

**MINUTES**  
**PUEBLO AREA COUNCIL OF GOVERNMENTS**  
**FEBRUARY 28, 2019**

A meeting of the Pueblo Area Council of Governments was held on Thursday, February 28, 2019, at the Pueblo County Department of Emergency Management, 101 West 10<sup>th</sup> Street, 1<sup>st</sup> Floor Conference Room. The meeting was called to order by Ms. Judy Leonard, Chairwoman, at 12:19 p.m.

**ROLL CALL**

Those members present were:

Ray Aguilera  
Mark Aliff  
Ed Brown  
Dennis Flores  
Judy Leonard

Ted Lopez  
Ted Ortiviz  
Garrison Ortiz  
Chris Wiseman

Those members absent were:

Larry Atencio  
Terry Hart  
Terry Kraus  
Frank Latino

Chris Nicoll  
Dennis Prater  
Bob Schilling

Also present were:

John Adams  
Nick Gradisar  
Dan Kogovsek

Cynthia Mitchell  
Louella Salazar  
Kallene West

**CONSENT ITEMS:**

Mr. Flores requested that Consent Item No. 4 be removed from the Consent Items to the Regular Items for discussion.

It was moved by Dennis Flores and seconded by Ted Ortiviz that Consent Item No. 4, A Resolution Amending and Readopting the Bylaws of the Pueblo Area Council of Governments, be removed from the Consent Items to the Regular Items for discussion. The motion passed unanimously.

Ms. Louella Salazar, PACOG Recording Secretary, reported there are three 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 Dennis Flores, and passed unanimously to approve the remaining three Consent Items listed below:

- Minutes of January 24, 2019 Meeting;
- Treasurer's Report (Receive and file November 2018 Financial Report); and
- A Resolution Approving the FY 2019 Pueblo Area Council of Governments' Delegation Agreement for Regional Land Use Planning and Administration, and Authorizing the Chairperson of PACOG to Execute Same.

**REGULAR ITEMS:**

**CHAIRPERSON'S REPORT:**

(A) Lunch Appreciation

Chairwoman Leonard thanked Pueblo School District No. 70 for providing lunch for today's meeting.

(B) Introduction of New Member

Chairwoman Leonard welcomed Mr. Chris Wiseman, County Commissioner.

(C) PACOG Nominating Committee for 2019 Officers

Chairwoman Leonard reported the PACOG Nominating Committee consisting of Larry Atencio, Terry Hart, and she met on February 20, 2019 and selected the following persons to serve as officers for 2019: Dennis Flores (Chair), Frank Latino (Vice Chair), Terry Hart (Treasurer), and Louella Salazar (Secretary).

Chairwoman Leonard asked if there were no other nominations from the floor. There were none.

It was moved by Ed Brown, seconded by Ted Ortiviz, and passed unanimously to accept the Nominating Committee's report and approve the following slate of officers for 2019:

Dennis Flores - Chair  
Frank Latino - Vice Chair  
Terry Hart - Treasurer  
Louella Salazar - Secretary

(D) New Chair Takes Chair

Chairman Flores thanked Ms. Leonard for her services.

(E) Presentation of Plaque to Outgoing Chair

Chairman Flores presented a plaque of appreciation to Ms. Leonard, the 2018 outgoing chair.

(F) Appointment of PACOG Budget Committee

Chairman Flores asked if there was anyone who would like to serve on the Committee. He stated the City Council has already approved the appointment of Mr. Atencio to serve on the PACOG Budget Committee. Mr. Hart will be serving as the Treasurer. He stated a replacement needs to occur to replace Mr. Gradisar on the Committee. Mr. Gradisar served as the 2018 Treasurer/Chair of the Budget Committee.

Mr. Kogovsek stated the Budget Committee, per the bylaws, should consist of one representative from the City Council, one representative from the Board of County Commissioners, and the treasurer. Chairman Flores stated the treasurer is Mr. Hart, so another person needs to be selected to fill the vacancy. Mr. Kogovsek replied the vacancy would be filled by the County. Chairman Flores asked wouldn't Mr. Hart fill the position for the County. He stated previously Mayor Gradisar served on behalf of the Board of Water Works on the Committee. He questioned if it would be better to have a third party from outside the County or the City, or does it matter. Mr. Kogovsek responded that is not what the bylaws state. It states there needs to be one appointment from the City and one appointment from the County and the treasurer. Chairman Flores asked if this Committee is relegated to two people. Mr. Kogovsek replied there needs to be three to break a tie vote. Mr. Ortiz asked if the bylaws state that the City and County can appoint somebody. He questioned if the County can appoint somebody in turn as well. Mr. Ortiz stated it would be his recommendation to appoint someone from outside the City or County. Mr. Kogovsek stated the City has named a City Councilperson by resolution (Larry Atencio) and the County Commissioners do not have to make one of their Commissioners the appointee. Chairman Flores stated Mr. Atencio was appointed formally by the City Council to serve on the Committee. The anomaly is that Mr. Hart is not representing the County by virtue of the fact that he is the treasurer. This then allows another spot for the County because Mr. Hart, being appointed as the treasurer, is on the Committee automatically. Mr. Kogovsek stated the bylaws state, "The Budget Committee shall consist of one representative designated by and from the City Council and one representative designated by and from the County Commissioners." This means the County Commissioners can only appoint from their Board, which would be Mr. Ortiz or Mr. Wiseman. Mr. Hart, by virtue of being the new PACOG Budget Committee treasurer, is the third person on the Committee. He stated the County Commissioners have to appoint either Mr. Ortiz or Mr. Wiseman to the Budget Committee by resolution. Mr. Ortiz asked if the current Budget Committee meetings public. Mr. Kogovsek replied yes, noting the meetings should be posted. Ms. Salazar added the meetings are only held once a year. The Budget Committee has been working on the restructuring of PACOG, but one of these meetings hasn't been held for quite a while.

Chairman Flores stated Mr. Hart and Mr. Atencio have already been appointed to the Budget Committee. He stated PACOG would have to wait until its next meeting to add the third Committee member, once the County Commissioners formally appoints either Mr. Ortiz or Mr. Wiseman to serve.

## MANAGER'S REPORT

### (A) ADA Advisory Committee Minutes

Ms. Salazar reported the minutes of the ADA Advisory Committee meeting of January 3, 2019 was included in the members' packets.

Chairman Flores stated ADA Advisory Committee meeting minutes indicate an update is being done on a Google map application, which will allow people to check where buses are in real time. He felt this is a significant element and would allow people to manage their time better. He felt this would be a tremendous assistance to the ADA community.

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

## TRANSPORTATION COMMISSIONER/CDOT REGION 2 DIRECTOR'S REPORT

Chairman Flores read into the record the following comments from Mr. Bill Thiebaut, the State Transportation Commissioner for the Pueblo region:

- At its February meeting, the Transportation Commission adopted a resolution establishing a high revenue scenario of about \$2 billion per year (a total of roughly \$50 billion) for the 2045 transportation planning process. Establishing a higher level forecast gives MPOs the ability to include more projects in long-range transportation plans. Consequently, projects are more likely to advance to a NEPA decision document. This means more projects will be on the shelf and ready to go if significant additional revenue becomes available.

Ms. Karen Rowe, CDOT Region 2 Director, reported the Statewide transportation planning efforts are starting for 2045. For planning purposes, the State is looking at a high revenue scenario of about \$2 billion per year. CDOT is trying to provide some guidance Statewide that applies to the TPRs more than the MPOs because technically the MPOs can do what they want.

Ms. Rowe reported at the STAC meeting, discussion occurred on the INFRA grant, which is a Federal freight-related grant. CDOT is going after a small amount of funds out East for passing lanes for U.S. 50, State Highway 13, and State Highway 25 north of Denver.

Ms. Rowe reported the Colorado Department of Public Health and Environment provided a report on the low electric and low emission vehicle Executive Order. There is a public meeting in May.

Discussion also occurred on the 2045 Statewide Transportation Plan and getting it completed by September 2020. Because new CDOT personnel are being hired, there is a possibility that there may be a change in direction on the Statewide Transportation Plan.

Mr. Aguilera asked if all the money is for road construction. Ms. Rowe replied no, it is for transportation. This would allow for it to be broken out for bicycles, pedestrian, and transit. Mr. Aguilera asked if this would include the Pueblo bus service. Ms. Rowe replied it is for planning purposes and wasn't sure, noting at this time it is imaginary money. Mr. Aguilera stated he would like the bus service in Pueblo expanded and allow for the service to go

later in the evening and provide Sunday service. Ms. Rowe responded for planning efforts, Pueblo should plan on this. If Pueblo feels this is a priority for its transportation system, then it should be listed. There will be \$80 million available from Senate Bill 1 for locals for transit only. She stated she was unsure how it would be distributed Statewide to local transit agencies, not CDOT. She stated this would be for Senate Bill 1 funds for 2018. At the current time, CDOT's main focus is maintenance, as well as its priority for safety.

Mr. Ortiz asked on low emission vehicles and if there was a follow-up discussion on a zero emission standard that could be mandated. Ms. Rowe replied that she thought zero emissions was in the PowerPoint., noting she would send the PowerPoint presentation to him. She stated discussion occurred on whether the electric grid could handle all of it, the charging stations, etc. She stated there were electric vehicles at the meeting. Additionally, there were pictures of electric trucks. Mr. Ortiz asked if the information on both presentations could be sent to him. Ms. Rowe replied yes. She noted their focus is more for the urban area or the more populated areas. Their focus is not on rural Colorado. Chairman Flores stated on a national level there has been some discussion on electric cars taking off and becoming a significant piece of the sales of vehicles, and there are not enough charging stations anywhere. He wondered if anyone was discussing this piece. Ms. Rowe replied yes. She stated Volkswagen had the settlement, and discussion occurred on using part of this settlement for charging stations. She stated discussion occurred on faster charging stations. There was discussion with electric companies and figuring out infrastructure and getting key locations. Mr. Ortiviz felt the problem is getting people to move their vehicles so that other vehicles can use a charging station. Ms. Rowe stated that Tesla has some program where you schedule time. She stated the new CDOT headquarters has charging stations for visitors, employees, and CDOT vehicles. Mr. Ortiviz asked if a natural gas vehicle was part of the discussion. Ms. Rowe responded the discussion centered around electric vehicles. Mr. Ortiz stated the County has a couple of CNG vehicles in its fleet. They were a little more efficient when they were first purchased, but as things change, they aren't as efficient. This is also due to the price of fuel. Ms. Rowe stated the amount of CNG stations is less than electric charging stations. Mr. Jim Eccher, District Manager, Colorado City Metropolitan District, stated the zero emissions standards are trying to be mandated, but how are they going to reimburse that revenue for maintenance. Ms. Rowe replied the gas tax is a little antiquated and it doesn't account for electric vehicles.

Mr. Ortiviz asked about the THUD Bill, which is appropriated by Congress for Federal transportation. Ms. Rowe stated she didn't think there was additional funding for transportation. Mr. Eric Richardson, CDOT Local Government Liaison, stated when the government was reopened, there was extra money available for transportation. The Feds are closer this year than last year to coming up with an infrastructure agreement for the future. On the State side, there doesn't seem to be a lot of consensus on transportation this session. They are looking at a TABOR timeout bill. If there isn't a Senate Bill 1 ballot question in November, there is \$500 million from Senate Bill 267 and \$150 million in Senate Bill 1. This totals to \$650 million, which would go to transportation.

Mr. Richardson stated House Bill 19-1199, the Colorado Clean Pass Bill, would allow electric vehicles to pass through toll express lanes for a discount. An extra registration fee would have to be paid upfront. Chairman Flores asked if there was anything in the bill that

would speed up any of the projects in Pueblo or Southern Colorado. Mr. Richardson replied no.

#### STATE TRANSPORTATION ADVISORY COMMITTEE (STAC) UPDATE

There was no STAC report.

#### STATUS ON SOUTHWEST CHIEF PASSENGER RAIL

There was no status report on the Southwest Chief Passenger Rail.

#### CURRENT STATE OF RECYCLING

Ms. Becky Cortese, a member of the Environmental Policy Advisory Committee and the Materials Management Subcommittee of the County Sustainability Department, reported the Materials Management Subcommittee has been tasked with the job of increasing recycling in our community. Over the last year, there has been a dramatic change in the recycling world.

A PowerPoint presentation was provided. From 2001-2017, China was the biggest buyer of United States recyclables including paper, plastics, and metals. In 2018, China's National Sword policy went into effect. China will no longer buy 24 types of solid waste including plastics and unsorted mixed paper. The contamination rates were also set at less than 1% for all incoming recyclables. This contamination rate is almost unachievable. The best recycling rates that come out of the United States are around 3%. These policies were put in place to stop the world from dumping their recyclables in China.

In the last two years, the metric tons that the U.S. sold to China include: paper -37.5%, plastic -92%, aluminum -6%, and copper -23%. With the implementation of the National Sword this has changed. With respect to plastics, this has decreased 92% over the last year, and that is going to be the biggest problem commodity for the United States.

What does this mean for recycling in the U.S.? Companies that pick up recycling are no longer receiving rebates and, in fact, must pay (3-5 times higher than the landfill cost) to have recycling processed. Those cost prohibitive commodities are being removed from recycling pickups. Processing facilities that only recycle plastics are closing their doors. Stockpiles of recyclables, which have been sitting for a year, are eventually going to be sent to the landfill. Because of this, recycling and materials management must be reinvented and retooled.

The Pueblo County Materials Management and Waste Diversion Subcommittee is going to come to PACOG in the future with a proposal to increase recycling of cost-effective commodities, implement a recycling education program, implement a buy-wise program which educates people on purchasing and packaging, implement a program which will recognize environmentally friendly businesses, a plan to work with local governments to attract end-user manufacturers that will make those products valuable in our community and the United States, and a plan to promote environmentally friendly packaging.

Chairman Flores stated there are cities in the United States banning straws and plastic bags. He questioned if the subcommittee will be making recommendations to go that far.

Ms. Cortese replied they have talked about this, but didn't know if they would be making a recommendation. She stated Kroger is doing away with plastic bags on their own without any kind of legislation. Mr. Ted Lopez, Jr., EPAC Chair, stated they are looking at a host of things. Any recommendations regarding banning straws or plastic bags would be brought to PACOG for its consideration, noting EPAC is an advisory committee to PACOG.

Chairman Flores stated there are businesses in Pueblo that will pick up your recyclables. This doesn't solve the problem anymore because it ends up in our landfills and they don't have a place to ship this off to anymore on a national level. Ms. Cortese stated most people don't understand the worldwide picture. What happens is those commodities get stockpiled and people are waiting for a good price to get rid of them, and that isn't happening and it isn't going to happen since China passed the National Sword. It is going to take different strategies. Recycling is not going to go away, but we need to change our packaging, how we buy things, etc. We live in a disposable world and this is something we are going to have to work on. The United States, Germany, and Japan are the biggest exporters of single waste plastic. There are some other countries such as Vietnam and Thailand that are taking recyclables, but they don't have the waste management structure that China does. She stated her concern with these countries is how do we know they are really getting recycled. Chairman Flores asked when the final report will be done. Ms. Cortese answered they hope to have it done by the end of the summer.

Mr. Lopez, Jr. stated it is important to educate the public. In the last several years, electronics are being handled differently and are no longer allowed in landfills. We, as a society, have to understand on how we live our lives in the products we buy and the packaging we use.

#### A RESOLUTION AMENDING AND READOPTING THE BYLAWS OF THE PUEBLO AREA COUNCIL OF GOVERNMENTS

Chairman Flores stated PACOG has two Co-Executive Directors. This was always the City Manager and the County Attorney. With the new government in the City, the PACOG bylaws need to be changed to reflect the City Mayor. This change in the bylaws would appoint the Mayor of Pueblo and the County Attorney as the two Co-Executive Directors. He stated the City Attorney also acts as the PACOG Attorney. The PACOG Manager is Joan Armstrong, the Director of the County Planning and Development Department. There are two ex-officio members: Bill Thiebaut, Colorado Transportation Commission for Region 10, and Kallene West, the chair of the 2020 Commission. This resolution would appoint Mayor Gradisar as the new PACOG Co-Executive Director.

Mr. Dan Kogovsek, PACOG Attorney, stated there is one other cleanup provision to the bylaws. The bylaws, as they now exist, reference 15 members, noting there are actually 17 members. The Salt Creek Sanitation District and Town of Boone were added. Since the bylaws are being amended, this section of the bylaws was cleaned up. There was a note in the bylaws, which included Salt Creek Sanitation District when they came on board, but the Town of Boone hadn't been added. The note was removed and both entities were added as members of record. He stated eight is still the number for a quorum. Mr. Ortiviz asked if Mayor Gradisar is a voting member. Chairman Flores answered no.

Mr. Aguilera stated he has been on PACOG for a long time, and wondered why Mr. Thiebaut has not been in attendance. Chairman Flores replied that Mr. Thiebaut provides written reports on the State Transportation Commission transactions to PACOG, noting these are read into the record. He stated Mr. Thiebaut also communicates with Mr. Terry Hart, who is PACOG's representative on STAC, or Ms. Karen Rowe, CDOT's Region 2 Director. He stated we could talk to him and encourage him to come, but he is not a voting member. Mr. Brown stated the State Transportation Commission meetings are held sometimes the same time as PACOG, and thus create a conflict. Chairman Flores stated he would try to talk to Mr. Thiebaut.

It was moved by Mark Aliff, seconded by Ed Brown, and passed unanimously to approve "A Resolution Amending and Readopting the Bylaws of the Pueblo Area Council of Governments".

#### MPO STAFF REPORT

##### (A) TIP/STIP Administrative Modifications Agenda Items

Mr. John Adams, MPO Manager, reported there are three TIP/STIP administrative modifications. The first and second projects pertain to the Emergency Flood Damage Permanent Repairs on North Creek Road South and North, which occurred with the 2015 flood. The North Creek Road South total project fund amendment is \$486,352, and the North Creek Road North total project fund amendment is \$480,157. The third project deals with the Santa Fe Streetscape, Phase 1B, which is 1<sup>st</sup> Street and I-25. The total cost of the project fund amendment is \$898,000.

This being an informational item, no action was taken.

##### (B) A Resolution to Adopt and Support the Colorado Department of Transportation (CDOT) Safety Performance Measure Targets for the Pueblo Area Council of Governments (PACOG) Metropolitan Planning Organization as per 23 U.S.C. 150 Other Transportation Matters

Mr. Adams reported last year PACOG accepted the State's performance targets for safety. By February 28<sup>th</sup> of each year, new performance measures must be adopted. The Transportation Advisory Committee has determined that PACOG adopt the State's performance measures again. Those performance measures are: fatalities-644 Statewide, fatality rate per 100 million miles traveled 1.20 Statewide, serious injuries-2,909 Statewide, serious injury rate per 100 million miles traveled-5.575 Statewide, and non-motorists' fatalities and serious injuries (pedestrian and bicyclists)-514 Statewide.

It was moved by Ed Brown, seconded by Ted Ortiviz, and passed unanimously to approve "A Resolution to Adopt and Support the Colorado Department of Transportation (CDOT) Safety Performance Measure Targets for the Pueblo Area Council of Governments (PACOG) Metropolitan Planning Organization as per 23 U.S.C. 150 Other Transportation Matters".

(C) Transit Asset Management Performance Targets MOU

Mr. Adams reported the State and Pueblo Transit got together regarding the performance targets. Pueblo is considered a Tier 2. This memorandum of understanding would adopt the State's transit asset management performance targets.

It was moved by Ed Brown, seconded by Mark Aliff, and passed unanimously to approve the Transit Asset Management Performance Targets Memorandum of Understanding.

(D) 2020-2023 Transportation Improvement Program Project Table

Mr. Adams reported, at the last PACOG meeting, discussion occurred on the addition of one item to the Transportation Improvement Program. This project for the year 2023 is for the east side of Dillon Drive and the connection to the interchange. There will be a 30-day public comment period published in the Pueblo Chieftain. Any comments will be reported to PACOG. PACOG will be approving this addition at a future meeting.

This being an informational item, no action was taken.

(E) Citizen Advisory Committee Vacancy

Mr. Adams reported there are three appointees from PACOG on the Citizens Transportation Advisory Committee. Mr. Michael Klaus, who serves on this Committee, has encountered a busy work schedule and he is not able to attend the meetings like he would like to. He stated Mr. Klaus will need to be replaced. The appointment will be advertised.

This being an informational item, no action was taken.

(F) Other Transportation Matters

There were no other transportation matters.

PLAN OF ACTION FOR SCHOOL AND COMMUNITY SAFETY

Chairman Flores stated Mr. Latino is absent, but has requested a report be presented at the next PACOG meeting regarding what is going on at School District No. 60 and some of their plans going forward.

OTHER ITEMS

There were no other items.

FUTURE AGENDA ITEMS

There were no future agenda items.

ADJOURNMENT

There being no further regular business before PACOG, the meeting was adjourned at 1:19 p.m. The next meeting is scheduled to be held on Thursday, March 28, 2019, at 12:15 p.m., at the Pueblo County Emergency Operations Center, 101 West 10<sup>th</sup> Street, 1st Floor Conference Room.

Respectfully submitted,



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Louella R. Salazar  
PACOG Recording Secretary

LRS