

A Special Meeting of the Manitou Springs City Council was held in the Council Chambers, 606 Manitou Avenue, Manitou Springs, Colorado, on March 8, 2011. Mayor Snyder called the meeting to order at 7:05 pm.

COUNCILMEMBERS PRESENT FOR ROLL CALL:

Mayor Marc A. Snyder
Mayor Pro Tem Aimee Cox
Councilman Rick Barry
Councilman Michael Gerbig, Jr.
Councilman Matt Carpenter

COUNCILMEMBERS NOT PRESENT FOR ROLL CALL:

Councilman Ed Klingman (seated @ 7:06 pm)
Councilwoman Ingrid Richter (seated @ 7:09 pm)

STAFF PRESENT:

Deputy City Administrator/Finance Director Michael A. Leslie
Public Services Director Bruno Pothier
Aquatics Director Roy Chaney
Deputy City Clerk Kari Kilroy

A. CALL TO ORDER

The meeting was called to order at 7:05 pm.

B. PLEDGE OF ALLEGIANCE

The meeting was opened with a recitation of the Pledge of Allegiance by Coreen Toll.

C. ROLL CALL

Deputy City Clerk Kari Kilroy called the roll at 7:06 pm. Councilwoman Richter was not present for Roll Call but was seated later in the meeting.

D. APPROVAL OF AGENDA

MOTION: Mayor Pro-tem Cox moved to approve the agenda as presented.

SECOND: Councilman Carpenter seconded the motion.

DISCUSSION: None.

VOTE: Motion passed, 6-0 (Councilwoman Richter was not yet seated).

E. NEW BUSINESS

1. Discussion Regarding an Energy Performance Contract with Ennovate Corporation and Related Financing.

Mike Leslie (Deputy City Administrator/Finance Director) introduced the item.

Councilwoman Richter arrived and was seated at 7:09 pm during Mr. Leslie's introduction.

Mayor Snyder thanked members of ESCo for their efforts and the Ennovate representatives for being patient.

Coreen Toll (ESCo), 457 Crystal Hills Boulevard, discussed the history of the project beginning in 2007. She encouraged Council to approve the loan package.

Jerry Unruh (ESCo), 225 Earthsong Way in Crystal Park, reiterated what Ms. Toll had said and explained that his task had been to calculate the City's 2010 carbon footprint but it was not yet completed. From his data, it looked like electric use was down but natural gas use was up. Mr. Unruh then discussed CSU's EIRP process relating to rates saying that we could count on energy costs going up. He finished by urging Council to carry on what the previous Council had started.

Kurt Eckert (ESCo), 1140 Amstel Drive in Colorado Springs, reiterated the Mayor's commendation of Ennovate's patience. He said that it was too bad that some things had been taken out of the scope of the project but commented that there was now better payback.

Mayor Snyder commented that El Paso County had already engaged in performance contracting and then asked Bruno Pothier (Public Works Director) for any comments.

Mr. Pothier said that the cuts made were the best options and asked Ennovate for a chart of the costs of each item as had previously been provided. Councilman Gerbig agreed with Mr. Pothier's request and also asked for a chart.

Blake Calderwood (Ennovate) said that the numbers were the same and that only the scope had changed.

Councilman Gerbig had questions about the numbers on page 32 (Schedule C) and explained how he had arrived at his calculations.

Discussion ensued.

Mayor Pro-tem Cox clarified her understanding of page 70 (Schedule R) with Mr. Leslie.

Discussion continued regarding Councilman Gerbig's concerns.

Per Councilwoman Richter's question, Mr. Calderwood and Kimberly Goodwyn (Ennovate) explained that the cost savings were reduced by \$1,000 because of the changes.

Mayor Pro-tem Cox agreed with Councilman Gerbig that it would have been nice to see a revised spreadsheet. She then requested that the bathroom exhaust fan and the mechanical ventilation at the Library be added during the May budget amendment (\$23,437) and that the investment made towards the pool be counted towards the cost of operating and maintaining the pool (capital budget).

Mayor Snyder pointed out that iterations of the pool privatization included the City covering the utilities.

Councilman Carpenter said that the project was not perfect but that he was comfortable with how it had been whittled down to the best cost savings.

Mr. Pothier requested from Ennovate the actual costs of the work after the bids were received.

Mr. Eckert clarified for Councilman Gerbig that the work could not be done without a PPRBD permit and that PPRBD required a contractor/architect which added to the cost.

Mayor Snyder referred to page 70 (Schedule R) as a focus for the final vote.

Per Councilman Barry’s question, discussion ensued regarding capital cost avoidance.

Per Councilwoman Richter’s question, discussion ensued regarding energy rebates and warranties.

With no further discussion, Mayor Snyder concluded Item E.1.

2. Emergency Ordinance No. 0711, An Emergency Ordinance Approving a Lease-Purchase Agreement Between the City of Manitou Springs and All American Investment Group, LLC to Finance an Energy Performance Contract Between the City of Manitou Springs and Ennovate Corporation – 1st Reading.

Mayor Snyder introduced the item and clarified the timing of the Emergency Ordinance with Mr. Leslie. Mayor Snyder also estimated that the City Attorney was comfortable that the Ordinance satisfied the City Charter.

There was no public comment.

MOTION: Councilman Carpenter moved to approve Emergency Ordinance No. 0711, An Emergency Ordinance Approving a Lease-Purchase Agreement Between the City of Manitou Springs and All American Investment Group, LLC to Finance an Energy Performance Contract Between the City of Manitou Springs and Ennovate Corporation – 1st Reading.

SECOND: Councilwoman Richter seconded the motion.

DISCUSSION: None.

VOTE: Motion passed, 4-3 (Councilmen Barry, Gerbig, and Klingman cast the dissenting votes).

(Note: It was later determined that in order for an Emergency Ordinance to pass, the vote must be unanimous; since the vote was not unanimous, Ordinance No. 0711 failed.)

ADJOURNMENT

With no further business to conduct, Mayor Snyder concluded the Special Meeting at 8:18 pm.

MAYOR AND CITY COUNCIL

CITY CLERK

Minutes prepared and submitted by Kari Kilroy