

MINUTES

PUEBLO AREA COUNCIL OF GOVERNMENTS

JANUARY 24, 2019

A meeting of the Pueblo Area Council of Governments was held on Thursday, January 24, 2019, at the Pueblo County Department of Emergency Management, 101 West 10th Street, 1st Floor Conference Room. The meeting was called to order by Ms. Judy Leonard, Chairwoman, at 12:15 p.m.

ROLL CALL

Those members present were:

Ray Aguilera
Mark Aliff
Larry Atencio
Ed Brown
Dennis Flores
Nick Gradisar

Terry Hart
Frank Latino
Judy Leonard
Ted Ortiviz
Garrison Ortiz
Bob Schilling

Those members absent were:

Terry Kraus
Ted Lopez
Chris Nicoll

Dennis Prater
Chris Wiseman

Also present were:

John Adams
Dan Kogovsek

Cynthia Mitchell
Louella Salazar

CONSENT ITEMS:

Ms. Louella Salazar, PACOG Recording Secretary, reported there were nine items listed on the agenda under the Consent Items. She summarized the Consent Items for PACOG.

Chairwoman Leonard asked if there were any other additions or amendments to the Consent Items or if any of the members or audience would like an item removed or discussed that was on the Consent agenda. There were no other additions or amendments.

It was moved by Ed Brown, seconded by Bob Schilling, and passed unanimously to approve the Consent Items listed below:

- Minutes of October 25, 2018 Meeting;
- Treasurer's Report (Receive and file October 2018 Financial Report);

- A Resolution Reappointing Members to the Environmental Policy Advisory Committee (Gail Conners and Nancy Keller);
- A Resolution Retaining the Services of McPherson, Goodrich, Paolucci, and Mihelich, PC to Perform Bookkeeping Services for the Pueblo Area Council of Governments for FY 2019;
- A Resolution Retaining the Services of Garren, Ross & DeNardo, Inc. to Prepare the Pueblo Area Council of Governments' 2018 Audit;
- A Resolution Approving the 2019 Delegation Agreement between the Pueblo Area Council of Governments (PACOG) and the City of Pueblo for Transportation Planning Services, Authorizing the Chair of the Council to Execute Same, and Authorizing and Directing the Urban Transportation Planning Division to Administer the Agreement in Compliance with All Applicable Federal, State, and Local Laws and Regulations;
- A Resolution Approving the FFY2018 Listing of Federally Obligated Projects, and Authorizing and Directing the Urban Transportation Planning Division to Distribute and Post the List in Accordance with All Applicable Federal and State Regulations;
- A Resolution Amending the Calendar Year 2018 Budget for the Pueblo Area Council of Governments (PACOG); and
- A Resolution Designating a Place for the Posting of Notice of Public Meetings of the Pueblo Area Council of Governments for Calendar Year 2019.

REGULAR ITEMS:

PACOG BUDGET HEARING

The Pueblo Area Council of Governments held a public hearing regarding its proposed 2019 budget. A notice of the public hearing and the availability of the proposed budget was published in the Pueblo Chieftain on November 22, 2018.

A RESOLUTION APPROVING A BUDGET FOR THE PUEBLO AREA COUNCIL OF GOVERNMENTS (PACOG) FOR CALENDAR YEAR 2019

Mr. Terry Hart, PACOG Budget Committee, reported the Committee met to review the previous year's budget and expenditures. Discussion occurred on the restructuring of PACOG. It was felt the best thing to do is to keep the discussion on restructuring in the forefront, but to continue with the same budget structure for another year. The 2019 budget basically mirrors the 2018 budget.

Mr. Kogovsek stated PACOG is required by State law to have a hearing on the budget. He asked Chairwoman Leonard to allow the audience to speak at the public hearing. Chairwoman Leonard opened the public hearing and asked if there was anyone in the audience who would like to speak. Seeing none, the public hearing was closed. She asked for a motion.

It was moved by Ray Aguilera, seconded by Ted Ortiz, and passed unanimously to approve "A Resolution Approving a Budget for the Pueblo Area Council of Governments (PACOG) for Calendar Year 2019".

A RESOLUTION DIRECTING THE PUEBLO COUNTY PLANNING AND DEVELOPMENT DEPARTMENT TO IMPLEMENT THE FY 2019 WORK PROGRAM AND APPROPRIATING FUNDS FOR SAID WORK PROGRAM

Mr. Hart reported this resolution allows the Pueblo County Department of Planning and Development to provide services for the FY 2019 work program with respect to regional planning and administration.

It was moved by Nick Gradisar, seconded by Ray Aguilera, and passed unanimously to approve "A Resolution Directing the Pueblo County Planning and Development Department to Implement the FY 2019 Work Program and Appropriating Funds for Said Work Program".

A RESOLUTION APPROVING THE PUEBLO AREA COUNCIL OF GOVERNMENTS' (PACOG) FY 2019 MEMBERSHIP CONTRIBUTION SCHEDULE FOR ADMINISTRATION AND INSURANCE ACTIVITIES

Mr. Hart reported this resolution would approve the 2019 membership contribution schedule for the respective PACOG entities. The dues would remain the same as 2018.

It was moved by Dennis Flores, seconded by Ed Brown, and passed unanimously to approve "A Resolution Approving the Pueblo Area Council of Governments' (PACOG) FY 2019 Membership Contribution Schedule for Administration and Insurance Activities".

CHAIRPERSON'S REPORT:

(A) Lunch Appreciation

Chairwoman Leonard thanked Pueblo School District No. 60 for providing lunch for today's meeting.

(B) Introduction of New Member

Chairwoman Leonard stated Mr. Chris Wiseman, the new County Commissioner, could not be at this meeting because he had a previous engagement.

(C) Selection of PACOG Nominating Committee for Officers

Chairwoman Leonard asked if any members would like to volunteer to serve on the PACOG Nominating Committee for Officers for 2019. Chairwoman Leonard and Messrs. Atencio and Hart agreed to serve on the committee. Ms. Salazar stated she would coordinate the meeting and let the members know the date/time/location of the meeting. A report will be provided at the next PACOG meeting.

MANAGER'S REPORT

(A) EPAC Minutes/Statement Report

Ms. Salazar reported the minutes of the December 6, 2018 Environmental Policy Advisory Committee meeting were included in the members' packets.

This being an information item only, no formal action was taken

(B) ADA Advisory Committee Minutes

Ms. Salazar reported the minutes of the ADA Advisory Committee meetings of November 1 and December 6, 2018 were included in the members' packets.

This being an information item only, no formal action was taken.

(C) 2019 PACOG Meeting Date Schedule

Ms. Salazar reported the PACOG members received in their packets the 2019 meeting date schedule. The 2017 and 2018 December PACOG meetings did not have a quorum. As a future note, possibly in October when the decision of the November/December meeting dates are discussed and decided on, PACOG may wish to cancel the combined meeting date (usually held the 1st or 2nd Thursday in December) or conduct two meetings-- one in November and one in December. She asked the PACOG members to keep this in mind.

This being an information item only, no formal action was taken.

TRANSPORTATION COMMISSIONER/CDOT REGION 2 DIRECTOR'S REPORT

Chairwoman Leonard stated there were no comments from Mr. Bill Thiebaut, the State Transportation Commissioner for the Pueblo region.

Ms. Karen Rowe, CDOT Region 2 Director, reported CDOT is almost done with the Ilex construction project. The final paving will be done in the spring.

Ms. Rowe stated construction in the City of Pueblo will be light this year. Most of the road construction in 2019 will be done in the St. Charles Mesa (repaving of U.S. 50C).

Ms. Rowe stated CDOT has a new executive director, who is replacing Mr. Mike Lewis. Her name is Shoshana M. Lew. She will be confirmed next Tuesday by the State Senate. She has already been to Region 2, and has been driven around Pueblo. She is expected to be at the STAC meeting tomorrow. She is waiting to have the retreat with the Governor in February. In the meantime, she is gathering information.

Ms. Rowe stated there are a lot of changes being proposed with the new Legislative session, noting she would try to keep PACOG informed. Senate Bill 267, which provided some funding with certificates (or where they would fund transportation but would go into debt). CDOT is supposed to have its second year this July, which is \$500 million per year

to fund capital projects. She stated she wasn't sure if this Legislative session would keep this in place. CDOT is making sure to keep its major projects moving forward with asset management (e.g., paving projects, culvert projects, bridge replacement projects). Any big capital improvement projects would come from a general fund transfer or Senate Bill 267. The project in this area is U.S. 50 and Purcell, which is under design.

Mr. Flores asked what is the process of the State allowing someone to purchase some of the excess properties for real estate development, which were bought for the Ilex project. Ms. Rowe replied CDOT has a lot of hazardous semi-/quasi-dirt which needs to be put somewhere and covered. CDOT is looking at using these properties for this. The process will include CDOT determining how much excess property they want to keep. CDOT first goes to its public partners (usually the counties and cities). If there is no interest, then CDOT will go to the public. An appraisal will be done to make sure it is being sold at fair market value. CDOT lets the Transportation Commission know that they are disposing of excess property, and they approve the disposition of the property.

Mr. Flores asked about the hazardous material. Ms. Hu, CDOT, replied the hazardous material will be hauled off. It is slightly contaminated, but it is fine for it to stay on the properties according to the health department. Ms. Rowe stated there were different levels of material which were obtained from the project. The health department determines which soils have to be hauled away and which can be put in the ground and covered up. CDOT is trying to determine what to do with soils, and one of those could be to spread the soils in these excess properties. If CDOT should decide to sell property, they will disclose what the property can be used for and what is on it. Mr. Flores asked if it is temporary. Ms. Rowe replied they are trying to figure it out. The properties might not be available until this spring or summer. Mr. Flores asked who in their office is in charge of real estate. Ms. Rowe replied either Wayne Trujillo or Amber Billings, noting she would get him their information.

Mr. Brown inquired is there a way to change our priorities on how we are doing I-25 because there is a lack of funds to do it any faster. It was determined we wouldn't go south because Eilers needs to be cleaned up. He wondered what happens if Eilers is cleaned up before we get any more money. Ms. Rowe answered CDOT doesn't have any major money for capital improvements. There are smaller improvements, such as Drew Dix for an additional off-ramp or roundabout near Love's Truck Stop. There would be \$2 to \$5 million to try to do something there with some freight money. With I-25, there is a Phase I Record of Decision from Abriendo to the north to the Highway 50/47 interchange. This is the first phase of any the projects CDOT can do. The reason that nothing has been approved south of Abriendo is because the preferred alternative realigns the interstate, which is a \$400 million project, and it can't be phased. North from Ilex to 29th Street is \$300 million. This is the next phase which is approved for improvements. The projects there are \$130 million, \$110 million, and \$50 to \$60 million. CDOT has those identified as logical sections which can be done. CDOT has some money which they are looking to help identify if money became available as to how much it would cost. There is approximately \$1 to \$2 million of Senate Bill 1 seed money to identify how much right-of-way would be taken, what would be the vertical alignment, etc.

Mr. Hart asked if the green truss bridge is now completed. Ms. Rowe replied yes. Ms. Hu commented there is still an overlay which needs to be done over Highway 50C.

Mr. Hart asked where CDOT was at with the lane realignment of Highway 50 West to Purcell Boulevard. Ms. Rowe responded the current project is done. Ms. Hu replied the final striping, grinding, and some work by the railroad bridge still need to be done. Ms. Rowe stated overall everything is done. There is a punch list of items that still need to be done such as the striping, which requires the weather to warm up. He added the exit to go south of Purcell works well.

Mr. Hart stated since the two ballot issues failed, the question is squarely in the lap of the Legislature this year. The Legislature, in theory, is supposed to put up another ballot question this fall. There is talk about how much new revenue will be coming into the State this year, and if there is a desire to put some of it into transportation and what can it be used for. This is a critical year of having two of our Legislative members in leadership positions. This is the year we should take a serious look at where we are headed with transportation. He asked everyone to take a close look at this. He stated he learned from the Gap Project how much politics play and how quickly you get your projects done. We need to be aware of various proposals and how they impact us, and then use our resources. Mr. Aguilera asked who gives input into those projects, noting he has been trying to find a way to clean up the area by Evraz. The condition on that portion of the highway is poor. We need to fix it up. He stated he would be interested in putting lights up, which Evraz has agreed to do. We need to make this City look like a competitive community. There aren't many cities in the United States that have \$500 million projects going into their community. We need to cooperate with Evraz to light that area up and put some sound barriers. Mr. Hart stated we should give CDOT staff our thoughts and put them in writing. Decisions are made first at the Legislative level and they are also made at the STAC level and Transportation Commission level. The Transportation Commission makes the final decision based on what the Legislature has told them to do. We can utilize several forms of communication. The trouble is the Legislature has fumbled funding issues the last several years. He felt Proposition 109 was placed on the ballot last year to sabotage Proposition 110, noting both went down. What do we do about transportation? We do not have the money necessary to do the projects we want to do in the State. Do we think that is something that needs to be fixed and here are the projects we would like to have done, and then make a suggestion on what we think is the best way to fund it.

Mr. Aliff asked about the slightly contaminated soil, which may be put into the parcels. He asked if CDOT can put that soil in there without community involvement. Ms. Rowe stated the health department is the entity who approves how the soil can be used. Mr. Aliff stated no one else has a say so. Ms. Rowe replied that is correct. Mr. Aliff asked if putting the soil on a parcel would limit the economic viability of a parcel. Ms. Rowe replied she didn't think so. She stated she could get more information. There are different levels of this, and CDOT used as much as it could in the fill of the project. The Colorado Department of Public Health and Environmental (CDPHE) makes sure it is used according to State regulations. Mr. Aliff asked if CDOT would continue to communicate with the City and County and will they be informed. Ms. Rowe responded they are following State regulations, but she could get him more information. The soils are currently in piles and are being tested to make sure everything is safe for the public and it is used according to public safety. Mr. Aliff asked if he could obtain the information on what those parcels can be used for. Ms. Rowe answered she would get as much information as she could. Mr. Schilling asked when CDOT releases the parcels for sale if they have to comply with zoning. Ms. Rowe replied whoever purchases the property would have to comply with zoning. She added any development has to comply with the zoning in the area. Mr.

Kogovsek stated the State doesn't have to comply with City zoning, but if they sell the property, the purchaser does. Ms. Rowe stated CDOT is not building anything on those properties. She stated it is all safe for the public, and they are complying with CDPHE regulations.

Mr. Flores stated in 2014 he brought up the problem with the road going to Beulah. There is an access area coming out of a residential area, which funnels all the traffic to the west. There is nothing to the west, and everybody compromises that exit by going into it and then making a U-turn. This is in the area of Starlite Park. He felt it was a very dangerous situation. Recently there was a major fatality at this location. A Waste Management truck killed a 19-year old girl trying to cross the road. There have been several accidents in this area. He thought a roundabout would work there. Ms. Rowe stated she would look into the accidents report. There is an access plan in the area, and CDOT worked with the City on the State highway access plan to come up with the best solution.

Mr. Brown asked about the value of the old CDOT property on Erie. Ms. Rowe replied the property is under contract. It was appraised at \$2.4 million.

STATE TRANSPORTATION ADVISORY COMMITTEE (STAC) UPDATE

Mr. Terry Hart, PACOG STAC representative, reported the last STAC meeting was held on December 7, 2018, and the next meeting is tomorrow. There was an interesting conversation on the State taking a look at rest stops. One of the worst rest stops in the State is the one north of Pueblo. Discussion occurred on whether we should have rest stops and about having a Google comment section. A study was done comparing our rest stops with others throughout the nation. Colorado's rest stops are currently graded a low "C". Discussion occurred on how they are constructed and maintained. There is a discussion at the present time on whether to create a separate line item specifically for rest stops. The rest stops could be graded and funding could be provided to maintain them.

Mr. Hart stated there was a report on the status of State and federal legislative activities. They talked about the two ballot issues being denied. They talked about potential solutions, which might be introduced in the Legislature this year. At the Federal level, there is not a lot of activity, particularly in the last year. He stated they should be getting a report tomorrow on the Federal level activities.

Mr. Hart stated STAC received a report on the low emission vehicle standards. The Obama Administration increased the standards of fuel efficiency and emissions. The Trump Administration reversed that. States across the nation are taking a look at it on an individual basis. There are 12 states saying we are going to do our own standards. Colorado is in the discussion. It is going to be driven by activity at the CDPHE. Those standards only apply to passenger and light trucks.

Mr. Hart stated there was a presentation on where does Colorado rank when it comes to certain metrics. These are basically national performance standards. Colorado ranks high as a bicycle friendly state, noting they are 6th in the nation. Colorado ranks high when it comes to transit utilization (12 overall nationally). It ranks high on bridge conditions (13th overall nationally). This is because the Legislature passed a Bridge Enterprise Fund. On interstate and national highway reliability, Colorado ranks 39th overall nationally. On

interstate highway pavement systems, Colorado ranks 38th overall nationally. On interstate freight reliability, Colorado ranks 29th overall nationally. In the statewide rating over all the categories, Colorado ranks 21st overall. The condition of our State highway system and interstate highway system directly relates to financing. If you have the financing, the projects get done and the maintenance gets done.

Mr. Hart stated the 2045 Statewide transportation planning process is beginning. We need to make sure we work with our MPO staff to clarify which projects we want to have on our priority list so they can get them into the State transportation planning process.

Mr. Hart stated there was discussion on the Smart Mobility Plan. The discussion was centered on the types of technology that come into transportation including smart cars, autonomous cars, etc.

MPO STAFF REPORT

(A) TIP/STIP Administrative Modifications

Mr. John Adams, Transportation Program Manager, reported there are four (4) TIP/STIP administrative modifications. In December, staff identified \$750,000 in SB1-2018 funds to the I-25 Project from Mile Post 94 to Mile Post 105 for freeway upgrades and construction plans for the corridor. Since then, CDOT realized that only \$450,000 was needed, which is a difference of \$300,000. CDOT applied the \$300,000 to the U.S. 50 West Project from Pueblo Boulevard to Purcell, noting the money was not lost but was shifted to another local project.

Mr. Adams stated the next project, which was listed on the agenda as using Senate Bill 228 funding for the Drew Dix Interchange Improvements, will be using Regional Priority Project funds. The amount of funding is \$3 million. The scope of work includes: constructing the frontage road on the east side of I-25 to complete the current unfinished split diamond interchange between Drew Dix Parkway and Dillon. Intersection improvements at the Drew Dix/West side frontage road as well as necessary signage improvements and drainage improvements are also included. The design of the project is underway.

(B) TIP/STIP Administration Modification (Pueblo Transit request for PACOG MPO/TPR TIP Amendment)

Mr. Adams reported there is one administrative modification pertaining to the Pueblo Transit request for the PACOG MPO/TPR TIP Amendment. The funding, which will be utilized, is Federal Transit Administration (FTA) 5307 operating funds. These funds are estimated in the Transportation Improvement Program because FTA is always lagging approximately four months behind. The total funding of the project, which provides operating assistance to fund operation expenditures in 2018 at a 50/50 cost sharing ratio and provides 1% for security expenditures for security services at the Transit Center (bus terminal), is estimated at a cost of \$3,511,795.

(C) FFY 2018 Federal Obligation Report

Mr. Adams stated the resolution regarding the FFY 2018 Federal Obligation was approved previously on the Consent Agenda at this meeting.

This being an information item only, no formal action was taken.

(D) Other Transportation Matters

Mr. Adams stated there a transportation meeting Monday with CDOT regarding TPR matters. The meeting will be held at the CDOT headquarters between 1:00 to 3:00 p.m.

Mr. Flores asked what is the formula for artwork. He asked if there is a certain amount of money set aside for projects, such as the bridge at the Dillon exit. Mr. Adams replied artwork was previously funded through Transportation Enhancement funds. There is old money still hanging out there, noting the streetscape project on Santa Fe is an example of these funds at work. These funds were eliminated in 2015. The current funding is TAP funds, which cannot be used for streetscape projects. He stated he didn't know if there were federal funds available, but stated he would look into it. Mr. Ortiz asked if there is a specific revenue stream for maintenance. Mr. Adams replied it is local money. This is one of the reasons they got away from streetscape and live vegetation. They weren't being maintained and, if they were being maintained, they were being maintained poorly or it cost too much money.

PLAN OF ACTION FOR SCHOOL AND COMMUNITY SAFETY

Mr. Frank Latino reported the third Pillars of Unity School and Community Safety summit will be held on Saturday, June 22, 2019, from 10:00 a.m. to 2:00 p.m. at Centennial High School. They are soliciting Rod Smith, former Denver Bronco, as a possible keynote speaker. His message should reach the young people. Mr. Andrew Romanoff has been invited to speak on the mental health component.

Mr. Latino stated Mayor-Elect Nick Gradisar has a difficult task ahead of him. He stated all entities have to come together for us to make progress with regard to this community and its wellbeing. The educational component has to be a key cog moving forward. School District 60, School District 70, Pueblo Community College, and Colorado State University-Pueblo need to work together on a strategic plan. It will be difficult for School District 60 to move forward. District 60 is facing the possibility of high school closures. District 60 needs to look at it in a realistic way. He stated he understood the territorial situation is important. He stated moving forward we need to stop pointing fingers and come up with a community-wide plan. District 60 is having a meeting today with stakeholders. A study has been going on since 2010 with regard to the facilities in District 60. We need to come together as a community with priorities. There are 15 options, but only two options that deal with no bond. District 60 is asking for a \$245 million bond. This will address some of the concerns. He didn't know if a bond can pass. He stated, moving forward, the education piece is important because business and industry are going to look at the state of the school system. The curb appeal is important. He stated Dutch Clark Stadium is a great facility, but if you look at the curb appeal, the parking lot has a lot of issues. He stated we are going to need everybody coming to the table and everyone's involvement in

prioritizing the options, and then looking at the general public and saying how do we disseminate the information and how do we get people to eliminate the territorial situation. He stated he is a strong advocate of tradition, legacies, etc., but there are decisions that are going to be made where we need to look beyond the territorial component. He stated this is about the future of District 60 and it is important. We need to figure out what we can do for the preservation of District 60 moving forward.

Mr. Aguilera stated it's important as to who sells the product for you. He stated they should look at possibly getting Dan DeRose and Louis Carleo on board. Every project that is passed has had strong leadership. Mr. Latino agreed. He stated District 60 is faced with declining enrollment, not a lot of economic growth, etc. He stated this is why he said the mayor-elect has a difficult task ahead of him, as well as other leaders such as the City Council and Board of County Commissioners.

Mr. Gradisar asked Mr. Latino to let him know how the mayor's office can help facilitate. He stated he didn't think there was anything more important to the future of Pueblo than having a good educational system. He felt all the businesses, the unions, PCC, CSU-P, etc. need to try to get this put together. He noted this is going to be tough because Pueblo likes its four high schools. He stated hopefully there is way the community can come to a consensus on this issue. If they can't come to a consensus, he didn't believe there was anyway a bond issue would pass. He felt we need to spend some time together to make sure there is a good plan going forward. Mr. Latino stated there wasn't a strategic plan in place for the District 60 facilities for many years. There should have been a 5-year plan, a 10-year plan, 15-year plan, or 20-year plan, but now the schools are getting older and they need to figure out what to do with them. He stated we need to be concerned about the safety of students, staff, and the general community. District 60 is faced with this now and we have to come together collectively and create a proactive plan that addresses a 5-year plan, etc.

Mr. Aguilera stated in today's newspaper there was an article on a school purchasing the old CDOT building on Erie. He wondered why you would want to build a school there when there might be some schools in District 60 that might be closing. Mr. Latino stated this is a charter school, noting this is something which is being faced Statewide.

Mr. Flores felt that the District 60 Board needs to look at evaluating the four-day work week. They need to see if it worked and, if it didn't, they should probably go back to the five-day work week. Most people in the community feel this is more of a perk to the teachers than a benefit to the students. He stated District 70 has stated their scores are still the same. He wondered if they could be better with the five-day work week. Mr. Ortiz stated when District 70 went to a four-day work week, there were parents who fought District 70 to leave it at five days per week. If District 70 tried to go back now to five days, there would be a mutiny from parents to leave it at four days. Mr. Flores answered that the decision should be based on what is better for the kids.

OTHER ITEMS

Mr. Jim Eccher, the new District Manager for the Colorado City Metropolitan District, introduced himself to PACOG.

FUTURE AGENDA ITEMS

There were no future agenda items.

ADJOURNMENT

There being no further regular business before PACOG, the meeting was adjourned at 1:16 p.m. The next meeting is scheduled to be held on Thursday, February 28, 2019, at 12:15 p.m., at the Pueblo County Emergency Operations Center, 101 West 10th Street, 1st Floor Conference Room.

Respectfully submitted,



Louella R. Salazar
PACOG Recording Secretary

LRS