

MINUTES OF THE OCTOBER 23, 2024 REGULAR MEETING
OF THE PUEBLO CONSERVANCY DISTRICT

Directors Present: Boney Cosyleon, Corinne Koehler, Marisa Lopez, Jim Pioreschi, Donna Phillips, Ron Serna, Paul Willumstad, Dennis Maroney, Carl Elley

Also Present Don Banner, Attorney
Lisha Coultrip, Attorney
Rick Kidd, Engineer/Administrator
Leslie Lucero-Pryor, Administrative Assistant
Cynthia Ramu, Mural Art Coordinator
Mike Cuppy, NorthStar
Heather Graham, Mayor
Tia Monson, Artist/Lake Runyon Watch Person

The regular meeting of the Pueblo Conservancy District was called to order by President Koehler at 10:00 am.

COOPERATIVE OPPORTUNITIES

Mayor Heather Graham said the City has an 8.6 million dollar deficit and 21 million in reserves which comes from the 2.7% sales tax. Capital Improvements for the Arkansas Water Park River Plan is \$500,00.00. Bid is not back yet. Parking and lighting is needed. Parks Department Budget has not been cut. Maroney asked if the City is doing things to bring things to Pueblo like the Leonardo DaVinci Museum. Mayor Graham said that this is on the agenda at tomorrow's meeting. He also asked if there is a plan for tourism at the Arkansas Water Park. The grand opening has been postponed until next Spring because it is still being worked on.

Budget Hearing:

The 2025 Budget was presented along with the detail of the resolutions adopting the budget, appropriating the money, the budget message and the Assessment Resolution. Willumstad made motion to adopt budget along with the documents mentioned. Phillips seconded. All in favor. Motioned passed. Please see attachments at the end of the minutes before the banking breakdown.

Minutes: A quorum being present, the minutes of the September 25, 2024 meeting were reviewed. It was moved by Maroney to approve minutes and seconded by Elley. All in favor. Motion carried.

Public Forum:

Laura Lopez inquired about the Salt Creek over charges. Banner said they are looking at current ownerships of all the parcels. Lopez asked how far back are they going on ownerships. Banner said they are looking at ownerships from 2015 - 2023.

Arts Committee:

Proposals:

Celeste Velazquez “Heart of Pueblo” Historic Mural 28 X 36 – Lopez made motion to approve. Cosyleon seconded. 3 Opposed. 4 in favor. Motion carried.

Mural Removal and Painting Report:

Tia has completed 3 of the school murals and things are going really well. Ramu met with PPG representative. They inspected the application on wall. Pete is working with D & S on cost of paint. They are looking at a mural shield. The mural shield is \$60.00 to \$70.00 a gallon. Ramu will get square footage of logos so she can get a total cost. The shield can be interacted with. Graffiti can be removed. J Rosenberg is purchasing mural shield on Sugar Cube Mural. Ramu said there are 103 murals with 6 in progress and 61 artists working on the Levee.

Sculpture Committee

Nothing this month.

Treasurers Report - Cosyleon said things are good.

Payment of Bills – Willumstad made motion to approve payment of bills. Phillips seconded. All in favor. Motion carried.

PLEASE SEE LAST 3 PAGES AT THE END OF THE MINUTES FOR BREAKDOWN.

Old Business:

PCD Retreat Final Agenda, Meal and Attendees:

Pioreschi said agenda is ready and menu is set. Needs number of attendees emailed to him. Retreat is November 18, 2024 from 3 PM – 7 PM at the Convention Center.

Marketing Committee Report: Koehler, Lopez, Phillips and Cosyleon met Monday. Lopez finished brochures and got them printed. Grass Roots Gravel People had 800 attendees. Tourism Board had 6,109 attendees. Chili Frijole Festival had approximately 9,000 attendees. PCD will look at sponsorship for Gravel Ride next year. Koehler is going to ask Niki about where adds are being posted. Possible drone pictures in the future.

Lake Runyon Southern Property Boundaries:

Kidd said Capstone has been bought out by Core. He said Colorado Land Surveying will stake what we know in Moffit area. The street east of Moffat should have been vacated and was not picked up by Core. Waiting for Core to provide the resolution. Going to go forward with what they have.

Southside Bluff Concrete Replacement:

Cuppy is waiting for information from Dillion on pricing. Cuppy has 80% of design complete.

Wildhorse Creek Trash Rack and Erosion Control:

Cuppy sent ideas on how to install. There are problems with installation.

Progress Report For 2025 MFA Assessments:

Cuppy said the 2025 boundary is correct. Assessor has list with assessed value. Cuppy needs to make sure boundary is aligned.

Investments:

Kidd went over Stiffle and Bank of San Juan Investments. Funds are being invested wisely.

Progress Reports for MFA Refunds:

Cuppy is working on plan. He will report to PCD in blocks of 50. All refunds that are \$600.00 or more need people to complete W9. If W9 is not completed then there will be no refund given. Kidd would like to work out in neighborhoods. Goal is to get this done by the first of the year.

New Business**Nominating Committee:**

Willumstad presented the 2025 nominations

Jim Prioreschi – President

Marisa Lopez – Vice President

Bony Cosyleon – Treasurer

Ron Serna – Secretary

These will be voted on at the next meeting.

President's Report:

Koehler said the Lottery sponsored cleanup had 100 volunteers on October 5. Other groups cleaning up in October were Creek Week on the Fountain, Palmer Land Trust, PCC, Boys and Girls Club. Pueblo Friends of the Arkansas clean up every month. Pioreschi and Koehler were on interview committee for the City's master plan contractor. Confluence and Recreation Engineering are the finals. City Council needs to approve contract.

Administrators Report:

Kidd is getting calls from neighbors about homeless camp. Karen Wilson is going to work on this. Spaccamonti will cut weeds in November.

Arkansas River Levee FEMA Certification:

Cuppy said there is no news. He is working on second phase of mapping.

Other Business As May Be Brought Before The Board:

Proposal for railing by Thomas Phelps. Willumstad made motion to approve. Pioreschi seconded. All in favor. Motion carried.

Adjournment: Meeting was adjourned at 12:10 PM

2024 SCHEDULED MEETING DATES (Meetings will be at 10 am unless posted otherwise)

NOVEMBER 20, 2024

DECEMBER 18, 2024

APPROVED

Corinne Koehler, President

Donna Phillips, Secretary

**DIRECTIONS TO THE TREASURER OF PUEBLO COUNTY FOR
MAINTENANCE FUND ASSESSMENT OF THE
PUEBLO CONSERVANCY DISTRICT**

STATE OF COLORADO)
) ss.
COUNTY OF PUEBLO)

To the Treasurer of Pueblo County, Colorado:

This is to certify that by virtue and under the authority of the conservancy law of Colorado, the Board of Directors of the Pueblo Conservancy District has levied a Maintenance Fund Assessment for the year 2025 payable with real property taxes for 2025 due in 2026 as shown on the maintenance fund assessment record which is provided to you by the Pueblo County Assessor's office or by our agent, NorthStar Engineering and Surveying, Inc. The undersigned further certify that all of the properties in Pueblo County excluding exempt properties, as shown in Tiers 1, 2 and 3 and State Assessed Properties, are to be assessed. Properties in Tier 1 and State Assessed Properties whose location cannot be determined with accuracy shall be assessed at the Tier 1 (Pueblo County, outside of the City of Pueblo and outside of the flood plain) rate of \$9.1881 per \$100,000.00 of actual value. Properties in Tier 2 shall be assessed at the rate of \$13.3299 per \$100,000.00 of actual value. Properties in Tier 3 shall be assessed at the rate of \$142.8570 per \$100,000.00 of actual value."

The amounts of said levies upon the several parcels of land upon which the same are imposed are set forth in the maintenance fund assessment record.

The said assessments set forth in the maintenance fund record shall be collectible and payable the present year in the sums therein specified at the time that the state and county taxes are due and collectible, and you are directed and ordered to demand and collect such assessments at the time that the state and county taxes are due on the same land, and the maintenance fund assessment record to which this certificate is appended shall be your authority to make such collection.

Witness the signature of the president of the District, attested by the signature of its secretary, this 23rd day of October, 2024.

Corinne Koehler, President

ATTEST:

Donna Phillips, Secretary

2025 BUDGET MESSAGE

The Pueblo Conservancy District (the District) is organized under the laws of the State of Colorado to maintain the Arkansas River and the Wildhorse Creek levees. The District operates under the jurisdiction of a nine member board of directors who are appointed by the City of Pueblo, Colorado and the County of Pueblo, Colorado. The Board of Directors of the Pueblo Conservancy District supervises the repairs, maintenance and capital improvements necessary to maintain the levee. This includes but is not limited to contracting for capital repairs, weed control along the levee, inspection for faults in the levee and working with the Army Corps of Engineers when appropriate.

The financial statements of the District are prepared in accordance with accounting principles generally accepted in the United States of America as applicable to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The District maintains a public web site

The budgetary basis of accounting used by the Pueblo Conservancy District is the modified accrual basis method of accounting.

The budget includes the anticipated source of revenues, being revenues from interest on monies on deposit and other investments, leasehold revenues, tax exempt bond proceeds, monies from a Maintenance Fund Assessment and monies from a loan from the Colorado Water Conservation Board. The Pueblo County Treasurer is responsible for assessing, collecting and distributing Maintenance Fund Assessments in accordance with existing legislation. The Maintenance Fund Fee is assessed to properties within the District's boundary. By order of the Supervising Court, after public notice and hearing, the District's boundary was expanded to include the entire County of Pueblo. The Maintenance Fund Assessment is included with the Pueblo County property tax billings on the first day of the assessment year and may be paid in two equal installments before the last day of February and the 15th day of June or in full before the last day of April. Fees are assessed based on property values, with a range of fees based on whether the property is located within (1) the flood plain; (2) the City of Pueblo limits, but outside the flood plain; or (3) the County of Pueblo but outside the flood plain and outside the City of Pueblo limits. The Maintenance Fund Assessment has been determined by the Colorado Supreme Court to be an assessment and not a tax. Maintenance fund Assessments are recognized as revenue as collected by the Pueblo County Treasurer. They are considered both measurable and available if collected within 60 days after December 31.

The budget includes the anticipated expenditures by the Pueblo Conservancy District for capital improvements, emergency flood repairs, routine repairs and maintenance, engineering, legal and administrative fees, as well as other anticipated expenses. For a number of years the District has been engaged in repairing the levee system through Pueblo in an effort to comply with FEMA certification requirements. Funding the costs of these repairs has been accomplished through the issuance of long term loans from the Colorado Water Conservation District.

On or before the first board meeting in October, the District Administrator submits to the board of directors a proposed budget for the fiscal year commencing the following January 1. The budget includes proposed expenditures and the means of financing them. Public hearings are conducted by the board of directors to obtain taxpayer comments. The District adopts a budget for the general fund and the general fund uses the current financial resources measurement focus and the modified accrual basis of accounting in preparing the budget.

The legal level of budgetary control exists at the total fund level, which is to say total expenditures in the general fund cannot legally exceed appropriations.

Expenditure estimates in the annual budgets are enacted into law by the passage of an appropriation resolution or motion of the Board.

In November, 1992, Colorado voters adopted Article X of the Colorado Constitution by adding Section 20, commonly known as the Taxpayer's Bill of Rights (TABOR). TABOR imposes tax raising, revenue, spending and debt limitations on local government entities within the State of Colorado. The amendment is complex and subject to judicial interpretation; however, the District believes it is in compliance with the requirements of the amendment. The District has made certain interpretations of the amendment's language in order to determine its compliance. For Amendment 1 and all other purposes, expenditures by the District for capital improvements, emergency flood repairs, expenditures for the operation and maintenance of the HARP portion of the river channel for repairs and maintenance, may be expended from reserve fund balances, income and the Maintenance Fund Assessment revenues.

The District is subject to the provisions of Colorado Revised Statutes 24-75-601, which is entitled "Concerning Investment in Securities by Public Entities". This law, among other things, outlines the types of securities that public entities in Colorado may acquire and hold as investments. These include U.S. government and agency securities, certain bonds of political subdivisions, bankers acceptances, commercial paper, local government investment pools, repurchase agreements, money market funds, guaranteed insurance contracts and U.S. dollar-denominated corporate or bank debt. The statute also includes a provision limiting any investment to a five-year maturity unless the governing body authorizes a longer period. The District's governing body has authorized maturities on U.S. Agency securities up to thirty years.

This Budget Message is attached to the 2025 Budget, which the undersigned certifies to be the Year 2025 Budget adopted by the Pueblo Conservancy District by resolution at its regularly scheduled meeting on October 23, 2024.

Corinne Koehler, President

DRAFT

RESOLUTION TO ADOPT BUDGET
(pursuant to CRS 29-1-108)

A resolution summarizing the expenditures and revenues for each fund and adopting a budget for the Pueblo Conservancy District for the calendar year beginning on the first day of January 2025 and ending on the last day of December 2025.

Whereas, the Pueblo Conservancy District has appointed Rick Kidd, District Administrator to prepare and submit a proposed budget to said governing body at the proper time; and

Whereas, Rick Kidd has submitted a proposed budget to this governing body on September 25, 2024; and

Whereas, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on October 23, 2024 and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

Whereas, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves/fund balances so that the budget remains balanced, as required by law.

Now therefore, be it resolved by the Board of Directors of the Pueblo Conservancy District as follows:

1. That the budget for calendar year 2025 as submitted, amended and summarized by fund, a copy of which is attached hereto, hereby is approved and adopted as the budget of the Pueblo Conservancy District for the year stated above.
2. That the budget hereby approved and adopted shall be signed by the Secretary and made a part of the public records of the Pueblo Conservancy District.
3. That any of the officers of the Pueblo Conservancy District be and are hereby authorized to sign and certify to the above matters.

Adopted this 23rd day of October, 2024.

Donna Phillips
Secretary and Board Member

RESOLUTION TO APPROPRIATE SUMS OF MONEY
(pursuant to CRS 29-1-108)

A resolution appropriating sums of money to the various funds, in the amount and for the purpose as set forth below, for the Pueblo Conservancy District for the 2025 Budget year.

Whereas, the Pueblo Conservancy District has adopted the annual budget in accordance with the Local Government Budget Law on October 23, 2024; and

Whereas, the Pueblo Conservancy District has made provision therein for revenues in an amount or greater than the total proposed expenditures as set forth in said budget; and

Whereas, it is not only required by law, but also necessary to appropriate the revenues and reserves or fund balances provided in the budget to and for the purposes described below, thereby establishing a limit on expenditures for the operation of the Pueblo Conservancy District.

Now therefore, be it resolved by the Board of Directors of the Pueblo Conservancy District as follows:

That the following sums are hereby appropriated from the revenue of the Pueblo Conservancy District for purposes stated in the 2025 approved Budget:

GENERAL FUND:

Current Operating Expenses: \$908,000.00

Capital Outlay: \$2,250,000.00

Debt Service: \$1,102,489.00

Refunds: \$1,500,000.00

Adopted this October 23, 2024.

Donna Phillips
Secretary and Board Member

**PUEBLO CONSERVANCY DISTRICT
2025 BUDGET**

APPROVED OCTOBER 23, 2024

	2025 BUDGET
REVENUES	
Interest	\$ 120,000
Unrealized Gains	\$ -
	\$
Maintenance Fund Assessment	3,100,000
	\$
Other Income - CDPW Runyon Lease	<u>9,000</u>
	\$
Total Revenues	3,229,000
EXPENDITURES	
Operations:	
	\$
Legal Fees	20,000
	\$
Directors Fees	36,000
	\$
Engineer/Administrative	36,000
	\$
Administrative Assistant	6,000
	\$
Levee Mural Art Coordinator	18,000
	\$
Lake Runyon Watch Person	8,000
	\$
Bookkeeping & Audit Preparation	10,000
	\$
Audit	9,000
	\$
Insurance/Bonds	3,000
	\$
Office Expense	35,000
	\$
Office Rent/Storage	2,000
	\$
Professional Fees	70,000
	\$
Travel	1,000
	\$
Repairs & Maintenance	200,000

Maintenance Fund Assessment Programming & Maintenance	\$ 18,000
Information and Outreach	\$ 10,000
HARP -- IGA Contribution	\$ 50,000
HARP -- O&M	\$ 10,000
Operations Subtotal	\$ 542,000
Construction and Debit Service:	
Contract Administration and Oversight	\$ 10,000
Construction Program Professional Fees	\$ 100,000
Bridge Lighting	\$ 30,000
Miscellaneous Small Capital Improvements	\$ 35,000
Capital Improvements	\$ 2,250,000
Contingencies	\$ 100,000
Emergency Repairs	\$ 15,000
Construction Loan Payment	\$ 1,102,489
Construction and Debit Service Subtotal	\$ 3,642,489
Miscellaneous:	
Document Preservation	\$ 1,000
Planning and Development	\$ 75,000
MFA Prior Assessments Research and Refunds	\$ 1,500,000
Capital Improvements	\$ -
Miscellaneous Subtotal	\$ 1,576,000
Excess of Revenues Over (Under) Expenditures	\$ (2,531,489)
Beginning Reserve Fund Balance	\$ 7,000,000

Ending Reserve Fund Balance	\$ 4,468,511
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DRAFT

PUEBLO CONSERVANCY DISTRICT

SEPTEMBER 2024 - OCTOBER 2024

DEBITS - BANK OF THE SAN JUANS - OPERATIONS & MAINTENANCE ACCOUNT		
VENDOR	ITEM	AMOUNT
Black Hills Energy	Lake Runyon Lighting Electrical Billing	\$ 450.00
MGPM, PC	Bookkeeping	\$ 500.00
	Records Adjustments for Auditor	\$ 300.00
Don Banner - B&B, PC	Attorney Fee	\$ 1,000.00
	3rd Quarter Added Services Billings	\$ 6,825.50
	Digitize Historical Minutes	\$ 105.67
Kidd Engineering	Engineer/Admin Fee	\$ 3,000.00
	7-8-24 Stamps	\$ 68.00
Leslie Lucero-Pryor	Administrative Assistant	\$ 500.00
Cynthia Ramu	Levee Mural Art Coordinator Fee	\$ 1,500.00
Tia Monson	Lake Runyon Watchperson	\$ 400.00
	Additional Hours for Cleaning (0)	\$ -
Director Cosyleon	Director Fees	\$ 300.00
Director Elley	Director Fees	\$ 200.00
Director Koehler	Director Fees - President	\$ 500.00
Director Lopez	Director Fees	\$ 200.00
Director Maroney	Director Fees	\$ 200.00
Director Phillips	Director Fees	\$ 300.00
Director Pioreschi	Director Fees	\$ 300.00
Director Serna	Director Fees	\$ 200.00
	38 miles @ \$0.625/mi - mileage - Levee graffiti, etc.	\$ 23.75
Director Willumstad	Director Fees	\$ 200.00
JERBCO, LLC	November Website Maintenance	\$ 200.00
Waste Connections of Colorado	Lake Runyon Dumpster	\$ 109.28
Southern Colorado Services & Recycling, LLC	Runyon Porta-Potties Set and Service	\$ 315.00
		\$ -

Tia Monson	Doloris Huerta Scorpion Logo Remove and Repaint	\$ 1,500.00
	Central Highschool Cats Logo Remove and Repaint	\$ 1,500.00
	CSU Pueblo Thunderwolves Logo Remove and Repaint	\$ 1,500.00
D&S Paint	School Logo Paint and Supplies	\$ 235.73
DeadhandArt	Pueblo Chili Historic Mural	\$ 1,000.00
Colorado Special Districts Property and Liability Pool	Property and Liability Insurance Coverage	\$ 2,013.00
Kaiser Sign Innovations	Levee Sign Repair/Replacements	\$ 1,127.00
Bank of the San Juans	Credit Card Billings	\$ -
NorthStar Engineering	Maintenance Assessment Support, Consultations, Artwork and Recreational Opportunities, Attend meetings and reporting	\$ 900.00
	Maintenance Assessment Over Charges thru October 18, 2024	\$ 5,300.00
	TOTAL OPERATING EXPENSES -- FUNDS TO BE TRANSFERRED FROM THE RESERVE ACCOUNT TO THE OPERATING ACCOUNT	\$ 32,772.93

DEBITS - BANK OF THE SAN JUANS - CONSTUCTION DRAW ACCOUNT

Kidd Engineering	ARKANSAS RIVER LEVEE:	
	-	
	PERIOD ENDING _____	
		\$ -
	Kidd Engineering Subtotal	\$ -
NorthStar Engineering	ARKANSAS RIVER LEVEE:	
	PERIOD ENDING XX, XX, XXXX	

	South Side Slope Paving and Trail Design	\$ -
	Survey and Design of Boulder Street Trail	\$ -
	Survey and Design of Runyon Boat Pull-Out	\$ -
	Moffat Street Parking Lot Survey and Design	\$ -
	Wildhorse Creek Trash Rack:	
	Task A. Topographic Survey	\$ -
	Task B. Civil Design	\$ -
	Reimbursable Expenses	\$ -
	NorthStar Subtotal	\$ -
	TOTAL CONSTRUCTION EXPENSES -- FUNDS TO BE TRANSFERRED FROM THE RESERVE ACCOUNT TO THE DRAW ACCOUNT	\$ -