

RECORD OF PROCEEDINGS

100 LEAVES

SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PUEBLO CONSERVANCY DISTRICT JUNE 12, 1985

PRESENT: P. Kelly and G. Sandstrom, Directors. (Farley Absent)
L. Ward, Attorney and R. Koester, Engineer-Administrator

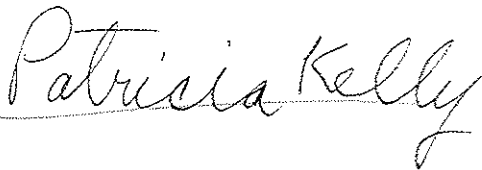
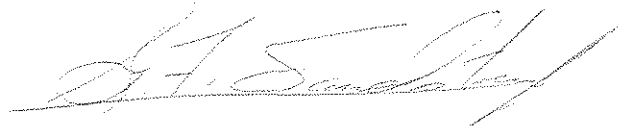
The Board met at 1:15 P.M. in the office of the District at 111 E. 5th Street.

Board Member G. Sandstrom proposed a resolution (copy attached) for the Board's consideration regarding a special agreement with the City/County of Pueblo, for maintenance of the District's Service Road.

The Board unanimously approved the resolution after absent Director Farley was contacted by phone to review and give approval to the resolution. This resolution will be presented to Judge Phelps for review and confirmation of the resolution for action on Thursday, June 13th, by members of the Board and Attorney L. Ward.

The Directors moved to allow the May invoice submitted by McLaughlin Water Engineers, and ordered a voucher be drawn in the amount of \$10,382.07, today.

There being no further business the meeting adjourned at 1:45 P.M.



DISTRICT COURT, COUNTY OF PUEBLO, STATE OF COLORADO

Case No. 17664

Division B

PETITION FOR APPROVAL OF RESOLUTION

IN THE MATTER OF

THE PUEBLO CONSERVANCY DISTRICT

COME NOW Patricia Kelly, Kathleen Farley and Gus F. Sandstrom, Jr., Directors of the Pueblo Conservancy District, by and through their attorneys, Predovich, Ward and Banner, and state to the Court as follows:

1. On June 12, 1985 the Directors of the Pueblo Conservancy District adopted a resolution concerning a proposed contract for cleaning and maintenance of its service road, a copy of which is attached hereto as Exhibit A.

2. The resolution provides that it be approved by the Pueblo District Court before the District enters into negotiations with either the City of Pueblo and/or the County of Pueblo as provided in said resolution.

3. The matters set forth in said resolution are an appropriate function of the District and the same should be authorized.

WHEREFORE, the Board of Directors of the Pueblo Conservancy District request that the Court approve its resolution adopted June 12, 1985 attached to this Petition as Exhibit A.

PREDOVICH, WARD & BANNER

By _____ #3677
727 Thatcher Building
Pueblo, CO 81003
544-5081
Attorneys for The Pueblo
Conservancy District

RESOLUTION OF PUEBLO CONSERVANCY DISTRICT

WHEREAS: The Pueblo Conservancy District is responsible for the maintenance of the levee system along the Arkansas River through the City of Pueblo and,

WHEREAS: The District Board of Directors is concerned with issues affecting the Arkansas River, Wildhorse Creek and Fountain Creek that might have an effect on flood water or debris and,

WHEREAS: The District Board of Directors has funds in excess of those required for immediate and foreseeable maintenance of the levee and,

WHEREAS: The District Board of Directors is first concerned with the possible deterioration of bluffs along the Arkansas River that could result in silt and debris and,

WHEREAS: The District Board of Directors has constructed a service road along the South edge of the Arkansas River the length of the levee and is now continuing that road to cross to the Runyon Lake property and,

WHEREAS: The District Board has no equipment or personnel to handle the routine cleaning and maintenance of its service road and,

WHEREAS: The District Board has the authority to enter into contracts for services related to the maintenance of District property and,

WHEREAS: The City of Pueblo and the County of Pueblo have personnel, equipment and available Community Service assigned individuals to provide routine cleaning and maintenance and,

WHEREAS: Entering into a service contract with the City of Pueblo and/or the County of Pueblo would provide such services over a long period of time and,

WHEREAS: Such a long term contract would benefit the District as well as provide a benefit to the citizens of Pueblo by making available the service road as a part of the river trail system and,

WHEREAS: Such a contract would provide immediate cash available for the City and/or the County of Pueblo to make an offer to purchase land near the Nature Center of Pueblo and protect the Nature Center as well as the bluffs in the area of the Nature Center along the Arkansas River and,

WHEREAS: It is through the combination of these steps: contract for services, purchase of land, protection of bluffs that benefits can be derived for the District, the City and County, the Nature Center and the citizens of our Community;

IT IS THEREFORE RESOLVED:

That the Pueblo Conservancy District enter into a long term contract, not less than 20 years, with the City of Pueblo and/or the County of Pueblo for routine cleaning and maintenance of the service road of the District at a sum not to exceed \$100,000.00, and further, it is understood that in exchange for payment for such services, in advance, the payee of said service shall attempt to purchase the lands currently part of an application for gravel extraction near the Nature Center of Pueblo. In the event such land cannot be purchased the contract shall be of no force and subject to other negotiations.

IT IS FURTHER RESOLVED:

That this resolution be approved by the Pueblo District Court prior to the District's entering into negotiations with either the City of Pueblo and/or County of Pueblo.

Approved this 12th day of June, 1985 at a special meeting of the Board of Directors of the Pueblo Conservancy District.

DISTRICT COURT, COUNTY OF PUEBLO, STATE OF COLORADO

Case No. 17664

Division B

O R D E R

IN THE MATTER OF

THE PUEBLO CONSERVANCY DISTRICT

This matter came on for hearing upon Petition by the Pueblo Conservancy District, Patricia Kelly, Kathleen Farley and Gus F. Sandstrom, Jr. Directors Kelly and Sandstrom were in attendance together with Lester L. Ward, attorney for the District, and the Court, being advised in the premises,

FINDS that the resolution adopted June 12, 1985 by the Board of Directors of the District, attached to this Order as Exhibit A, contemplates expenditures of the District's funds and is in furtherance of the goals and purposes of the District, and

IT IS ORDERED that the resolution of the Pueblo Conservancy District adopted by said District at its meeting of June 12, 1985 attached as Exhibit A and made a part hereof, be approved.

DONE in open court this _____ day of June, 1985.

BY THE COURT:

J U D G E

NOT SIGNED