



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

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**PPRTA Board Meeting Minutes**

Wednesday, August 8, 2012 – 1:30 p.m.

**Pikes Peak Area Council of Governments Main Conference Room**

**MEMBERS PRESENT**

**City of Colorado Springs**

**Councilmember Jan Martin, Vice Chair**

Councilmember Val Snider

Councilmember Angela Dougan

**City of Manitou Springs**

Mayor Marc Snyder

**Town of Ramah**

Trustee Dennis Carpenter

**El Paso County**

**Commissioner Dennis Hisey, Chair**

Commissioner Peggy Littleton

**Town of Green Mountain Falls**

Trustee Tyler Stevens

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**MEMBERS ABSENT**

**El Paso County**

Commissioner Amy Lathen

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**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, PPRTA Legal Counsel

Ms. Jennifer Ivey, PPRTA 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**

There was a request to alter Item 8F from an information item to an approval item. In addition, Item 9 would be removed due to time constraints.

There was a motion by City of Colorado Springs Director Martin, seconded by Town of Green Mountain Falls Director Stevens, to approve the agenda as revised. The motion passed unanimously.

### 3. Public Comment Period for Items not on the Agenda

There were none.

### 4. Approval of the Minutes from the July 11, 2012, Regular Meeting

There was a motion by El Paso County Director Littleton, seconded by City of Colorado Springs Director Martin, 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 August meeting.

### 6. Financial Reports

#### A. Administrative Budget Line Item Transfer

Ms. Beverly Majewski requested a \$40,000 line item transfer increasing the contract services line item for legal expenditures (\$70,000 to \$110,000) and decreasing Public Outreach from \$50,000 to \$10,000. The PPRTA will need more funds due to the increased activity surrounding the ballot measure language and the amendments of the Intergovernmental Agreements.

El Paso County Director Littleton moved to approve the Administrative Budget Line Item Transfer. City of Colorado Springs Director Martin seconded the motion. The motion passed unanimously.

#### B. Monthly Financial Report

Ms. Majewski, Pikes Peak RTA Financial Manager, stated that the PPRTA had not received the sales tax figures as of the time of the meeting.

### 7. 2012 Capital, Maintenance, and Public Transportation Contracts

#### A. City of Colorado Springs

Mr. Mike Chaves, City Engineering Staff, requested approval of the following two contracts:

- 1) Wilson & Co., Capital (Austin Bluffs Bridge Widening): \$355,632.50
- 2) Flint Trading, Inc., Maintenance (Citywide Safety and Traffic Ops): \$200,000 Not to Exceed

City of Colorado Springs Director Snider made a motion, seconded by City of Colorado Springs Director Martin, to approve the two contracts. The motion passed unanimously.

#### B. El Paso County

Mr. Andre Brackin, County Engineer, requested approval of the following contract:

- 1) GIE Technologies, Inc, Maintenance (Pavement Management Data Collection Contract Award):  
\$69,859.00

El Paso County Director Littleton made a motion, seconded by City of Colorado Springs Director Martin, to approve the contract. The motion passed unanimously.

### 8. 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. Mountain Metro received a Silver Leadership Energy & Environmental Design (LEED) Green Building designation for their operating facility, which was mostly paid for by ARRA funds.

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

This was an information item.

#### C. Executive Session

In accordance with the Colorado Open Meetings Act, the Board, in Open Session, determined that it would hold an executive session pursuant to C.R.S. 24-6-402 (4) (b) for the purpose of receiving legal advice relating

to compliance with Colorado law and contract rights and obligations – all in connection with agenda Item 8D, Capital Renewal Ballot Question and Projects Lists, Item 8E, Certification of Capital Renewal Ballot Language to El Paso County Clerk & Recorder and IGA with Resolution Between El Paso County Clerk & Recorder and PPRTA Board for 2012 Ballot Measure, and Item 8F, Draft Amended Establishing IGA.

Town of Green Mountain Falls Director Stevens made a motion, seconded by City of Colorado Springs Director Martin, to approve entering into the closed executive session.

Citizen Doug Bruce requested the executive session be delayed until after Items D and E in consideration of audience members who would like to offer public comments. El Paso County Director Hisey stated that the executive session will take approximately one half hour and will determine what will be discussed by the Board under the related agenda items.

Mr. Bruce objected to the Chair's decision to collect public comments after the executive session takes place. The motion passed by a 7-1 vote, with City of Colorado Springs Director Dougan opposing the motion.

*The executive session began at approximately 2:05 p.m. and ended at approximately 3:22 p.m.*

PPRTA legal counsel stated, for the record, that no decisions were made during the executive session.

PPRTA Counsel brought to the Board's attention that an issue had been raised as to whether, in the context of the establishing IGA as restated, the Town of Calhan is presently in a position to enter into PPRTA membership. Based upon discussions with the Town attorney and a review of the present circumstances, the general counsel recommended that the Board consider referring the restated IGA among the five members with further revision back to the members of the Authority for further action by their governing bodies. The nature of the revision was deferral of the inclusion of the Town of Calhan in the PPRTA. Further, counsel recommended that the Board direct staff and legal counsel to review, research, and advise the Board on additional appropriate actions in connection with this issue.

City of Colorado Springs Director Martin moved approval of the above recommendation. City of Manitou Springs Director Snyder seconded the motion.

Ms. Cindy Tompkins, Clerk for the Town of Calhan, stated she understood there were issues regarding the Town's vote to join the PPRTA and would not suggest any changes for the Town of Calhan without approval from her Board.

El Paso County Director Hisey clarified if the motion was passed, the Town of Calhan would not be included in the ballot language for the 2012 PPRTA Capital renewal ballot issue.

El Paso County Director Hisey said he was saddened by this turn of events but he felt it was beyond the Board's control. He encouraged the Town of Calhan to repeat the process to become a member of the PPRTA.

The motion passed unanimously.

#### **D. Capital Renewal Ballot Question and Projects Lists**

Mr. Rick Sonnenburg, Pikes Peak RTA Program/Contracts Manager, presented the project list with the categories, member governments, and dollar amounts shown for reference. For the list to be included in the ballot, Mr. Sonnenburg inquired if the Board would prefer to cleanse the project list of the categories and dollar figures, asked how the Board would like to sequence the projects, and reviewed minor edits within the list (i.e., abbreviations, adding street types, etc).

Town of Green Mountain Falls Director Stevens asked about the projects with the term "citywide" not being indicative of which city the project belongs to. He advised adding the designating community after each citation.

Regarding the project sequencing, Town of Green Mountain Falls Director Stevens proposed going forward with an alphabetical listing exclusively and a designation for the jurisdiction where it's unclear.

El Paso County Director Littleton moved to use Option 2, the (Modified Alpha/Joint Projects First) with the addition of joint projects being listed first with the four projects showing regional collaboration and then, secondly, the sub-title of individual projects and then alphabetically listing the projects after that. Town of

Green Mountain Falls Director Stevens seconded the motion. The motion included the previous edits discussed and the removal of the Town of Calhan projects.

Town of Green Mountain Falls Director Stevens suggested including the subheading “regional collaborative projects” instead of “joint projects.” The motioner was agreeable to the amendment.

The motion passed unanimously.

#### **E. Certification of Capital Renewal Ballot Measure Language to El Paso County Clerk & Recorder and IGA with Resolution Between El Paso County Clerk & Recorder and PPRTA Board for 2012 Ballot Measure**

Mr. Rick Sonnenburg, Pikes Peak RTA Program/Contracts Manager, presented the PPRTA specific IGA between the PPRTA and the El Paso County Clerk’s office to include the PPRTA in the November ballot, including key dates in the election process and the designation of Mr. Rob MacDonald as election official. Mr. Sonnenburg discussed the expense for the election.

Legal counsel distributed a Resolution of the Board of Directors of the Pikes Peak Rural Transportation Authority Regarding the November 6, 2012 General Election. The resolution included calling the election for November 6, 2012, for the renewal of the .55 percent sales and use tax for capital projects for an additional 10 years beginning January 1, 2015. It also served to set the ballot title and ballot issue in the form that has been approved, the approved redline edits, the addition of the jurisdiction where it is not clear geographically, the removal of the Town of Calhan, the listing of the A and B projects as approved. It also directed Mr. Rob MacDonald to certify the ballot by September 7, 2012, designated that the election will be conducted as a general coordinated election with El Paso County, approved the IGA for the conduct of the election with El Paso County and authorized Mr. Rob MacDonald to execute the IGA, among other actions.

City of Colorado Springs Director Martin moved approval of the Resolution regarding the November 6, 2012 General Election. Town of Green Mountain Falls Director Stevens seconded the motion.

Mr. Dave Munger, Co-chair of the Steering Committee and EDC’s Taskforce on extending the PPRTA, expressed thanks for the Board’s leadership on this issue.

The motion carried unanimously.

*City of Colorado Springs Director Dougan departed the meeting at 3:57 p.m.*

#### **F. Draft Amended Establishing IGA**

This item was covered right after exiting the executive session. (See above: Page 3)

City of Colorado Springs Director Martin suggested a special meeting be scheduled prior to the September 7, 2012, deadline so that the IGA can be formally approved before it goes to the ballot.

City of Colorado Springs Director Martin moved to approve a special PPRTA Board meeting for Wednesday Aug 29, 2012, at 9:00 a.m., to address the amended IGA. El Paso County Director Littleton seconded the motion. The motion carried unanimously.

### **9. Administrative Actions and Reports**

#### **A. Amend Board Bylaws to Allow Director Meeting Attendance by Telephone – First Reading of Two Readings**

This item was removed from the agenda.

### **10. PPRTA Member Announcements**

There were none.

### **11. Adjournment**

El Paso County Director Hisey adjourned the meeting at 4:03 p.m.