



Colorado Springs

El Paso County

Manitou Springs

Green Mountain Falls

**CITIZEN ADVISORY COMMITTEE
REGULAR MEETING MINUTES
Wednesday, December 6, 2006 - 1:30 p.m.
PPACG Lower Level Conference Room
15 S. 7th Street, Colorado Springs**

MEMBERS PRESENT

El Paso County HAC

Mr. Tom Rogers

Mr. Brian Wess

Citizen-At-Large

Mr. Tom Harold, Chair

Mr. Jack Blackwell

Ms. Jan Doran

Ms. Bev Johnson, 1st Vice Chair

Citizen-At-Large Alternates

Mr. Al Brody

Mr. Justin McDonald

Colorado Springs CTAB

Ms. Jane Dillon

Mr. Joe Vaccaro

Green Mountain Falls

Ms. Beth Kosley

Manitou Springs

Mr. Chris Verlo

MEMBERS ABSENT

El Paso County HAC

Mr. David Sealander

Colorado Springs CTAB

Mr. Gary Bradley

Citizen-At-Large

Mr. Vic Andrews

Green Mountain Falls

1 Vacancy

Manitou Springs

Mr. Phillip St.Cloud, 2nd Vice Chairperson

OTHERS PRESENT

Citizens

Staff of Member Governments

PIKES PEAK RTA STAFF PRESENT

Ms. Barb Louricas, Recording Secretary

Ms. Beverly Majewski, Financial Manager

Mr. Rick Sonnenburg, Program/Contracts Manager

1. CALL TO ORDER

Mr. Tom Harold established a quorum and called the meeting to order at 1:35 p.m. Mr. Harold read the objective of the committee.

2. APPROVAL OF THE AGENDA

Mr. Harold requested that Agenda Item No. 8B, *City of Colorado Springs Silver Key Audit Report*, and Agenda Item No. 8J, *City of Colorado Springs FREX Funding Update*, be moved to become part of Agenda Item No. 5, *FY-2007 Budget Issues*, because of budget implications.

Ms. Kosley made a motion to approve the agenda with the changes. Ms. Doran seconded the motion. The motion passed by unanimous vote.

Mr. Brian Wess arrived at 1:40 p.m.

Mr. Justin McDonald arrived at 1:45 p.m.

3. PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

There were no public comments.

Mr. Harold gave a presentation about the Pikes Peak RTA CAC parade float in the Parade of Lights.

4. APPROVAL OF MINUTES FROM NOVEMBER 1, 2006 REGULAR BOARD MEETING

Mr. Brody made a motion to approve the minutes. Ms. Johnson seconded the motion. The motion passed by unanimous vote.

5. FY-2007 BUDGET ISSUES

Mr. Rick Sonnenburg, Pikes Peak RTA Program/Contracts Manager, reported that the City of Colorado Springs Metro Transit made a request for two police officers in the 2007 budget. Mr. Sonnenburg said that Section 6.14 from the Comprehensive IGA between the City of Colorado Springs and Pikes Peak RTA states, "... neither Party to this IGA shall be required to pay any compensation to the other Party or the other Party's personnel for any services rendered hereunder."

Mr. Brody said that policing is a City function and not a function of the Pikes Peak RTA. Ms. Kosley agreed. Ms. Doran inquired if it would be more cost effective to have security personnel. Ms. Dillon indicated that the IGA states that the Pikes Peak RTA cannot fund personnel.

Mr. Ron Mitchell, City of Colorado Springs Public Works Director, indicated that security is necessary at the Downtown Transit Center and on buses and off duty police officers have been used. The request is for two dedicated police officers for Transit that are special employee positions.

Mr. Wess said that the CAC has a responsibility to the voters to adhere to the rules that were set up about the uses of the funding.

Ms. Kosley said that the Pikes Peak RTA should not fund the two positions but that the public safety sales tax should be paying for the officers. Ms. Doran serves on the PSST Oversight Committee and they have never been approached about this request. Ms. Doran said that the PSST Oversight Committee approved two Code Enforcement Officer positions be funded for the Colorado Springs Police Department and that may be a better source of the funding.

Mr. Blackwell made a motion that the request for funding two additional officers with Pikes Peak RTA funds be denied. Ms. Dillon seconded the motion.

Mr. Mitchell said that safety is very important to the choice Transit rider.

Mr. Rob MacDonald, PPACG Executive Director, discussed the concept of maintenance of effort. The original intent is that funding by the entities would not be supplanted by the Pikes Peak RTA funding. Mr. MacDonald

said that the Comprehensive IGA explicitly states that no employees are to be hired by a member government. Mr. MacDonald said that the IGA would need to be changed in order to hire staff.

The motion passed by majority vote, with one dissenting vote by Ms. Kosley, and Mr. Vaccaro abstaining from the vote.

Mr. Sonnenburg said that the second issue is the inflationary impacts on the capital projects budget projections through 2014. The subcommittee had two remaining issues to be decided: 1) revenue and cost inflation projections through 2014 for capital projects and 2) funding for conceptual design work for several of the out-year projects which do not have well-developed cost estimates. Mr. Sonnenburg stated that all three inflation scenarios showed the capital projects "A" list being completed. He also stated the conceptual design work issue would be revisited in the Spring of 2007.

Mr. Mitchell requested that the CAC recommend that the Board adopt the following policies: with the annual budget process, the project costs be increased for inflationary factors based on the construction cost indices and projections be based on historic revenue and expense data and be presented with the annual budget. Mr. Mitchell said that the process should be put in a policy manual so that changes are not made to the IGA.

Mr. Harold said that the recommendation for policy implementation can be written in a memo and presented to the Board at a future meeting.

Silver Key Audit Report

Mr. Mitchell said that when Silver Key requested additional funding for 2006, the direction from the Board was that Silver Key had to provide accurate accounting to meet the FTA funding requirements. Mr. Mitchell referred to the audit report and said that the City of Colorado Springs is requesting direction from the Pikes Peak RTA Board. Mr. Mitchell said that Silver Key services are an important supplement of the overall Transit Services.

Mr. Mitchell reported on the following findings from the Colorado Springs' City Auditor's Report:

1. Data provided by Silver Key contained numerous errors.
2. Silver Key will not meet the targeted number of trips, revenue miles, or service hour requirements as stated in their contract with the City.
3. No shows and refused services appear to have increased threefold.
4. Financial statements were not audited in a timely manner.
5. Service contract appears incomplete.
6. Excess revenues should be returned to City Transit/Pikes Peak RTA.

Mr. Mitchell said that the contract required 100,000 passenger trips because that was the level provided in 2004 and 2005. It appears that the numbers in 2004 and 2005 were overstated and inaccurate. The projection is that Silver Key will provide 60,000 passenger trips.

Mr. Kelly Finnegan, Silver Key Chief Financial Officer, requested that 2006 be used as the base year.

Ms. Majewski reported that Silver Key has received \$267,000 through August and \$133,000 is remaining to be paid for the remainder of 2006. Ms. Majewski indicated that \$100,000 is in the draft budget for Silver Key in 2007.

Mr. Mitchell said that \$100,000 was requested in the FY-2007 budget for Silver Key. If Silver Key receives more funding than \$100,000, funding cuts will be required to other Transit programs.

Mr. Sonnenburg read the minutes of the November 1, 2006 CAC meeting where the Committee voted to not fund the \$100,000 to Silver Key if they did not pass the audit performed by the City of Colorado Springs Auditor. Mr. Jeff Litchfield, City of Colorado Springs Auditor, said that the audit was not a pass or fail audit. Mr. Litchfield said that February and August records were examined and August had less errors than February, and Silver Key made improvements in their reporting.

Mr. Sonnenburg asked for clarification about four issues:

1. The November 1, 2006 action by the Pikes Peak RTA CAC regarding the \$100,000 in funding for 2007
2. The indirect request that has been made by Silver Key for additional funding of \$300,000
3. Silver Key funding of \$133,000 for the remainder of 2006
4. The Pikes Peak RTA Board's requirements for Silver Key from their December 14, 2005 where it states that no increased funding will be provided to Silver Key until the reporting requirements are in compliance with NTD; should Silver Key be required to pay back funds received in 2006 in the amount of \$267,000 because they did not meet the NTD reporting requirements?

Ms. Kosley said that page 4 of the City Auditor's report states that Silver Key will be unable to meet their 2006 performance requirements and that the City Auditor recommends that the City takes steps to reduce the Silver Key funding.

Ms. Doran made a motion to recommend approval to the Board to fund Silver Key \$100,000 in the 2007 budget, and pay Silver Key the remaining \$133,000 from the 2006 budget. Ms. Dillon seconded the motion. The motion passed by unanimous vote.

Mr. Finnegan said that Silver Key will make a request to the Pikes Peak RTA Board that Silver Key be funded at the 2006 level. Mr. Vaccaro indicated that Silver Key has never formally requested the additional funding.

Mr. Brody departed the meeting at 3:30 p.m.

Mr. Harold requested input from the CAC to provide feedback to the Board if Silver Key requests funding in excess of \$100,000 in FY-2007.

Ms. Dillon said that to provide more funding to Silver Key will create cuts in other Transit programs. Ms. Ritenour indicated that Silver Key is a human service provider that the City of Colorado Springs has been funding for numerous years.

Ms. Doran indicated that Silver Key must meet all of the audit requirements. Ms. Ritenour verified that Amblicab meets the audit requirements and Fountain Valley Senior Services will have an audit as part of the conditions for contracted services with the City of Colorado Springs.

Ms. Johnson said that no decision regarding 2007 funding above the \$100,000 should be made until the 2006 audit is complete.

Ms. Ritenour reported that Mr. John Morse assured her that Silver Key would provide 90,000 rides. Mr. Morse said that he could provide 90,000 rides for \$139,000 and for \$400,000 he could provide more rides.

Ms. Majewski handed out a revised summary of the Transit summary budget. Ms. Majewski said that FREX funding for \$189,000 was in the operations budget and has been moved to the capital budget.

FREX Funding Update

Ms. Ritenour said that Senate Bill-01 funding was received to purchase 20 new commuter buses. The new buses will be in operation in July 2007. Metro buses are currently being used for the FREX operations.

Mr. Ritenour reported on the funding sources and requirements for FREX.

6. INTERGOVERNMENTAL AGREEMENTS

Draft Revisions to First Amendment to Comprehensive IGA with El Paso County

Ms. Doran made a motion to recommend approval to the Board of the first amendment to the Comprehensive IGA with El Paso County. Mr. Wess seconded the motion. The motion passed by majority vote, with Mr. McDonald abstaining from the vote.

Draft IGA With City of Colorado Springs and CDOT

Mr. Sonnenburg reported that the City of Colorado Springs entered into contracts with CDOT to manage several of the City's Pikes Peak RTA capital projects. Therefore, an IGA is required to be implemented between CDOT, the City of Colorado Springs, and the Pikes Peak RTA to enable the Pikes Peak RTA to make payments to CDOT.

Mr. Cam McNair, Colorado Springs City Engineer, said that Paragraph D was added at the request of the Colorado Springs City Council to allow Pikes Peak RTA funds to stay in the bank collecting interest for as long as possible. Mr. McNair said that the Colorado Springs City Council will approve the final IGA at next Tuesday's meeting.

Mr. Wess made a motion to recommend approval to the Board of the IGA between the City of Colorado Springs, CDOT, and the Pikes Peak RTA. Ms. Doran seconded the motion. The motion passed by unanimous vote.

A break was taken from 4:00 p.m. to 4:15 p.m.

7. 2006 CAPITAL, MAINTENANCE, PUBLIC TRANSPORTATION AND ADMINISTRATION CONTRACTS

City of Colorado Springs

Mr. Mitchell handed out an updated contract list and contract sheets. Mr. Mitchell is requesting approval of seven contracts:

1. Lawrence Construction Company, Capital (Austin Bluffs/Union Interchange), \$26,247,552.98
2. Brown & Brown Insurance, Capital/Maintenance (Liability Insurance Protection for Pikes Peak RTA), \$109,193
3. Wanco, Maintenance (Incident Management/Signal Update), \$33,608

4. Nolte Associates, Inc., Capital (Capital Project Management and Construction Inspection Services), \$982,488
5. Nolte Associates, Inc., Maintenance (Roadway Maintenance Program), \$1,241,625
6. Vulcan Aluminum, Maintenance (Aluminum sign blanks to enhance roadway safety and traffic operations), \$200,000
7. Apple One Franchise Inc., Add Staff Inc. and Remedy Temp Inc.; Maintenance (Temporary employment service contracts), As-Needed Basis

Mr. Mitchell requested that the \$100,000/15% limit, whichever is less, on change orders be changed for the Austin Bluffs/Union Interchange project. Mr. Mitchell said that this is a significant project and expects a number of change orders and wants to change the change order limit to \$100,000 per change order, with 10% of the aggregate project total or \$2.6 million.

Mr. Steve Gess, City of Colorado Springs Contracting Manager, indicated that a lot of variables can occur in a project of this size and contracts typically vary by 10%.

Ms. Kosley made a motion to recommend that the Board approve the contract change order limit for the Austin Bluffs/Union Interchange to \$100,000 per change order with 10% of the aggregate project total, \$2.6 million. Mr. Rogers seconded the motion. The motion passed by unanimous vote.

Ms. Doran made a motion to recommend that the Board approve the seven contracts by the City of Colorado Springs. Ms. Johnson seconded the motion. The motion passed by unanimous vote.

Mr. Mitchell requested a blanket approval on contracts that have extension options (the list is 4 pages long and was included in the packet and titled "PPRTA Contracts 2007 Extensions/Options").

Ms. Doran made a motion to approve the four page list of 2007 Extensions/Options that was included in the December 6, 2006 Pikes Peak RTA CAC packet. Mr. Rogers seconded the motion. The motion passed by unanimous vote.

Mr. Craig Blewitt, City of Colorado Springs Transportation Planning Manager, discussed the changes to the right-of-way property acquisition list for Powers Boulevard. Mr. Blewitt said that the Pikes Peak RTA funds the acquisition of properties along the Powers Boulevard corridor. Mr. Blewitt reported that several properties were dropped from the list and one property was added to the list.

Mr. McDonald inquired if Powers Boulevard is still a priority for the state.

Mr. Dale Weaver, Colorado Department of Transportation, said that Powers Boulevard is one of 28 State Strategic Corridors in Colorado that is funded with Senate Bill-01 funding. The Environmental Assessment is expected to be completed in 18 months and funding will start when SB-01 funds become available. Mr. Weaver anticipated that the Woodmen Road/Powers Boulevard project would begin in January.

Mr. Wess made a motion to recommend that the Board approve the updated Powers Boulevard right-of-way acquisition list. Mr. McDonald seconded the motion. The motion passed by unanimous vote.

El Paso County

Mr. John McCarty, El Paso County Transportation Director, requested the approval of payment to Stewart Title of Colorado in the amount of \$358,051 for the purchase of right-of-way for the Struthers Road Extension.

Mr. Rogers made a motion to recommend that the Board approve the payment of \$358,051 to Stewart Title of Colorado for the purchase of right-of-way for the Struthers Road Extension. Ms. Doran seconded the motion. The motion passed by unanimous vote.

City of Manitou Springs

Mr. Mike Leslie, City of Manitou Springs, is requesting approval of two contract change orders:

1. Nolte Associates, Inc., Capital (Manitou Avenue Improvements Design Project), change order amount is \$22,100 on \$459,326 original contract amount
2. AA Construction Company, Inc., Capital (Manitou Avenue Phase 1 Capital Construction Project), change order amount is \$5,175 on \$823,562.35 original contract amount

Ms. Doran made a motion to recommend that the Board approve the two contract change orders for the City of Manitou Springs to Nolte Associates, Inc. for \$22,100 and to AA Construction Company, Inc. for \$5,175. Ms. Dillon seconded the motion. The motion passed by unanimous vote.

8. OTHER REPORTS

Financial Reports

Ms. Majewski indicated that the sales and use tax revenues for September were under budget by approximately \$313,000. The year-to-date amended budget revenues still remain over budget by \$2 million.

City of Colorado Springs West Colorado Avenue Street and Drainage Improvements

Mr. McNair said that at a prior Pikes Peak RTA Board meeting, he was instructed to develop a cost estimate for street and drainage improvements along East Colorado Avenue, from 31st Street to the Manitou Springs city limit. The cost estimate is projected to be over \$2.5 million. Mr. McNair said that the proposal has been presented before the City Transportation Advisory Board, City Council, and El Paso County Highway Advisory Council. Mr. Craig Casper, PPACG Transportation Director, indicated that CDOT has a potential funding source for areas that have segments of old state highways that should be city streets. CDOT will pay cities to take over ownership and maintenance costs.

Mr. Leslie said that the City of Manitou Springs performed a CDBG Economic Blight Study on the area. The Manitou Springs City Council approved a resolution to form an Urban Renewal Authority Plan at their last Council meeting.

Ms. Dillon made a motion to recommend that the Board not use Pikes Peak RTA money to fund the project because it does not qualify as a maintenance project and the capital budget has been set for ten years by voter approval; the CAC supports Option 3B from Mr. Mitchell's memorandum. Mr. Rogers seconded the motion. The motion passed by unanimous vote.

Establish Subcommittee on Public Relations Initiatives

Mr. Harold indicated that at the last Pikes Peak RTA Board meeting, Commissioner Clark requested the CAC to make recommendations to the Board on improvement to the public relations efforts. Mr. Harold recommended that an ad hoc subcommittee be formed.

Ms. Mary Scott, Colorado Springs Public Relations, indicated that the City of Colorado Springs currently prints quarterly newsletters. Ms. Scott indicated that the City of Colorado Springs is working on a year-end progress report that includes all entities. Ms. Scott reported that there were 90,000 to 100,000 registered voters in the November election. The cost would be \$24,000 to purchase the mailing list from El Paso County, design, print, and mail to the individuals on the mailing list. Ms. Scott suggested that the funding come from the Pikes Peak RTA administrative budget.

Mr. McDonald suggested that information be sent to the *Gazette*. Ms. Scott said that weekly updates are sent to the *Gazette*.

Mr. Vaccaro said that the mission of the Pikes Peak Chapter for the Colorado Mobility Coalition is to educate the public on transit services.

Mr. Harold said that \$24,000 should be funded from the Pikes Peak RTA administrative budget.

Ms. Majewski recommended to wait until the spring when the 2006 budget carryovers can be determined.

Ms. Kosley made a motion to form an ad hoc subcommittee on public relations initiatives. Mr. Wess seconded the motion.

The subcommittee will consist of Mr. Wess, Mr. McDonald, Ms. Scott, Mr. Ron Cole of El Paso County Public Relations, and representatives from the Town of Green Mountain Falls and City of Manitou Springs.

The motion passed by majority vote with one dissenting vote by Mr. Vaccaro.

Report of Recent Board Actions

There were no questions.

Ms. Kosley departed the meeting at 5:25 p.m.

City of Colorado Springs Small Projects Report

Mr. Scott Logan gave a PowerPoint presentation on the small improvement projects funded by both capital and maintenance projects. Mr. Logan discussed the summary of 2006 projects and the anticipated 2007 projects.

Mr. Logan reported the following projects were completed in 2006:

- Pikes Peak/Hayman Horizontal Grade Improvement
- S. Circle/St. Vrain Safety Improvements
- Dublin & Cottonwood Traffic/Pedestrian Safety Project
- Woodmen/Rockrimmon Approach Improvements
- Hwy. 83/Razorack Intersection Modification Project
- Cimarron/Wahsatch Channelization Improvements
- Orchard Valley Traffic and Pedestrian Improvements
- Chelton/Constitution Intersection Improvements
- Peterson Trail Crossing Improvements
- Cheyenne Boulevard Striping Modification
- Vindicator On-Street Bicycle Lane Enhancements

- “School Route” and “Transit Stop” Facility Improvements
- Craycroft/Chapel Hills Roundabout Modifications
- Hazard Elimination/Safety (HES) Project Design
- Platte/Cascade/Bijou—Design/Study Project
- Traffic Signal Upgrades
- Scott Elementary School Crossing Improvements

Mr. Logan reported the following projects to be completed in November 2006:

- Hancock/Chelton Re-Alignment Study
- Briargate Boulevard Corridor Study (Academy-Chapel Hills)

Mr. Logan reported the following projects to be completed by May 2007:

- 8th Street/Cimarron Pedestrian Bridge Facility
- Nevada/Southgate Intersection Project
- Jamboree/N. Academy Right-Turn Lane
- Hwy. 24/31st Street Lane Improvement
- Sierra Madre/Union Railroad Quiet Zone
- Las Vegas/Royer Railroad Crossing Improvement
- Airport Road Frontage Street
- Airport Road/Powers Modification Plan

Mr. Harold asked that a link on the City website be made to the Pikes Peak RTA website. Mr. Wess said that the City Wire is a very good resource on the City of Colorado Springs website.

City of Colorado Springs Right-of-Way and Easements Acquisition Report

Mr. Wess inquired why the appraised value by City of Colorado Springs is higher than the owner appraisal. Mr. Rob Kidder, Colorado Springs City Engineering, said it was a \$1,500 difference and is not uncommon.

City of Colorado Springs Monthly Change Order Report

There were no questions.

City of Colorado Springs Cimarron Street Bridge Project Status

Mr. Kidder introduced Mr. Clyde Pickering from Carter Burgess. Mr. Kidder gave an update on the Cimarron Street Bridge over Conejos Street project. Mr. Kidder said that a series of meetings have been held with the Downtown Partnership, Urban Redevelopment, and property owners adjacent to the bridge.

Mr. Kidder indicated that Phase 1 will begin in mid-January on the south half and be completed by June 2007. Construction on the north half of the bridge will begin in June and is expected to be completed by the end of 2007.

Mr. Blackwell departed the meeting at 6 p.m.

City of Colorado Springs Updated Contract Lists and 2007 Contract Extension List for Transit Services and Mountain Metropolitan Transit

Mr. Vaccaro inquired if line item 9 for Silver Key funding was misstated. Mr. Mitchell indicated that he will update the amount.

Quarterly Reports From Member Governments

There were no questions.

Reappointment of Citizen Advisory Committee Members

Mr. Sonnenburg reported that three at-large members indicated they would serve additional terms on the committee. Mr. Sonnenburg said that he has not had communication from the member governments.

Mr. Wess reported that Mr. David Sealander was renewed by the El Paso County Highway Advisory Committee.

Mr. Vaccaro reported that an individual has been selected to replace Mr. Gary Bradley from the City of Colorado Springs Citizens' Transportation Advisory Board.

Maintenance of Effort Reports

There were no questions.

Staff Field Review Report

There were no questions.

10. COMMUNICATIONS

Mr. Sonnenburg handed out the revised CAC bylaws.

11. ADJOURNMENT

Ms. Doran made a motion to adjourn the meeting. Ms. Johnson seconded the motion. Mr. Harold adjourned the meeting at 6:05 p.m.