

MINUTES

PUEBLO AREA COUNCIL OF GOVERNMENTS

MARCH 27, 2014

A meeting of the Pueblo Area Council of Governments was held on Thursday, March 27, 2014, at the Pueblo City-County Health Department, 101 West 9th Street, Third Floor, Conference Room C. The meeting was called to order by Mr. Roger Lowe, Acting Chairman, at 12:17 p.m.

ROLL CALL

Those members present were:

Ed Brown
Michael Colucci
Sandy Daff
Nick Gradisar
Terry Hart
Ted Lopez

Roger Lowe
Buffie McFadyen
Eva Montoya
Steve Nawrocki
Sal Pace
Lewis Quigley

Those members absent were:

Chris Kaufman
Tony Montoya

Ami Nawrocki
Chris Nicoll

Also present were:

Joan Armstrong
Sam Azad
Scott Hobson
Dan Kogovsek

Louella Salazar
Greg Severance
Greg Styduhar
William Thiebaut

CONSENT ITEMS:

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

Acting Chairman Lowe 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 or discussed that are on the Consent agenda.

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

- Minutes of February 27, 2014 Meeting;
- Treasurer's Report (Receive and file January and February 2014 Financial Reports); and
- A Resolution Approving an Exemption from Audit for Fiscal Year 2013 for the Pueblo Area Council of Governments, State of Colorado.

CHAIRPERSON'S REPORT:

(A) Lunch Appreciation

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

(B) Future Agenda Items

Acting Chairman Lowe asked if any members had any items they would like to add to future agendas.

Ms. Daff stated she believed at the next meeting they would be ready to present the marijuana issue regarding open public areas. The group is meeting on April 1st and should have something for the next PACOG meeting. She stated the group would bring some kind of recommendation or a consensus.

MANAGER'S REPORT

Ms. Joan Armstrong, PACOG Manager, stated there was nothing to report.

MPO STAFF PRESENTATION: COLORADO METROPOLITAN PLANNING ORGANIZATION AND REGIONAL TRANSPORTATION PLANNING REVIEW

Mr. Scott Hobson, MPO Administrator, presented a PowerPoint presentation. There are five designated Metropolitan Planning Organizations (MPOs) within the State of Colorado (i.e., North Front Range, Denver Regional COG, Pikes Peak COG, Grand Valley COG, and Pueblo Area COG).

Mr. Greg Severance, Director, Pueblo County Transportation Department, stated back in 1962 President Kennedy formed the council of governments. This was done after the interstate system was built in 1956-1959. The COGs are recognized jointly by the governor and the local elected officials. The membership of PACOG consists of the cooperating and participating governmental subdivisions within Pueblo County. He stated as soon as an urbanized area reaches 50,000 in population, you are automatically designated as a MPO, and you need to form one. The major function of a MPO is the money which goes into transportation projects that cover Federal and State. All of the money that is passed by transportation bills, MAP 21, the current bill, and all State money (FASTER), etc. must go through this COG and the other four COGs in the State, noting they are the authority and approval on every transportation project. He stated the MPOs developed their Transportation Improvement Program (TIP), noting it is their most important function. The TIP can be amended from time-to-time. MPOs develop and adopt the transportation plan for their region, provide local governments and the public a key voice in the transportation planning process, and provide, under Federal law, a forum for continuing, cooperative, and comprehensive decision-making. He stated if a MPO's population is between 50,000-199,999, such as PACOG and Grand Valley, you are called a MPO. If you are over 200,000 in population, such as North Front Range, DRCOG, and PPACG, you are a Transportation Management Area (TMA). The main difference between a MPO and a TMA is they get direct allocation on certain funding levels, which they decide on their own. Ms. McFadyen stated this was

important. Our urbanized area is at 136,550 (City of Pueblo, the St. Charles Mesa, and Pueblo West). She stated we can go to some adjoining communities to try to get to 200,000, and they wouldn't have to change the county they are in. She felt it would be worthwhile for PACOG to look at getting to 200,000 and we would be able to share in the funding with these adjoining communities. Mr. Pace stated some of the other MPOs include multiple counties. Mr. Severance stated PACOG is the only one in Colorado with one county. All of the others have multiple counties, noting a lot of them do that to get to this other level of transportation funding. As an example, the PPACG gets a direct allocation from MAP 21 passed through CDOT of \$8 million/year. They get to decide what they want to do with that money on their local street system or State highway system. DRCOG gets three times that amount. They get the funding directly to their COGs that they get to prioritize. Up until 1991, when the ISTEA legislation was passed, the Federal government used to give MPOs a small amount of money. PACOG used to receive anywhere from \$800,000 to \$1.8 million per year. This money used to be spent on traffic signals, roads, etc. This was done over a six-year period of time. He stated Pueblo is an air quality attainment area. If you are in a non-attainment area, you get Congestion Mitigation Air Quality (CMAQ) funding. These non-attainment areas get to use these funds for multi-modal projects, passing lanes, buses, etc. that help reduce air quality issues and make them into conforming areas. He stated there are advantages to growing a MPO.

Mr. Hobson showed a map of the Pueblo County Transportation Planning Region Area. He stated by Federal legislation, which is called the "3C" planning area, stands for Continuing-Cooperative-Comprehensive planning. A little more detailed planning is done at the MPO level. This is generally based on the Census identified urbanized area within Pueblo County. It extends to a little broader area than what the Census defines as the urbanized area. The areas outside of the MPO "3C" area within the County is the Transportation Planning Region area, noting these are the rural areas outside of the MPO area. As part of PACOG's role, you are responsible for transportation planning for both the MPO, as well as the rural regions outside of the MPO.

Mr. Hobson stated the urbanized population area is based on the 2010 Census; there is 136,550 in Pueblo and 159,063 for the total County. PACOG is designated by the governor and FHWA as the authorized MPO to serve this urbanized area. PACOG subcontracts with the City through a sub-delegation agreement with the City's Transportation Planning Division to carry out the transportation planning functions for the MPO. Mr. Pace asked if it is normal for MPOs to contract for transportation services. Mr. Hobson replied it not common the TMAs to do this, but for the smaller MPOs it is not uncommon to do this. He stated it can be done several ways, but he felt there is a benefit of the way PACOG does this. It gets to take advantage of the ability to be able to have services provided by some of the government entities, such as the City and County. For example, legal services are provided by the City.

Mr. Hobson stated the transportation planning funds are Federal funds, which operate on a Federal fiscal year from October 1st to September 30th. The grant funds are allocated to be able to implement the Unified Planning Work Program (UPWP), which is adopted by PACOG over a two-year period of time. The funds average about \$400,000 per year, noting 82% are provided federally through the Consolidated Planning Grant (CPG) and 18% is matched locally by PACOG. Historically, the way those matching funds have been generated is based on the current Census population. At the current time, two-thirds of the residents reside in the City, which the City pays, and the balance

(1/3) is in the unincorporated County, which the County pays. The State provides \$7,400 for the TPR, which covers planning activities for the areas outside of the MPO. Eligible funds are for travel to meetings in Denver and around the region.

Mr. Hobson stated there are 16 members on PACOG. PACOG is a volunteer organization, noting the entities involved have voluntarily chosen to become members and participate. There are representatives from all of the political subdivisions in the County, noting they were invited to become members. There are eight political subdivisions which are members of PACOG. According to the bylaws, there are two Co-Executive Directors: the City Manager and the County Attorney. There is a Transportation Advisory Committee (TAC) that meets monthly that works on specific transportation items. All of entities which are involved on PACOG have membership on the TAC. There are three appointees for citizens-at-large, which are appointed by PACOG.

Mr. Severance stated the two major priorities under transportation is the Long-Range Transportation Plan (LRTP), noting there is a fiscally constrained one and there is an unfiscally constrained one called a Wish List. CDOT and FHWA will provide a control total or how many hundreds of millions are expected to come to our Pueblo Region through Federal and State funds over the next 25 years or \$565 million is anticipated to be in Pueblo over the next 20 years. PACOG needs to figure how it wants to spend it, which is the LRTP. Staff will be working with CDOT and will be bringing to PACOG those projects which are anticipated over the next few years. All of these fiscally constrained projects need to go into the LRTP before any money gets spent. It then goes into the Transportation Improvement Plan (TIP). This is a six-year document for which the first four years we have to have, noting the first three years are considered fiscally constrained and the other three years we are anticipating the same kind of revenue. You will have a six-year plan that has to draw from the LRTP that those are committed projects that are on the horizon during next 3-6 years in our community.

Mr. Pace asked what he has to do to get the Southwest Chief done. Mr. Severance replied the Southwest Chief is part of the Unified Planning Work Program (UPWP). He felt it is a priority.

Mr. Azad asked if the 2040 Plan has already been started. Mr. Severance replied staff is putting the LRTP together now. Staff will be bringing PACOG projects on every multi-modal, trails, rails, highways, etc. as a recommendation. PACOG will be making the decision and setting the priorities for the \$565 million over 20 years, and the amount of funding we get for the TIP. Mr. Styduhar asked if the LRTP covers the MPO or the TPR area. Mr. Severance replied both. It is for the urbanized area, but there is also a rural area, so we are covering all of Pueblo County. Its main focus is on the urbanized area, but it also covers the rural areas. Mr. Styduhar asked if the funds, in order to develop the LRTP, come from the MPO or some other funding source that covers both the TPR and MPO. Mr. Severance responded the TPR has \$7,400/year used for planning purposes and the \$400,000 covers the urbanized area. It is funded by Federal grant monies at 82%/18% match to perform the LRTP both on the rural side and the urbanized area. Mr. Hobson added there are projects being included in the LRTP, especially on State and Federal highways that extend outside of the MPO area, noting those do get incorporated in the LRTP. For example, Highway 50 east of the MPO area out to Otero County is included in the State Transportation Improvement Program (STIP) and LTRP.

Mr. Severance stated some of the major projects PACOG has approved include the Eden-Dillon Interchange Phase 1, I-25 Ilex to 1st Street, I-25 Bridge renovations, US 50 Wills to Purcell, 4th Street Corridor Project, etc. He stated staff will be providing a comprehensive list next month, which includes seven different enhancement projects, trails in the City, and three trails in Pueblo West.

Mr. Severance stated the City, in conjunction with SRDA, is the 3rd largest public transit provider in the State of Colorado next to RTD and the City of Colorado Springs. A lot of money is put through PACOG for transit. He stated PACOG is the transit state and federal funding authority for the Pueblo Region.

Mr. Hobson stated when PACOG adopts resolutions for the TIP it then becomes part of the STIP. The TIP is approved by PACOG and as projects come about, amendments are provided through resolutions to amend the TIP. PACOG is the board which formally adopts and modifies the TIP.

Mr. Hobson stated the UPWP is the two-year document which establishes what we are going to do from a planning standpoint as a PACOG entity. It sets up the budget for the funding of areas we look at such as long-range planning, data collection, traffic counts, traffic demand modeling, etc. PACOG just approved the most recent UPWP last fall. We are now operating under the FY 2014-2015 UPWP.

Mr. Azad stated the MPOs are the bread and butter of the COGs, noting they are the ones who bring the money from the Federal and State governments into the COG. He asked how we could increase the number in our population by adding other jurisdictions to the MPO area. He asked if there has to be some kind of criteria in terms of urbanized area to add to the total population of the MPO or do we just go and solicit counties to increase the population. Mr. Hobson responded we would have to meet the definition to be able to add to the urbanized area for the region. He felt we couldn't go outside of Pueblo unless the boundaries of the COG change. Ms. McFadyen stated it would have to meet the Federal definition of the urbanized area. Mr. Azad stated PPACG covers several counties, but the urbanized area is basically the Woodland Park area and a portion of El Paso County. Mr. Hobson replied that is correct. He stated those cities have to meet the definition of the urbanized area that can be combined within the overall urbanized area for the Pikes Peak Region. Mr. Severance added DRCOG has 60 different counties, cities, and towns. Pueblo has one. PPACG has 16 different counties, cities, and towns in their COG. Mr. Hobson stated that about one-third of DRCOG's staff time is spent in coming up with processes and procedures so that everyone feels they have had their fair shake in trying to get money. Staff shouldn't have to spend so much effort in trying to do this, but rather spend it on more things that can potentially bring projects into Pueblo.

TRANSPORTATION COMMISSIONER/CDOT REGION 2 DIRECTOR'S REPORT

Mr. Bill Thiebaut, Region 2 State Transportation Commissioner, reported there is a handout which was distributed prior to the meeting. He explained at the March Transportation Commission meeting discussion occurred on the U.S. 50 Westbound widening capital project. It has been placed on USDOT's top three project priority list. This will allow CDOT to prepare a TIGER VI discretionary grant program application for these funds. They are asking between \$10-\$20 million in funds to complete the project. What is significant is the U.S. 50 Westbound widening capital project wasn't even on the

priority list, the U.S. 40 Berthoud Pass capital project was on it. Through some efforts of some people who are present at the PACOG meeting today and the State Transportation Commission, and with the cooperation of staff, the U.S. 40 Berthoud Pass capital project was removed from CDOT's list and the U.S. 50 Westbound widening capital project replaced it. He stated the application for TIGER VI funding will be submitted by CDOT and will be pushed by CDOT as one of Colorado's three top priority projects. He stated he met with the Board of Directors of the Pueblo West Metropolitan District and notified them the U.S. 50 Westbound widening capital project is not only a top priority for this MPO, but it is his No. 1 top priority in the region. As money becomes available from different sources, we are able to capitalize on that opportunity. Hopefully, we can continue to persuade the staff at CDOT and the Transportation Commission members of the value of getting this project done and over with.

Mr. Thiebaut reported the State Transportation Commission approved the final form on its FY 2015 budget. In one of the items, there is flexible money that comes to the MPOs for spending. In the past, it was budgeted in the amount of \$10 million Statewide, noting now it is \$50 million. The prospect is Region 2 will probably receive \$10 million of the \$50 million in RPP funds. This would help not only with U.S. 50, but other priorities in the region.

Mr. Thiebaut stated a 10th Supplemental budget for FY 2014 was adopted in the amount of \$4,720,000 for the construction phase of SH96 East of Wetmore to West of Red Creek Springs Road. Advertisement is scheduled for April, 2014.

Mr. Thiebaut stated there are improvements being made to the SH 96/4th Street corridor. There is over \$1 million identified in terms of some signal and utility improvements, noting this amount does not complete the entire job. There is an effort being undertaken to get another \$800,000 to \$1 million to fix additional signals and utility needs along that corridor. CDOT is working vigorously in trying to find that money to make sure while we are completing these improvements that everything is done that we can think of and then resurfacing occurs. He stated the handout better explains what is happening on the corridor.

Mr. Thiebaut stated there are short-term and long-term policy shifts going at the Transportation Commission level. He stated the Legislature saw where there was cash hanging around in different funds in CDOT. They wanted some policy to get that cash out into projects and get them done. This is why the CDOT administration is moving to employ cash management and program management techniques. The RAMP program is one of these techniques. This is how the funding of I-25/Ilex occurred and this is how a good portion of U.S. 50 was funded. They are also concerned about the drivability of the roads in Colorado and they are shifting some of the policy to analyzing Statewide what roads really need improvement and maintenance (i.e., resurfacing, etc.). Those are causing a lot of questions among all the MPOs in the State wondering why there is that money and why are we moving to a less regional-based, flexible spending matter on maintenance and more of a centralized spending pattern on maintenance. These are occurring in the short-term and a lot of the rules and guidelines aren't established yet, so there is a lot of confusion. In the long-term basis, there is a drastic change toward the organizational structure, processes, and systems used to develop and manage projects. They want to make sure the money is flowing and the projects are getting done and then moving on to the next important project. They are establishing a line-item program budget (vs. revenue based). What this means is people will learn more detail about how

the revenues are coming in, but also how that revenue is actually being spent on projects that were promised and projects that occurred between the time they were promised and get done.

Mr. Thiebaut stated the last item is the Policy of Regional Cooperation, noting it is more important to him than anything. He stated he has tried to institute this cooperative effort not only in the 10 counties he was asked to represent (Custer, Pueblo, Southeast and Southern counties), but also the 4 counties that another Transportation Commissioner represents which is part of Region 2 (El Paso, Teller, Park, Fremont), so that Region 2 gets allocations of money. He stated he is trying to avoid Region 2 from fighting internally for money for projects. Instead we should be cooperating with one another realizing that in some years our projects are going to be winners and in other years other projects are going to be winners. If we don't start this attitude of cooperation and we fight among ourselves regionally, there are a lot of votes or influences around the El Paso County region to take a good share of the money. When you put this in terms of a State perspective, if the Denver metropolitan area decides they are going to get a more than a fair share of money, they have the votes and they have the influence to get that done. He stated he is using common sense to get projects done such as SH350/SH96. He stated he was impressed by the I-25 Cimarron exit and the cooperative spirit of the Region 2 staff, the staff at headquarters, and our representatives to make sure that this project got funded. He stated with the CMAQ natural gas stations, which are potentially going in Pueblo, Lamar, and Trinidad, there is a lot of effort going on to cooperate on this. He stated as you work through these things, he hopes we don't try to "poke other people in the eye" and say we deserve this money. He stated there is always that tendency to have that competition, especially with Colorado Springs. He stated there is a new, cooperative spirit among everyone, noting with the limited resources we have if we help one another and are patient, we will get our needed projects done. He stated he is willing to fight to get them done. He complimented Messrs. Scott Hobson and Greg Severance. He stated at the last meeting, the other four MPOs (North Front Range, DRCOG, Grand Junction, and Colorado Springs) weren't acting so cooperatively and they were preparing a letter to send to the Transportation Commission saying they didn't like the budget and the policy decisions they were making and we are not going to approve any more TIPs and send them to the State for STIP adjustments. The State Transportation Commission members did not like this and they felt as though there was an effort to try to hold the Commission at hostage. He stated the PACOG representatives did not sign that letter and there was no threat. He stated he was able to work through some very crucial and important things during that meeting, including the TIGER grant and some of the other things associated with U.S. 50 and other projects. There is going to be meeting next week of all the MPOs. He stated it is time to realize that it is better at everybody's end and we need to do a better job of implementing the short- and long-term policies and communicate that with staff and with the regions' MPOs. He stated it is a time of change, but also a time of opportunity for us to be professional and stay together and work cooperatively with all the players involved. The Region 2 staff and the staff at headquarters are phenomenal and really do have the best interest at heart to try to make sure that projects that are important to us are put together as quickly as possible. Acting Chairman Lowe thanked Mr. Thiebaut for his efforts.

Mr. Pace stated he has spoken to Mr. Thiebaut before about CDOT being too concerned with traditional forms of transportation. He felt one item which unifies Region 2 is the Southwest Chief project, noting it affects Lamar, La Junta, Trinidad, and Pueblo. He

stated CDOT staff has moved along from eight months ago and we are getting moral support. He stated the \$5 million per year for transit and rail in FASTER money is basically used for buying buses. He stated he encourages Mr. Thiebaut because he needs a voice on the inside helping out to change the culture of CDOT. Mr. Thiebaut replied it is tough to come up with dollars for rail. He stated he has talked with other Transportation Commissioner members about the main objective of the Southwest Chief, which is fixing the rail between La Junta and Trinidad. He felt there is a lot which gets lost in the translation when you start talking about another stop in Pueblo. He stated he trying to get the other Commissioners to know the importance, noting he felt they did, but they are not sure where the money is going to come from. He stated most of the rail money that goes to CDOT is passed through. He questioned where were the Federal government, Amtrak, the freight carrier (even though they have said they signed off and said it's Amtrak's issue), the other states, and the Legislature. He stated at least two Commissioners have talked to him about it--Commissioners Peterson (Denver metropolitan area) and Gruen (Colorado Springs). He stated the CDOT staff is stuck. If there was a way to find the money he could probably do something. What happens are the MPOs and TPRs set their priorities and that is where they want the money to go and it is hard to change that direction. He encouraged Mr. Pace to keep working on it.

Ms. McFadyen felt Region 2 is very lucky to have Mr. Thiebaut on the Transportation Commission. She felt that inter-cooperation between communities has increased dramatically. She felt we are in a position from the local level up to work on projects, and one of them is motor carrier freight. For the last several years, probably one of the biggest transport companies Pueblo had is no longer tagging tanks in Colorado. In order to tag a tank you have to go to Denver to one person. For example, if you want to do a fleet and it is \$200,000 the State takes 4% or \$8,000. As we watch this ongoing debate about how many jobs Colorado could lose in certain industries, without question over the last 20 years we have lost tens of thousands in the motor carrier industry. We are not the Department of Revenue, but we need to have an influence on how much they are charging to tag our vehicles. When we are looking at funding sources, every vehicle that is not tagged in Colorado is lost revenue. We do get use tax back through the State through the Federal formula. She also stated there are so little overnight rest areas in the State for motor carriers, and we are losing money because of this. She felt Pueblo could have an opportunity to be a hub for motor carrier freight because of our location on I-25 and Highway 50. With the increase over the next few years in the safety conditions and the decrease in congestion, she felt we need to capture some of those revenues. She hoped between the STAC and the Transportation Commission that we could put this on the radar. Both the City and County could benefit hugely from more fuel tax.

Mr. Hart stated he loved the cooperative effort. He stated this is consistent with a number of conversations we are having with other jurisdictions up and down the Arkansas Valley and the Front Range about how closely connected our economies are. If we are all cooperating with each other, then we can raise the water with all of our votes. If we are doing petty fighting with each other, then we will never get it done. When you take into consideration the dynamics on where the population centers are, we will get outvoted by the Denver metropolitan area every time unless we build good coalitions. We should find out a way to sort through what might be available and prioritize so that we might overtime all benefit.

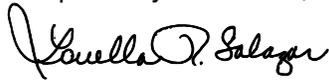
Mr. Thiebaut stated during his travels each jurisdiction says the other "gets everything". We need to make sure that everybody gets their fair share at the right time. Some years

we're not going to get it, but the following year we do get it. He stated this attitude is permeating the entire Commission because there is a realization that trucks bring things across State lines and their mission is to get to Denver. If the roads aren't good here, they are not going to get to Denver no matter what the congestion or mobility problems are in Denver. There is part of that in terms of rail, safe routes to schools, trails that people can walk, etc. He felt there is a new realization and it is a good movement, noting it is not without its pains because a lot of jurisdictions don't want decisions to be made up in Denver but want to make them themselves. He stated we have to be careful when we take up that fight and what fight to take up, so that we don't damage ourselves along the way.

ADJOURNMENT

There being no further business before PACOG, the meeting was adjourned at 1:20 p.m. The next meeting is scheduled on Thursday, April 24, 2014.

Respectfully submitted,



Louella R. Salazar
PACOG Recording Secretary

LRS