

## MINUTES

### PUEBLO AREA COUNCIL OF GOVERNMENTS

MAY 22, 2014

A meeting of the Pueblo Area Council of Governments was held on Thursday, May 22, 2014, at the Pueblo City-County Health Department, 101 West 9<sup>th</sup> Street, Third Floor, Conference Room C. The meeting was called to order by Mr. Chris Kaufman, Chairman, at 12:17 p.m.

#### ROLL CALL

Those members present were:

Nick Gradisar  
Terry Hart  
Chris Kaufman  
Ted Lopez  
Roger Lowe

Buffie McFadyen  
Tony Montoya  
Ami Nawrocki  
Steve Nawrocki  
Sal Pace

Those members absent were:

Ed Brown  
Michael Colucci  
Sandy Daff

Eva Montoya  
Chris Nicoll  
Lewis Quigley

Also present were:

Joan Armstrong  
Sam Azad  
Scott Hobson  
Dan Kogovsek

Louella Salazar  
Greg Severance  
Greg Styduhar

#### CONSENT ITEMS:

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

Chairman Kaufman 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 Roger Lowe, and passed unanimously to approve the four Consent Items listed below:

- Minutes of April 24, 2014 Meeting;
- Treasurer's Report (Receive and file April Financial Report);
- A Resolution Appointing Alternate Representatives from the Pueblo Area Council of Governments MPO/TPR to the State Transportation Advisory Committee (NOTE: Said resolution appointed Chris Kaufman, PACOG Chairman, Scott Hobson, Assistant City Manager for Community Investment, MPO Staff, and Greg Severance,

Pueblo County Transportation Director, MPO Staff, as STAC alternate representatives); and

- A Resolution Adopting the Goals and Performance Measures for the 2040 Long Range Transportation Plan (LRTP) for the Pueblo Area Council of Governments (PACOG) Metropolitan Planning Organization (MPO) to Implement the Goals and Performance Measures in Accordance with all Federal Highway Administration (FHWA) MAP-21 Regulations. (NOTE: Modifications were made to the document sent in the PACOG packet on the percentages on the crash rate.)

#### CHAIRPERSON'S REPORT:

##### (A) Lunch Appreciation

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

##### (B) Future Agenda Items

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

Mr. Lowe stated he would like to see a future agenda item with respect to PACOG expanding its purview. He felt there were many other things PACOG could discuss. He felt if we want to get new members involved in PACOG, we need to have these discussions so that they get a voice. While the transportation issues are important, there should be other topics discussed. He felt the marijuana issue should be discussed at PACOG more fully. If other issues are discussed, it would probably be possible to bring in members from other local governments.

Mr. Hart agreed with Mr. Lowe. He stated the PACOG Budget Committee has been discussing this, and a report will be presented to PACOG in the future. He stated that discussion has occurred on PACOG's mission, who are the members, are there other members who might be considered, etc.

#### MANAGER'S REPORT

##### (A) PACOG Budget Committee Update on Dues Structure and Membership

Ms. Joan Armstrong, PACOG Manager, reported the PACOG Budget Committee met on May 6<sup>th</sup> to discuss dues structure and membership. At the Budget Committee's request, an email was sent by staff to the other State COGs requesting more information on their functions and staffing. She stated the Budget Committee will be meeting again before the June PACOG meeting and, hopefully, will present a report at the meeting.

Mr. Gradisar added the PACOG Budget Committee is looking at restructuring PACOG so that each entity has only one vote, noting perhaps with some issues there could be weighted voting. Discussion also occurred on what other entities are eligible for membership, and how should they be invited to become members. He stated the Budget Committee would probably be making recommendations to PACOG with respect to changes pertaining to the new structure, and once this is done then we can ask other

entities if they are interested in membership (e.g., City-County Library District, water districts, sanitation districts). He noted these entities would also have to pay dues.

Ms. McFadyen stated that PACOG has been in existence for over 40 years and felt PACOG's mission could be maintained and maybe some structural changes could be made to accommodate our goals. Mr. Gradisar replied we could make it anything we want it to be. Ms. McFadyen stated adjustments could be made. Mr. Gradisar responded yes, noting the Budget Committee is trying to get information from other State COGs before they come back with any kind of recommendation.

#### PRESENTATION ON PUEBLO CITY-COUNTY HEALTH DEPARTMENT EPA FEDERAL GRANT SECTION 204 REVIEW

Ms. Shylo Dennison, Public Health Planner, Pueblo City-County Health Department (PCCHD), reported they have applied for Federal funds from the Environmental Protection Agency (EPA) to allow them to work in the Eilers community related to the Superfund site. She stated that the Federal funds (Hazardous Substance Response Fund) require that they come before PACOG because they are the review committee for Pueblo County on this type of application. The grant they have applied for has been submitted and they are hoping for a June 1<sup>st</sup> start date. It was a noncompetitive grant application, noting EPA approached the PCCHD to be able to support the work they deem necessary for these health functions.

Mr. Chad Wolgram, Program Manager of Environmental Health, Pueblo City-County Health Department, reported part of the Superfund funding from EPA can only be used to remediate the outside of the homes. The community is concerned with what happens with the inside of the homes, noting some of the homes are over 100 years old and could have some lead paint and other issues. The EPA approached the PCCHD with this grant and a work plan was put together to do some characterization in testing lead inside the homes and provide education to the public and community on risk reduction on how to eliminate their exposure to lead. One of their potential partnerships is with the City Housing Authority, who is applying for a HUD grant to do remediation work inside the homes if the homeowner and/or tenant qualify for it. The PCCHD is also looking at partnering with the Board of Water Works to do some lead testing in galvanized pipes and the water. They will also be doing blood testing for the community members, noting they would be contracting with a private laboratory (e.g., St. Mary Corwin or Quest Diagnostics). The PCCHD still needs to place this out to bid. This way people could take their children in and have them tested at their leisure, noting the PCCHD would cover the cost.

Mr. Wolgram stated they have a very short first year. The funding is expected from June 2014 to September 30, 2014. During that time, the PCCHD will be training and purchasing some equipment and getting their program set up and ready to run. PCCHD will be purchasing a XRF machine that can test lead paint and lead in other sources. It is very expensive, and staff will be trained and certified in using it. PCCHD will also be reaching out to medical providers in the community and provide them with education regarding lead testing. They are working with the community advisory group and will provide presentations in the community and homes on lead reduction. PCCHD will be doing free lead testing inside the homes. They will also be following up with the people who get the blood work lead testing done to see if their measures are working in helping to reduce the lead in the children and women of child-bearing age in the neighborhood.

It is a 64-month project starting June 2014 through September 30, 2019, noting if the Superfund lasts longer there is potential to reapply for more funding and continue their education projects. The project funding is \$698,153, which will cover bringing in two new full-time employees.

Mr. Montoya asked if they have thought about following up with people who have lived in the neighborhood, both renters and owners. Mr. Wolgram replied they could do a media campaign to see who has lived there. They could check to see if some of the lead testing funding could be used to test the children that recently moved out and follow up with them. Ms. Dennison stated this is one of the reasons they are doing provider outreach, noting a lot of people move out of the community and they need to make sure they are getting tested in a provider's office. She stated they want to make sure that providers are following up with their clients.

Mr. Hart asked if this is exclusively for the residents in the Eilers neighborhood. Mr. Wolgram replied this grant is exclusive to the Superfund site. He stated with the equipment the PCCHD can do some testing and also provide education.

Mr. Styduhar asked if the PCCHD needed anything from PACOG. Ms. Dennison replied they do not need anything from PACOG, but they did need to present it to PACOG. PACOG has a 60-day window to provide any comments to PCCHD so they can provide them to EPA. EPA will review PACOG's comments and concerns and make any adjustments. Mr. Azad asked if there is any match required. Ms. Dennison replied no.

Ms. McFadyen stated the funding (\$698,153) could possibly run out prior to September 30, 2019 and wondered if it is likely to reapply for more funds. Ms. Dennison replied there is definitely that possibility. As they work through the Superfund process, there should be more Federal funds available. Ms. McFadyen asked if we know if it is coming out of the ASARCO settlement. Ms. Dennison responded the funding is from the Hazardous Substance Response Fund. Mr. Wolgram added there is no previous owner at this time they can get money from on the settlement. Ms. McFadyen stated she didn't understand the point of not having a previous owner to go back on. She stated this particular funding is probably money from the Brownfield funding. Mr. Wolgram and Ms. Dennison stated they did not have an answer to Ms. McFadyen's question, but would check on it and get back to her.

WASTEWATER TREATMENT FACILITY SITE REVIEW NO. 2014-002, AMENDMENT OF EXISTING SITE LOCATION APPROVAL TO CITY'S JAMES R. DIORIO WATER RECLAMATION FACILITY-NUTRIENT GRANT PROJECT

Mr. Gene Michael, Director, City of Pueblo Wastewater Department, reported PACOG approved in February an application for some pilot site testing at the City's water reclamation facility, which was to look at various filtration technologies to meet the 10-year requirement for the new nutrient regulations. He stated one of the pilot units is still operating at the plant, and if any member would like to look at it, it will be available until the end of next week.

Mr. Michael stated this site application is an amendment for the actual construction of the chemical feed facility, which they will need to get them into compliance with the Year 2022 nutrient regulations. They have been able to do some bench-scale and jar testing that demonstrate the need for whether it is going to be feasible for their facility, and it

looks like it is going to work very well in conjunction with certain chemical feedings. They are in the process of getting their final design together by their engineering consultants. They expect to accept bids by the end of this calendar year, and break ground on construction in early 2015. Under the terms of the State nutrient grant, construction has to be completed and operational by May 30, 2016.

Mr. Lowe stated he is from Colorado City and they have their own sewer and water facility. He asked if there was any way he could get information on what the City is doing, noting at some point in time Colorado City will probably have to do the same thing. Mr. Michael replied he would be happy to share any information and give him a tour.

PACOG agreed to authorize PACOG Chair to sign a letter to the Colorado Department of Public Health and Environment on the amendment.

#### MPO STAFF REPORT

##### (A) TIP Amendment

Mr. Scott Hobson, MPO Administrator, reported on the Administrative Amendment to the Pueblo Area Council of Governments (PACOG) FY 2012-2017 Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) in the MPO/TPR Area. The project will encompass resurfacing of State Highway 47 from the junction of I-25/U.S. 50 and 3 miles to the east of Troy. It also includes resurfacing the Jerry Murphy on- and off-ramps. The total amount of the project is \$6,450,000.

##### (B) CDOT Telephone Town Hall Meeting

Mr. Hobson reported there will be a CDOT telephone town hall meeting on May 27<sup>th</sup> from 7:00-8:00 p.m. The base for conducting the town hall meeting will be at CDOT Region 2's offices. This will be one of many town halls that are being conducted throughout the different regions in the State. Two weeks ago, a mock town hall presentation was done at CDOT. At that time, they conducted eight town halls around the State and there were 10,000 participants. The public can call in to ask questions and talk to one of the program directors. CDOT will also be asking questions to those who call in and will be able to respond to the transportation questions. CDOT staff, MPO staff, Pueblo Transit, and SRDA are planning on being there to answer questions. CDOT will advertise in the newspaper and call homes within the Pueblo Region. It is anticipated there will be 5,000 calls. The day of the town hall, they will call the same numbers to remind people to call in.

##### (C) Travel Demand Model

Mr. Hobson reported on the consulting work for the Travel Demand Model Program. This is for future transportation growth which will occur in the urbanized area, what corridors might need to be improved in the future, and where there may be potential failures due to congestion. It identifies where people live, where they work, and how they get there. It is divided into two phases. The first phase is near completion. HDR Consultants was contracted to do Phase 1. Staff is looking forward to Phase 2, which is updating our current model and making it operational based on the 2010 Census

information. HDR will be making a presentation to the Transportation Advisory Committee at its June 5, 2014 meeting, at 8:30 a.m. A notice will be sent to the PACOG members.

#### MPO STAFF PRESENTATION

Mr. Greg Severance, Pueblo County Transportation Director, presented a PowerPoint presentation on the Pueblo MPO/TPR Transportation Funding. He stated the State is put into five different geographical regions, noting Pueblo County is Region 2, which includes Colorado Springs, Pueblo, Southeastern Colorado, and Southern Colorado. He provided information on Surface Treatment funding. It used to be that the funding was allocated per region, noting at one point in time there were six regions. The funding would go through a good-poor-fair criteria maintenance on the roads to determine where the money would go. The new system is more centralized and it is called the Asset Management Program. Funding is now allocated on a State-wide basis and not regionally. The ratings are still the same, but they have a new category called drivability. CDOT makes the determination on whether these roads need to be chip-sealed, paved, etc.

Mr. Severance stated the next type of funding is Congestion and Relief funding. This funding is now gone, noting it was a pilot program. It was designed to look at a big matrix and figure out some congestions relief measures and report back on it (e.g., did you reduce accidents, etc.). The project from U.S. 50 from Baltimore to Wills was built with FASTER funds, but the signal timing was funded through Congestion and Relief funding.

Mr. Severance stated a lot of the Hazard, Elimination, and Safety (HES) funding is being used on 4<sup>th</sup> Street and Pueblo West for its round-a-bout. The money is distributed on a grant basis and is based strictly on the cost associated with fatal injury and pedestrian accidents. The City of Pueblo and Pueblo County have sought this funding aggressively, noting a lot of good projects have come from this funding source. Mr. Pace asked if CDOT administers all of these programs. Mr. Severance replied yes, noting the applications are submitted through our region then to headquarters which makes the final decision. Mr. Pace questioned if they are federally funded. Mr. Severance replied yes, it is federally funded.

Mr. Severance stated the Bridge On-System is very important. The new 4<sup>th</sup> Street Bridge was funded through this program. Map-21 mandates that a certain amount of dollars go into replacing bridges. He stated 100 bridges are being replaced State-wide to help make Colorado safer. The 4<sup>th</sup> Street Bridge was one of the worst structurally deficient bridges in the State. CDOT evaluates the structural deficiencies on all on-system bridges throughout the State. A list is devised on these bridges, and they are rated from 0 to 100. The number 100 means there needs to be a brand new bridge. Anything under 50 requires rehabilitation or replacement of the bridge. This is why six of the bridges on I-25 are being rehabilitated later this year.

Mr. Severance reported on the Bridge Off-System program, noting these are the local bridges. This is an 80%-20% match program.

Mr. Severance stated a MPO is 50,000 in population and above and a Transportation Management Association (TMA) requires a population of over 200,000, such as the

PPACG, DRCOG, and North Front Range COG. Those with a population of over 200,000 get direct funds that go to the COGs directly and they make the decision on how to spend it. For example, the Transportation Alternatives Program (TAP) for Colorado Springs would be given to their COG to decide on how to distribute those funds. The City of Pueblo has been very aggressive of going after these projects (e.g., bike lanes, streetscaping, trails, etc.). These funds can be used to beautify the City and County. Chairman Kaufman asked if it could be used to landscape I-25 and Highway 50. Mr. Severance replied this money is eligible, and it could be tied to trails. For example, the industrial park could be beautified in phases. They can also be used for off-system trails. Pueblo West has three grants going and the City has different projects using this funding. He stated there is an allocation on this funding, noting Region 2 gets \$1 million. PPACG, which part of Region 2, gets \$659,000 and can also compete with the remainder of the money the Region gets. CDOT is sensitive to this and feels Pueblo should have a competitive advantage over these funds. At this time, there is a new \$1 million in funding and an additional \$400,000-\$600,000 which wasn't spent because it couldn't be matched. PACOG staff is intending to bring applications to prioritize, which comes with a 20% match, and someone has to maintain the landscaping and trails once done. Mr. Pace asked if trolleys or train stations could be included in this funding. Mr. Severance replied there is another source of funding which would handle this. Chairman Kaufman replied the City of Pueblo had a grant for trolleys a few years ago, but they just couldn't match it.

Mr. Severance stated there are safety dollars outside the HES Program. There is approximately \$100 million between a few pots of funding. There is a committee, which is helping to address the rural areas which can't compete (no fatalities, no accidents, etc.). The committee is looking at preventative safety. We can tap into these funds.

Mr. Severance stated there are some funds on the transit and transit downtown center which can be applied for. The City of Pueblo has to pay 50% of all the operating costs of their transit system. SRDA has to do the same. The other 50% (operating) is grant funded. Eighty percent 80% of all the buses and shuttles replaced are funded through these programs.

Mr. Severance stated the Regional Priority Program (RPP) is the most flexible amount of money that is given to the regions. The allocation formula has been debated for the last few months, and a decision was made last week on the allocation as follows: 50% by population, 35% by number of lane miles, and 15% by truck/freight traffic. This means that \$10 million will be given annually to Region 2 to make decisions locally where the funding goes. He stated Commissioner Thiebaut fought very hard for this money. He stated this is 19.9% of the \$50 million. The Denver area is not very happy about this, but it is a balancing act to make sure that the rural areas aren't left out. It is discretionary funding to the region.

Mr. Severance stated the Defense Access Road (DAR) relates to TIGER funding. It was a \$27 million project. There are means of other Federal funds outside the CDOT system, but within the CDOT system, there are other funds which are possible to get.

Mr. Severance stated CMAQ funds are available to air quality non-attainment areas. Pueblo does not qualify because its air is clean. DRCOG, North Front Range COG, and PPACG get CMAQ funds for their urban areas. The money could be used for HOV

lanes, park-n-rides, etc. PPACG receives \$822,000 annually, DRCOG receives \$23 million annually, and the North Front Range COG receives \$2.5 million annually.

Mr. Severance stated the STP Metro funds go directly to the COGs if you are a TMA, which has a population of 200,000 or more. This funding was discontinued in the late 1990s. This money can be spent on local roads, and go directly to the TMAs. DRCOG receives \$33.8 million annually. PPACG receives \$8 million annually. The North Front Range COG receives \$3.5 million annually. Pueblo doesn't get anything. He stated the funding was mandated by ISTEA. The funding discretion was left to CDOT to continue the Small Urban Program. Pueblo used to receive approximately \$2 million annually. This funding was taken away by the Federal transportation bill (ISTEA) which was passed. Bills were attempted to get the funding back, and CDOT discontinued it because they didn't have to do it anymore. Mr. Pace asked if the Pueblo MPO was expanded would we be able to get this funding. Mr. Severance replied PACOG would be eligible for STP Metro funds, but not CMAQ funding because our air isn't dirty. PACOG would be getting a direct allocation of TAP funds. He stated he did some research and that would require a change in Federal legislation. At the current time, there is discussion of bringing in Fountain, Canon City, and Trinidad and trying to become one MPO. The information is received states there is a rule that the urbanized areas must have a 2-mile contiguous distance between each other. For example, PPACG has Green Mountain Falls, Manitou Springs, etc. and all are contiguous to each other. To do so, would require a change in law, which is being renewed in September (MAP-21). To able to consolidate Southern Colorado and Pueblo to be the hub might be possible, but the law would need to change.

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

Chairman Kaufman read into the record comments from Mr. Bill Thiebaut, the Region 2 Transportation Commissioner. The comments are as follow:

- 1) The main action taken by the Transportation Commission at its May meeting was the approval of allocations for two major formula programs:
  - Regional Priority Program (RPP); and
  - FASTER Safety Mitigation Program.
- 2) During previous meetings this year, the Transportation Commission took action to approve allocations for other formula programs, including the Transportation Alternative Program (TAP).
- 3) A chart is being provided showing the allocations to Region 2. In excess of \$22 million in program money will be flowing to Region 2, a significant increase in the major categories over prior years. When Congestion Mitigation and Air Quality (CMAQ) natural gas stations are added to the chart list (Pueblo, Lamar, Trinidad), the amount allocated to Region 2 increases by several million dollars more.

Mr. Hart asked for a point of procedure that Mr. Thiebaut's letter be sent to the PACOG members electronically prior to the meeting. Ms. Salazar stated she would do this.

Mr. Nawrocki asked when the actual construction on Ilex is beginning. Mr. Joe DeHeart, CDOT, responded they still have to live off of speculation. CDOT staff felt it made sense



that the contractors could start work on the rehab bridges on the south end, but because there are still some things they have to do with Ilex and 1<sup>st</sup> Street, such as land acquisition and environmental cleanup, they are not able to start as soon as they hoped. When CDOT sees the proposals from the three firms, they will have a better understanding of how they want to tackle the work. The good news is the final RFP for the project and the procurement process was issued yesterday. The proposals from the different teams should be received by CDOT at the end of July. He stated he did not know if they would begin work later this year or sometime next spring.

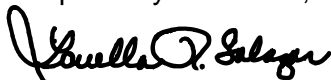
Chairman Kaufman stated at one of the City Council meetings there was a question asked on the design of some of the bridges. He asked if it would be possible to present this to PACOG at one of its meetings. Mr. DeHeart replied they could try to bring the bridge designs to PACOG at its June 26<sup>th</sup> meeting. Mr. DeHeart asked if they would like to see what CDOT is proposing, noting the contractor can still take their ideas and change them, noting the contractor has flexibility to change the designs. (Note: After the meeting, Mr. DeHeart asked if the presentation could be done at the July 24<sup>th</sup> meeting.) Mr. Pace asked why we don't tell the contractors what we want on the designs. Mr. Tom Wrona, CDOT Region 2 Director, answered they have in general terms and have shown them the architectural scheme that has been approved for the corridor. He stated CDOT doesn't get into the details. He stated sometimes they are pleasantly surprised with the contractor's design which may be even more than imagined, noting the contractor design teams get very innovative.

Chairman Kaufman asked if the irrigation systems are on at the State highways. Mr. DeHeart responded this has been an ongoing issue with maintenance as to whether CDOT or the City needs to do it. He stated CDOT is trying to get a collaborative meeting set up to better understand the IGAs which are in place with respect to maintenance, noting the IGAs need to be revisited as to whose responsibility it is. Chairman Kaufman asked when those meetings are taking place and who is going to be invited to participate. Mr. DeHeart stated the meeting should be coming soon, noting they are looking at getting a facilitator on board. The parties who will be invited would be CDOT maintenance and City maintenance.

#### ADJOURNMENT

There being no further business before PACOG, the meeting was adjourned at 1:20 p.m. The next meeting is scheduled on Thursday, June 26, 2014, and is to be held 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