

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF THE BOARD OF DIRECTORS MEETING OF THE PUEBLO CONSERVANCY DISTRICT SEPTEMBER 28, 1982

The Board of Directors met for a regular meeting at 8:00 A.M. on the above date in the office of the District, 111 E. 5th Street.

The following were present:

DIRECTORS : P. KELLY, K. FARLEY AND G. SANDSTROM

ATTORNEY : L. WARD

ENGINEER : R. KOESTER

The meeting was called to order and the minutes of the meeting of August 26, 1982 was approved as written.

The Treasurer's report was given by P. Kelly, and approval of the following vouchers for payment:

16795	McDonald, Holligan & McPherson, Inc.	\$ 150.00
16796	Star Journal Publishing Corp.	8.70
16797	Anthony E. Gradishar Constr. Co.	3159.43
16798	K L H Engineering Consultants, Inc.	1475.00
16799	Kathleen Farley	40.00
16800	Gus Sandstrom	40.00
16801	Patricia Kelly	40.00
16802	Predovich & Ward Attorneys	150.00
16803	Pueblo Boulevard Bank	VOID
16804	Midland Federal Savings	140,000.00
16805	American Federal Savings	VOID
16806	Gus Sandstrom, Jr.	32.06
16807	Pueblo Boulevard Bank	140,000.00
16808	American Federal Savings	265,000.00

It was moved and carried to purchase Certificates of Deposit per attached bid tabulation and above approved vouchers.

The proposed budget for 1983 originally presented at the August meeting was discussed and with legal notice already given and an adjustment to budgeted income of \$210,000. made, a motion was made and duly seconded and unanimously carried, to authorize the President to sign the budget and have it delivered by Attorney Ward.

Discussion around October Conference here on Oct. 21-22, took place to finalize plans for Mitchell's inspection here. Mitchell will arrive about noon Thursday, October 21st, and the Directors and Mitchell will meet and walk the levee in the PM. On Friday, the walk will conclude with a meeting at 11:00 A.M. with selected local officials of City and County, for discussion and local input for Mitchell.

Pat Kelly presented a report on an inspection she had made of the Tulsa, Oklahoma park system along the Arkansas River there. Several insites and how some structural "eye-sores" were treated to become assets, were given and the other Board Members appreciated learning about another "park-project".

Engineer Koester reported on Maintenance Road plan progress, weed cutting program and repair to levee at the Spitzer site where flood damage to the levee has been completely restored.

Lester Ward indicated that an Agreement between the District and the Division of Wildlife for lease of Runyon Lake, had been received, and he will continue to negotiate terms of the lease with the Division and report to the Board when acceptable terms are achieved and the Board can then sign such an Agreement.

The Board approved Richard Montano's request to paint on the levee walls near School District 60 Stadium and authorized the President to sign the License (copy attached).

The District indicated that there is room for, and space has been assigned at the site, for each of the six area football teams that regularly have played games at Dutch Clark Stadium to paint their school logo. Each school is invited to use a 30 foot space on the levee to display their emblem or logo, in color. The license agreement must be applied to each group working in the area in the same manner as painting groups have been required to do in the past.

The Board discussed the Santa Fe Dam portion of the capital improvements program contemplated in the near future. As the simple dam structure required to control erosion in the River bed is built, a broad surface will be added and end anchors provided to support walk bridges so that the structure can be useful as part of the Parks Trail System. The expanded design of the structure would provide a service or usefulness to the City of Pueblo, (1) as a structure in their trails system, (2) for stream bed stabilization in and around Public Works sewer outfall lines to the St. Charles Mesa Water Association, to secure their diversion works at that point by keeping the River flow at an elevation for removal; and to both the State Highway and Railroad to stabilize the River floor in and around bridges in this area.

Using an estimate of structure cost of \$450,000, the Board assigned benefits to each entity in the following amounts:

City	\$145,000.
St. Charles	80,000.
State	Negligible
Railroad	Negligible
PCD	225,000.

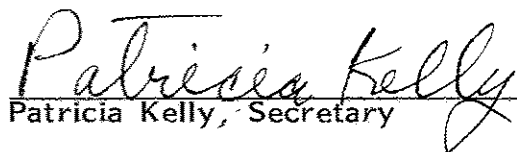
The District then received for discussion, a letter of request from Regional Planning, to have aerial topographic work done on the Runyon Lake Area in preparation for their planning in and around the Lake. The Board indicated they were not in the design stage at this time, and their request to PACOG was to have Regional Planning prepare a "Master Plan" or "Idea Sketch" or "Conceptual Land Use Plan". When the concept for development of the District's property, (as well as surrounding areas) is realized, the responsibility of drawing the "plans for construction" and supplying the designers tools for that phase, will be those of the developer or beneficiary of the execution of the Master Plan. The Board instructed that a letter be written to Regional Planning, explaining this attitude and approach, and that no expense is contemplated by this District for this effort, at this time.

The Board acknowledged the letter from the D&RG Western Railroad, announcing that the Railroad was withdrawing its request to remove the stairway leading from West 4th Street Bridge into the yards below, in concurrence with this District's wishes for the stairway to remain. (copy attached)

The next regular meeting of the Board will be at 8:00 A.M., October 26, 1982.

A Special Meeting is tentatively scheduled for October 21, at 12:30 P.M.

There being no further business, the meeting adjourned at 9:45 A.M.


Patricia Kelly, Secretary

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

TREASURER'S REPORT

Date 9/23/82

Acct. #	Account	1981 Spent	1982 Budget	Current Month Vouchers	Total @ 9/28/82	Unused Portion of Budget
#80	Attorney's Fees	\$1,800.	\$1,800.	150.00	1,350.00	450.00
#81	Director's Fees	1,544.	2,160.	120.00	1,680.00	480.00
#83	Engr.-Administrator	4,560.	4,560.	380.00	3,420.00	1,140.00
#90	Audit Fees	630.	750.	150.00	690.00	60.00
#92	Insurance & Bond Premium	851.	1,100.	--	995.00	105.00
#96	Office Supply & Postage	483.	500.	8.70	375.93	124.07
#97	Office & Equip. Rent	600.	900.	75.00	675.00	225.00
#100	Professional Fees	9,565.	12,000.	KLH Plans-430. Extra -255. Insp. -335.	9,127.50	2,872.50
#103	Travel	---	2,500.	--	1,801.83	698.17
#105	Repairs & Maint. of Flood Prot. Works	25,521.	30,000.	Gradishar Levee Repair 3,159.43	11,495.58	18,504.42
#108	Contingencies	---	7,500.	---	---	7,500.00
#109	Reserve for Emergency Flood Repairs	---	186,630.	---	----	186,630.00
CD #	4A United Bank			150,000.		
#	03 Midland Federal			150,000.		
#						
		\$45,554.	\$250,400.	\$305,063.13	\$31,610.84	\$218,789.16

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PUEBLO, COLO. 81002

DATE September 28, 1982

TOTAL EXPENDED THROUGH CURRENT MONTH \$ 31,610.84

Vouchers # 16793 thru # 16802 to checking X
to savings _____

Amount to be transferred \$ 4395.49

Deposits \$ 310,505.09

Tel Transfer Savings Bal. \$ 1314.82

Checking Account Bal. \$ 150.00

Total CD's \$ 1,865,000.

Checking acct. Bal 8/23 = \$ (7787.45)

Tel Tfr. Bal. @ 8/23 = \$ 5710.31

Matured CD's Midland Federal \$ 290,000.00

Interest earned CD's \$ 18,605.09

Interest earned Other \$

Other earnings \$

\$ 306,527.95

CD's Purchased United Bank \$ 150,000.00

Midland Fed. \$ 150,000.00

Current Month Expenses \$ 5,063.13

Cash Balance @ 9/28/82 = \$ 1,464.82

INTEREST EARNED 1982

January - \$11,858.89

February - \$20,781.87

March - \$39,034.18

April - \$ 9,706.66

May - \$17,436.16

June - \$13,280.87

July - \$ 9,476.10

Total \$121,574.73

August \$ 18,605.09

September

October

November

December

\$

Total

\$140,179.82

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

FED ID #84 -6002506

BID TABULATION - 2:00 PM 9/27/82

PURCHASE DATE - 9/30/82

BIDDER	INTEREST 365 DAYS (9-30-83)	RATE % 181 DAYS (3-30-83)	RATE % 91 DAYS (12-30-82)	EFFECTIVE TYPE ANNUAL COMPOUND YIELD
American Federal Savings	---	11.000	10.875	Quarterly \$15,834. Simple \$15,225.
First National Bank	10.250	10.250	10.000	Simple \$14,350. Simple \$14,350. Simple \$14,000.
Midland Federal Savings	11.250	11.125	11.125	Simple \$15,750. Simple \$15,575. Simple \$15,575.
Pueblo Boulevard Bank	11.527	11.257	10.625	Simple \$16,138. Simple \$15,760. Simple \$14,875.
World Savings & Loan	10.500	10.500	10.500	Simple \$14,700. Simple \$14,700. Simple \$14,700.

APPARENT BEST BID:

One \$140,000. Certificate - Pueblo Blvd. Bank
365 Days

2nd \$140,000. Certificate - American Federal
181 Days

PURCHASED 9/30/82: One \$125,000 Certificate - Pueblo Blvd. Bank
181 Days

1- \$140,00. from Pueblo Boulevard Bank 1 - 365 days

1 - \$140,000. from Midland Federal for 181 days

1 - \$125,000. from American Federal for 181 days.

1 - \$140,000. from American Federal for 181 days.

PROPOSED 1983 BUDGET
PUEBLO CONSERVANCY DISTRICT
AUGUST 18, 1982

	1981 Actual	1982 Budget	1982 Income and Expenditures (Estimated)	PROPOSED 1983 BUDGET
INCOME				
Interest	\$223,342.	\$250,000.	\$240,000.	\$210,000.
Lease	400.	400.	400.	400.
Sale of Gravel	9,060.			
TOTAL INCOME	\$232,802.	\$250,400.	\$240,400.	\$210,400.
EXPENDITURES				
Attorney Fees	1,800.	1,800.	1,800.	1,800.
Directors' Fees	1,544.	2,160.	2,160.	3,000.
Engineer and Administrative Fees	4,560.	4,560.	4,560.	4,560.
Audit Fees	630.	750.	690.	800.
Insurance and Bonding	841.	1,100.	995.	1,100.
Office Supplies	483.	500.	450.	500.
Office and Equipment Rent	600.	900.	900.	900.
Professional Fees	9,565.	12,000.	11,315.	12,000.
Travel	---	2,500.	2,400.	2,500.
Repairs & Maintenance Flood Protection Works	25,521.	30,000.	20,000.	30,000.
Contingencies	---	7,500.	---	7,500.
Emergency Flood Repairs	---	186,630.	---	50,000.
Capital Improvements	---	---	---	350,000.
TOTAL EXPENDITURES	\$ 45,544.	\$250,400.	\$ 45,270.	\$464,660.
EXCESS (DEFICIENCY) OF INCOME OVER EXPENDITURES	\$187,258.	---	\$ 195,130.	\$(254,260.)

Approved at the regular meeting of the Directors, held on September 28, 1982, and the same entered as a part of the minutes of said meeting.

DIRECTORS OF THE PUEBLO CONSERVANCY DISTRICT

By: *Kathleen M. Farley*
President

STATE OF COLORADO,)
COUNTY OF PUEBLO.) ss.

he is the MANAGER of THE STAR-JOURNAL PUBLISHING CORPORATION, and has personal knowledge of the facts set forth herein; that said Corporation is a corporation organized under the laws of the State of Colorado and that its principal office and place of business is in the City of Pueblo, in the County of Pueblo, in the State of Colorado; that it is the proprietor, printer and publisher of THE PUEBLO CHIEFTAIN, which is, and at all times herein mentioned was, a public daily newspaper of general circulation printed and published in said City of Pueblo; that said newspaper is, and at all times herein mentioned was, published daily; that the advertisement, of which the annexed is a true copy cut from said newspaper, was published in said newspaper

That said newspaper has, and at all times herein mentioned had a general circulation in said City of Pueblo, and in said County of Pueblo, and that it was continuously and uninterruptedly published as a daily newspaper in said City of Pueblo each day during a period of at least six consecutive months next prior to the first publication of said advertisement; that said advertisement was published in a newspaper duly qualified for that purpose within the meaning of an act of the General Assembly of the State of Colorado entitled "An Act to amend an act entitled 'An Act concerning legal notices, advertisements and publications and the fees of printers and publishers thereof, and to repeal all acts and parts of acts in conflict with the provisions of this Act,'" approved March 30, 1923, being Chapter 139 of the Session Laws of the State of Colorado, 1923, and of all acts amendatory thereto, and that said newspaper is, and at all times herein mentioned was, a daily newspaper within the meaning of said above entitled act and of all acts amendatory thereto, and is, and at all times herein mentioned was, admitted to the United States mails as second class matter under the provisions of the Act of Congress of March 3, 1879, or any amendments thereof.

Frank & Hoag

My commission expires 8-4, 1980

Virginia Neal
Notary Public.

825 W. 6th

The Board of Directors of the Pueblo Conservancy District hereby gives notice that the proposed budget for the fiscal year commencing January 1, 1983, shall be open for inspection by the public at the office of the District at 117 2. 5th Street, Pueblo, Colorado, at such times as may be arranged by appointment with the District Engineer, Raymond F. Koester, whose phone number is 544-6823. The Board of Directors will consider the adoption of such proposed budget on the 28th day of September 1982, at 8:00 o'clock A.M. at the office of the District, and any interested elector may inspect such proposed budget and file or register any objections thereto at any time prior to the final adoption of the budget.

THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY

P. O. BOX 5482
DENVER, COLORADO 80217

E. H. WARING
CHIEF ENGINEER

August 31, 1982

Mr. H. W. Harris
District Engineer, Department of Highways
P. O. Box 536
Pueblo, Colorado 81002

Dear Mr. Harris:

Reference correspondence concerning removal of stairway leading from west 4th Street Bridge in Pueblo to south side of Rio Grande yard.

The Pueblo Conservancy District has expressed legitimate concerns regarding removal of the stairway, and we are, therefore, withdrawing our request.

Very truly yours,

E. H. Waring

cc: Mr. Raymond F. Koester
c/o Pueblo Conservancy District
K.L.H. Engineering Consultants, Inc.
111 East Fifth Street
Pueblo, Colorado 81003

Mr. C. L. Holman
Assistant General Manager-Engineering
AT&SF Railway Co.
P. O. Box 1738
Topeka, Kansas 66628

THE DIRECT CENTRAL TRANSCONTINENTAL ROUTE

LIMITED LICENSE AGREEMENT

THIS AGREEMENT is entered into this 3rd day of SEPTEMBER 1982 by and between the PUEBLO CONSERVANCY DISTRICT, hereinafter referred to as "licensor" and the undersigned party, hereinafter referred to as "licensee".

WHEREAS "LICENSEE" desires "licensor" to grant "licensee" permission to paint a portion or portions of the Arkansas River Levee owned and maintained by "licensor", and

WHEREAS "LICENSOR" is willing to grant said permission only upon certain express terms and conditions.

NOW THEREFORE in consideration of the following terms and conditions the parties agree as follows:

1. Licensee agrees to submit to licensor for approval in advance, a sketch of any proposed painting licensee desires to do on the Arkansas River Levee, which shall include the proposed location for the painting, in such detail as licensor shall determine.
2. Licensor shall within 10 days of the submission of said sketch, approve or reject in writing the proposed painting and/or its location.
3. In the event licensor approves the proposed sketch and its location, licensor grants to licensee a limited license for the purpose of entering upon the property owned by licensor at such entry points as licensor may direct for the purpose of painting the sketch which licensee has submitted to licensor in advance at the location which licensor has approved.
4. All paintings shall be conducted during daylight hours and licensee agrees to conduct painting operations in a safe and prudent manner.

5. Licensee agrees to pay all of the costs and expenses incurred by licensee in the painting operation. Licensors shall not be required to furnish any materials or any monies required for conducting the painting operation.

6. Licensee voluntarily and knowingly, and with the intention of binding licensee, licensee's spouse, heirs, personal representatives and assigns, expressly releases and discharges licensor, its successors and assigns from all claims, demands, actions, judgments and executions that licensee now has or may have, known or unknown, or that anyone claiming through or under licensee may have, or claim to have, against licensor, arising out of grant of this limited license or licensee's exercise of this limited license.

7. Licensee agrees to indemnify and hold licensor harmless from any and all loss or damage licensor may suffer as a result of licensor's granting of this limited license.

8. This limited license shall be non-exclusive and licensor reserves the right to remove any painting applied by licensee pursuant to this limited license agreement and to carry on such maintenance and repair work or investigation as is required by licensor in the course of carrying on its business.

PUEBLO CONSERVANCY DISTRICT,
Licensor

By:

Kathleen M. Farley
PRESIDENT

Richard Montano
Licensee

RICHARD MONTANO

2041 E. 7th

PUEBLO, CO

5428943

RICHARD M ITANO
2041 E. 7th St.
PUEBLO CO,
5428543

