil and granular material in the river bed and under the toe wall have eroded away and been carried downstream. Now we see the toe wall exposed to its entire depth, and in some places a void between toe wall and river floor.

3. - In the event of a great flood in Dry Creek, we have always been concerned about debris blocking the water-way under the 11th Street bridge, backing water up to a point where it would over-top the levee on the East side of Dry Creek, perhaps a heavy rip-rap mantel, covering the levee in its entirety, say from 11th Street upstream to 12th Street. By insuring the levee against failure due to over-topping, only a part of the flood would endanger the City, since the levee would not fail and allow the entire creek flow to detour.

4. - During 1962 a program of improvement concrete surfaced 1300 feet of the back side of the levee opposite the railroad yards facing Union Depot. Some of this now needs to be repaired and could be done as a maintenance item, but I would recommend this repair be done along with some of the other levee being surfaced where vegetation and foot traffic along the slopes are causing the dirt fill to ravel down into the railroad yards. I suggest a reinforced concrete surface on some 400 feet from Station 14+000 east, and repairing the surface on existing paving.

5. - In the event of a flood topping the levee, or a race of flood waters on the backside of the levee from topping of Dry Creek at 12th Street, the backside of the earth filled levee would be quickly destroyed. The most vulnerable location for this to occur would be at an area where the Arkansas leaves its natural channel and enters the channelized area. I would suggest laying a reinforced concrete surface on the top and backside of the levee starting 600 feet downstream from the 11th Street Bridge. The design should include weep-holes to bleed out the saturation of the levee during high water, and a design at the toe of the new concrete apron, capable of withstanding the scour and undercutting of water cascading down the back slope, and/or transversing the toe along the back slope.

Items of repair and maintenance are not considered here, but some items easily called to mind are:

1. - Channelization of River below Santa Fe Avenue Bridge.
2. - Replacement of gate valves on City Sewers.
3. - Reshaping side slopes of earth levees.
4. - Maintenance of levees and channelization of stream bed on Dry Creek at 11th Street bridge.

I have not evaluated the cost of these various improvements as they can vary considerably in cost to complete for the following reasons:

1. - Inflation of construction costs depending on year done.
2. - Complete design of improvement where quantities to make estimates are known.

Considering then, that none of the improvements is emergency and must be built where dangers exist and safeguards to flooding are increased beyond any thresholds established within these last 50 years, I then say, the direction is to make improvements when and only as surplus funds become available. Not being "emergency" does not make them less necessary but does allow execution of the Program without paying debt fees, and all the while providing more security, better safeguards to the City against the possibility of flooding, not originally built into the protection works.

What should be budgeted for a Program of Improvements will be a first consideration toward execution of the Program. If there in fact was ever a Capital Improvement Program considered and to be implemented (as I'm sure there was, evidenced by the improvements made to the works placed as part of the Corps of Engineers plan before 1960, and the levee concrete surfacing placed during 1962), the program was interrupted until sufficient funds had been developed over and above a minimum of say \$500,000. of emergency funds, that earns interest in an amount equal to the maintenance budget of the District.

So now that \$800,000 is seen available for Improvements, a more indepth analysis should be made of enough of the Improvement items and those chosen for execution to fit the funds available.

I would select for first analysis, the Power Company Intake and the toe wall underpinning, and would expect these programs to cost in the neighborhood of \$150,000.

Respectfully Submitted,



Raymond F. Koester, Registered
Professional Engineer and
Land Surveyor

RFK/rg

TREASURER'S REPORT

Date October 26, 1978

Acct. #	Account	1978 Budget	Current Mo. Voucher	Total @ 10/26/78	Unused Portion of Budget
#80	Attorney's Fees	\$ 1,800.-	150.00	1,500.00	300.00
#81	Director's Fees	1,440.	120.00	1,160.00	280.00
#83	Engineer's & Adminis. Fees	4,560.	380.00	3,800.00	760.00
#90	Audit Fees	750.	--	475.00	275.00
#92	Insurance & Bond Premiums	888.	--	888.00	0.00
#96	Office Supplies, storage etc.	700.	49.30	314.70	385.30
#97	Office Rent	600.	50.00	500.00	100.00
#100	Professional Fees	2,000.	--	400.00	1600.00
#105	Repairs & Maintenance of Flood Protection	45,000.	--	14,591.15	30,408.85
#108	Contingencies, Unforseen	11,112.	--	--	11,112.00
#109	Capital Improvement on flood Protection Works	40,000.	--	--	40,000.00
		<u>\$108,850.</u>	<u>\$749.30</u>	<u>\$23,628.85</u>	<u>\$85,221.15</u>

TOTAL EXPENDED THRU CURRENT MONTH \$ 19,653.41

Vouchers # 16399 thru # 16406

Amount to be transferred \$ 6,658.52 to savings

Cash in checking account	9/30/78 - \$204.94
Balance in Tel-Tfr. Acct.	9/30/78 - \$22,599.83
Interest Earned	10/2/78 7,352.88 (Midtown CD) to checking acct.
Above Vouchers	10/26/78 <u>749.30</u> from checking account

Balance checking account - \$6,808.52

Transferred 10/30/78 - 6,585.52

150.00 Balance 10/30/78