

## **FINANCE COMMITTEE MINUTES**

Due to the Martin Luther King Jr. Holiday, a meeting of the Finance Committee was instead held on Tuesday, January 21, 2020 in Committee Room 104, starting at 11:00 A.M. Those in attendance were as follows:

**COMMITTEE MEMBERS:** Jeff White, Acting Chairman; Ken Esquibel, and Pete Laybourn.  
Absent: Mike Luna, Chairman.

**CITY STAFF:** Charles Bloom, Planning & Development Director; Mike O'Donnell, City Attorney; Robin Lockman, City Treasurer; TJ Barttelbort, Purchasing Manager; Alessandra McCoy-Fakelman, Deputy City Attorney; Eric Fountain, Mayor's Chief of Staff; Brenden Ames, Chief Economic Development Officer; Kris Jones, City Clerk; Teresa Moore, Community Recreation and Events Director; Joe Chenchar, Assistant City Attorney; Jason Sanchez, Community Recreation and Events Deputy Director; Vicki Nemecek, Public Works Director; Thomas Cobb, City Engineer; Lori DeVilbiss, Recreation Manager; Brad Brooks, Board of Public Utilities (BOPU) Director; Jean Vetter, Greenway and Parks Planner; Dena Egenhoff, BOPU Water Conservation/PR Specialist; Randy Hickman, Street & Alley; Marilyn Sutherland, Compliance Division; and Sam Berta, Construction Engineer.

**OTHERS PRESENT:** Maggie Austin, Wyoming Tribune Eagle; Jeff Geyer, Laramie County Conservation District; and Dale Keizer, DSK Ranch.

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### **AGENDA ITEMS**

15. **RESOLUTION** – Reappropriating the fiscal year 2020 budget of the City of Cheyenne according to the provisions of W. S. §16-4-112 & §16-4-113. (SPONSOR – MR. WHITE)

Mr. Laybourn moved to adopt, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

**DISCUSSION:** Robin Lockman, City Treasurer, provided a staff report and advised there are three adjustments in the general fund that include: Clean and Safe tree watering reimbursement to the City from the Downtown Development Authority, increasing the police overtime expenditure line item and increasing the match for the Transit FTA Grant. Upon inquiry, Ms. Lockman provided information relating to the Transit budget deficit.

16. **RESOLUTION** – Authorizing the Mayor and City Clerk to execute State Historic Preservation Office Certified Local Government (CLG) Grant Agreements for two 2020 CLG Grants (Board Training to attend two Historic Preservation conferences, and the Cheyenne Façade Improvement Program Project). (SPONSOR – MR. WHITE)

Mr. Esquibel moved to adopt, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

**DISCUSSION:** Charles Bloom, Planning & Development Director, provided a staff report and advised the annual requests would provide funding for staff to attend two conferences and for design assistance from an architect for the façade improvement program.

17. LEASES/CONTRACTS/LLEGAL:

- e) Sponsorship Agreement between the City of Cheyenne and Charles Schwab, Independent Leader Sam Runyan, for a 7 year Stage Sponsorship for the Fridays on the Plaza (FOTP) events. (Revenue to the City)

Mr. Laybourn moved to approve in an amount not to exceed \$126,000.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

**DISCUSSION:** Lori DeVilbiss, Recreation Manager, provided a staff report and advised this sponsorship is for the term of 7-years, providing \$18,000.00 each year. Upon inquiry, Ms. DeVilbiss explained the 7-year term and various opportunities were proposed to other business owners. Additional discussion included: Sponsorship levels and use of the City's new stage.

- f) Volleyball Officiating Agreement between the City of Cheyenne and Officials for Fun Club for adult City league volleyball officiating services during the Winter 2020 season. (Recreation Special Revenue Fund)

Mr. Esquibel moved to approve, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

**DISCUSSION:** Lori DeVilbiss, Recreation Manager, provided a staff report and advised this agreement is typically a 3-year agreement however, with the current competition the proposed five-month agreement will allow the City time to evaluate the level of officiating services needed at events.

- g) Memorandum of Understanding between the City of Cheyenne, Wyoming, the City of Cheyenne Board of Public Utilities and the Laramie County Conservation District for the implementation of the design for the Crow Creek Revival Phase I that will improve the aquatic health of Crow Creek.

Mr. Laybourn moved to approve, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

**DISCUSSION:** Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised this would replace a prior Crow Creek Revival MOU and update the boundaries and responsibilities of each party. Upon inquiry, Dena Egenhoff, BOPU Water Conservation/PR Specialist, provided a review of the project and funds raised to implement this segment. Charles Bloom, Planning & Development Director, advised on the adjacent properties including the

development of the car dealership and EUL development. Jean Vetter, Greenway and Parks Planner, acknowledged this is the final connection of the Greenway from Martin Luther King Park to the Air Force Base. Jeff Geyer, Laramie County Conservation District (LCCD), advised he is currently working on permitting in the area. Upon inquiry, Mr. Geyer spoke on the wildlife goal of the LCCD. Committee members expressed appreciation by all parties working together on this project.

- h) Professional Services Agreement between the City of Cheyenne, Wyoming, and AVI Professional Corporation, for the Capitol Basin 26<sup>th</sup> Street Storm Sewer Extension Design Project. (Specific Purpose Option Tax Fund - 2012 Ballot Overages) (POSTPONED FROM 01-13-20)

Mr. Esquibel moved to approve in an amount not to exceed \$342,769.00, seconded by Mr. Laybourn. Mr. Esquibel moved to amend by substitute, motion died due to a lack of a second. Main motion failed with Mr. Esquibel voting "YES" and Mr. Laybourn voting "NO", and Mr. White voting "NO" breaking the tie.

**DISCUSSION:** Mike O'Donnell, City Attorney, provided a staff report and recapped the project and reviewed the funding requirements of the project including the oversight by the State Loan and Investment Board (SLIB). Mr. O'Donnell advised that a preference was expressed by the Governor to slow the project down in order to be more fiscally responsible and allow more contractors to bid on the project. Mr. O'Donnell presented an amendment by substitution and an email from the SLIB to the committee for consideration. Upon inquiry, Mr. O'Donnell advised a new Request for Proposals (RFP) would not be advertised. Mr. Laybourn voiced concerns with this process and advised he could not support this agreement at this time. Mr. White expressed concerns with the change in urgency from a little over a week ago. Additional discussion included: 6<sup>th</sup> Penny funds and the future SLIB meeting dates.

- i) Purchase and Sale Agreement between DSK Ranch, LLC, and the City of Cheyenne for real property described as a Portion of the East Half of the East Half (E½E½) of Section 35, Township 14 North, Range 66 West of the 6<sup>th</sup> P.M., Laramie County, Wyoming, in the amount of \$2,500,000.00 to be used as a future City park in accordance with the terms of the 2017 1% Specific Purpose Sales and Use Tax Ballot and Election. (Specific Purpose Option Tax Fund - 2017 Ballot)

Mr. Laybourn moved to approve in an amount not to exceed \$2,500,000.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

**DISCUSSION:** Mike O'Donnell, City Attorney, provided a staff report and advised progress has been made from a year ago concerning the appraisal of the property. Mr. O'Donnell explained that the original appraisal was completed on a ranch land basis and yielded a much lower value than the seller was willing to accept. Mr. O'Donnell further explained that the City conducted a Fair Market Value analysis that analyzed different uses of this land and valued the land at \$2,500,000.00 which the seller has agreed to. Mr. O'Donnell provided an overview of activities and uses of the proposed land including connecting the park to Conservation District land located adjacent to the proposed park land. Upon inquiry, Jeff Geyer, Laramie County

Conservation District, confirmed that the small lake on the proposed property contributes to water quality along Dry Creek and water sampling is conducted on the adjacent land. Mr. O'Donnell recognized and thanked Mr. Keizer and upon inquiry, spoke to the mineral rights on the land and reported that the land should be safe from oil/gas encroachment.

19. CONSIDERATION OF BIDS/PURCHASES/REQUESTS FOR PROPOSALS:

- b) Consideration to purchase between the City of Cheyenne, and Titan Machinery Company, Gillette, WY, for the repair of Street and Alley Vacuum Truck Block #5889. (Fleet Maintenance)

Mr. Laybourn moved to approve in an amount not to exceed \$46,760.86, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

**DISCUSSION:** Vicki Nemecek, Public Works Director, provided a staff report and advised the proposed repair is for the division and is to replace the blower unit and any other components that may be damaged.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 12: 11 P.M.

Submitted by,



Jennifer McClelland  
Executive Assistant to the City Council