

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE:

ROCKY MOUNTAIN RAIL AUTHORITY Held:  
October 12, 2007, at 1:00 PM at the Jefferson County  
Justice Center, Buffalo Bill Room, 100 Jefferson  
County Parkway, Golden, CO 80401

Attendance: A meeting of the Board of Directors of the Rocky  
Mountain Rail Authority was scheduled in  
Compliance with the laws of the State of Colorado,  
with the following Board members in attendance:

Doug Lehnen – Town of Castle Rock  
Tom Mauser – CDOT  
Harry Dale - Clear Creek County  
Jason Longsdorf – City of Denver  
Rick Garcia – Denver City Council  
Jack Hilbert – Douglas County  
Mary Jane Loevlie – Idaho Springs  
Kate Newman – Jefferson County  
Bill Moore – City of Pueblo  
Don Moore – Douglas County  
Bill Christopher – RTD  
Jeff Golian – Denver Transportation Club  
Dorothea Farris – RFTA  
John Tangen – RFTA Controller – Fiscal Agent  
Gene Putman – Thornton  
Tracey McCoy – Timnath  
Karen Tussey – Town of Yampa  
Jason Garcia  
Bob Briggs - CRA  
Tamara Gilida – Attorney

Via Teleconference: Chris Meadez – Boulder County  
Greg Schroeder – Eagle County Engineering  
Randy Eubanks – Larimer County  
Robert Valdez – Los Animas County  
Diane E. Mitsch Bush – Routt County  
Wayne Williams – Pikes Peak RTA  
Thad Noll – Summit County  
Pete Morlan – Trinidad

Call to Order: Director Dale, noting a presence of a quorum, called to order the meeting of the Board of Directors of the Rocky Mountain Rail Authority.

New Members: Director Moore moved, Director Farris seconded, that Grand Junction – Mesa County Metropolitan Planning be approved as a new member. Passed.

CDOT Contract: Director Farris moved, Director Putman seconded that the CDOT Contract be signed by Director Dale as presented by Attorney Gilida. Four copies were presented for signatures. The question about the insurance issues has been resolved in our favor and an Intergovernmental Agreement with the State Dept. of Transportation has been reached. The Board of Directors voted to accept the resolution. Passed.

Web Site: Jack Hilbert reported that the web site would be up and running by Tuesday with the name RockyMountainRail.org  
The Committee had discussed 3 names and had checked the availability of each. They chose this name as it is available for our use as a domain name. Included on this site will be the RFP which will eliminate some costs of publishing, our Mission and Scope of Work, agenda's, members lists and contact information, calendar, projects and time lines will be on-line. We were encouraged to use this site for on going information and to ask all IT folks to link to this site from their web pages.

Outreach:

Director Farris moved, Director Loevlie seconded to allow the Steering Committee to review the applicant submissions and that a 2/3rds vote would be required by the Steering Committee for approval. Passed. In the event of a division of the Steering Committee's opinion, applications will be brought to the Board for discussion. All board members are welcome to the Steering Committee meeting which is 1:00 PM, Friday October 19<sup>th</sup>, 2007, in the Douglas County Offices.

The teleconferencing number from Castle Rock will be used and published for the Steering Committees use.

Notification of Jurisdictions will be made again about payment to the RMRA for the calendar year 2007 as well as for the upcoming year of 2008. Jurisdictions who have yet to pay will be reminded of both commitments.

Feasibility:

Director Dale reported that the RFP document is still being worked on at this time. We are in the 6<sup>th</sup> revision of this document. Director Dale will be finishing the RFP and will post it for our review.

Letters of intent should be sent to Director Dale with the web site used as the reference for mailing addresses and other information. Advertising is expected to begin Oct. 15<sup>th</sup>.

Time Line: Dates will be on the web site.

November 1<sup>s</sup> - Notice of Intent to bid.

Pre-Proposal Meeting 1 PM, Douglas Cty Park Meadows

November 5<sup>th</sup>- 10 AM – Requests for clarification of RFP. Due via e-mail to addresses.

November 12<sup>th</sup> – Questions answered via e-mail & Web Site posting.

November 28<sup>th</sup> – Proposals due at 5:00 PM to Harry Dale, Chair

RMRA Feasibility Study Steering Committee

c/o Clear Creek County

PO Box 2000

Georgetown, CO 80444

Nov. 29th Distribute hard copies to Evaluation Committee Members for review.

December 4<sup>th</sup> – Individual Proposal Ranks due by Evaluation Committee Members & Notice of Interviews Provided to finalists.

December 6<sup>th</sup> – Interviews and scoring by 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> (Douglas Cty/Lone Tree) & recommendation for Steering Committee Review.

December 7<sup>th</sup> – Recommendation of the Evaluation Committee to the Steering Committee for the Project Management selection. Approval by a 2/3<sup>rd</sup>'s vote with no RMRA Board approval is required. If less than a 2/3<sup>rd</sup>'s vote, then RMRA Board approval will be required At the Board's 12-14-07 meeting<sup>4</sup>

December 10<sup>th</sup> – Project Management Consultant notified of selection. Contract to be finalized within 30 days.

All changes and revisions of the RFP document will be sent out to members by October 15<sup>th</sup> for our review. Director Dale asked everyone who is interested in e-mails on both the Steering Committee and the Directors Committee to let him know via: e-mail.

Project Manager: A Program Director/Systems Consultant is needed for the Feasibility Study and information will be sent to the members for approval of the RFP needed to hire this person.

Director Farris moved, Doug Lehnan seconded to approve the release of the revised RFP Document on Monday October 15<sup>th</sup>. Passed.

Letters of acceptance or refusal will be sent and the template used will be the same as the one used by RFTA which is an approved method per the Procurement Code of RFTA. This code replaces our own in the RFP and Director Dale will send the updates to our attorneys. Our

rules are the same as RFTA.

Financial:

The Financial Committee reviewed via: e-mail and phone the issues of recent transactions, overall balance, profit and loss, balance sheet, accounts receivable, accounts payable and cash balance.

Total fund Equity to date is: \$139,114.00 with current Assets at \$204,828.00

Cash:	\$129,328.00
Accounts Receivable – Local	\$ 63,000.00
Accounts Receivable – State	\$ 12,000.00
Total Current Assets	\$204,828.00

John Tangen reported on the General Fund with a balance Sheet presented for our approval.

Accounts Payable were discussed.

Motion Jack Hilbert, seconded Gene Putman to pay the bills to Director Dale for \$205.54, Robert Briggs, \$304.48, Westminster re-imburement of \$5000.00 and Attorney fees to date of \$30,000.00 as per their agreement of \$3000.00 per month. Passed.

Tamara Gilida will confirm the agreement for the Directors for our next meeting on file with her firm.

Bob Briggs was asked about the agreement with Patton Boggs in regards to the \$2000.00 possibly owed to them for services preformed for our committee. As yet no detailed invoice has been received. A detailed invoice will be requested by the committee for review of services rendered. Mr. Briggs stated that only an oral agreement was given between him and Patton Boggs.

Our income statement for 2007 reflects the movement of monies from the 2007 budget to the 2008 budget as needed and by approval of the committee.

Based upon the 2007 by-law, monies must remain in the 2007 records of date until approval is made to amend the

2007 budget. An explanation of changes must be published and Tamara Gilida will do so.

Motion by Director Bill Moore, seconded by Bill Christopher to use the annual financial reporting for the RMRA based on the modified accrual method of accounting and that we use the calendar year for our reporting.

Other Matters: Our donation records do not reflect monies which have been received to date. Director Dale will make the adjustments.

Gene Putman asked about this issue saying that Douglas County and RTD have now paid. Pueblo will pay now that conflicting number issues on forms have been resolved. Arapahoe County will pay as soon as the contract is signed, Doug Lehnan will contact them to confirm that this has been completed.

Administrative expenses were discussed and that the help of someone to do the minutes is needed. Recordings of the meetings should be done as well for exact records. It was asked that we all inquire with our local jurisdictions about them possibly donating a person to do the minutes whether they are done in person or from the recordings.

We discussed that perhaps a local person be used eliminating excessive driving expenses. We should budget \$300 - \$400.00 per month for this purpose. We will be checking into temporary services, placing an RFQ for on line input of committee members with the Steering Committee reviewing verbiage of a contract or agreement being needed for this person as to their duties and expectation of this position. An informal "request for quote" will be done by Director Dale and it will be posted on-line for our review and approval.

Minutes: Approval of the September 21<sup>st</sup>, 2007 minutes was given by Doug Lehnan, seconded by Bill Christopher with changes

to them made by Director Diane Mitsch Bush to the names Bill Moore, Rich Garcia pg 3. With Tom Mauser on pg 4. Passed.

Other: Bill Moore reported that he meet with Tom Mason from Wyoming about their participation in the Feasibility Study. September 25<sup>th</sup>, 2007, \$50,000.00 was dedicated to a study of the corridor from Cheyenne to Ft. Collins, Cheyenne to Casper and through out the State of Wyoming with a consultant being hired. Their study will be dovetailed with ours when it is completed as per Nancy Olson.

We need to make sure that all states are included in the sharing of information we gather and that all parties are invited to attend our meetings as perhaps non-voting members.

Bill Moore also reported that the FRA is interested in having someone from their local office attend our meetings.

Adjourn: Director Dale, 2:55 PM

Next Meetings:

RMRA November Board Meeting  
Friday Nov 9<sup>th</sup>, 1 PM to 4 PM  
Jefferson County Courthouse, Buffalo Bill Room

RMRA Feasibility Study Steering Committee  
Friday, Nov. 16<sup>th</sup>, 10 AM to Noon  
Douglas County Park Meadows Center, BoCC Hearing Room