



Colorado Springs ♦ El Paso County ♦ Manitou Springs ♦ Green Mountain Falls ♦ Ramah

PPRTA Board Meeting Minutes (REVISED)

Wednesday, September 11, 2013 – 1:30 p.m.

Pikes Peak Area Council of Governments Main Conference Room

MEMBERS PRESENT

City of Colorado Springs

Councilmember Jan Martin, Chair

Councilmember Merv Bennett

Councilmember Joel Miller

El Paso County

Commissioner Amy Lathen, Vice-Chair

Commissioner Dennis Hisey

Commissioner Peggy Littleton

City of Manitou Springs

Mayor Marc Snyder

Town of Ramah

Mayor Keith McCafferty

Town of Green Mountain Falls

Trustee Tyler Stevens

MEMBERS ABSENT

None

OTHERS PRESENT

Staff of Member Governments and Citizens

PIKES PEAK RTA STAFF PRESENT

Mr. Rob MacDonald, Secretary

Mr. Rick Sonnenburg, Program/Contracts Manager

Ms. Beverly Majewski, Financial Manager

Mr. Ed Icenogle, Legal Counsel

Ms. Jennifer Ivey, Legal Counsel

1. Call to Order/Establish a Quorum

City of Colorado Springs Director Martin established a quorum and called the meeting to order at 1:30 p.m.

2. Approval of the Agenda

City of Manitou Springs Director Snyder moved to approve the agenda with one revision, the addition of an Item 12 – Consideration of a Legal Services Engagement Agreement. El Paso County Director Lathen seconded the motion and the motion carried unanimously.

3. Public Comment Period for Items not on the Agenda

There were none.

4. Approval of the Minutes from the August 14, 2013, Regular Meeting

Town of Green Mountain Falls Director Stevens made a motion, seconded by El Paso County Director Littleton, to approve the minutes as presented. The motion carried unanimously.

5. Citizen Advisory Committee Monthly Report

Mr. Don Feigel, First-Vice Chair of the PPRTA CAC, presented highlights from the Committee's September meeting.

El Paso County Director Hisey moved to accept the Committee report. El Paso County Director Littleton seconded the motion. The motion carried unanimously.

6. Financial Reports

A. Monthly Financial Reports

Ms. Beverly Majewski, Pikes Peak RTA Financial Manager, presented the financial reports. The PPRTA received \$6.6 million in July sales and use tax receipts, which was \$192,000 or 3% above the monthly budget. Year-to-date actual figures compared to budget were \$1.9 million above the 2013 budget and 4.73% above the same period in 2012.

B. FY 2014 Budget Calendar

Ms. Majewski presented a draft FY 2014 Budget Calendar for the Board's review. The calendar was similar to the FY 2013 calendar and it satisfied the legal requirements set by the State of Colorado for government entities.

Town of Green Mountain Falls Director Stevens made a motion, seconded by City of Manitou Springs Director Snyder, to approve the FY 2014 Budget calendar and the \$74,000,000 Sales and Use Tax Revenue estimate for the 2014 Budget preparation. The motion carried unanimously.

7. 2013 Capital, Maintenance, and Public Transportation Contracts

A. City of Colorado Springs

Mr. Mike Chaves, City Engineering Staff, requested approval of the following two contracts:

- 1) Matrix Design Group, Capital (Austin Bluffs Corridor): \$64,735.00
- 2) Wildcat Construction, Maintenance (Emergency Repair Contract – Cowpoke Road Bridge over Cottonwood Creek): \$47,512.00

City of Colorado Springs Director Bennett made a motion, seconded by El Paso County Director Hisey, to approve the contracts. The motion carried unanimously.

B. El Paso County

Ms. Andre Brackin, County Engineer, requested approval of the following contract:

- 1) Mountain View Electric Association, Inc., Capital (County Line Road): \$832,366.00

El Paso County Director Hisey made a motion, seconded by El Paso County Director Littleton, to approve the contract. The motion carried unanimously.

8. Other Reports

A. City of Colorado Springs Transit Services Monthly Update

Mr. Craig Blewitt, City of Colorado Springs, Transit Services Division Director, presented the monthly report, including information on local route and ADA ridership and changes in services, including the conclusion of the summer Manitou shuttle service.

B. El Paso County Monthly Change Order and Property Acquisition Report

This was an information item.

C. Quarterly Reports from Member Governments

This was an information item.

9. Administrative Actions and Reports**A. BRRTA/PPRTA IGA for Revenue Sharing**

Mr. Rick Sonnenburg, Pikes Peak RTA Program/Contracts Manager, provided the history of the discovery that sections of the Baptist Road RTA and the Pikes Peak RTA overlapped. In 2007, it was decided that the two RTAs would split the one-cent sales tax revenue in the overlap area via an intergovernmental agreement approved by both boards in May 2008.

City of Manitou Springs Director Snyder made a motion, seconded by El Paso County Director Hisey, to use the figure of \$33,953 for the implementation of the revenue-sharing payments to BRRTA, with BRRTA to be paid half, or \$16,976.50, for the 12-month period of July 1, 2013 through June 30, 2014 in two equal semi-annual payments of \$8,488.25 in March and September, 2014. The motion carried unanimously.

10. PPRTA Member Announcements

There were none.

11. Executive Session

In accordance with the Colorado Open Meetings Act, the Board, in Open Session, determined that it would hold an Executive Session pursuant to C.R.S. 24-6-402 (4) (b) for the purpose of receiving legal advice relating to 1) interpretation of the First Amended and Restated Establishing IGA and RTA Law, and 2) a lawsuit by U.S. Roads.

El Paso County Director Hisey made a motion to approve going into executive session. El Paso County Director Littleton seconded the motion and the motion carried unanimously.

12. Consideration of a Legal Services Engagement Agreement

City of Colorado Springs Director Bennett made a motion to engage the firm of Albert, Meyers, Stuart, LLC, to provide defense in the case of Contract Management, Inc. versus the PPRTA and the City of Colorado Springs. El Paso County Director Hisey seconded the motion. The motion carried unanimously.

13. Adjournment

City of Colorado Springs Director Martin adjourned the public meeting at 3:10 p.m.