

## MINUTES

### PUEBLO AREA COUNCIL OF GOVERNMENTS

DECEMBER 3, 2015

A meeting of the Pueblo Area Council of Governments was held on Thursday, December 3, 2015, 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 Mr. Terry Hart, Chairman, at 12:15 p.m.

#### ROLL CALL

Those members present were:

Ed Brown  
John Cordova  
Nick Gradisar  
Terry Hart  
Judy Leonard  
Ted Lopez

Roger Lowe  
Buffie McFadyen  
Tony Montoya  
Steve Nawrocki  
Sal Pace

Those members absent were:

Dennis Flores  
Eva Montoya

Chris Nicoll  
Bob Schilling

Also present were:

Joan Armstrong  
Michael Cuppy  
Scott Hobson

Dan Kogovsek  
Louella Salazar  
Greg Styduhar

#### **CONSENT ITEMS:**

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

Chairman Hart 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 Tony Montoya, seconded by John Cordova, and passed unanimously to approve the nine Consent Items listed below:

- Minutes of October 22, 2015 Meeting;
- Treasurer's Report (Receive and file October 2015 Financial Report);
- A Resolution Appointing Members to the Environmental Policy Advisory Committee (Note: Richard Hubler and Nancy Keller were appointed);
- A Resolution Retaining the Services of McPherson, Breyfogle, Daveline and Goodrich, PC to Perform Bookkeeping Services for the Pueblo Area Council of Governments for FY 2016;

- A Resolution Retaining the Services of Garren, Ross & DeNardo, Inc. to Prepare the Pueblo Area Council of Governments' 2015 Audit;
- A Resolution Approving an Amendment to the Fiscal Year 2016-2017 Unified Planning Work Program to Include the PACOG Organizational Restructure and Implementation Study as Part of the FY 2016 Work Program;
- A Resolution Appointing a Member of the Citizens Advisory Committee (CAC) of the Pueblo Area Council of Governments (PACOG) Transportation Advisory Committee (TAC) for the Pueblo Area Metropolitan Planning Organization (MPO) to Fill the Term of Megan Murillo (Note: Alan Nelms was appointed.);
- A Resolution Approving the 2016 Delegation Agreement between the Pueblo Area Council of Governments (PACOG) and the City of Pueblo for Transportation Planning Services, Authorizing the Chair of the Council to Execute Same, and Authorizing and Directing the Urban Transportation Planning Division to Administer the Agreement in Compliance with All Applicable Federal, State, and Local Laws and Regulations; and
- A Resolution Approving the FY 2015 List of Federally Obligated Projects, and Authorizing and Directing the Urban Transportation Planning Division to Distribute and Post the List in Accordance with All Applicable Federal and State Regulations.

**REGULAR ITEMS:**

**PACOG BUDGET HEARING**

The Pueblo Area Council of Governments held a public hearing regarding its proposed 2016 budget. A notice of the public hearing and the availability of the proposed budget were published in The Pueblo Chieftain on November 21, 2015.

Mr. Nick Gradisar, Chairman of the PACOG Budget Committee, reported the membership contributions are not changing next year.

Mr. Gradisar stated PACOG applied for and is receiving a grant for \$30,000 from the Colorado Department of Local Affairs to evaluate and study the reorganization of PACOG and begin working on those things with respect to the restructuring, votes, dues, etc. PACOG will provide \$30,000 to match the grant.

Mr. Gradisar stated the overall PACOG budget for 2016 is \$860,147. A bulk of the budget is from grants which will be received in 2016.

Chairman Hart stated the public hearing has been opened and the comments from the PACOG Budget Committee Chairman, as well as the documents prepared by staff and the certificate of the public notice of advertising. He asked if there were any comments from PACOG members or the audience. He questioned staff if any communication were received. Staff stated no communications were received. There were no comments from the audience. Ms. McFadyen thanked the budget committee for doing the work. Chairman Hart thanked staff for their work.

Chairman Hart closed the public hearing on the proposed 2016 PACOG budget.

A RESOLUTION APPROVING A BUDGET FOR THE PUEBLO AREA COUNCIL OF GOVERNMENTS (PACOG) FOR CALENDAR YEAR 2016

It was moved by Nick Gradisar, seconded by John Cordova, and passed unanimously to approve "A Resolution Approving a Budget for the Pueblo Area Council of Governments (PACOG) for Calendar Year 2016".

A RESOLUTION DIRECTING THE PUEBLO COUNTY PLANNING AND DEVELOPMENT DEPARTMENT TO IMPLEMENT THE FY 2016 WORK PROGRAM AND APPROPRIATING FUNDS FOR SAID WORK PROGRAM

It was moved by Tony Montoya, seconded by John Cordova, and passed unanimously to approve "A Resolution Directing the Pueblo County Planning and Development Department to Implement the FY 2016 Work Program and Appropriating Funds for Said Work Program".

A RESOLUTION APPROVING THE PUEBLO AREA COUNCIL OF GOVERNMENTS' (PACOG) FY 2016 MEMBERSHIP CONTRIBUTION SCHEDULE FOR ADMINISTRATION AND INSURANCE ACTIVITIES

It was moved by John Cordova, seconded by Ed Brown, and passed unanimously to approve "A Resolution Approving the Pueblo Area Council of Governments' (PACOG) FY 2016 Membership Contribution Schedule for Administration and Insurance Activities".

CHAIRPERSON'S REPORT

(A) Lunch Appreciation

Chairman Hart thanked Pueblo School District No. 70 for providing lunch for today's meeting.

(B) Plaques of Appreciation to Outgoing PACOG Members

Chairman Hart presented plaques of appreciation to outgoing PACOG members, which included Mike Colucci, John Cordova, Dennis Flores, and Eva Montoya.

Messrs. Colucci and Cordova thanked PACOG for the plaques and commented they enjoyed being members. Mr. Flores and Ms. Montoya were absent, and their plaques were given to Mr. Ed Brown, Vice President of City Council, who indicated he would make sure they get them.

(C) Recommendation from PACOG Budget Committee on Financial Statement Preparation Service versus Accountants' Compilation Report

Mr. Gradisar reported the PACOG Budget Committee met on November 17, 2015 and Mr. Larry Daveline, PACOG's accountant, was in attendance to provide the Committee with more insight. Both of the reports provide the same information. The PACOG Budget Committee recommends PACOG continue with the Accountants' Compilation Report. Chairman Hart stated this option gives PACOG more services for the same price.

It was moved by Steve Nawrocki, seconded by Tony Montoya, and passed unanimously that PACOG continue with the Accountant's Compilation Report.

(D) Selection of PACOG Nominating Committee for Officers

Chairman Hart asked for volunteers to serve on the 2016 PACOG Nominating Committee for Officers. The following persons were selected: Ed Brown, Terry Hart, and Tony Montoya.

Chairman Hart stated Ms. Salazar would coordinate the scheduling of the meeting.

(E) PACOG Reorganization Implementation Plan

Chairman Hart stated there has been discussion held at the PACOG Budget Committee regarding PACOG's reorganization. Mr. Gradisar stated PACOG received a grant for \$60,000 to help in this effort, noting part of it would be used to hire a consultant. This Consultant Selection Committee would interview and make a recommendation on the consultant to PACOG. Chairman Hart complimented Mr. Scott Hobson for identifying the need for this service and putting together and securing the grant to do this.

Chairman Hart stated the PACOG Budget Committee has been working on the restructuring. He stated PACOG members are invited to these meetings, noting it is a work committee and it makes recommendations to PACOG, who makes the final decision.

Mr. Nawrocki asked if the PACOG Budget Committee could be the one to interview and make a recommendation on the consultant to PACOG. He stated there will be some new City Council members in 2016. Chairman Hart responded the Budget Committee will be appointed in January and the City and County can figure out who can serve on their behalf. Additionally, the new PACOG officers will be appointed at the January meeting.

It was moved by Buffie McFadyen, seconded by Tony Montoya, and passed unanimously that the PACOG Budget Committee act as the work committee on this reorganization implementation plan.

MANAGER'S REPORT

(A) 2016 PACOG Meeting Date Schedule

Ms. Joan Armstrong, PACOG Manager, referred PACOG to the 2016 meeting date schedule. This being an information item, no formal action was taken.

Chairman Hart stated he would like PACOG to consider when and how long meetings are scheduled. For many years, the meeting has occurred during the noon hour. He stated the trouble he has observed is sometimes the workload exceeds the timeframe of the lunch hour. He stated he would like the PACOG members to dedicate the time necessary to handle the businesses before them. He stated PACOG has several duties and responsibilities and we need to give the amount of attention deserved to these when they only meet over the lunch hour.

Mr. Nawrocki asked Chairman Hart if he was thinking of evening meetings. Chairman Hart replied evening meetings didn't bother him, but he would like it to have the meetings whenever it works best for the members and the citizens. Mr. Brown stated there are people who come in from outlying areas. Chairman Hart added staff would also have to be taken into consideration. He suggested possibly scheduling it from noon to 2:00 p.m. or 3:00 p.m., noting this probably would interfere with other schedules. He noted sometimes the meetings might be shorter and other times longer.

Mr. Montoya stated if it could be predicted which meetings are going to take longer, then those could be done at an evening meeting. Mr. Nawrocki agreed to this approach. Chairman Hart asked if everyone felt comfortable with the budget committee working with staff to identify this, or would it be better to find a time and date that works. Mr. Nawrocki stated staff could work with the Chair to determine the time and date. Chairman Hart stated whatever is chosen does not exclude members. Mr. Nawrocki stated there are also new members coming on board in January. Chairman Hart agreed and they need to be a part of the conversation. He stated the budget committee would work with staff to identify potential regular meeting times at different meeting times. He asked if it is better to conduct the meetings in the evening or late afternoon. Mr. Montoya and Ms. McFadyen felt late afternoon or early evening (i.e., 4:00 or 6:00 p.m.) would work. Chairman Hart stated they would shoot for a date and time through staff and send out the proposal to PACOG. The January meeting will remain the same, noting the change in the meeting times could possibly occur as early as February. He stated the January PACOG meeting will be scheduled for two hours (i.e., 12:15 p.m. to 2:15 p.m.).

Mr. Nawrocki felt part of the problem is very little people know that PACOG exists. Chairman Hart felt we could throw out a couple of options to the members.

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

Chairman Hart reported the following comments were received from Mr. Bill Thiebaut, Transportation Commissioner:

At its November meeting, the Transportation Commission took up three important items:

- Adoption of FY 2016-2017 Budget: The annual budget was adopted for FY 2016-2017 in the amount of approximately \$1.27 billion;
- Ten-Year Development Plan: It will (a) bridge the gap between the 4-year Statewide Transportation Improvement Program (STIP) and the 20+ year Statewide Transportation Plan (SWP); and (b) identify the needs for major investments and priorities over a 10-year timeframe. Included in the Plan, which may be approved, are the following projects:
  1. U.S. 50 West of Pueblo to McCulloch;
  2. I-25 (1st Street to 13th Street); and Exit 100 to U.S. 50/S.H. 47 Interchange; and
- Bustang Expansion: Broadening the Statewide network of private and public bus services that addresses regional and intercity trip needs. A candidate route includes Bustang expansion from Pueblo to Colorado Springs.

There was no CDOT Region 2 Director's report.

### MPO STAFF REPORT

#### (A) Three Administrative Amendments

Mr. Scott Hobson, MPO Administrator, reported CDOT Region II has notification of three administrative amendments to the PACOG FY 2016-2019 Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) in the MPO/TPR Area. He noted these amendments require no PACOG action. All three amendments are transfers of projects of the FY 2012-FY 2017 TIP, noting these projects were approved by PACOG and incorporated into the old TIP. They were not included in the FY 2016-FY 2019 TIP. These projects would be rolled into the current TIP. The amendments include: (1) US 50B East of Boone, US 50 – Surface Treatment, in the amount of \$2,190,000, which will perform a minor rehab on the surface of the highway between MM 69.5 and 76.2; (2) US 50B to Junction SH96B, US 50 – Surface Treatment, in the amount of \$1,455,000. This project will perform a minor rehab on the surface of the highway between MM 0.0 and 5.9; and (3) Seven highway projects that were in the old TIP and are being rolled over to the new, which include one bridge project for the West 11<sup>th</sup> Street Bridge and six Transportation Alternative Projects, noting two are trail projects, one way-finding sign project, and three streetscape projects. Those projects will be moved from the FY 2012-FY 2017 TIP and into the FY 2016-FY 2019 as rolled forward projects.

#### (B) Colorado DOLA COG Competitive Grant Cycle Grant Award

Mr. Hobson referred PACOG to the letter in their packets notifying PACOG of the grant award from the Department of Local Affairs for \$30,000 for the re-evaluation and re-look at the PACOG structural format. PACOG will be receiving a contract from DOLA. It is anticipated the contract will be provided at the January PACOG meeting for approval. In the meantime, staff is working on the criteria for a request for proposal (RFP), which will be reviewed by the budget committee at its next meeting. When the grant agreement is approved, we will be able to move forward with a RFP to hire a consultant. In addition, staff is going to be relying on staff from the Department of Local Affairs to provide us with a potential list of consultants that might have experience in working with other councils of governments around the State on similar projects.

#### (C) Title VI Requirements

Mr. Hobson reported as part of the work program for 2016, staff is going to look at developing a Title VI policy for PACOG. Staff went back and researched the Pueblo MPO and PACOG as an agency over the history of the organization, and there have never been policies and guidelines adopted as an organization on Titles IV or VI. He stated this doesn't mean that PACOG hasn't followed Title VI regulations because the County has Title VI policies and regulations, as well as the City. Staff has followed these over their processes and procedures over the years. PACOG, as an entity, has not formally adopted Title VI regulations. This will be one of staff's work tasks to undertake during 2016. One of the first steps staff would like to suggest is incorporating on the agenda a statement that the meeting is accessible to the disabled and accommodations will be made to the meeting for individuals with sight or hearing impairments. He stated PACOG doesn't embark on construction projects related to ADA as does the City and

County. PACOG would be looking at saying that projects that PACOG as a board support and endorse, we would have a policy that those entities that would be receiving funds that are approved through the Transportation Improvement Program would follow Title VI guidelines. As a review agency and recommending agency or organization for the use of Federal funds, PACOG would want to have those things included in our review of those projects. As a policy stipulation, any projects that PACOG would recommend and support would follow Title VI policies, especially if there was Federal money involved.

(D) 10-Year Plan

Mr. Hobson reported PACOG, when it was developing its 2016-2019 TIP, as part of the projects included in the 2040 Long Range Transportation Plan, developed a 10-year plan. PACOG is the only MPO in the State that has completed the process of developing a 10-year capital plan. The first four years of it is the TIP, and the remaining six years are projects that could be rolled into our TIP as each year involves into the TIP. He stated it is a much bigger undertaking for the larger MPOs for the development of a 10-year capital plan.

Mr. Pace asked if the City has reviewed the transportation audit. Mr. Hobson replied the City has looked at the 23 recommendations included in the audit report, noting staff is aware of 50% of those recommendations and steps have been taken to either comply or address those. Ten to 12 of the recommendations staff will need to work on with PACOG. Staff will provide an update to PACOG on where they are and what steps would be taken to comply and meet those recommendations, which would include what steps staff would need to take and what steps PACOG would need to address. He stated this could be provided to PACOG at its January meeting. He stated staff would also review this with the budget committee and make sure we are on track on our assessment of what we have done to comply with some of those recommendations, and what steps we need to follow up. Mr. Pace felt it would be good for staff to go to the budget committee and go through the items and what has been addressed, and then bring it back to PACOG. Mr. Hobson felt this was a good suggestion. Chairman Hart felt this would help because some of the recommendations are more systemic than structural. Mr. Hobson stated some of the recommendations in the report deal with complying with performance measures that would be resolved under Federal Transportation legislation, and those are in the process of being developed at the Federal level. Only about 10% of those requirements have actually been approved and made available to the MPOs. These are safety issues and conditions of roadways surfaces, bridges, etc. We need to be on top of what is being developed at the Federal level as far as what are the requirements from a performance management standpoint and then be able to identify the eligible resources. Mr. Pace stated the one area that was highlighted was unspent planning dollars. He asked if there is a plan to address this or does the policy decision still need to be made by PACOG. Mr. Hobson replied a lot of this has been addressed in the UPWP. There is a two-year budget plan. He stated the budget which PACOG adopted today is the exact budget that was included in the first year of the UPWP. PACOG approved the UPWP in August this year. We can go back and review it and make adjustments to it. Additional staffing has been addressed for the two-year period, as well as addressing specific studies (i.e., West Pueblo Connector Corridor study). Also identified, after the two-year period, was a fund balance being carried forward so there is money to operate on prior to the next CPG funding be approved. Funds are also set aside for the ability to be able to provide consultants to

assist the MPO. Adjustments can be made to those, noting it is PACOG's prerogative to be able to make adjustments to the UPWP. Mr. Pace stated he would like to see more of a discussion on priorities. There is never serious dialog about which projects PACOG wants on a higher priority to other projects. He stated he would enjoy getting into more in-depth discussions on this. Mr. Hobson thought PACOG does a pretty good job of looking at the Federal projects (e.g., I-25 and U.S. 50). He stated where he sees the gap is on locally funded projects that currently do not have the funds in place to allocate to them. We need to figure out how to come up with locally funded projects and get them into the plan. With the limited staff we have had over the last few years, this has not been done.

Mr. Pace stated last year he had a chance to meet with the Federal Railroad Administration on railroad issues. He asked them what we should be doing. Their answer was the most important thing we should be doing is working on planning documents and getting them done because you don't know when the next pot of money opens up or the next spending bill will happen. Chairman Hart stated some of the comments PACOG heard today were exactly in line with that. We need to focus on those which are on the books and which ones we simply have in the UPWP and what we as a community feel what the priorities are.

Mr. Styduhar stated there was a lot of talk in the budget committee meeting about the rollover of CPG funds and the appropriate use of those and establishing a long-term operational structure and then move forward with a sustainable structure. He stated Mr. Hobson indicated there is a plan in place to absorb the carryover funds (i.e., FTEs and money for future studies). He asked if the hiring of a full-time transportation planner for the City was a part of the plan. Mr. Hobson responded there are two positions. Staff will begin recruiting for a transportation program manager, which is hoped to be hired in early 2016. This person will take on more responsibility of MPO compliance and participation in Statewide MPO meetings. He stated we are developing a succession plan. This position starts as a manager position, but the idea is this person will evolve into the overall manager of the MPO. The other position is a transportation planning technician who will update the website and keep communications open with the public. They are looking at having three full-time positions carried forward beyond the 2016-2017 UPWP. There is also a potential for setting aside money for consultants. Beyond the three full-time positions, of the \$350,000 which is received annually, it leaves approximately \$60,000 for operations and \$10,000-\$20,000 for outside planning work. He stated the Travel Demand Model needs to be kept updated, as well as actively participating at the State-wide level with the other MPOs and any data planning requirements. These will be full-time positions and dedicated to the MPO. He stated the idea is to transition to a full-time staff and have his time continue into 2016, but start reducing it so that by 2017 the full-time staff will be working on all the projects.

Mr. Montoya stated Mr. Pace brought up the issue of reviewing projects and prioritizing locally funded projects. He stated these might be agenda items for an evening meeting. Chairman Hart stated this is a good point.

Mr. Pace stated at the budget committee meeting there was discussion on a MPO staffer who wears the hat of a City staff and the potential for conflict. CDOT recommended that the MPO staffer be someone who is working for PACOG not for the City. He asked what type of assurances could be given to PACOG that an MPO director which is hired by the City answers to PACOG. Mr. Hobson replied PACOG needs to talk about this. He

stated he didn't disagree that having more autonomy would provide greater assurance. He stated staff looked at other MPOs across the country, which were about PACOG's size and 3 out of 4 were housed in a city or county. He stated he wasn't sure if PACOG would be able to move away from that right away, but it is certainly something that needs checks and balances. Mr. Pace stated in his experience he felt that the person who offers someone a job gets greater loyalty. He asked if it would be possible to include PACOG in the interview process, noting it would point out to the person that they are responsible to PACOG. Chairman Hart felt that was a good idea. He stated he didn't want to slow down the process, but he felt it would be helpful in navigating the issue of independence. Mr. Hobson felt this was a good suggestion. Mr. Nawrocki didn't see why there couldn't be a joint committee (i.e., advisory committee) on the hiring of the individual. Mr. Hobson felt this could be done. Mr. Gradisar felt it might be a good idea to put together a transportation committee of the members of PACOG that focus on the issues that need to be dealt with, who would make recommendations to PACOG. He felt these are significant issues which require a little more time than PACOG can devote time to, and establishing a committee which is dedicated to transportation issues might help to implement some of the recommendations and getting a hand around the issues. Mr. Pace stated he saw a bridge of having a diverse group, noting everyone at PACOG has a stake. Mr. Gradisar stated he didn't disagree, but it is a matter of taking the time to address some of the issues, such as the MPO administrator, that a transportation committee might be better able to do this in a more efficient and effective manner than PACOG as a whole. The committee would be making recommendations to PACOG. Mr. Nawrocki felt it would be worth a try. Mr. Montoya stated you can always identify at the committee what the advantages or disadvantages of certain decisions and the effect on the other entities on PACOG so they are aware of those and they can respond to that committee. Mr. Gradisar stated the group should be made up of people who have a real interest in transportation such the Pueblo West, the City, and the County. He felt the transportation committee should consist of a member from each of these entities, and possibly one or two from another entity. Chairman Hart stated we could create the concept of the committee today and then ask the County, City, and Pueblo West designate their individuals, and then find out if there are other individuals on PACOG who are interested in the process. Mr. Gradisar felt that would work. Mr. Montoya stated that possibly PACOG should wait until after the new members come on-board. Chairman Hart stated Pueblo West and the County could probably select their person now, noting the City may wish to wait until the new City Council members are sworn in. He stated what we are conceptually creating today is a transportation subcommittee of PACOG and one of their first charges is working with Mr. Hobson on the hiring issues. This subcommittee would be made up, as a minimum, of a representative from the City, the County, and Pueblo West to be selected by those entities, and if there are other members of PACOG who are interested we would add them to the subcommittee. He noted the subcommittee would do the work and make a recommendation to PACOG on issues.

It was moved by Tony Montoya and seconded by John Cordova to approve creating a transportation subcommittee of PACOG to work on transportation issues and make recommendations to PACOG on said issues.

Discussion ensued. Mr. Kogovsek stated the PACOG bylaws provide for a Transportation Technical Commission, which has two committees: Transportation Advisory Committee and Citizens Advisory Committee. He stated he wasn't sure if these committees would work in this case. He suggested the new subcommittee would

be ad hoc so as not to require a change in the bylaws and that it would be advisory only to the MPO administrator and PACOG. Chairman Hart stated he was fine with that, noting he is aware of the other two committees, who have a different make up of what was just described, as well as possibly a different level of function. He liked the idea of making it an ad hoc committee which is advisory to the MPO administrator and PACOG. Mr. Nawrocki stated he supports this. He asked if what PACOG is approving now is the structure of the subcommittee and its role, noting in January the members could be appointed. Chairman Hart stated he is concerned about timing, noting Mr. Hobson indicated they wanted to get some advertising done in January. Mr. Hobson replied they will be advertising in January, but there will be at least a 30-day period for applications and then the applications would have to be reviewed. He asked if the subcommittee would be reviewing all the applications or will the City narrow down the applications and place those who qualify. At that point, an interview process could be engaged. Chairman Hart stated he likes the narrow down process, but he would also like to receive a complete list of all the applicants and then indication of the list of which ones had been narrowed to for qualification purposes. This would allow him to navigate those who have not qualified. If this is done, then staff could proceed and PACOG could form this subcommittee and finalize the members at the January meeting. Mr. Nawrocki stated he didn't see a problem with that, but in terms of narrowing the field he felt this is based on the job description and requirements. He thought possibly the job description could be looked at. He stated whether it is a City or County employee, this is part of the process of making sure someone is qualified. He felt this should be a relatively objective process. Mr. Hobson stated currently the City does this--if it is a position in the planning department the staff doesn't participate in whether an applicant meets the qualifications, noting that is done by the human resources department. He stated once the final applicants are narrowed down, then staff gets involved. Mr. Nawrocki stated the human resources department bases its decision on the applicant's qualifications and whether a degree is required. Chairman Hart stated over the years one of the ways that staff has been able to manage promoting higher salaries for certain positions is to adjust job descriptions based on the qualifications of the current occupant of the position, noting it isn't always necessary. The reason why you do this is because it grades out higher and have higher requirements and supports a larger salary. He stated, in his experience, it is possible for human resources to exclude someone who has 30 years of experience, but no bachelor's degree. He stated he was fine with following the systems already in place because if you restructure the systems, it is going to slow everything down. Mr. Nawrocki stated may be we still need to work out the details on what is going to be involved. He stated he wanted the subcommittee to know what their parameters are. He stated he supported the original motion, but would like to amend it that the subcommittee works with the City and represents PACOG in terms of who we get in the positions.

It was moved by Tony Montoya and seconded by John Cordova to accept the amendment. After discussion, the original motion, as amended, was passed unanimously.

#### DIFFERENT GOVERNMENTAL ENTITIES WHO CAN BE INVITED TO JOIN PACOG

Mr. Pace referred the PACOG members to a list, which was provided in their packets, regarding different governmental entities who could possibly be invited to join PACOG. The list included water and sanitation districts, towns, fire districts, and conservancy districts. He stated PACOG's scope includes transportation and sometimes water

quality. Chairman Hart stated what has been identified as PACOG's responsibilities include transportation, water quality, and bully-pulpit (i.e., discussion of policy issues). Mr. Pace stated there are a number of water and sanitation districts and conservancy districts which are listed, and he questioned if all of them are going to be invited or are they going to be limited. He questioned if some of them would even be interested. He felt there was a value in inviting the towns (i.e., Town of Boone, Town of Rye) and see if they were interested, noting in the future they could discuss the other entities. Mr. Lowe felt that you could send letters to these people and possibly wouldn't get a response, so he suggested sending a qualified person to one of their meetings to make a presentation regarding PACOG's role and responsibilities. He felt if someone attended the entities' meeting that this would provide a better chance to talk and provide insight on PACOG. Mr. Nawrocki asked if the DOLA grant money would include the discussion of expansion of PACOG. Chairman Hart felt it could be. He stated letters have been written to some of these entities in the past and they have declined. He stated he didn't know of any PACOG members attending one of their meetings and explaining who and what PACOG is and why it would be a value for them to be a member. He felt it could be included in the reorganization conversation. Mr. Nawrocki questioned if in the bylaws if any of those entities on the list could be "sitting at this table". Mr. Kogovsek replied they would have to be a political subdivision. Mr. Nawrocki asked if any of the entities on the list were a political subdivision, indicating he wasn't sure what the term means. Chairman Hart responded it is a legal term that means a division of one of the layers of government. Mr. Kogovsek added that the entity would have to be recognized by statute. Mr. Gradisar felt it is all interrelated in his mind because of the voting. He felt it was all tied up in the reorganization effort and how it is set up (i.e., some entities would be able to vote on water issues, others on transportation issues, and others on bully-pulpit issues).

Mr. Pace stated he couldn't imagine a situation where PACOG would not want the towns to join. Mr. Nawrocki stated we could decide later what their capacity would be. Mr. Pace stated it might help PACOG in the discussion of restructuring. He suggested PACOG proactively reach out to the Towns of Rye and Boone and ask if they would be interested in joining. Mr. Gradisar asked what would be the dues level. Mr. Pace replied it would probably be the lowest dues level. Mr. Gradisar stated the PACOG budget committee has discussed getting members to join and the levels of funding.

It was moved by Sal Pace, seconded by Steve Nawrocki, and passed unanimously that the PACOG Chair (Terry Hart) and Vice Chair (Ed Brown) reach out to the Towns of Rye and Boone regarding their possible membership on PACOG.

#### FUTURE AGENDA ITEMS

Mr. Nawrocki stated the local newspaper is pretty interested in where the City and County is going on finding some kind of resolution with Colorado Springs on stormwater. Chairman Hart stated the County is being depicted as being timid and no one has asked the County what they are doing. Mr. Nawrocki continued that the City is not been able to sit at the table with the County when they have their discussions with Colorado Springs regarding the 1041 permit. He felt there should be some opportunity for the City and County to get together publicly and find a solution which the City can support. He stated the City has already reached out to the City of Colorado Springs. The mayor and the president of their City Council said they were going to take it to the vote of the people, which they did at the November election and were successful. He stated there were members of the Colorado Springs City Council who came to Pueblo and met with the

Pueblo City Council and took a first-hand look at what is happening in the Fountain Creek in our community. He stated he would like the County Commissioners to share with the City Council and they can have some public discussion where uniformity could be shown. He felt there has been an effort made by the new leadership to move in a cooperative direction. He stated he didn't know if it was enough money. He noted this issue impacts both bodies (i.e., City and County of Pueblo). Chairman Hart stated this is going to be a very long-term arrangement solution. He stated he disagreed with The Pueblo Chieftain's editorial board that there is only one opportunity to fix these problems. The County is engaged in negotiations under its guise as the 1041 permit administrators and the difficulty is when they are in that capacity (i.e., quasi-judicial). He felt there are other things which could be discussed which would be of value. He understood the City has limitations. He felt the editorial board forgets about we, as governments, are limited by the Constitution, by statutes, and by agreements which were signed in the past. He welcomed the City into the dialog and felt it is going to require a united community over a very long period of time. He stated he liked the comment from the mayor of Colorado Springs in response to the EPA audit indicating that they got it and they can't continue to kick the can down road. He stated the mayor did get the road tax question on the ballot, which was passed and would provide \$19 million a year for a 10-year period. The difficulty is that \$19 million over the 10-year period is \$190 million. The City of Colorado Springs has at least one-half billion dollars in projects they have already identified for themselves. Wright Water Engineering has said that 75%-80% of that is projects that protect this community. He felt that \$190 million is not enough. In conversations the County has had, the figure today, including operation and maintenance of the problems the City of Colorado Springs already has, is anywhere between \$1-\$1.5 billion. He stated the County is limited in what it can or cannot do in its quasi-judicial capacity with regard to the 1041 permit. He felt this shouldn't limit us as a community, noting we are a downstream community which is clearly being harmed by the actions of an upstream community. The upstream community's newly elected leadership is now willing to talk to us. He felt this is wonderful, noting we haven't had that opportunity in the past. He felt the City and County, as well as possibly some of the other forms of governments (i.e., Lower Arkansas Valley Water Conservancy District) should talk about having the different entities' legal staff help them identify what we can and cannot do individually. He stated then we can identify collectively what we might be able to do. Mr. Nawrocki stated the City of Pueblo has a more invested interest in the Fountain because it is the last stop before it runs into the Arkansas River. Chairman Hart stated it is legally difficult for the County to meet with Colorado Springs because we don't want to violate our quasi-judicial capacity. He felt the City of Pueblo meeting with the Colorado Springs' officials has been significant. Mr. Nawrocki stated he just wondered how the City could be included in discussions. Chairman Hart replied there is a problem and the County doesn't want to pound out behind closed doors to come up with a working format out of an agreement with Colorado Springs and Colorado Springs Utilities and then put that out for public scrutiny. The purpose of the public scrutiny is to give everybody, including the City of Pueblo and other jurisdictions, to look at it and see if something has been missed. This would also give The Pueblo Chieftain's editorial board the opportunity to help identify what the County should and should not do. He felt this is the process that concludes the negotiations. He applauded the City Council for wanting to work together and trying to protect the community from something happening to us.

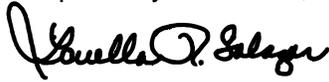
OTHER BUSINESS

Mr. Cordova requested staff to continue sending him the PACOG packet via email once he has left the City Council.

ADJOURNMENT

There being no further regular business before PACOG, the meeting was adjourned at 1:52 p.m. The next meeting is scheduled to be held on Thursday, January 28, 2016, at the Pueblo County Department of Emergency Management, 101 West 10<sup>th</sup> Street, 1<sup>st</sup> Floor Conference Room.

Respectfully submitted,



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Louella R. Salazar  
PACOG Recording Secretary

LRS