

MINUTES

PUEBLO AREA COUNCIL OF GOVERNMENTS

AUGUST 23, 2012

A meeting of the Pueblo Area Council of Governments was held on Thursday, August 23, 2012, in the Pueblo School District No. 60 Administration Building, 315 West 11th Street, Arapahoe 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
Michael Connolly
John Cordova
Sandy Daff
Nick Gradisar
Chris Kaufman

Ted Lopez
Roger Lowe
Eva Montoya
Steve Nawrocki
Lewis Quigley

Those members absent were:

Jeff Chostner
Leroy Garcia
Ami Nawrocki

Chris Nicoll
Anthony Nuñez

Also present were:

Tom Florczak
Scott Hobson
Dan Kogovsek
Jim Munch

Gilbert Ortiz
Louella Salazar
Julie Ann Woods

CONSENT ITEMS:

Ms. Julie Ann Woods, PACOG Manager, reported there were five items listed on the agenda under the Consent Items. She summarized the five 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 John Cordova, seconded by Eva Montoya, and passed unanimously to approve the five Consent Items listed below:

- Minutes of July 26, 2012 meeting;
- Treasurer's Report (Receive and file July 2012 Financial Report);
- A Resolution Amending the Pueblo Area Council of Governments (PACOG) FY 2012-2017 Transportation Improvement Program (TIP) to Allocate an Additional \$145,000 FY

2013 Bridge-On System Funding, \$80,000 FY 2013 Regional Priorities Funding, and \$75,000 FY 2013 Transportation Enhancement Funding for 4TH Street Bridge Improvements and Directing the Urban Transportation Planning Division to Execute Said Amendment;

- A Resolution Amending the Pueblo Area Council of Governments (PACOG) FY 2012-2017 Transportation Improvement Program (TIP) to Allocate \$660,000 FY 2013 Regional Priorities Funding for the Initial Design of US50 from West Swallows to Baltimore and Directing the Urban Transportation Planning Division to Execute Said Amendment; and
- A Resolution Approving a Site Application for Construction of an Individual Sewage Disposal System, Located on Lot 1, Block 1, St. Charles Industrial Park 1st Filing, City of Pueblo, Colorado.

REGULAR ITEMS:

CHAIRPERSON'S REPORT:

(A) Location for PACOG September Meeting

Chairman Nawrocki informed PACOG that the September 27, 2012 meeting would be held in the Pueblo Regional Building Department's Conference Room at 830 North Main Street. He stated all future PACOG meetings will be held at this location.

(B) Lunch Appreciation

Chairman Nawrocki thanked the Pueblo School District No. 60 for providing lunch for today's meeting.

(C) CDOT Meeting

Chairman Nawrocki stated at the July PACOG meeting, CDOT requested if they could conduct a workshop for the PACOG members. CDOT asked if it could be done before October 14th. Ms. Julie Ann Woods, PACOG Manager, stated the continuation of the public hearing on the 208 Water Quality Management Plan was supposed to be held at PACOG's September 27th meeting. To date, staff hasn't had the opportunity to do the mediation. Staff would be hard pressed to take action with the Plan in September. Staff is suggesting this might be a good date for the workshop with CDOT.

Chairman Nawrocki asked Mr. Gilbert Ortiz, the Region 10 CDOT Commissioner, if that would work. Ms. Rowe, CDOT staff, replied the date would work, noting they would recommend the workshop be 2-3 hours in length. Chairman Nawrocki felt the shorter time period would probably be better. He suggested the PACOG agenda next month be highlighted indicating the presentation will be two hours long. Ms. Rowe stated the workshop will have a demonstration of how to get around through the new freeway, which includes a video. Mr. Kaufman asked if the agenda for the September PACOG meeting could be minimal so this could be as exclusive of a topic as possible. Mr. Scott Hobson, MPO Administrator, notified PACOG at this point in time, there is one consent agenda item from his staff. Ms. Rowe stated CDOT would like it if all the City Council members could be present. Chairman Nawrocki replied the entire City Council sit on PACOG. Ms. Rowe stated they would be sending invitations to the candidates running for the County

Commissioners' office, as well as City and County staff. Chairman Nawrocki asked if a press release should be done. Ms. Rowe stated she would prefer not to do a press release. There was consensus from PACOG that the September 27th date would work at the regular PACOG meeting.

Mr. Gradisar asked if at some point in time, after the workshop, if PACOG would be endorsing the plan for the new freeway through Pueblo. Ms. Rowe replied not only the new Pueblo freeway, but also the preferred alternative in the Environmental Impact Statement. It is their hope that PACOG understands how CDOT made its decision on the preferred alternative and how things work.

Mr. Kaufman stated he will be out of town on September 27th. He asked if CDOT could provide the material ahead of time so he could look at it and make comments prior to the PACOG meeting. Ms. Rowe replied yes.

Chairman Nawrocki asked if CDOT would still need to make presentations to the City Council and County Commissioners, respectively, after the PACOG workshop. Ms. Rowe replied it is their hope to consolidate it.

Ms. Daff asked when CDOT plans to resume meetings in the community. Ms. Rowe responded this could be discussed at the workshop.

Mr. Cordova asked if literature would be sent to all the PACOG members before the meeting. Ms. Rowe replied yes, noting she didn't know how much material at this point in time. The hope is to have rollouts where the PACOG members could see more detail. Ms. Salazar informed Ms. Rowe if the material could be given to her early, she could make sure the information gets out in the PACOG members' packets the week before the meeting. Ms. Rowe stated she would work with the project team and get the information ready to be sent out in the PACOG packets.

MANAGER'S REPORT:

(A) Discussion/Direction on EPAC Membership

Ms. Julie Ann Woods, PACOG Manager, reported the Environmental Policy Advisory Committee (EPAC), which is an advisory committee to PACOG has been frustrated because they have not been able to obtain a quorum for over a year. EPAC meets every two months. Their chairman, Marvin Reynolds, is moving out of the area. She asked if it would be possible to change the composition of EPAC. Currently, EPAC is composed of 12 members, which requires a quorum of 7 members. EPAC is comprised of four special interest groups, noting there are three members representing each group. She requested a resolution be done changing the composition of EPAC where there would be one representative of each of those special interest groups for a composition of a seven member committee with two alternates. She stated in the course of going through the Comprehensive Plan there will be some environmental issues they may want to go to EPAC with in order to get some discussion and feedback. If EPAC doesn't have enough people to have this discussion, that would make it challenging. She stated a resolution could be done for PACOG's consideration and approval.

Chairman Nawrocki asked Mr. Tom Florczak, PACOG attorney, what is the feasibility of changing the composition of EPAC. Mr. Florczak responded he didn't see any problem with doing this, noting he would look at the organizational instruments making sure this kind of amendment would be consistent.

Mr. Gradisar asked if one particular group is not showing up to the EPAC meeting or is it more widespread. Ms. Woods replied she could not answer that question because in the meetings she has attended there have been different people and she didn't know what category they represent.

(B) Comprehensive Plan Update: Survey during Chile and Frijoles Festival

Ms. Woods reported the City and County will be having a booth at the Chile and Frijoles Festival next month. The goal of the booth is to be able to have the public stop in and do an on-line survey in order to get feedback from the community about important issues that they will want to be discussed during the course of developing the Comprehensive Plan update. It is a 3-5 minute survey. There will be two people at a time at the booth doing two-hour slots. She stated staff will be at the booth, and asked if there would be any PACOG members interested, noting she will be passing around a sheet for them to register their name. There will be a drawing held in order to get people's e-mail addresses to keep them informed in the course of doing the Comprehensive Plan update.

PUEBLO COUNTY STRATEGIC SUSTAINABILITY PLAN

Ms. Sarah Spencer-Workman, Pueblo County Community Energy Coordinator, reported this started out as a grant from the Governor's Energy Office now known as the Colorado Energy Office. The County was awarded the grant in 2009 and the purpose was to create some type of energy coordinating document. It is more like a strategic plan as well as a method to implement some actions on the ground that relate to energy efficiency and renewable energy, as well as economic development. On June 26, 2012, the Board of County Commissioners approved the Plan. She stated it can be found on the County's website.

Ms. Spencer-Workman stated meetings were held monthly from August to May-June-2012. A Power Point was presented. She stated there was a core committee, as well as an advisory committee, who participated. The core committee was made up of representatives of the City and County staff as well as the different utility companies and CSU-Pueblo. The group collectively spoke on a topic each month. Through these discussions, they would talk about best practices, what would be best for Pueblo County, the community, and the entire area, the factors influencing these decision-making processes, and identify some priorities that would fit. The committee defined the mission of the document, which is "...to promote and implement sustainability policy and management systems including energy efficiency, use of renewable resources, and conservation practices while fostering entrepreneurialism and economic development in Pueblo County, Colorado". The next step was defining the term "sustainability". The term has been overused and is not a term which is accepted by everybody and it means a lot of different things to different people. In this document, it has a true definition to the community. The term which the group agreed to was "Sustainability is the responsible management of Pueblo County's social, economic, and environmental resources, which are mutually dependent for maintaining a healthy and vibrant community". She stated a County-wide energy assessment was done, which identified where the

community's energy consumption comes from. Goals were developed and it was applied to a performance measurement criteria. It was run through a matrix. The Plan has 10 goals, 26 objectives, and 84 actions. It is a living document with a 3-5 year planning horizon that will guide our community forward. It will have an annual update process. The implementation guide is based on focus areas: Strong leadership and green government, energy efficiency and renewable energy, land use and environment, public health and natural environment, and materials and waste diversion.

Ms. Spencer-Workman stated we should commend ourselves as a community. The Plan was submitted to the Board and ultimately approved. It was then submitted to the Governor's Energy Office to get their approval because of the funding. It was submitted on July 1, 2012, and the Governor's Energy Office stated it was probably one of the best community plans in Colorado for sustainability. The Alliance for Colorado, which is another State-wide organization, has recognized the Plan as a leading plan in the County area. The Colorado Department of Public Health and Environment publishes a local recycling newsletter and this Plan was quoted. She stated the Plan can be downloaded from the Department of Local Affairs' website as an example plan for other communities to follow.

Ms. Spencer-Workman stated they are looking at waste reduction and recycling increase. This focuses on diverting waste from the landfill. One of the ways they are proposing to do that is to make Pueblo a hub in the waste stream analysis process for the State of Colorado. The way Pueblo would be a hub is by building a materials resource waste facility. Last year, they went to CDPHE and applied for a Recovery and Recycling Economic Resource grant to build this, and we were passed by. They plan to reapply this year. We need to make sure where we are going with our infrastructure. She stated outreach and communication are important to the plan and we need to make sure people are aware of it. She stated the core committee is still holding monthly meetings. At the present time, they are updating the website.

Chairman Nawrocki asked Ms. Spencer-Workman about the waste reduction recycling and if she was aware of the grant application for a MERF for the County. Ms. Spencer-Workman replied they worked on this last winter. Chairman Nawrocki asked where we are at with it. Ms. Spencer-Workman replied Pueblo County was not awarded, and will be reapplying in March. Mr. Cordova stated if he remembered correctly this sustainability plan was also developed so we could further that MERF concept. Ms. Spencer-Workman stated they all have a copy of it in their hands, and it is their hope that there is open communication going both ways. Mr. Bob Schmidt, County Public Works Director, stated we are currently working with CSU-Pueblo to do the pre-work so we can put together a much better plan. The County has been working with the City on getting a site plan done. Mr. Colucci asked does the Plan include trash in general. He questioned the environmental impact, noting on his block alone there are probably eight trash companies who pick up during the week. Ms. Workman-Spencer replied it addresses the concern of diversion of solid household waste at a County level. It specifically gets into waste at the County operations level and actually tells by department how much waste they have on a monthly basis. This was the first step. The second step is more a community-wide approach. The reason we did that was because we felt that from the direction of the County Commissioners and the community involved, the County really needs to make a difference so they can show precedence for the community to follow. It doesn't get into specific issues at a neighborhood level, but it does get into specific issues about the need to correct something like that.

Mr. Kaufman stated the City Council is getting ready to weigh in on waste disposal and waste pick up. The City's Public Works Department is working on a presentation. Mr. Hobson stated the City Public Works and Transportation Departments are jointly working on this and it will come before the City Council within the next month. Mr. Kaufman asked Ms. Spencer-Workman to participate in this. Ms. Spencer-Workman replied she would get a hold of Mr. Hobson.

Mr. Schmidt stated that some of the money that was for that grant did come into the community through some other groups. He stated we do some recycling here; we just wanted to expand it to an overall County and community-wide recycling program. We Recycle and another organization got small funding. The overall grant money was worth \$1.2 million. The County was asking for \$250,000 with a \$250,000 match from the County. The core committee discussed finding alternative funding.

Ms. Daff stated the City Council will be talking about trash on October 9th at its work session.

MPO STAFF REPORT:

(A) Dillon Flyover Update

Mr. Scott Hobson, MPO staff, referred PACOG to a letter which was sent by Mr. Chris Kaufman, President of City Council, to Mr. Steve Parker, Chairman of the Colorado State Transportation Commission, as well as a briefing paper, regarding the Dillon flyover project. He stated the MPO staff met with Mr. Gilbert Ortiz prior to the August State Transportation Commissioners' meeting and provided him the information.

Mr. Hobson stated another letter has been prepared for PACOG to support the additional funding request of \$7.5 million, noting it was distributed prior to the meeting. The letter from the City provides a fallback position where both segments of the project could be completed with an additional \$4.9 million. The PACOG letter includes the full \$7.5 million. The State Transportation Commission is planning on taking action on awarding the supplemental funds at its September meeting. City Council President Chris Kaufman will be testifying at the meeting. He requested PACOG's approval of the letter and that Chairman Nawrocki be allowed permission to sign on PACOG's behalf, which will be provided to the State Transportation Commission.

It was moved by Eva Montoya, seconded by Roger Lowe, and passed unanimously that Chairman Nawrocki sign the letter to the State Transportation Commission on PACOG's behalf.

(B) Transportation Enhancement Projects

Mr. Hobson reported there are four Transportation Enhancement Projects, noting all are City projects. He stated Pueblo West will also be submitting an application, which is separate from the enhancement program. These projects (i.e., West 4th Street SH 96 Streetscape, East 4th Street Enhancement, Arkansas River Trail Update and Safety Improvements Project, Phase 4, and Multi-Model Corridor Project: Goodnight/Cleveland and Elizabeth/Greenwood) are currently being reviewed by the Transportation Advisory Committee (TAC), and each will be ranked and scored. Staff will be submitting a resolution at the next PACOG meeting with TAC's recommendations on the priority for these projects.

Mr. Gradisar inquired about the funding of \$145,000 for the 4th Street Bridge on-system project. Mr. Hobson replied with the construction of the 4th Street Bridge there has been some activity regarding transients camping out overnight under it. This will take steps to reduce or eliminate the potential of any fires under the bridge.

TRANSPORTATION COMMISSIONER'S REPORT:

Mr. Gilbert Ortiz, Sr. reported that CDOT staff did not request the funding for the Dillon flyover. He stated the State Transportation Commission discussed the request and will be submitting this project for funding. There is only \$72 million Statewide. There are 100 projects listed, but only 25 have been submitted. Chairman Nawrocki clarified that CDOT staff did not recommend funding for the Dillon flyover. Mr. Ortiz replied that is correct. Chairman Nawrocki asked Mr. Ortiz if he will be recommending funding. Mr. Ortiz replied he already did this.

Mr. Tom Wrona, CDOT Region 2 Director, stated the recommendation of CDOT staff on the priority of the projects is correct. It did not include the Dillon flyover as the No. 1 project. The regions were all asked to bring projects. He stated he had four projects he placed on the list, and the No. 1 priority was the I-25/Cimarron interchange in Colorado Springs. It is not that the Pueblo project is not significant or a good project. One reason the Cimarron/I-25 project rose to the top with the TIGER rankings Statewide was because of economic development. In this case, what he looked at is projects that involve safety, capacity, and congestion issues, as well as being a significant project on a major corridor. Another thing he looked at is the amount of local contribution. Although this project had a large number of partners, the contribution from the City percentage-wise was relatively low (less than 10%). He stated he liked PACOG's approach of having a fallback position on asking for a lesser amount of \$4.9 million rather than the \$7.5 million. He stated if the City could step up with more making up the difference, it could come into play in a positive way. He stated the decision itself will be at the State Transportation Commission level. He stated the Commissioners would have plenty of discussion at their workshop held the day before the meeting.

Mr. Kaufman felt once again Pueblo is going to get shuffled out of the deck by two bigger and more prominent communities that have a larger tax base to choose from. He stated he didn't understand the element of economic development considering that is the whole basis for this particular project. There is a large sense of capacity issues. He stated the City has been in discussions with a lot of the retailers in the area and they were told they would get a flyover, noting they are getting restless that their sales are going down. He stated not only does the City not stand to gain with the six entities that were looking into Pueblo, but we stand to lose an additional series of retailers. He stated for a city that derives its income from retail, it is impossible for Pueblo to provide more income into the project when it isn't there. He stated the City is trying to create an environment where the retail market can thrive and at every turn we get to when it comes to the highway, we get shut down. The community has 75%-80% of the money into this project, noting it may not be the City itself, but it is through a variety of different partners and in-kind that we have been able to come up with this amount of money. He stated there isn't anyone in this room who wants to create a bridge to nowhere or build an \$18-\$19 million bridge knowing we are going to have to add another \$18-\$19 million because we didn't get \$22 million to build the whole thing. It makes no logical sense at all. He stated he didn't know how far along Cimarron is as far as

environmental processes are concerned. He stated Pueblo is supposed to have construction drawings of the Dillon Bridge by the end of this year. He stated he didn't want to feel that the trip to Denver in September would be a futile one.

Mr. Wrona stated he believed early on with this interchange and these improvements, it was expected to be a City private development partnership with payback through the TIF with the sales in that area, as well as urban renewal. Early on CDOT was never planned to be a major player in the project, noting CDOT has already contributed \$8.5 million. It is not that we don't feel it is a significant project. He stated if this project rises to the No. 1 priority for the Pueblo MPO, there is also the possibility if this funding doesn't materialize that you have funding in outer years of the STIP. He stated at the present time it is dedicated to U.S. 50 West corridor, but CDOT has \$5 million in FY 2014 that could possibly be advanced to make this project whole if PACOG should decide this is the best use of money for this area. He emphasized there are things that can be done to help this project become successful.

Mr. Kaufman stated that is the first time he has heard with shuffling the deck here and there that there might be additional money. Mr. Wrona responded it is not additional money, but it is redistributed. Mr. Kaufman stated the rest of us look at future monies to try and develop the I-25 corridor. He stated we have capacity problems on Highway 50 that would be alleviated by the flyover. He stated he is taken aback that somehow Colorado Springs has been able to place its project before ours when we had all the Federal legislators and PACOG behind it. He felt Pueblo is not getting the representation it should be getting.

Mr. Gradisar asked what percentage of funding Colorado Springs contributed to the Cimarron project. Mr. Wrona replied the only funding currently in the project is local contribution. They have provided the funding to purchase those properties for one of the new ramps at the interchange. They have provided \$5 million. They are asking for \$6 million for design and additional right-of-way to bring the project to a 30% design level where they can go out with a design build contract to try and get the construction moving. This is a significantly larger project. The base project is \$100 million to rebuild the interchange. He stated Mr. Kaufman asked the question about the engineering needs, etc. and comparing one versus the other. He stated if you are looking at comparing projects, the Cimarron project is a major interchange at the junction of an interstate and a major State highway. The State highway is on the NHS system and it is the only western route out of the Colorado Springs metropolitan area. It is a gap in the strategic corridor project that was to rebuild all of I-25 through Colorado Springs to six lanes with new interchanges. They have a dangerous S-curve through that area that needs to be improved. The bridge itself at the interchange is ranked "fair" to "poor", and is quickly approaching the "poor" level. There are actual days out the year that the ramp traffic to take that interchange on the two exit ramps both northbound and southbound back up dangerously into the through lanes of the existing freeway. Mr. Kaufman stated you just described the entire interstate through Pueblo. He asked why Colorado Springs can't go after future money, noting Pueblo is ready to roll with its project. Mr. Wrona stated it is not a done deal. He stated it might wind up being the No. 1 and No. 2 projects that get funded or possibly some combination thereof.

Mr. Connelly stated we need \$6 million to complete this project, but it is going to Colorado Springs as part of a \$100 million project. He asked if the funding was secured at this point. Mr. Wrona replied there is no funding secured for the construction of it. Mr. Connelly stated so we are putting \$6 million into the future when we can use the \$6 million to finish a project. Mr. Wrona replied if you are comparing the two projects, then you are correct. He stated

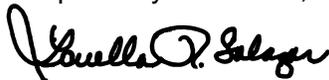
there is a larger list of projects from the six regions that are also being considered. Mr. Ortiz added that all the projects which were submitted were good projects and necessary. The Transportation Commission will make the choice.

Chairman Nawrocki stated there is a little bit of frustration in our community. He stated the 4th Street Bridge is a great asset to the community, as well as the SH50/I-25/SH47 interchange improvements. He stated when you look at the whole scheme of things it appears that Pueblo seems to always be on the back burner. He stated we are the last section of I-25 to be taken care of within the State. He stated when the present freeway was built the exits were created too close and the access to the downtown area doesn't meet the safety standards. Yet, the main corridor into the City is going to be left out with being entered from the north heading south without getting off on the side streets. He stated there is some frustration in terms of the elected officials in terms of representing their constituency. Mr. Wrona stated he would do whatever he could do to work with PACOG to help deliver the needs. He stated modifications could be done to keep this project moving. Chairman Nawrocki asked what the date of the September State Transportation Commission meeting was. Mr. Ortiz replied it is Friday, September 21st. He stated they could also go to the workshop which is held the day before.

ADJOURNMENT

There being no further business before PACOG, it was moved by John Cordova, seconded by Eva Montoya, and passed unanimously to adjourn the meeting. It was adjourned at 1:23 p.m.

Respectfully submitted,



Louella R. Salazar
PACOG Recording Secretary

LRS