



Colorado Springs

El Paso County

Manitou Springs

Green Mountain Falls

**BOARD OF DIRECTORS
REGULAR MEETING MINUTES
Wednesday, December 14, 2005
1:30 p.m.**

**El Paso County Board of County Commissioners Hearing Room
27 E. Vermijo Street, Colorado Springs**

MEMBERS PRESENT

El Paso County Directors

Commissioner Wayne Williams, Vice-Chair

Commissioner Sallie Clark

Commissioner Dennis Hisey

City of Manitou Springs Director

Mayor Marcy Morrison

City of Colorado Springs Directors

Mayor Lionel Rivera, Chair

Councilmember Jerry Heimlicher

Vice-Mayor Larry Small

Town of Green Mountain Falls Director

Mayor Tyler Stevens

OTHERS PRESENT

Mr. John Christofferson, Attorney

Mr. Rob MacDonald, Board Secretary

Ms. Barb Louricas, Recording Secretary

Ms. Beverly Majewski, Finance Manager

Mr. Rick Sonnenburg, Program/Contracts Manager

Member government employees and citizens

1. CALL TO ORDER/INTRODUCTIONS

Colorado Springs Director Rivera established a quorum and called the meeting to order at 1:30 p.m.

2. APPROVAL OF THE AGENDA

El Paso County Director Hisey made a motion to approve the agenda. Green Mountain Falls Director Stevens seconded the motion. The motion passed by unanimous vote.

3. PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

Mr. Mark Entrekin, Chair of the Pikes Peak RTA Citizens Advisory Committee (CAC), thanked the Pikes Peak RTA Board for all of their hard work in 2005.

4. APPROVAL OF MINUTES FROM NOVEMBER 9, 2005 REGULAR BOARD MEETING

El Paso County Director Williams made a motion to approve the minutes. Green Mountain Falls Director Stevens seconded the motion. The motion passed by unanimous vote.

5. CAPITAL, MAINTENANCE, PUBLIC TRANSPORTATION AND ADMINISTRATION CONTRACTS

City of Colorado Springs Contracts

Mr. Ron Mitchell, City of Colorado Springs Public Works Director, requested approval of five contracts:

1) TRAX Construction, Inc. for \$565,457; 2) Vulcan Aluminum for \$200,000; 3) Communications Products & Services, Inc. for \$200,000; 4) Nolte Associates, Inc. for \$1,090,141; and 5) Nolte Associates, Inc. for \$1,077,863.60.

El Paso County Director Williams made a motion to approve the five contracts for the City of Colorado Springs. Green Mountain Falls Director Stevens seconded the motion. The motion passed by unanimous vote.

Mr. Mitchell said that also in the Board packet was a six-page list of contracts, which were approved in 2005, that contained contract extension provisions for various numbers of additional years. He requested approval of the list of contracts to exercise the extension options.

Colorado Springs Director Small made a motion to approve the list of contracts for extension for one year—2006. Manitou Springs Director Morrison seconded the motion. The motion passed by unanimous vote.

Legal Services Contract for CY-2006

Mr. Rick Sonnenburg, Pikes Peak RTA Program/Contracts Manager, said that he received a letter from Mr. T. Edward Icenogle of Icenogle, Norton, Smith & Blieszner, dated December 1, 2005, requesting extension to the legal services contract for the calendar year 2006. Mr. Sonnenburg requested that the Board approve the contract extension.

El Paso County Director Clark made a motion to approve the legal services contract extension between the Pikes Peak RTA and Icenogle, Norton, Smith & Blieszner not to exceed \$72,000, the budgeted line item in 2006 for legal services. Green Mountain Falls Director Stevens seconded the motion. The motion passed by unanimous vote.

6. FINANCIAL REPORTS

Ms. Beverly Majewski, Pikes Peak RTA Financial Manager, reported that October sales tax earnings were \$5,527,422, which is \$144,606 more than projected. The net Department of Revenue administrative fee for October was \$27,794 after interest credit. The interest earnings for November is \$98,788 and year-to-date interest is \$523,444. Ms. Majewski reported that year-to-date actual tax revenue is \$52,598,991 as of December 13, 2005. The year-to-date revenue on investments less reserve is \$26,363,045, and the cash in bank is \$32,194,634.

Colorado Springs Director Small inquired about the El Paso County budget for maintenance expending more than the amount budgeted. Ms. Majewski said that El Paso County took the full reserve amount from the maintenance budget and the financial statements will be adjusted to also take the reserve out of capital.

Ms. Majewski indicated that she and Mr. Sonnenburg went to Denver to meet with the staff of the Department of Revenue (DOR). She said that the DOR has assigned a full-time staff person to work on the collection of 150 vendors who are not paying taxes to the Pikes Peak RTA. El Paso County Director Clark said that the letter from the DOR regarding the administrative fee was vague and wants further information. Ms. Majewski said that the charge for the administrative fee is based on a full cost allocation system. Charges to the Pikes Peak

RTA are a percentage of the total cost of collection for all taxing authorities. Ms. Majewski said the DOR does not have a way to determine the actual incremental collection costs for each Taxing District because their processes are highly automated and integrated to gain efficiency.

El Paso County Director Clark said that she has Legislative support to sponsor a bill so that the Pikes Peak RTA is not charged the administrative fee.

El Paso County Director Williams requested that a meeting be set up between the Pikes Peak RTA Board members and staff of the DOR. El Paso County Director Clark indicated she would also like to meet with the DOR. Ms. Majewski said she would schedule the meeting.

7. FY-2006 PIKES PEAK RTA BUDGET PUBLIC HEARING AND APPROVAL OF THE BUDGET

Colorado Springs Director Rivera opened the public hearing for comments on the 2006 budget of the Pikes Peak RTA.

Ms. Majewski said that the date, time, and location of the FY-2006 Pikes Peak RTA budget public hearing have been published in the *Daily Transcript* and she has received no objections. The budget that was included in the November 9, 2005 Board packet is the same as the version which was included in the December 14, 2005 Board packet. Per El Paso County Director Clark's request, the administrative line item for personnel and overhead have been divided into two line items for personnel and indirect costs.

Ms. Majewski indicated that Ms. Sherre Ritenour, Transit Services Manager Mountain Metropolitan Transit, will present information regarding the impacts of Silver Key's funding request on the Pikes Peak RTA Transit budget. After Ms. Ritenour's presentation, Silver Key will make a presentation to the Board. The Board will then hear public comment from citizens. After all discussion, Ms. Majewski recommended that the budget be approved using any input from the public hearing. Ms. Majewski also requested that the Board authorize two resolutions: 1) adopt the 2006 budget and 2) appropriate the funds for the 2006 budget for signature by the Chairperson, Vice-Chairperson, and Board Secretary.

Impacts to Transit Budget to Fund Silver Key Request

Ms. Sherre Ritenour, Transit Services Manager Mountain Metropolitan Transit, indicated that the Colorado Springs Transit Services Division provides an annual amount of \$138,000 to Silver Key for senior transportation services. The Federal Transit Administration (FTA) requires that the ridership statistics be reported to National Transit Database (NTD), which uses the data to determine the funding that the Transit Services Division receives. Since Silver Key receives these types of funds, they are required to report the number of rides that they provide to seniors. In 2005, the NTD audited Transit Services and could not verify Silver Key's ridership amounts. Silver Key is not currently in compliance with the NTD auditing requirements and \$308,000 in NTD funding will not be provided to the City of Colorado Springs Transit Services Division in 2008. The City of Colorado Springs Auditor and City Attorney's Office stated that no funding should be given to Silver Key until they come into compliance with NTD reporting requirements.

Ms. Ritenour indicated that Silver Key has requested a funding increase of \$330,000, for a total funding amount of \$400,000. Fountain Valley Senior Center has requested RTA funding of \$200,000 to replace El Paso County funding.

Ms. Ritenour said that under the IGA the Transit share of the Pikes Peak RTA taxes is designated for city-sponsored Transit activities and entities cannot contract directly with the Pikes Peak RTA to provide Transit Services.

Ms. Ritenour said by providing funding of \$400,000 to Silver Key, the amount is equivalent to 7,492 service hours which is the total of all Express and all Sunday service, combined.

Mr. John Christofferson; Attorney with Icenogle, Norton, Smith & Blieszner; said that the establishing IGA states that the City of Colorado Springs decides the appropriation of amounts to fund Transit Services and the routes for City-sponsored Transit activities. The comprehensive IGA for the City of Colorado Springs allows the Pikes Peak RTA Board to determine the funding amount.

Mr. Rob MacDonald, Pikes Peak RTA Board Secretary, said that Silver Key and Amblicab are City-sponsored Transit activities and Fountain Valley Senior Services is not and it must first be designated by the City Council.

Mr. John Morse, President and CEO of Silver Key Senior Services, read a letter of commitment to the Pikes Peak RTA Board that Silver Key will comply with the reporting requirements. Mr. Morse said they generate 90,000 rides for 1,500 individuals and are in the process of developing ways to measure the trips.

Ms. Ritenour said she does not dispute the information but that the numbers cannot be verified. Ms. Ritenour said that rules for the social services funding that Silver Key receives are more restrictive.

El Paso County Director Williams inquired where \$170,000 of Transit funding would be cut. Ms. Ritenour gave various funding alternatives of where the funding would come from but she has not discussed any of the information with the City of Colorado Springs administration. Colorado Springs Director Small indicated that he would support taking \$330,000 of 2005 Transit carryover capital funds to apply for additional Silver Key funding. Colorado Springs Director Rivera said that he would not support giving Silver Key the total amount at one time but giving them a portion of the amount and after they comply with the reporting requirements, give them the additional amount.

El Paso County Director Clark said that she is in favor of helping Silver Key provide transportation services to the senior population. El Paso County Director Williams said that he is not comfortable with giving Silver Key such a substantial funding increase. El Paso County Director Hisey is comfortable with \$330,000 increase and can figure out funding in future years. Ms. Ritenour said that they will provide assistance to Silver Key so they are able to measure their statistics.

El Paso County Director Williams said that if Pikes Peak RTA is to increase funding he would like Silver Key to increase their transportation area to include Gleneagle and any area west of Meridian Road including Cimarron Hills, the community of Falcon, and the Town of Green Mountain Falls.

El Paso County Director Hisey and El Paso County Director Clark both requested Silver Key to come back at the January meeting with a plan about how it would serve a wider population.

Mr. Steve Mulliken, Chair of the Silver Key Board of Directors, said that Silver Key provides great services for the senior population and agreed that Silver Key should be providing services to other areas of the County with the increased funding.

At 3:35 p.m., Colorado Springs Director Rivera asked for any other comment. There was none, and he closed the public hearing on the 2006 Pikes Peak RTA budget.

El Paso County Director Williams made a motion to approve the two resolutions to adopt and appropriate funds for the FY-2006 Pikes Peak RTA budget for signature by the Chairperson, Vice-Chairperson, and Board Secretary with the following changes: \$330,000 will be moved from the 2005 capital carryover line item for the City of Colorado Springs Transit Services Mountain Metro and allocate the funding to the Human Service

Providers subsidy for Silver Key; the expenditure would be dependent upon an agreement regarding service area, and no increased funds will be expended until the reporting requirements are in compliance with NDT. The motion passed by unanimous vote.

8. OTHER REPORTS

Citizen Advisory Committee Appointments

Mr. Rick Sonnenburg, Pikes Peak RTA Program/Contracts Manager, said that five seats on the Citizen Advisory Committee have terms expiring on December 31, 2005. Ms. Bev Johnson, Mr. Tom Harold, and Mr. Jack Blackwell have requested to be reappointed as regular at-large members. The Colorado Springs CTAB reappointment and the El Paso County HAC have not sent appointment correspondence.

Colorado Springs Director Rivera indicated that the Colorado Springs City Council approved Ms. Jane Dillon to replace Mr. Dan Cleveland, from the CTAB, who did not request a second term of membership on the Pikes Peak RTA CAC.

El Paso County Director Williams made a motion to approve the three-year appointments of Mr. Blackwell, Mr. Harold, Ms. Johnson, and after written verification from the City of Colorado Springs on the CTAB appointment and the El Paso County Commission on the HAC appointment, the Board will ratify the two appointments. El Paso County Director Hisey seconded the motion. The motion passed by unanimous vote.

Citizen Advisory Committee Meeting Change

Mr. Sonnenburg indicated that the Pikes Peak RTA Citizen Advisory Committee voted to change their meeting date to the first Wednesday of each month at 1:30 p.m. The next meeting will be January 4, 2006.

Quarterly Report from Member Entity—City of Colorado Springs

There were no questions.

Audit Contract Selection Subcommittee

Manitou Springs Director Morrison said that she and Green Mountain Falls Director Stevens reviewed the two proposals for audit services to the Pikes Peak RTA. She indicated they met and recommended the proposal for auditing services from Swanhorst & Company in the amount of \$11,400.

Mr. Rob MacDonald, Pikes Peak RTA Board Secretary, requested that the Board give RTA staff direction to develop the contract for approval at the next meeting. Instruction was given to develop the auditing contract with Swanhorst & Company.

9. PIKES PEAK RTA MEMBER ANNOUNCEMENTS

Colorado Springs Director Small said that the Colorado Springs City Council approved the appointment of Mr. Scott Hente as an alternate member to the Pikes Peak RTA Board.

Mr. MacDonald requested written documentation from all government entities indicating the names of Directors appointed to the Pikes Peak RTA Board. Officers will be appointed at the first meeting in January. According to the Board's Bylaws, the Chair will be from El Paso County and the Vice-Chair will be from the City of Colorado Springs.

10. ADJOURNMENT

El Paso County Director Williams made a motion to adjourn the meeting. The motion passed by unanimous vote.

Colorado Springs Director Rivera adjourned the meeting at 3:45 p.m.