

DENVER UNION STATION PROJECT AUTHORITY
MEETING OF THE BOARD OF DIRECTORS
July 8, 2010
MINUTES

BOARD MEMBERS PRESENT

Jerry Glick (via telephone)
Elbra Wedgeworth
Mark Smith
Michael West
Jennifer Schaufele
Russell George
Robin Kniech
Kent Bagley

BOARD MEMBERS ABSENT

Don Hunt
Mario Carrera
Claude Pumila
Judy Montero
Marla Lien

I. CALL TO ORDER

Elbra Wedgeworth, DUSPA Board President called the Meeting of the Board of Directors of DUSPA to order at 1:32 p.m.

II. WELCOME AND INTRODUCTION OF GUESTS

President Wedgeworth welcomed guests.

III. PUBLIC COMMENT

Ms. Wedgeworth asked for public comment.

IV. ROLL CALL

Dawn Bookhardt called roll. Please see above.

Anne Hayes of the Denver Union Station Advocates neighborhood group introduced herself and stated that there have been no updates or public meetings since last March 2010 regarding the

public space design at DUS. She stated that over 70 people showed up at the last public meeting and that she has been requested by her constituents to inquire whether additional information is available.

Bill Mosher stated that no public updates on the design have occurred.

V. APPROVAL OF MEETING MINUTES

Elbra Wedgeworth asked for comments to the June 10, 2010 meeting minutes.

Jerry Glick moved to approve the June 10, 2010 meeting minutes. Mark Smith seconded the motion. Kent Bagley abstained from voting to approve the minutes because he was not at the June 10, 2010 meeting. The motion carried unanimously.

VI. DISCUSSION ITEMS

A) TIFIA/RRIF Progress Report and Update.

Chad Fuller reported that DUSPA is submitting the final or substantially final documents, including the loan agreements to Fitch for their review. He stated that he expects to receive a response or comments from Fitch within the next week to ten days.

B) Documents Discussion

Dawn Bookhardt reported that the Financing Resolution regarding the DOT Loans has been pulled from today's agenda because there are still some pending items to be worked out with the loan requirements before the Board will be requested to approve the documents.

She stated that a special meeting may be necessary prior to closing on the loans to approve the documents and that the special meeting would be next week if a loan closing is scheduled. Ms. Bookhardt asked that Board Members provide input as when they will or will not be available for a special meeting, even if they can attend by telephone.

Elbra Wedgeworth reported that she will be back in Denver on Friday, July 16.

Russell George reported that he is not available next week.

Mark Smith reported that he is not available next week.

Jerry Glick reported that he can be available by telephone.

The remaining Board Members present today stated that they can be available.

Dawn Bookhardt reported that the DUSPA Board will have a quorum for next week if necessary and stated that the special meeting will be tentatively scheduled for 1:30 p.m. Friday, July 16.

Robin Kniech asked who she should contact in the event that she had questions about the documents.

Elbra Wedgeworth responded that she, or any other Board Member, should call or email Dawn Bookhardt.

C) Owner's Representative Report.

i) Update Regarding Project Progress

Mike Sullivan reported that activity in the “backyard” is moving along very well and that the high iron concentrations in ground water are still the biggest concern for the project at this time. He reported that DUSPA has received an updated permit from the State for discharging groundwater. He reported that the State takes an average of the weekly test data of ground water sampling and that the first new sample analysis show that the project is in compliance with the permit. Mr. Sullivan reported that the major goals on the project include avoiding any violations or notices regarding ground water and getting more efficient in treating and discharging ground water.

Mr. Sullivan reported that the “mud” slab below what will be the concrete floor of the bus facility is complete and that some concrete for the floor has been placed.

He reported that remodeling of the old Light Bulb Supply building is on-going and that the MEP (mechanical, electrical and plumbing) rough-in is very close with some drywall already in place.

Mr. Sullivan reported that demolition of the old railroad tracks is complete and that the temporary signal has been installed.

He reported that the light rail foundation for the East Platform wall is almost complete.

He reported that the design team is working to finalize the scope of work for the 100 year drainage.

Mr. Sullivan reported that DUSPA is waiting for AECOM/Kiewit to provide the proposal for the Threat/Vulnerability study.

He reported that last week he received a draft report of the assessment of the Historic Building and that upgrades to the assessment are progress oriented.

ii) Budget Forecast

Bill Mosher handed out an update of the change orders and a copy of the Audit Report by BKD as well as a draft of the updated budget.

Mr. Mosher reported that he draft budget shows allocated and unallocated contingency and has highlights of significant changes as follows:

Line 6 – shows \$25,000 for replacement of concrete panels for CPV.

Line 57 – this is an addition to the budget for emergency evacuation per Fire Department requirements.

Line 74 – this is a \$750,000 addition for relocation of dry utilities. Mr. Mosher reported that this issue is being worked on but that apparently the City does not categorize DUS as a City project and therefore DUSPA is required to pay for the relocation of the Qwest and Xcel utilities at the site.

Line 75 – is a budget number that is hopefully a conservative estimate for the replacement of the carbon filters for the dewatering system and that this budget item should cover filters until the concrete slab for the bus facility is complete.

Lines 131 and 134 are extensions of the Owner Controlled Insurance Program (OCIP).

Line 133 is a new budget item for the DOT legal fees to negotiate the loan agreements.

Mr. Mosher reported that this draft budget tracks changes from the original April 2009 budget.

Jerry Glick requested a copy of the draft Assessment on the historic building.

Jerry Glick reported that he toured the project last week and the site and the organization by Kiewit is very impressive.

Elbra Wedgeworth stated that, in addition to the focus on closing the loans, she would like to schedule a meeting in early August for the Board to tour the project.

VII. ACTION ITEMS

None.

VIII. EXECUTIVE SESSION

Elbra Wedgeworth requested a motion to enter an Executive Session in order to discuss certain matters as permitted under the Colorado Open Meetings Law (C.R.S. § 24-6-402 et. seq.) related to financial and contract negotiations, financial management negotiations and litigation.

Kent Bagley made the motion to enter an Executive Session. Robin Kniech seconded the motion. The motion carried unanimously.

The Board entered into executive session at 1:53 p.m.

Robin Kniech moved to exit the Executive Session. Kent Bagley seconded the motion. The motion carried unanimously at 2:34 p.m.

IX. ACTION ITEMS RESULTING FROM EXECUTIVE SESSION

None.

X. CARRYOVER AND FUTURE AGENDA ITEMS

Bill Mosher will discuss the use of approximately \$100,000 of unallocated contingency and request Board approval for the use of these funds.

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 2:25 p.m.

Approved by Vote of the Board and
accepted by:

Elbra Wedgeworth, President