

DENVER UNION STATION PROJECT AUTHORITY
MEETING OF THE BOARD OF DIRECTORS
October 15, 2009
MINUTES

BOARD MEMBERS PRESENT

Elbra Wedgeworth
Michael West
Tom Gougeon
Don Hunt
Judy Montero
Jennifer Schaufele
Jerry Glick
Robin Kneich
Marla Lien
Claude Pumilia
Russell George

BOARD MEMBERS ABSENT

Mario Carrera
Terry Howerter

I. CALL TO ORDER

The Meeting of the Board of Directors of DUSPA was called to order at 1:30 p.m. by Elbra Wedgeworth, DUSPA Board President. Ms. Wedgeworth welcomed the new CDOT appointed director for the DUSPA Board, Mr. Russell George.

II. WELCOME AND INTRODUCTION OF GUESTS

Ms. Wedgeworth welcomed the Board Members and Guests, particularly Dana Crawford, to the meeting.

III. PUBLIC COMMENT

Ms. Wedgeworth asked for public comment. There was no public comment.

IV. ROLL CALL

At the request of Elbra Wedgeworth, Dawn Bookhardt called roll. Please see above.

V. APPROVAL OF MEETING MINUTES

Ms. Wedgeworth asked for comments to the September 17, 2009 meeting minutes. There were no comments. Jerry Glick moved to approve the September 17, 2009 meeting minutes. Don Hunt seconded the motion. The motion carried unanimously.¹

VI. DISCUSSION ITEMS

A. Schedule Update

Jerry Glick stated that the schedule does not require updating at this time. Schedules were received in the board packets at the annual meeting and there have been no changes.

B. Mizpah Arch Discussion

Dana Crawford stated that the original Mizpah Arch had “Welcome” on both sides of the structure and that some time during the nineteen-teens someone decided to change one of the Welcome signs to Mizpah. She indicated that Jim Johnson’s office of JG Johnson Architects has assessed several possible locations to construct a new Mizpah Arch and introduced Mr. Tobias Strohe who made a presentation of the possible locations of the Arch.

Dana Crawford stated that Evan Makovsky (see *Evan Almighty*, Westword, July 12, 2007 by Joel Warner) is a proponent of rebuilding the Arch. She also stated that, for the first phase of the fundraising, she seeks to raise \$100,000 for the project with the understanding that the full construction of the Arch will cost much more.

Tobias Strohe introduced a screen presentation for the Board that showed possible locations of the Arch with graphic images of the original Arch at the original size and a 5/8 reduced scale as follows:

- The 16th Street thoroughfare, south of the DUT, at full scale
- 18th Street, at the northeast corner of the DUT, at full scale
- The southwest corner of the DUT at 5/8 scale
- The southeast corner of the DUT at 5/8 scale and
- The southeast corner of the DUT (facing north-south as opposed to the east-west alignment in the other photos), along the 16th Street alignment at 5/8 scale.

Don Hunt thanked Dana Crawford and Tobias Strohe for their work on the project and stated that DUSPA would like to help, short of contributing money. Mr. Hunt asked who it was that constructed the original Arch.

¹ Jennifer Schaufele, Marla Lien and Michael West arrived shortly after this vote.

Dana Crawford responded that the Arch was built in 1906. She stated did not know how the structure was funded. She indicated that the history of Denver is that many buildings were constructed in 1906 and that there must have been something major about the economy that lead to the construction of so many buildings at that time.

Jerry Glick asked what the next steps are for the Arch project.

Ms. Crawford responded that Evan Makovsky is looking at raising money but he wants to know where the Arch would be located. She suggested that the location of the Arch is what she needs DUSPA to assist with and make a decision.

Judy Montero stated that the canopy at the Oxford Hotel was re-installed and inquired as to whether the original old canopy was constructed at the same time as the Arch.

Dana Crawford responded that the style of the Oxford canopy looks very similar to the Arch.

Judy Montero suggested that it would be nice for the canopy and the Arch to compliment each other again.

Ms. Crawford replied that there are many people who agree and that the Arch would likely need to be at 5/8 scale to be at that location. She also suggested that she is looking at a more contemporary design for the Arch.

Tom Gougeon inquired as to the height of the original Arch.

Tobias Strohe responded that it was 71 feet.

C) Plan of Finance Schedule and Update.

Chad Fuller stated that his group has gotten through the challenging issues and it appears that the TIFIA and RRIF loans are moving forward. He suggested that it has been difficult to get RRIF and TIFIA together, but that next week he should be able to meet with both agencies. Mr. Fuller then requested that DUSPA discuss recommendations for the peer review firm in executive session.

D) Owner's Representative Report

i) Financial Report

Bill Mosher stated that a copy of the financial statement is in today's Board packet.

With respect to the operating budget, he stated that DUSPA has \$1.5 million remaining from the loans provided by RTD and the City.

Judy Montero asked whether the TIFIA and RRIF application fees are refundable.

Chad Fuller responded that the application fees are non-refundable.

Bill Mosher stated that the only change to the operating budget is the inclusion of the \$28,000 for 2009 for the public information consultant in the event that retaining the consultant is approved by the Board today.

Elbra Wedgeworth asked Bill Mosher and Ellen Ittleson whether anything else is needed for the operating budget this year, particularly for the assessment of the historic building.

Bill Mosher responded that we have not received anything new and should not incur additional costs this year.

Mr. Mosher referred the Board to page 2 of the operating budget and explained that this page shows the Board where operating funds have been spent.

Mr. Mosher referred to the third budget page and stated that it is the overall project budget that shows revisions from the May 5, 2009 budget and that \$8.6 million has been spent so far.

Marla Lien asked where the money is coming from.

Bill Mosher responded that John Harwell is keeping track of what funds are coming from which account, whether it is FasTrack funds or the RTD loan.

ii) Update Regarding Peer Design Review

Bill Mosher stated that, at the last peer design review meeting, possible locations for the Mizpah Arch were discussed. He also stated that a public meeting was held with Hargraves regarding open space and hardscape. He suggested that he planned to have Hargraves conduct a presentation for last Board meeting but that the meeting was cancelled. He stated that the presentation can be rescheduled or that a copy of the presentation that was used at the public meeting can be obtained. He suggested that it is not necessary to spend very much time reviewing the design because it is only at ten percent.

iii) Updated Regarding Project Progress

Bill Mosher stated that Kiewit is fine tuning the project while waiting for funds and additional notice to proceed. He suggested that the design is advancing including soils testing etc. which is very important for the project.

iv) AMTRAK Relocation Update

Mr. Mosher stated that Amtrak does not want to sign off on the plans for the temporary platform until they have a final location in the Historic Building. He indicated that his position with Amtrak has been to have them remain in the same location as they were in prior to this project.

Amtrak has stated that they want to be moved to one of the best leasable spaces in the building. He suggested that DUSPA is not obligated to move Amtrak to a better space in the building. Elbra Wedgeworth stated that the SB-1 money from the State of Colorado has been released and thanked Russ George.

E. Public Involvement Consultant Draft agreement.

Bill Mosher stated that this discussion is best for executive session because there are several items that require negotiation.

VII. ACTION ITEMS

None.

VIII. EXECUTIVE SESSION

Elbra Wedgeworth requested a motion that the Board now enter into 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 for the Public Involvement Consultant, Feasibility Study Peer Review Consultant, Amtrak Lease Negotiations and financial management negotiations.

Robin Kneich moved to enter into executive session. Jerry Glick seconded the motion. The vote was unanimous. The Board entered executive session at 1:59 p.m.

Pursuant to a motion by Tom Gougeon and a second by Don Hunt, the Board unanimously voted to exit from executive session at 2:51 p.m.

XI. ACTION ITEMS RESULTING FROM EXECUTIVE SESSION

Elbra Wedgeworth requested a motion to approve the public information consultant and the contract with CRL Associates. Robin Kneich so moved. Tom Gougeon seconded the motion. The vote carried unanimously.

Elbra Wedgeworth requested a motion to approve a limited notice to proceed for a peer review of the Feasibility Study by EPS, Inc. and to proceed with the contract for such services. Robin Kneich moved to approve the limited notice to proceed. Don Hunt seconded the motion.

The vote was unanimous.

X. CARRYOVER AND FUTURE AGENDA ITEMS

Please look forward to an update of the RRIF and TIFIA application process as well as the evaluation of the rating agencies.

Mr. Mosher will have an update regarding:

- i) project progress and;
- iii) AMTRAK issues.

Dawn Bookhardt and Cole Finnegan will continue reporting on transaction movement as appropriate.

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 2:54 p.m.