



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

PPRTA Board Meeting Minutes

Wednesday, May 9th, 2018

Pikes Peak Area Council of Governments Main Conference Room

1. Call to Order/Establish a Quorum

Chairman Waller called the meeting to order at 1:32 p.m. and established a quorum.

2. Approval of the Agenda

Director Stevens moved for approval of the agenda, seconded by Director Gonzalez. The motion carried unanimously.

3. Public Comment Period for Items Not on the Agenda

There were none.

4. Approval of the Minutes from April 11, 2018 Regular Meeting

Director Stevens made a motion to approve the April 11, 2018 minutes, seconded by Director Geislinger. The motion carried unanimously.

5. Citizen Advisory Committee Monthly Report

Mr. Reb Williams shared that there were no public comments at the CAC meeting but because of timing, the committee receives the monthly Financial Reports a month after the Board receives it. He explained that the committee approved positive recommendations for the Capital, Maintenance and Public Transportation Contracts as presented to the CAC.

Director Geislinger made a motion to accept the CAC report, seconded by Director Gonzalez. The motion carried unanimously.

6. Financial Reports

A. Presentation of the 2017 Audit

Mr. Kyle Logan, Logan and Associates, provided an overview of the PPRTA audit of the financial statements expressing that it was a “clean” audit with no management comments and no disagreements or issues with the staff while conducting the audit. He noted that the policies and procedures in place are being followed.

Director Stevens moved to approve the Financial Audit, Director Geislinger seconded. The motion carried unanimously.

B. Monthly Financial Report

Ms. Beverly Majewski, Pikes Peak RTA Financial Manager, provided the monthly financial report. In March, PPRTA received \$8,454,772 compared to a monthly budget of \$8,070,676. The PPRTA annual sales and use taxes are still above 2017 Actual by \$902,622 or 4.06% year-to-date.

7. 2018 Capital, Maintenance and Public Transportation Contracts

A. City of Colorado Springs

The City of Colorado Springs requested approval of the following contracts:

1) Kraemer North America, Capital PPRTA, Academy over Cottonwood Creek Bridge Project: \$1,323,728.39

2) Lucky Dog Contracting, Maintenance, PPRTA Roadway Maintenance Operations: \$62,412.50

3) Layne Inliner, Maintenance, PPRTA Roadway Maintenance Construction: \$267,230.00

Director Geislinger moved for approval of the contracts as presented, seconded by Director Stevens. The motion carried unanimously.

B. City of Colorado Springs Request for Capital Projects Line Item Transfer:

The City of Colorado Springs has requested a line item transfer of \$879,000 from the Pikes Peak Avenue Reconstruction: Colorado to Printers Parkway Project, and \$600,000 from the Tutt Blvd Extension. The funds will be used to fully fund the America the Beautiful Park Bridge (in the Pikes Peak Greenway Corridor Project) as well as keep \$1,100,000 available for other Pikes Peak Greenway Corridor Improvements.

Director Stevens moved for approval of the line item transfer, seconded by Director Geislinger. The motion carried unanimously.

C. El Paso County

El Paso County requested a positive recommendation for the following contracts:

1) Martin Marietta Materials, Maintenance, Annual HMA Overlay Program: \$4,100,000.00

2) Colorado Springs Utilities, Capital (2015-2024), West Colorado Avenue: \$201,170.23

Director Gonzalez moved for approval of the contracts as presented, seconded by Director Stevens. The motion carried unanimously.

D. City of Manitou Springs

The City of Manitou Springs has requested two change orders for the following:

1) Costs incurred due to subsurface conditions substantially increasing drilling time, traffic control and other costs, and creating grade beam design and construction changes: \$80,969.87

2) Costs incurred due to surface redesign, to improve surface drainage and improve ADA access at the intersection of Ruxton Avenue and Brook Street: \$5,431.39

Director Jaray moved for approval of the change orders as presented, seconded by Director Stevens. The motion carried unanimously.

8. Other Reports

A. City of Colorado Springs Transit Services Monthly Report

Mr. Craig Blewitt, Mountain Metro Transit, provided the monthly update, including ridership statistics and agency updates.

B. City of Colorado Springs Monthly Change Order and Property Acquisition

This was an information item.

9. Administrative Actions and Reports

A. Legislative Report

Chair Waller shared that SB18-001 passed; he stated the major elements of this new law. This was an information item. The Board took no action.

B. 2018 Annual Report to the Citizens

Mr. Rick Sonnenburg presented the Annual Report. Director Geislinger recommended including that as of March 2018, the PPRTA has authorized one billion dollars of transportation improvements and transit services since its 2005 inception.

Director Geislinger moved for approval of the Annual report with the one addition, seconded by Director Stevens. The motion carried unanimously.

C. CDOT's I25 GAP project update

Mr. Rick Sonnenburg shared updates as outlined in the memo. He noted that construction could begin as early as this summer with completion by summer of 2021.

10. Executive Session

In accordance with the Colorado Open Meetings Act, the Board, in Open Session, is to determine whether it will hold an Executive Session pursuant to C.R.S. 24-6-402 (4) (b) and/or 24-6-402 (4) (e) for the purposes of conferencing with an attorney to receive legal advice on specific legal questions and/or determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing counsel in connection with litigation and/or legislation regarding collection of Sales/Use tax. The Chair shall poll the Board members, and upon affirmative vote of two-thirds of the members present, may hold a Closed Executive Session. If a two-thirds affirmative vote for the Executive Session is not received, the item may be discussed in Open Session or withdrawn from consideration.

Director Waller polled the Board. Director Stevens motioned for approval to enter into an executive session as described above, seconded by Director Geislinger. The motion carried unanimously.

Director Jaray motioned approval to end the executive session, seconded by Director Avila. The motion carried unanimously.

11. Consider Actions Related to Ongoing Litigation in Case# 2015CV33347

Ms. Jennifer Ivey, PPRTA General Counsel, provided a resolution requesting that the Colorado Department of Revenue levy the PPRTA Sales Tax upon all retail sales of marijuana upon which the retail marijuana sales tax is imposed pursuant to Section 39-28.8-202, C.R.S. that may occur now and in the future in the PPRTA and that the Board determines that the PPRTA Sales Tax complies with the Colorado Constitution and applicable decisions of the Colorado Supreme Court and Colorado Court of Appeals and that no additional voter approval is required to levy the PPRTA Sales Tax upon retail sales of marijuana.

Director Stevens moved for approval, seconded by Director Geislinger. The motion carried. Director Avila opposed.

12. PPRTA Member Announcements

Board members shared news from their respective entities.

13. Adjournment

Chairman Waller adjourned the public meeting at 3:15 p.m.

Attendees – Wednesday, April 11, 2018		
Present	Name	Agency/Affiliation
	Director Stan VanderWerf	El Paso County
X	Director Longinos Gonzalez	El Paso County
X	Director Mark Waller	El Paso County
X	Director Ken Jaray	City of Manitou Springs
	Director Nancy Fortuin	City of Manitou Springs (Alternate)
	Director Merv Bennett	City of Colorado Springs
X	Director David Geislinger	City of Colorado Springs
X	Director Yolanda Avila	City of Colorado Springs
	Director Don Knight	City of Colorado Springs (Alternate)
	Director Richard Skorman	City of Colorado Springs (Alternate)
X	Director Tyler Stevens	Town of Green Mountain Falls
	Vacant	Town of Green Mountain Falls (Alternate)
X	Director Dennis Carpenter	Town of Ramah
	Director Turner Smith	Town of Ramah (Alternate)
X	Mr. Rick Sonnenburg	PPRTA Program/Contracts Manager
X	Ms. Beverly Majewski	PPRTA Financial Manager
X	Ms. Jennifer Ivey	PPRTA General Counsel
X	Staff of Member Governments and Citizens	