

MINUTES

PUEBLO AREA COUNCIL OF GOVERNMENTS

JULY 26, 2012

A meeting of the Pueblo Area Council of Governments was held on Thursday, July 26, 2012, in the District Attorney's Office, 710 Court Street, 1st Floor Conference Room. The meeting was called to order by Mr. Steve Nawrocki, Chairman, at 12:15 p.m.

ROLL CALL

Those members present were:

Michael Colucci
Sandy Daff
Nick Gradisar
Chris Kaufman
Ted Lopez

Roger Lowe
Steve Nawrocki
Anthony Nuñez
Lewis Quigley

Those members absent were:

Jeff Chostner
Michael Connolly
John Cordova
Leroy Garcia

Eva Montoya
Ami Nawrocki
Chris Nicoll

Also present were:

Scott Hobson
Rob Leverington
James Munch
Gilbert Ortiz

Louella Salazar
Greg Styduhar
Julie Ann Woods

CONSENT ITEMS:

Ms. Julie Ann Woods, PACOG Manager, reported there were three items listed on the agenda under the Consent Items. She summarized the three Consent Items for PACOG.

Chairman Nawrocki asked if there were any other additions or amendments to the Consent Items or if any of the members or audience would like any of the items removed from the Consent agenda. There was no opposition to the Consent agenda as presented.

It was moved by Sandy Daff, seconded by Roger Lowe, and passed unanimously to approve the three Consent Items listed below:

- Minutes of June 28, 2012 Meeting;
- Treasurer's Report (Receive and file June 2012 Financial Report); and
- A Resolution Amending the Pueblo Area Council of Governments (PACOG) FY 2012-2017 Transportation Improvement Program (TIP) to Allocate Additional \$300,000 in FY 2013 Hazard Elimination Funds and \$80,000 in FY 2012 Transportation Enhancement

Funds for Engineering Costs of the SH 45 and SH 96 Intersection Improvements and Directing the Urban Transportation Planning Division to Execute Said Amendment.

REGULAR ITEMS:

CHAIRPERSON'S REPORT:

(A) Location for PACOG August Meeting

Chairman Nawrocki informed PACOG that the August 23, 2012 meeting would be held in the Pueblo School District No. 60 Administration Building, 315 West 11th Street, in the Arapahoe Room. He stated Ms. Salazar will be looking for a more permanent location to hold the PACOG meetings.

(B) Lunch Appreciation

Chairman Nawrocki thanked the Pueblo Board of Water Works for providing lunch for today's meeting.

MANAGER'S REPORT

Ms. Woods reported staff is in the process of trying to find a mediator in order to move the 208 Water Quality Management Plan forward. It will be heard again by PACOG at its September 27th meeting.

Ms. Woods reported PACOG has partnered with the Pueblo City-County Health Department on a 2012 Community Transformation Grant related to the health of our community and the relationship it has with the built environment. The City and County Planning Departments are teaming with the health department. The deadline for the grant is tomorrow and the goal is to encourage a healthy community. If the funding should be allocated for the grant, staff would be able to continue with the work it is doing on the Comprehensive Plan in the metropolitan area, and there would be funding available to also look at healthy improvements in the subareas (i.e., rural areas). Funding on the grant should be known by the end of September.

I-25 NEW PUEBLO FREEWAY

Ms. Karen Rowe, Region 2 South Program Engineer for the Colorado Department of Transportation, reported on the new Pueblo freeway. She stated the freeway will provide a safer transportation facility. The new Pueblo freeway is not only good for a better transportation system, it is good for Pueblo.

Mr. Ken Conyers, a CDOT consultant, reported the old Pueblo freeway replaced Highway 85/87 or Lake/Elizabeth, which were local streets. The interstate is not Pueblo's main street, although it serves that purpose. At any given time, 75%-80% of the vehicles on the interstate are local trips. In 1949, the Pueblo freeway was started. From 1949 to 1959, the old Pueblo freeway was built. In June 1956 before the Pueblo freeway was ultimately completed, President Eisenhower's Interstate Act was signed into law. The Pueblo freeway was done in advance of interstate guidelines for construction. There were freeway guidelines, but there wasn't anything on interstates. At that time, the City fathers fought

hard to make sure the interstate went through Pueblo and didn't bypass it. There was a strong perception that the interstate program had a limited amount of money and whatever got spent for right-of-way or amenities didn't get spent on thru lanes (travel lanes). Everything that was not a highway lane was scraped by as best is possible. That resulted in a lot of inequities. There were areas where the right-of-way fence was at their back door. There weren't guidelines on how governments had to acquire right-of-way. The freeway has tight curves, narrow shoulders, short ramps, etc. Pueblo interstate has the highest accident rate of any urban interstate in Colorado. This is due, in part, to no significant improvements to the interstate since it was completed in 1959. There have been slight improvements on the north end of town, but nothing through the main part of town. In the 1950s and 1960s, there was limited funding. There were communities that got divided. There were streets that were terminated rather than extended through Colorado. There was a lot of mobility lost. Since then, there has been a major shift in the way these projects are treated and the ethic that surround these projects. One indication is, in the 1970s, the Environmental Impact Statement (EIS) for a project of this magnitude took about two years. As of 2011, an EIS is taking on the average of eight plus years. This is where the new Pueblo freeway is at from when it was officially started. The new Pueblo freeway project will correct the old outdated standards and it seeks to address a lot of those injustices and equities that occurred in the past. CDOT knew for this project to have a successful solution, it had to have some key people in key roles to make it happen. One of the people identified early on to get with the community and develop the common ground was David Miller. It is CDOT's and the U.S. Department of Transportation's responsibility to provide a viable interstate system. I-25 is one of the few interstates that go almost from Mexico to Canada. It is an important national route. This is the reason CDOT is moving forward with this. He stated CDOT wants to do the least impact to the community.

Mr. David Miller, former CDOT project manager, stated the new Pueblo freeway project started in 2002. For four years, there were a lot of public meetings. CDOT's goal was to have a common ground between the citizens and the public officials. There were numerous neighborhood meetings, individual meetings, group meetings, business meetings, and there were booths at the State Fair. There was a committee that looked at parks. There was a technical advisory committee that looked at the technical portions of how the interchange works. He stated he did a lot of service group presentations. During these meetings, drawings were placed on the wall and changes were made and that is how the preferred alternative was done. He stated they handed out disposable cameras at the meetings and asked people to take pictures of what they thought Pueblo represents. What came back were pictures of water, flowers, nice bridges, a lot of steel, and arches. All of those different concepts were incorporated into the new Pueblo freeway project. CDOT's goal is to always keep people involved. The different meetings went from 2000 to 2004, and that is when they came up with the preferred alternative, which is still the same general concept. CDOT has continued to talk to the public. He stated he personally spoke with every business owner along the corridor to make sure they were aware of all the impacts.

Mr. Joe DeHeart, the current CDOT manager, stated CDOT heard from the different public meetings that mobility and safety are important to Pueblo. This is visible through the curves which aren't so tight anymore, wider shoulders, and wider lanes. The on and off-ramps at all the interchanges are longer. The trail system has expanded greatly all the way from Fountain connecting it to Mineral Palace having another trail system on the west side from north to south. There are extra connections by taking Abriendo over the interstate connecting it to Highway 50 which goes out to Blende. There is also the Dillon extension

and the new Santa Fe Drive. There was a balance done on satisfying the needs on the interchanges and putting them in contact with the current interstate standards in order to obtain funding for those designs. CDOT heard that supporting economic investments and development not only in the past but as we go into the future is a huge part of this project. This is seen through the different road extensions such as Dillon Drive and the Santa Fe Avenue extension. CDOT is supporting the community by its interaction with HARP with the connections they are still giving through downtown all the way from Mineral Palace, the hospital, 13th Street, 6th Street, 4th Street, and 1st Street. With the interchange connections, they are still trying to show the support of that investment that is already made. They want people to get off the interstate and stop in Pueblo and make it easy for them to do that. The trail connectivity could be looked at as economic development. The other thing CDOT heard was the aesthetics of Pueblo and I-25, and how rich and diverse the history and art is around Pueblo. As part of the EIS, there is an aesthetic guideline which was developed. It looks at the whole interstate through Pueblo and what ideas they can do to treatments of the bridges, retaining walls, sound walls, dirt berms, etc. The aesthetic guideline takes care of views they want to maintain such as Mineral Palace Park or downtown, or others they want to shield. CDOT is going to do a lot with parks. CDOT will be taking a lot of the historic elements of Mineral Palace Park. The project is valid and viable and has not lost any momentum or interest over time. In fact, CDOT is moving forward with work to make sure that this project continues, noting they have bought right-of-way acquisition by buying the old YMCA in early anticipation of the roadway. CDOT will be starting on the Ilex bridge project and break ground next year. They have the Northern Avenue Bridge being done after that. In order to keep this going they have to finish the environmental process.

Ms. Lisa Streisfeld, CDOT's environmental manager, stated the National Environmental Policy Act (NEPA) is a Federal law they need to follow in cooperation with the Federal Highways Administration (FHWA). Anytime you spend Federal funds, you have to look at the environmental impacts to your social, natural resources, and economic resources. To date, CDOT has prepared a draft Environmental Impact Statement (EIS), which was published in December. A public hearing was held at the Pueblo Convention Center and about 200 people attended. Many comments were provided both verbal and written. The project team is currently responding to all the comments and has met individually with State agencies, City representatives, County representatives, elected officials, the State Parks, and the Corps of Engineers. All of this information will be placed into the final EIS document. It should be published by the end of the year or early January, and then another public hearing will be held. CDOT will come back to the community with the identified preferred alternative and with responses to all the comments. Following the public hearing, CDOT and the FHWA will put together a Record of Decision (ROD) document. This will not be the end of CDOT's communication with its stakeholders, community, businesses, and City, County, and Federal staff. CDOT will continue to work with these individuals during the design, right-of-way acquisition, and construction of the project.

Mr. Kaufman stated City Council recently had a presentation from the EPA regarding the smelter site. He asked if CDOT's EIS addresses this, noting the City Council has not heard anything about it from CDOT. Ms. Streisfeld answered in their EIS they look at all the different natural resources (e.g., wetlands, animals, and hazardous waste). She said she spoke with Sabrina Forest from the U.S. EPA yesterday about this project and looking for opportunities where they can cooperate on their efforts. She stated they know the U.S. EPA is very interested in making this community clean and addressing the former smelter site. She stated it is in the exact same location where they are anticipating acquiring property in

the Eilers neighborhood. CDOT is committed to working with the U.S. EPA. They have their steps and CDOT has their own steps and CDOT wants to merge them to minimize the disruption to the community and to the neighbors and to maximize those dollars that are invested. When the EPA invests dollars into the cleanup, CDOT wants to make sure it compliments whatever investment they are going to make with highway improvements. Mr. Kaufman stated he wasn't suggesting credence with the EPA project. He stated this doesn't mean the City has yet determined that this is a viable project. The City believes the smelter site where the highway turns to go over it is something which could be cleaned up. The expanded project with EPA, as suggested, the City doesn't want to lend any credence to it, but the City Council stressed the importance of the highway department and the EPA sharing funding to help clean it up. Ms. Streisfeld stated CDOT is committed to continue coordination with EPA, noting a meeting has been scheduled the second week in August.

Mr. Quigley stated years ago the City took a short-term solution and ended up with Rockwool with a chain-link fence, which will be there forever. He stated the City should not let the cost create the false impression that it is going to be a solution. He warned the City should not sell itself short.

Mr. Gradisar asked how long after the EIS is done and the public hearing is held will the ROD be made. Ms. Streisfeld replied either in March or April. CDOT wants to maintain a schedule in order to prepare for the Ilex Bridge project. The Ilex Bridge project will be funded by the State FASTER funds.

Ms. Daff stated she read in the EIS that CDOT is charged with doing the least harm. She felt the preferred alternative wipes out a lot more homes, noting some are viable homes. Ms. Streisfeld replied CDOT wants to come back and do a workshop with PACOG and other elected officials and go through those details and show where they balanced the impacts for neighborhoods, businesses, and parks. Ms. Daff stated the stacks at Evraz Steel Mill are important to the community. She stated it is important the dialogue be focused on the stacks. Ms. Streisfeld replied they have been working with the State Historic Preservation Officer, with the Advisory Council on Historic Preservation, and with the CDOT historians, and a memorandum of understanding has been developed for historic impacts and for historic mitigation. She stated at the current time the stacks are identified as being impacted, but CDOT is committed to looking at can we move those into a park area. This can be further discussed in this workshop. The stakeholders have identified this is where we came from and it is important to us.

Ms. Rowe stated the final EIS will be completed after the last public hearing. The ROD needs funding specified for specific projects. The ROD will talk about how we're going to replace the Ilex bridges, which is going to be done with FASTER bridge funds at a cost of \$30 million. A design meeting will be held to talk about what design should be done on the Ilex bridges. It is hoped construction will begin in the summer of 2013. The other project which is funded by FASTER safety funds is replacing the Northern Bridge over I-25 so that the existing one will remain and a new one will be done to the south of it. These projects have funding because of the registration fees and the FASTER legislation that went forward. After this is done, CDOT doesn't have any big projects identified. CDOT wants to be ready, noting her job is to find money for projects. She stated they know the number one project is Dillon and they hope the community's number one priority after Dillon is the new Pueblo freeway. PACOG is Pueblo's transportation planning organization and CDOT needs PACOG's support in order to move forward with the project and to be ready and not miss

any opportunities when the money comes. CDOT is asking for a resolution in support of the new Pueblo freeway from PACOG sometime in the near future. She stated there are handouts showing how this project benefits the Pueblo community.

Mr. Glenn Ballantyne, Ballantyne Marketing, asked if PACOG would like to have a workshop. Ms. Rowe stated this presentation today didn't provide all of the details why CDOT came to the decisions on the new Pueblo freeway. She stated CDOT would like to offer a 3-4 hour workshop with PACOG to go over the details. Ms. Daff stated there are four new members on City Council and felt it might not be a bad idea to make a presentation to the City Council. Mr. Ballantyne stated the workshop could include the City Council, County Commissioners, and PACOG. Mr. Ortiz stated there are also going to be three new County Commissioners and they will also need a workshop. He stated the community has to be ready when the money is available. Mr. Ballantyne asked if the workshop should be held after the election. Mr. Ortiz replied no. Ms. Rowe stated it could be held two separate times. Mr. Ballantyne stated they could communicate to the City Council, County Commissioners, and PACOG and find out when they want to have it.

Chairman Nawrocki stated he could appreciate the urgency in terms of wanting to be ready to get the money. He stated Ms. Rowe indicated the community's priority was Dillon Drive and its second priority was the new Pueblo freeway. He stated, in his opinion, the freeway has always been a priority. He stated there is less money needed to do the Dillon project and that is the reason it is a priority. He stated please don't sell us short that we don't care about the freeway. Mr. Kaufman stated there was a period of silence over the years where the EIS was being done and it kind of went quiet. He felt there have been changes lately from what was presented before the EIS to what they are hearing and seeing now. He stated the word on the street is there are a lot of differences in what the first choice was and what the first choice is today. Ms. Rowe replied CDOT wants to correct that word on the street and meet with you personally and explain. Mr. Ballantyne added that perception is an important thing and the longer you have that silence, the more there is misinterpretation. He stated at the workshop you will see there is that consistency. Chairman Nawrocki stated part of the issue occurred when EPA came into town and told the City Council they needed to be a Superfund site. Additionally, with Smelter Hill, a chunk will be cut out for a freeway. He stated in the eyes of the EPA, the Eilers neighborhood could potentially be a Superfund site. CDOT is talking about taking half the neighborhood and CDOT would have to mitigate half the neighborhood along with the Smelter Hill area. He felt these are all new issues, and they impact our constituents.

Mr. Kaufman stated this community is held hostage by CDOT right now as far as aesthetics on I-25 because we don't have a billion dollars. We can't build sound walls. We can't do anything to discourage blight throughout the entire City. The reputation of Pueblo still remains the pathetic city that people drive through. The other thing he couldn't figure out is the freeway was done in 1959 and there have been no real improvements on the core of the highway since then and it has always been placed on the back burner when you look at the entire corridor through the State of Colorado. He stated he did not understand how these work together. He felt Pueblo is not getting its fair share of funding. Ms. Rowe stated they would like to change that, noting she can't correct the sins of the past. She stated the City did get some improvements from the 7th Pot money at State Highway 47/50 and Eagleridge. She stated noise walls are very tough to fund without a new project. Something they did in Colorado Springs before they built COSMIX is to build the noise walls first. PACOG will be involved when CDOT gets this final EIS completed and the ROD completed. PACOG will

help CDOT figure out what needs to go first, the priority, what funding is available, and how to fight for the funding.

Mr. Kaufman stated as he looks at community beautification, streetscapes, on and off-ramps, etc., there are a lot of agreements that CDOT has with the City as far as maintaining those ramps and it gets difficult to determine whose responsibility it is. In this study, will we be told how much additional funding it will cost this community in maintaining the landscaping? Ms. Rowe replied she couldn't answer that. Mr. Kaufman asked if the study would determine that. He stated Pueblo has this uncanny ability of doing capital projects with no money to maintain them. Ms. Rowe responded at the current time we are in the concept phase. Mr. Munch stated there is an existing agreement between the City and CDOT that lays out a lot of these issues, noting City Council has already approved this. The agreement deals with who gets the land and how it is maintained. Mr. Conyers added there is a memorandum of understanding between the City and CDOT talking about a lot of the things we want to see happen on the project. There will be a negotiation. The City and CDOT will sit down and talk about the landscaping plans and what they would like to see happen and what kind of guarantees are going to be there for the plant materials, sprinkler systems, etc. CDOT can then work with the City on the long-term costs and if the City wants to take it on or cut it back. CDOT has committed to doing a fairly decent level of landscaping along the corridor, but it will have to be tempered by what the City can actually maintain. Mr. Kaufman stated there are highway department rules that don't allow anybody to chop down the weeds. He stated Highway 47/50 is a weed collection most of the summer. He asked whose responsibility it is. Ms. Rowe replied these are things we can work out. Mr. Quigley stated historically the City in the past years has always been in the position to commit to anything in order to get the project and was never concerned about the cost at the other end as far as the maintenance. The theory was let's get it built and we'll somehow take care of it later. Mr. Kaufman stated that has been the theory of Pueblo since Day 1. Mr. Quigley agreed. The question is if you don't do that then you end up with "things that are not attractive". Mr. Kaufman asked CDOT to accept his comments as just that, noting the City Council will be behind CDOT anyway it can to make sure they get their share of the funding when it comes up. He stated Pueblo has always been known for being ready.

Mr. Gradisar felt the workshop is a good idea. He stated he started hearing about the new Pueblo freeway more than 10 years ago when he was on the Chamber of Commerce board. He stated we need to have the workshop to figure out what the plan is and then support it. He felt we are all going to have to come together because we cannot move forward if nobody wants anything to change. He stated if we don't have a plan we can't start planning once the money is available because it is gone. We need to get this done sooner rather than later so that when the money is available we have the plan in place.

Mr. Ortiz asked if PACOG would like a big meeting in the evening so that everyone could attend, noting he would like it to happen as soon as possible. Mr. Gradisar agreed. He stated we should do it soon and the candidates running for office should also be invited. Mr. Kaufman stated there are a lot of plan views on this highway. He stated he would like to see some elevations because the word on the street is this freeway will be 14' higher than the existing facility. He stated this would send people right through Pueblo on a fly-by. Ms. Rowe stated CDOT does have handouts to distribute which have architectural renderings which are three-dimensional. She stated she would keep the elevations in mind and see what they could do for the meeting.

MPO STAFF REPORT

Mr. Scott Hobson, MPO staff, reported there is one Administrative Notification on the Transportation Improvement Plan (TIP), which is the addition of \$126,180 from the State FASTER 2013 Transit Funds allocated to the Purcell Park and Ride. The park and ride is being planned for the area west of Exit 108 along I-25 (i.e., Purcell Interchange). Previously, \$600,000 had been allocated towards planning, design, and potential land acquisition for the park and ride facility. This would add \$126,180 into the project.

Mr. Kaufman asked about the Dillon flyover. Mr. Munch replied staff has been working on it. Mr. Hobson stated there were three CDOT supported applications which were submitted for TIGER funding. One of the three was funded, and the Dillon project was not one of the projects which received funding. The Colorado project which received funding was the North I-25 project. There might be other capital funds available through CDOT which could potentially provide some other funding.

Ms. Karen Rowe, CDOT, stated there might be possible additional funds available for Dillon-Eden. It is up to the Colorado Transportation Commission. There are \$58 million in contingency funds available Statewide. The earliest the Transportation Commission would decide on this is September. Dillon-Eden is Region 2's second priority on the list. Cimarron and I-25 in Colorado Springs is the 1st priority.

Mr. Munch felt Pueblo needs to do a "full court press" to move its project ahead of the Cimarron project. There are more projects than there are funds right now. The Dillon-Eden project is No. 2, and he felt the community needs to put a strategy together to push its project ahead. Mr. Ortiz felt it would help if there was a presentation done before the Transportation Commission. Mr. Nuñez asked if the "full court press" meant bringing the issue to the Transportation Commission or the legislators. Mr. Ortiz replied it would help for the community to put something together for the Transportation Commission. Ms. Rowe stated the Transportation Commission would be deciding what to do with the \$58 million. She stated she didn't know why the Dillon-Eden is 2nd on the list.

Chairman Nawrocki asked how much money is being requested on the Dillon-Eden project. Mr. Earl Wilkinson, Director of the City Public Works Department, replied it is \$11 million, noting \$7.6 million is the magic number to cover everything. Chairman Nawrocki stated there is \$58 million available for the whole State. Ms. Rowe replied yes. The Statewide Transportation Advisory Committee (STAC) has a recommendation before the Transportation Commission, but they may do something different. Mr. Munch noted there is \$64 million in requests throughout the State, but only \$58 million in funding. Chairman Nawrocki stated the money is paramount to finishing the Dillon-Eden project, noting it is the key for commercial development on the north end of Pueblo. Mr. Kaufman stated what is even more critical is we have \$15-\$16 million ready to be spent that could double if we don't get this funding. The construction costs could go up if we wait any longer. This is why the Federal legislators need to get involved.

Chairman Nawrocki asked Messrs. Munch and Hobson if they could work on this. Mr. Kaufman stated he would be happy to write a letter. Mr. Hobson stated staff could draft a letter for Mr. Kaufman's signature as the City Council president. Mr. Hobson added the STAC voted and made a recommendation to the Transportation Commission that the \$58

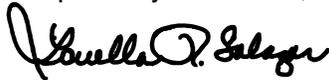
million be used for regional priorities and the TIGER grant projects that did not receive funding.

Chairman Nawrocki stated that letters being put together for the different entities to sign would be appropriate. He asked Mr. Ortiz if this would be helpful. Mr. Ortiz replied this would be helpful or having someone attend the Transportation Commission meeting would be helpful. Mr. Kaufman stated he would be happy to get a letter out and read it at the Transportation Commission meeting on behalf of the community. He felt someone needs to be at the Transportation Commission meeting representing PACOG and possibly the County Commissioners.

ADJOURNMENT

There being no further business before PACOG, it was moved by Roger Lowe, seconded by Sandy Daff, and passed unanimously to adjourn the meeting. It was adjourned at 1:15 p.m.

Respectfully submitted,



Louella R. Salazar
PACOG Recording Secretary

LRS