



PUEBLO WEST METROPOLITAN DISTRICT

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REGULAR BOARD MEETING 729 E. GOLD DRIVE TUESDAY, NOVEMBER 12, 2019 – 6:00 P.M.

MINUTES

The Board of Directors of The Pueblo West Metropolitan District met at 729 E. Gold Drive, Pueblo West, Colorado, on November 12, 2019; at the hour of 6:00 P.M. President Proal called the Regular Meeting to order.

- A. **CALL TO ORDER**, President Doug Proal
- B. **INVOCATION**, Ron McPheeters, Amazing Grace Fellowship
- C. **PLEDGE OF ALLEGIANCE**

D. ROLL CALL

President Proal called the roll: Director Mike French, Director Judy Leonard, Director Matt Smith, Director Terry Zupan, and President Doug Proal were present.

Also present was Nina Vetter, District Manager; Harley Gifford, General Counsel; Laura Savage, Assistant to the District Manager; Jay-Michael Baker, Communications and Engagement Manager; Roni Kimbrel, Budget and Accounting Manager; Shawn Winters, Interim Public Works Director; Carol Cosby, Parks and Recreation Director; Brian Caserta, Fire Chief; Jeffrey DeHerrera, Interim Utilities Director; Todd Hutchens, Fleet Manager; Jennifer Pearson, Human Resources Manager; Ken Roberts, Facilities Manager; Sabrina Cotta, Administrative and Internal Services Director; Sara Vaas, Community and Neighborhood Development Director; and 32 audience members.

E. APPROVAL OF AGENDA

President Proal motioned for the approval of the agenda. Motion was moved by Director Zupan and seconded by Director Smith. Motion unanimously passed.

F. INTRODUCTION OF NEW EMPLOYEES

James Romero, Facilities Maintenance Tech I; Sara Vaas, Director of Community and Neighborhood Development, Dan Butler, Parks Maintenance Tech I; and Sheila Weekly, Public Works Administrative Assistant were introduced to the Board.

G. SPECIAL PRESENTATIONS

1. PUEBLO CHEMICAL AGENT-DESTRUCTION PILOT PLANT UPDATE

Mr. Walton Levi, Site Project Manager, provided a PowerPoint presentation on the Pueblo Chemical Agent-Destruction Pilot Plant's purpose, economic impact, and employment opportunities. The facility safely destroys chemical weapons and employs over 1,500 individuals, of whom 624 are Pueblo County residents. The program is anticipated to end in 2023.

2. COMPREHENSIVE FISCAL AND SUSTAINABILITY ANALYSIS

Ms. Deb Hinsvark and Mr. James Mann with Ehlers, Inc. provided a PowerPoint presentation on the highlights and key findings of the Comprehensive Fiscal and Sustainability Analysis report which was provided to the Board and staff. To complete the study, Ehlers engaged Anderson Analytics who amassed data necessary to predict the future population of the District over the next ten years. Anderson was also instrumental in explaining how the issue of sufficient potable water might thwart development. They provided data regarding possible comparable cities that enabled the District to select six comparable cities: Town of Yucca Valley, CA; Windsor, CO; Fountain, CO; Lake Havasu City, AZ; Rio Rancho, AZ; and Arvada, CO. Data was used from these cities to outline the costs that would be involved to move from a special district to an incorporated City. At the conclusion of data analysis, the consultants presented and discussed three financial options and models: non-modified current structure, sustainable metropolitan district, and incorporation. Ms. Hinsvark reviewed the sustainable mode, noting that an additional 19.2548 mill levy (total of 39.4848 mills) and a one cent sales tax would provide revenue necessary to maintain General Fund Balance and provide services. Additionally, analysis indicated that the District is short-staffed by 37 full time employees in the sustainable mode. The incorporation mode was also discussed, and Ms. Hinsvark mentioned the fiscal and staffing solutions presented in the sustainable mode must be implemented prior to incorporation, which would increase the mill levy to 46.6484 mills, staffing by 11 full time employees, and adding policing services and municipal court. It was recommended to contract with the Pueblo County Sheriff's Office. Mr. Mann reviewed Home Rule status and discussed reasons to incorporate, which include removing the threat of annexation by another local government, providing the citizens with definitive control of land uses, opening up additional tax opportunities, and creating a number of commercial and industrial incentive tools. Commercial and industrial development brings three times the property tax revenue than residential. Lastly, Mr. Mann reviewed the incorporation process.

H. PUBLIC HEARING ON 2020 PROPOSED BUDGET

At 7:20 P.M., President Proal recessed the regular meeting and resumed the public hearing.

Ms. Kimble provided a PowerPoint presentation. Total expenditure increase of \$67,500 for Hill Ranch costs was presented, which consists of temporary personnel costs, tractors, a seed drill, and grass seed. The \$10,000 Civic Center Park shed was moved from the Capital Projects Fund to the Conservation Trust Fund, and Trail Maintenance costs are reduced to \$110,000. A transfer of \$850,000 insurance proceeds from the General Fund to the Capital Improvement Fund is recommended for the Civic Building. Revised recreation program expenses are reduced from \$119,975 to \$88,125. Lastly, the Elected Officials' \$6,200 telephone budget consists of funds to replace iPads, new cases and screen protectors, and the monthly service plan. Director Leonard inquired about the Excise Tax Specialist position, which audits 10 facilities per year, so that each grow facility is audited once per three years. Ms. Vetter added that one final public hearing is scheduled for the next meeting where she will seek budget finalization and approval.

There were no public comments. At 7:26 P.M., President Proal motioned to recess the public hearing and resume the regular meeting. It was moved by Director Zupan and seconded by Director French; motion passed unanimously.

I. APPROVAL OF CONSENT AGENDA

President Proal motioned for the approval of the Consent Agenda; it was seconded by Director Smith. Motion carried 5-0.

- 1. FINANCE REPORTS**
- 2. UTILITIES DEPARTMENT REPORT**
- 3. MINUTES OF OCTOBER 15, AND NOVEMBER 5, 2019**

J. OLD BUSINESS

1. BALLOT MEASURE 6A UPDATE

Ms. Vetter recalled ballot measure to construct, equip, and staff a new Fire Station 2 was defeated. However, she thanked staff for their hard work and noted the District will reassess current operations and will bring the matter before the Board in the future.

2. RESOLUTION 2019-087 A RESOLUTION APPROVING AN EMERGENCY AMBULANCE SERVICES AGREEMENT WITH AMERICAN MEDICAL RESPONSE ("AMR")

Director Zupan motioned for the approval of the resolution, seconded by Director French. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

3. RESOLUTION 2019-088 A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN PUEBLO COUNTY, COLORADO AND THE PUEBLO WEST METROPOLITAN DISTRICT FOR THE PUEBLO WEST SAFE ROUTES TO SCHOOL IMPROVEMENTS PROJECT

Director Smith motioned for the approval of the resolution, seconded by Director Zupan. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

4. RESOLUTION 2019-089 A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN PUEBLO COUNTY, COLORADO AND THE PUEBLO WEST METROPOLITAN DISTRICT FOR THE SOUTH MCCULLOCH BOULEVARD AND NICHOLS ROAD INTERSECTION IMPROVEMENTS PROJECT

Director French motioned for the approval of the resolution, seconded by Director Leonard. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

K. NEW BUSINESS

1. DISCUSSION AND POTENTIAL ACTION REGARDING BLACK HILLS ENERGY 1041 PERMIT

Mr. Gifford recalled several letters the District received regarding BHE's 1041 Permit process with Pueblo County. He clarified that at no time has the District supported, sold property, or engaged in any sort of negotiations other than an offer made at a public meeting from BHE to the District. An issue the District should take into consideration, is BHE has made application for use of an easement owned by the District for a transmission line to service a substation that is yet to be built. Mr. Gifford noted that written statements are to be submitted to the County as part of the 1041 permit process. There is currently no agreement, and during the summer of 2019 the Board had requested that BHE return with an updated proposal, which they have not yet done so at this point. Mr. Gifford requested Board direction regarding the 1041 permit, as easements in the airport property exist and likely will need to be increased to accommodate BHE's proposed transmission lines. Additionally, staff expressed concern over existing water and sewer infrastructure that may be affected by the location. After a brief discussion, President Proal opened the floor to citizens' comments.

Melvin Manrose, 228 E. Parkridge Dr., spoke in opposition of the transmission line project, noted other transmission line corridors are available, commented on the existing substation capability and negative health impacts, referred to the overhead powerline issues in California that cause wildfires, and requested BHE bury the transmission lines.

Pam Kuhrt, 1237 N. Parkridge Dr., expressed gratitude that the Board is not supporting the BHE 1041 permit and is instead supporting citizens. Also, she has observed large transmission lines in existing corridors in other communities and would like to keep an industrial appearance to a minimum on the north side of the community.

John Kosovich, 270 E. Parkridge Dr., expressed concern regarding the land value of Wildhorse Creek and requested the land continue to be open space.

2. RESOLUTION 2019-090 A RESOLUTION APPROVING A LETTER OF INTENT FOR THE PURCHASE OF REAL

PROPERTY

President Proal recused himself from discussion and decisions regarding this agenda item. Director Zupan motioned for the approval of the resolution, seconded by Director Smith. Ayes: French, Leonard, Smith, Zupan. Nays: none. Abstained: none. Motion carried 4-0.

3. RESOLUTION 2019-091 A RESOLUTION APPROVING A CONTRACT FOR SALE OF DISTRICT PROPERTY TO LIMITLESS BUILDERS, LLC

Director French motioned for the approval of the resolution, seconded by Director Smith. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

L. CITIZEN'S COMMENTS

Gordon Carleton, 1172 W. Desert Sage, expressed concern regarding the water meter reading telecommunications tower installed in Tract 317, which occurred without a special use permit. He noted that the District has public trust and credibility issues.

Joe Mahaney, 159 W. Mangrum Ct., inquired what the total cost of the Comprehensive Fiscal and Sustainability Analysis and why the consultants used "Per Capita" in their presentation.

Lew Quigley, 1225 W. Parkridge Dr., commented on the use of technology in government, yet expressed the need to have personal contact with residents.

M. DIRECTOR'S COMMENTS AND COMMITTEE REPORTS

Director Leonard thanked staff for their hard work and dedication involved with the 6A ballot measure. Also, she praised the Public Works department for clearing out the easement at Purcell and Paseo Dorado.

Director Zupan expressed disappointment in the 6A ballot results.

N. ANNOUNCEMENTS AND EVENTS

See agenda for list.

O. EXECUTIVE SESSION

President Proal motioned to recess the special meeting and move into executive session, then cited item as indicated below. The motion was moved by Director French and second by Director Smith. Motion unanimously passed.

1. **§24-6-402(4)(a), C.R.S., CONCERNING THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF ANY REAL, PERSONAL, OR OTHER PROPERTY INTEREST; SALE OF DISTRICT OWNED PROPERTY**
2. **§24-6-402(4)(b), C.R.S., CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC ENTITY FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS; POTENTIAL LITIGATION**
3. **§24-6-402(4)(b), C.R.S., CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC ENTITY FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS; ROADWAY IMPROVEMENTS PURSUANT TO ROAD IGA**

P. ADJOURN

There being no further business to come before the Board, President Proal adjourned the meeting. The next regular meeting is scheduled for November 26, 2019 at the hour of 6:00 P.M., presently set for the meeting room of the Board of Directors, 729 E. Gold Drive, Pueblo West, Colorado.

Secretary

Approved xx/xx/2020