



Colorado Springs

El Paso County

Manitou Springs

Green Mountain Falls

**BOARD OF DIRECTORS
REGULAR MEETING MINUTES
Wednesday, May 9, 2007 - 1:30 p.m.
PPACG Main Conference Room
15 S. 7th 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 Mark Morland

City of Colorado Springs Directors

Vice Mayor Larry Small, Chair

Mayor Lionel Rivera

Town of Green Mountain Falls Director

Mayor Pro Tem Dick Bratton

MEMBERS ABSENT

City of Colorado Springs Director

Councilmember Jerry Heimlicher

OTHERS PRESENT

Mr. Ed Icenogle, Legal Counsel

Mr. Rob MacDonald, Board Secretary

Ms. Barb Louricas, Recording Secretary

Ms. Beverly Majewski, Finance Manager

Mr. Rick Sonnenburg, Program/Contracts Manager

Citizens and Member government employees

1. CALL TO ORDER/INTRODUCTIONS

Colorado Springs Director Small established a quorum and called the meeting to order at 1:40 p.m.

2. APPROVAL OF THE AGENDA

El Paso County Director Williams made a motion to approve the agenda with the addition of Agenda Item No. 6A2, *Use of Reserve Funds for Maintenance*, and Agenda Item No. 8E, *Effects of Falcon Incorporation*. Colorado Springs Director Rivera seconded the motion. The motion passed by unanimous vote.

3. PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

There were no comments.

4. APPROVAL OF MINUTES FROM APRIL 11, 2007 REGULAR BOARD MEETING

El Paso County Director Williams made a motion to approve the minutes. Colorado Springs Director Rivera seconded the motion. The motion passed by a unanimous vote.

5. CITIZEN ADVISORY COMMITTEE MONTHLY REPORT

Mr. Rick Sonnenburg, PPRTA Program and Contracts Manager, indicated that PPRTA CAC Chair Tom Harold was not able to attend the meeting, and he would give the monthly report in his absence. Mr. Sonnenburg said that he confirmed with the PPRTA Attorney that there was no legal prohibition to changing the CAC bylaws for partial terms of committee members. Mr. Sonnenburg also verified with the PPRTA Attorney about subcommittee formation within the PPRTA CAC. The PPRTA Attorney said that there is no legal requirement restricting the size or formation of a subcommittee by the PPRTA CAC.

6. 2007 CAPITAL, MAINTENANCE, PUBLIC TRANSPORTATION, AND ADMINISTRATION CONTRACTS

City of Colorado Springs

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

1. White Construction, Capital (Airport at Lakewood Circle—Roadway Safety & Traffic Operations), \$308,594.40
2. Gades Sales Company, Inc., Maintenance (Roadway Safety & Traffic Operations), \$40,800

Colorado Springs Director Rivera made a motion to approve two contracts for the City of Colorado Springs. Manitou Springs Director Morland seconded the motion. The motion passed by unanimous vote.

El Paso County Director Hisey arrived at 1:50 p.m.

El Paso County

Mr. John McCarty, EPC DOT, requested the approval of one contract.

1. Ideal Concrete, Inc., Maintenance (concrete surface drainage), \$1,302,892.23

El Paso County Director Williams made a motion to approve one contract for El Paso County. Colorado Springs Director Rivera seconded the motion. The motion passed by unanimous vote.

City of Colorado Springs Maintenance Reserve Draw

Mr. Ron Mitchell, Colorado Springs Public Works Director, said that the winter weather had an adverse impact on the city streets in Colorado Springs. Mr. Mitchell requested that additional arterials that are in poor condition be added to the maintenance effort. They include: Briargate Parkway from SH 83 to Lexington Drive, Platte Avenue from Powers Boulevard to Murray Boulevard, Research Parkway from SH 83 to Union Boulevard, and Fontanero from Nevada Avenue to El Paso Boulevard. Mr. Mitchell requested that maintenance reserve funds in the amount of \$800,000 be authorized to use for funding the additional arterial street repair. The current balance of the reserve funds in this category is \$1.3 million.

Green Mountain Falls Director Bratton said that this action would be a precedent and requested that policy be set on how the reserve funds will be used. Colorado Springs Director Small indicated that a reserve draw had been approved for Transit in 2006 for the 2007 budget.

Mr. Ron Mitchell proposed that the funds would be replenished over the 2008 and 2009 budgets by allocating a portion of the maintenance funds.

El Paso County Director Williams indicated that he is not comfortable with a two-year repayment plan.

Ms. Beverly Majewski, PPRTA Financial Manager, indicated that in order to spend the funds they must be appropriated in the 2007 budget. Ms. Majewski proposed that the public hearing be held and the budget amendment be approved at the June meeting.

El Paso County Director Williams made a motion to set a public hearing for the June PPRTA Board meeting for approval of the 2007 amended budget to include appropriation of \$800,000 from the City of Colorado Springs maintenance reserve. Colorado Springs Director Rivera seconded the motion. The motion passed by unanimous vote.

7. ADMINISTRATIVE REPORTS

Financial Reports

Ms. Beverly Majewski reported that the March sales and use tax receipts were \$5.8 million, which is \$269,548 behind the March budgeted amount. The year-to-date sales tax and use receipts are \$480,298 behind the annual budget. Ms. Majewski reported that sales tax receipts for March 2006 versus 2007 reflects that 2007 is 1.78% ahead of last year.

Ms. Beverly Majewski reported that year-to-date interest revenue is \$100,000 ahead of the annual budget.

Filling Vacant Seat on the Citizen Advisory Committee

Mr. Rick Sonnenburg, PPRTA Program and Contracts Manager, indicated that the PPRTA CAC approved a recommendation to the Board to appoint Mr. Justin McDonald, Alternate At-Large PPRTA CAC member, to fill Mr. Jack Blackwell's vacant seat as a Regular At-Large PPRTA CAC member. The PPRTA CAC also recommends to wait to fill Mr. Justin McDonald's vacant seat until an additional At-Large PPRTA CAC vacancy occurs.

El Paso County Director Williams made a motion to approve the appointment of Mr. Justin McDonald to fill the Regular At-Large PPRTA CAC membership seat vacated by Mr. Jack Blackwell. Green Mountain Falls Director Bratton seconded the motion. The motion passed by unanimous vote.

Revision to CAC Bylaws Regarding Partial Terms

Mr. Rick Sonnenburg said that Page 3 of the PPRTA CAC Bylaws, the "Mid-Term Vacancies" section states: "A member selected to fill an unexpired term of six (6) months or longer shall be considered to be filling a full term of office." Mr. Sonnenburg reported that the PPRTA CAC made a recommendation to the Board that the bylaws be changed from "six months" to "at least half the term".

El Paso County Director Williams made a motion to approve an amendment to the PPRTA CAC Bylaws to change the phrase "six (6) months" in the "Mid-Term Vacancies" section on Page 3 to "at least one-half of the term." Green Mountain Falls Director Bratton seconded the motion. The motion passed by unanimous vote.

Public Outreach Framework

Mr. Rick Sonnenburg reported that the PPRTA CAC Ad Hoc Subcommittee for Public Outreach developed a set of guidelines for events and outreach activities.

El Paso County Director Williams made a motion to approve the guidelines submitted by the PPRTA CAC Subcommittee for Public Outreach. Colorado Springs Director Rivera seconded the motion. The motion passed by unanimous vote.

Staff Field Review Report

Green Mountain Falls Director Bratton inquired how the project inspections are performed. Mr. Rick Sonnenburg explained how he inspects the projects and vehicles.

8. OTHER REPORTS

Capital Project Completion Signs

Mr. Rick Sonnenburg indicated that the PPRTA CAC submitted a written process that was developed by the City of Colorado Springs for requirements of PPRTA Project Signage. Mr. Sonnenburg said there are three categories: 1) Upcoming/new projects, 2) Current projects, and 3) Completed projects.

El Paso County Director Williams requested that the policy include long-term signage after projects are completed. Mr. Ed Icenogle, PPRTA Attorney, said the conservative approach would be to not wait to post the signage in conjunction with a possible future ballot initiative, but to post signage in a permanent manner to be in compliance with the Fair Campaign Practices Act.

El Paso County Director Williams made a motion to approve the *Project Signage Process* policy with the following changes: 1) Make the reference to entity generic, 2) In Item 3, delete the reference to the "Fontanero Sign Shop, 3) In the second sentence of Item 3, add the words "at least" before the phrase "60 days," and 4) Change the last sentence of Item 3 to "At the end of 60 days, the entity may mark the intersection with permanent signage." El Paso County Director Hisey seconded the motion.

Colorado Springs Director Small inquired when new project signs are installed. Mr. John McCarty responded that after the construction contract has been awarded, the signage will be installed. When the contract has started construction, the sign is changed to a current project sign by the contractor.

The vote passed by unanimous vote.

El Paso County Director Clark arrived at 2:30 p.m.

Mr. Rick Sonnenburg indicated that El Paso County Director Clark requested that the PPRTA signage include the website address as well as a "thank you" statement to the voters.

El Paso County Director Clark indicated that the PPRTA CAC made a recommendation to include the website address on the signage. El Paso County Director Clark indicated it is also important to make a thank you statement to the voters on the signage.

City of Colorado Springs Federal Transit Administration (FTA) Discretionary Grant Application and Request Match Funds

Ms. Andrea Phillips, City of Colorado Springs Transit Services Division, will submit a \$3,670,000 grant to Federal Transit Administration (FTA) for the purchase of ten (10) buses to replace vehicles that have reached the end of their useful life. Ms. Phillips requested that \$403,000 of Transit reserve funds be allocated to use as a portion of the local match. Ms. Phillips indicated that repayment would occur in 2008 and 2009.

El Paso County Director Williams inquired how the funds would be repaid. Ms. Andrea Phillips indicated that funds from excess sales tax revenue would repay the advanced funds.

El Paso County Director Hisey made a motion to put the item on the agenda in June for public hearing to amend the 2007 budget. El Paso County Director Williams seconded the motion.

Colorado Springs Director Small requested that the PPRTA CAC recommend a policy for how the PPRTA reserve funds should be used.

The motion passed by unanimous vote.

El Paso County Sales and Use Tax Analysis

Ms. Nicola Sapp, El Paso County Financial Services Director, gave a presentation on a sales tax analysis between El Paso County and the PPRTA performed by El Paso County staff.

Ms. Nicola Sapp indicated that a comparative analysis of 2006 versus 2005 sales tax collections resulted in the following findings: 1) El Paso County collections for 2006 were .84% over 2005; 2) City of Colorado Springs 2006 collections were 3.35% over 2005; and 3) PPRTA 2006 collections were 5.20% over 2005. Ms. Sapp gave a description of the detailed analysis that was performed and the discrepancies that were found.

Ms. Nicola Sapp indicated that the next steps to be taken by El Paso County are:

1. The PPRTA and County meet with the Director of the Colorado Department of Revenue to audit and collect variances
2. Work with the City of Colorado Springs, State of Colorado, and PPRTA to analyze use tax collections
3. Work with PPRTA and El Paso County Clerk and Recorder to analyze the sales tax collected by the Clerk and Recorder
4. Work with the City of Colorado Springs to analyze their sales tax collections

City of Colorado Springs Monthly Change Order Report

There were no questions.

Effects of Falcon Incorporation

Mr. Ed Icenogle reported that the briefing on the Falcon Incorporation is the same as the Black Forest presentation. Mr. Icenogle reported that he will provide legal advice and inquired if the Board desired to go into executive session. El Paso County Director Williams said that the vote will take place at the end of the month and the issue could wait until the election is complete.

9. PIKES PEAK RTA MEMBER ANNOUNCEMENTS

There were no announcements.

10. ADJOURNMENT

Colorado Springs Director Small adjourned the meeting at 3:25 p.m.