



Colorado Springs ♦ El Paso County ♦ Manitou Springs ♦ Green Mountain Falls ♦ Ramah

PPRTA Board Meeting Minutes
Wednesday, December 12, 2012 – 1:30 p.m.
Pikes Peak Area Council of Governments Main Conference Room

MEMBERS PRESENT

City of Colorado Springs

Councilmember Val Snider

City of Manitou Springs

Mayor Marc Snyder

Town of Ramah

Mayor Pro Tem Keith McCafferty

El Paso County

Commissioner Dennis Hisey, Chair

Commissioner Sallie Clark

Commissioner Peggy Littleton

Town of Green Mountain Falls

Trustee Tyler Stevens

MEMBERS ABSENT

City of Colorado Springs

Councilmember Jan Martin, Vice Chair

Councilmember Angela Dougan

OTHERS PRESENT

Staff of Member Governments and Citizens

PIKES PEAK RTA STAFF PRESENT

Mr. Rob MacDonald, Secretary

Mr. Rick Sonnenburg, Program/Contracts Manager

Ms. Beverly Majewski, Financial Manager

Mr. Ed Icenogle, Legal Counsel

1. Call to Order/Establish a Quorum

El Paso County Director Hisey established a quorum and called the meeting to order at 1:30 p.m.

2. Approval of the Agenda

El Paso County Director Littleton made a motion, seconded by City of Colorado Springs Director Snider, to approve the agenda as presented. The motion passed unanimously.

3. Public Comment Period for Items not on the Agenda

El Paso County Director Hisey recognized Citizen Advisory Committee members Beverly Johnson and John Nuwer for their service to the community via the PPRTA.

4. Approval of the Minutes from the November 14, 2012, Regular Meeting

There was a motion by Town of Green Mountain Falls Director Stevens, seconded by City of Manitou Springs Director Snyder, to approve the minutes as presented. The motion passed unanimously.

5. Citizen Advisory Committee (CAC) Monthly Report

Mr. Tom Harold, Chair of the PPRTA CAC, presented highlights from the Committee's December meeting, including information on a request to eliminate the CAC officers' term limits. Currently, the bylaws limit the officers to three, one-year terms.

After discussion, El Paso County Director Clark moved to postpone the CAC's officer elections to the March 2013 meeting. City of Manitou Springs Director Snyder seconded the motion. The motion carried unanimously. This discussion will be added to the joint Board/CAC meeting in February.

6. Financial Reports

Ms. Majewski, Pikes Peak RTA Financial Manager, stated the PPRTA received \$6,078,678 in October sales and use tax, \$548,518 or 9.9% above the monthly budget. Year-to-date, the PPRTA received \$3,968,397 above the budget and 8.42% above the same period in 2011.

Ms. Majewski reviewed with the Board the bank rates for the PPRTA's deposits for the purpose of the Board discussing whether they would like to approve placing the funds in longer term CDs to obtain better rates.

El Paso County Director Clark moved to approve the placement of PPRTA funds into two longer term CD's with ANB (12 month/.35% and 18 month/.40%) at \$10 million each, while still making sure PPRTA has the liquidity to pay for transportation projects. City of Manitou Springs Director Snyder seconded the motion. The motion passed unanimously.

7. FY 2013 Budget Public Hearing and Approval of the Budget

Ms. Beverly Majewski, Pikes Peak RTA Financial Manager, stated that December 12, 2012, was the date selected for the Public Hearing for the Pikes Peak RTA's FY 2013 Budget. The date, time, and place were duly noticed in the designated newspaper. In addition, there were two items raised by the CAC:

- 1) the City of Colorado Springs would be allowed to use concrete maintenance funds to install small sections of missing sidewalk, where none existed, to improve connectivity in special transportation corridors, and
- 2) the funding for Specialized Transportation Providers would use the same percentage allocations as in 2012, at least until a "competitive" selection process was completed by the City.

El Paso County Director Hisey commented that the first item was more of a policy versus a budget question.

El Paso County Director Clark requested an explanation for why the human service transportation providers were only budgeted by the City of Colorado Springs through the end of May 2013. She requested the funding be extended through the end of the year.

In response, Mr. Craig Blewitt, Mountain Metro Transit (MMT), City of Colorado Springs, said, at the recommendation of the Mayor's Transit Solutions Team, MMT wanted to introduce some level of competition for allocating funds to Human Service Providers. For that reason, they were awarding funds through May of 2013, giving MMT the time to develop a process for a call for proposals for the services for the remainder of the year. Mr. Blewitt clarified that they do not expect to cut service to those currently served.

El Paso County Director Clark again questioned that the City was asking the PPRTA along with a local senior center to approve a six-month budget and she was concerned that it would affect unincorporated areas of El Paso County.

Town of Green Mountain Falls Director Stevens inquired about the rationale that used to establish a dollar figure for HSP funding and whether enough funds were being allocated for the services within the RTA.

Mr. Blewitt stated that during the budget shortfall, the fixed route bus system was cut by \$6-7 million, whereas funding for HSP was cut by only \$250,000. One could argue that there is greater unfunded need by the fixed route versus the ADA route. Mr. Blewitt said that he had faith in the process that the City will implement to provide the services with a limited amount of funds available.

El Paso County Director Hisey opened the Public Hearing and requested members of the public comment on the FY 2013 Budget.

El Paso County Director Clark questioned whether an RFP process could be accomplished in five months and said that six weeks' notice was not enough time to allow for budget planning. She wanted more information from the Mayor's Solution Team as to how this decision was arrived at that will have an impact on unincorporated El Paso County.

Mr. Ed Icenogle, PPRTA Legal Counsel, reviewed the three levels to be examined in the budget matter: the Establishing IGA that the members signed and approved at the beginning of 2004, the Comprehensive IGA that was negotiated in 2005 with each member entity and last, the precedent of how the PPRTA has been operating since 2005. He reminded the Board that only City-sponsored transit can be funded with RTA transit funds.

He further stated that the Board could not cause the City to spend money in a particular way on transit. On the other hand, the Board is able to sponsor as they see fit. The Authority shall have the power to fund transit within the boundaries of the authority based on annual recommendations from members party to the agreement. The Board can budget any amount it thinks is appropriate as long as the money is spent on City-sponsored activity. The Board's power to appropriate is fundamental under law and the biggest limitations are the state budget law, the Constitution, and what the voters approved.

El Paso County Director Clark expressed that she was looking for an amicable resolution to the issue. She requested suggestions.

City of Manitou Springs Director Snyder commented on the change in the form of government in the City of Colorado Springs and questioned funding amounts and appropriation policy.

Town of Ramah Director McCafferty stated that the most important issue was to get the Budget approved and if the City should change their transit budget down the road in the year, then the matter could be revisited.

Mr. Tom Harold, PPRTA CAC Chair, reviewed the budget for 2012 for HSP and suggested approving the budgeted amount for HSP and if the Mayor gives direction to introduce an RFP process then that will be evaluated next year.

Mr. Don Feigel, Fountain Valley Senior Center, expressed concern over the competitive process in relation to non-profits like the senior center with a limited budget.

Town of Green Mountain Falls Director Stevens suggested appropriating the same amount for 2013 as 2012 while, during 2013, evaluating the competitive selection process and the amount of dollars that go into the various areas of transit as the outcome of the City's efforts, as well as evaluating the section in the IGA regarding City-sponsored transit to determine if that is the best use of funds.

Based on the conversation, legal counsel requested the Board entertain the possibility of a brief executive session so that legal counsel could supplement advice.

El Paso County Director Clark moved to go into executive session for the purpose of receiving supplemental legal advice. Town of Green Mountain Falls Director Stevens seconded the motion. The motion passed unanimously.

The executive session began at 3:13 p.m. and ended 3:43 p.m.

For the record, legal counsel stated that no action was taken during the session.

El Paso County Director Hisey sought additional public comment on the budget. There were none at the time.

PPRTA legal counsel offered the following brief amendment to the proposed FY 2013 Budget (page 15, Item 8, Specialized Transportation Services): change in the amount provided for the RTA budget, but the anticipated motion would be that at the end of #8, add that “the funds are to be utilized by payment to the same vendors in the same proportion as has been done in 2012.”

El Paso County Director Hisey requested public comment on the amendment.

Ms. Pat Ellis, Silver Key Senior Services, asked if that meant that the human service transportation providers would get payment for the entire year. It was explained that it meant that the funding for the entire year would be in the same proportion as in 2012, but the City would still have to agree to pass it through. However, the money was authorized by the PPRTA.

Mr. Craig Blewitt clarified that the allocation was intended for four providers, Silver Key Senior Services, El Paso County Fountain Valley Senior Services, Amblicab, and Community Intersections.

El Paso County Director Hisey closed the public hearing and brought the matter back to the Board.

Town of Green Mountain Falls Director Stevens moved to adopt the PPRTA FY 2013 Budget. Town of Ramah Director McCafferty seconded the motion.

Legal counsel offered the following amendment to the motion: (page 15, Item 8, Appendix F-2, at the end of the first paragraph, insert the language the “funds are to be provided to the same four vendors at the same proportion as was the case in 2012.” The four vendors were Fountain Valley Senior Services, Silver Key Senior Center, Amblicab, and Community Intersections.

The motioners were agreeable to the amendment.

El Paso County Director Clark motioned for a division of the question to separate out the vote for the transit portion of the budget. City of Manitou Springs Director Snyder seconded the motion. The motion carried unanimously.

Before the vote for the transit portion of the FY 2013 Budget, El Paso County Director Clark stated for the record that her vote was a protest vote because she felt the City transit system was not providing nonprofits with some assurance that they will receive funds through the end of the year.

The vote for the transit portion of the budget passed by a 6-1 vote, with El Paso County Director Clark opposing the approval. The vote for the remaining portion of the budget passed unanimously.

Town of Ramah Director McCafferty moved to approve appropriating the funds for FY 2013 Budget. City of Manitou Springs Director Snyder seconded the motion.

El Paso County Director Clark motioned for a division of the question to separate out the vote to appropriate the transit funds. City of Manitou Springs Director Snyder seconded the motion. The motion passed unanimously.

The vote to appropriate the transit funds passed by a 6-1 vote, with El Paso County Director Clark opposing the appropriation. The vote to appropriate the remainder of the budget funds passed unanimously.

El Paso County Director Clark made a motion to direct the Secretary to draft a letter on behalf of the Board to the Mayor of Colorado Springs and City Council outlining concerns with regard to general transit services.

Town of Ramah Director McCafferty seconded the motion. The motion passed unanimously.

Town of Green Mountain Falls Director Stevens departed the meeting at 3:56 p.m.

8. 2012 Capital, Maintenance, and Public Transportation Contracts

A. City of Colorado Springs

Mr. Mike Chaves, City Engineering Staff, requested approval for the following five contracts:

- 1) Core Engineering Group (Vincent Drive Bridge): \$230,040 (\$57,510 PPRTA Portion)
- 2) Matrix Design Group (Austin Bluffs Corridor – Nevada to Academy): \$281,972 (\$70,493 PPRTA Portion)
- 3) Nolte Associates (PPRTA Capital Project Management and Construction Inspection Services): \$1,598,218

- 4) Multiple Vendors (City/PPRTA Annual Contracts): \$NA
- 5) Colorado Springs Utilities (Bridge Repair and Maintenance): \$150,000

El Paso County Director Clark made a motion, seconded by El Paso County Director Littleton, to approve the five contracts. The motion passed unanimously.

B. El Paso County

Mr. John Klack, Public Services Department, requested a recommendation for the following contract:

- 1) Rocky Mountain Materials & Asphalt, Inc. (Calhan Highway North Bridge): \$85,419.59

El Paso County Director Littleton made a motion, seconded by El Paso County Director Clark, to approve the contract. The motion passed unanimously.

9. Administrative Actions and Reports

A. Board Appointments and Administrative Actions for 2013

As an information item, Mr. Rick Sonnenburg, Pikes Peak RTA Program/Contracts Manager, provided an update for Board and CAC reappointments for 2013 as well as the process for selection of Board officers for 2013.

B. Ratify Member Governments Appointments of CAC Members

Mr. Rick Sonnenburg requested the Board ratify the appointments of Mr. Ray Krueger, City of Colorado Springs, and Mr. Scott Turner, El Paso County.

El Paso County Director Littleton moved to ratify the appointments. City of Manitou Springs Director Snyder seconded the motion. The motion passed unanimously.

10. Other Reports

A. City of Colorado Springs Transit Services Monthly Update

Mr. Craig Blewitt, Transit Services Division Manager, City of Colorado Springs, presented the monthly report. El Paso County Director Hisey requested final figures for the discontinuation of the FREX service.

B. City of Colorado Springs Monthly Change Order and Property Acquisition Report

This was an information item.

C. El Paso County Change Order and Property Acquisition Report

This was an information item.

D. Quarterly Reports from Member Governments

This was an information item.

11. PPRTA Member Announcements

There were none.

12. Adjournment

El Paso County Director Hisey adjourned the meeting at 4:10 p.m.