

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS

OF THE

ROCKY MOUNTAIN RAIL AUTHORITY Held: Friday,  
March 26, 2010, at 1:00 p.m. at the Jefferson County  
Administration Building, Lookout Mountain 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;

Harry Dale, Chairman, Clear Creek County (Commissioner)  
Gail Drumm, Town of Monument (Council)  
John Tangen, RFTA (Staff)  
Larry Brooks, Town of Avon (Staff)  
Janice Finch, City and County of Denver (Staff) (via  
teleconference)  
Steven Koster, Douglas County (Staff)  
Greg Schroeder, Eagle County (Staff)  
Forrest Whitman, Gilpin County (Commissioner) (via  
teleconference)  
Mary Jane Loevlie, Idaho Springs (Staff)  
Harold Anderson, City of Lone Tree (Council)  
Terry Carwile, City of Craig (Council) (via teleconference)  
Diane Mitsch Bush, Routt County (Commissioner) (via  
teleconference)  
Diane Mitsch Bush, Steamboat Springs (Alternate) (via  
teleconference)  
Diane Mitsch Bush, Oak Creek (Alternate) (via  
teleconference)  
Diane Mitsch Bush, Hayden (Alternate) (via teleconference)  
Diane Mitsch Bush, Town of Yampa (Alternate) (via  
teleconference)  
Lee Behrens, Georgetown (Council)  
David Downing, Westminster (Council) (Alternate)  
Gene Putman, Thornton, (Staff)  
Bill Moore, Pueblo County (Alternate)  
Bill Moore, City of Pueblo (Staff)  
Bill Christopher, RTD (Board)  
Dave Sturgis, Glenwood Springs (Council) (via  
teleconference)  
Pat Noonan, Arapahoe County (Commissioner)  
Tom Donnelly, Larimer County (Commissioner) (via  
teleconference)  
David Mentor, Colorado Springs (Staff)  
Karla Harding, Town of Timnath (Council)  
Wayne Williams, Pikes Peak Regional Transportation

Authority (Commissioner) (via teleconference)

**Also present were:**

Ed Icenogle, Icenogle, Norton, Smith, Blieszner, Gilida & Pogue, P.C. (RMRA Attorney)

George Scheuernstuhl, DRCOG (Staff)

Mark Boggs, PBSJ (via teleconference)

Tom Mauser, CDOT

Chuck Huffine, SHE

Danny Katz, CoPIRG

CoPIRG Student Chapter

Bob Friis, Summit Development Group

Call to Order

Chairman Dale noted that with 28 members present, there was a quorum of the Rocky Mountain Rail Authority. He called to order the meeting of the Board of Directors of the Rocky Mountain Rail Authority at 1:10 pm.

CoPIRG Student Chapter Visit

Chairman Dale recognized the Colorado Public Interest Research Group (CoPIRG) Student Chapter attending the Board meeting and invited Danny Katz to address the Board.

Mr. Katz lead a group of ten students in a brief summary of their weeklong trip around Colorado to promote a safe and efficient 21st century transportation system for Colorado. The Students' Spring Break trip focused on visiting Transit systems from Grand Junction and the Roaring Fork Valley to Colorado Springs, Fort Collins, Loveland and Denver. They were concluding their trip with a visit with Senator Bennett after meeting the RMRA Board. They thanked the RMRA Board for their hard work on the high speed rail feasibility study and presented the Board with signed posters with the caption, "Fast Trains are Cool" and High Speed Rail Now!". Chairman Dale thanked them for their efforts and for visiting with the RMRA Board.

Identification of any Non-Board members on the Conference Call Line

Chairman Dale asked for all non-board members on the conference call to identify themselves. No one identified themselves.

Public Comment Period

Chairman Dale asked for any person wishing to come forward to address the RMRA Board with public comments. There were none.

Consideration of Approval of February 05, 2010 RMRA Board Meeting Minutes

Chairman Dale referenced the Board minutes from the February 05, 2010 Board meeting. He asked if there were any corrections. There were none.

Director Moore moved, Director Putman seconded, approval of the Board minutes from the February 05, 2010 Board meeting. Passed.

## February 2010 Financial Report

Chairman Dale referenced the packet documents.

Chairman Dale explained that Treasurer Tangen had received the final CDOT grant reimbursement which provided a starting cash balance of \$48,549 for March 2010. Projected expenses for RMRA through March 2010 include \$21,297 to TEMS, \$9,000 to Icenogle, \$1,250 to PBS&J, \$1,751 for 2010 Liability Insurance coverage and \$1,383 to Munoz. This leaves a remaining balance of \$13,868. Treasurer Tangen is projecting an additional \$3,000 expense for the 2009/10 Audit, so the remaining 2010 cash balance is projected to be \$10,868.

Chairman Dale asked for approval to allow Treasurer Tangen to pay the following invoices:

TEMS \$11,862  
PBS&J \$1,250  
Icenogle \$9,000  
Liability Insurance \$1,751  
Munoz Peer Panel \$1,383

Director Loevlie moved, Director Anderson seconded, approval to allow Treasurer Tangen to pay the invoices listed above. Passed.

Chairman Dale noted that the Executive Committee already has the authority to pay any residual bills for 2010, in the event that a quorum is not reached at the remaining RMRA Board meetings in 2010.

## Future Legal Services

Chairman Dale Indicated to the Board that RMRA would no longer be able to afford monthly legal services. Ed Icenogle from Icenogle, Norton, Smith, Blieszner, Gilida & Pogue, P.C. has offered to provide additional legal council for RMRA on a per request basis through the remainder of 2010. Chairman Dale requested that the Board assign the responsibility to request additional legal council for the balance of 2010 to the Executive Committee. The Executive Committee would have to work within the remaining cash balance and could not spend more than what is available.

Director Brooks moved, Director Noonan seconded, assignment of requesting legal council from Icenogle, Norton, Smith, Blieszner, Gilida & Pogue, P.C. for the balance of 2010 to the Executive Committee with the condition that legal services cannot exceed RMRA's available cash balance at the time of the request. Passed.

## Steering Committee Report

Chairman Dale provided a report to the Board on the events of the Steering Committee Meeting earlier in the day. The Steering Committee made the following recommendations to

the RMRA Board.

Approval of the Executive Summary with the following changes.

1. ES-1, line 2, add the word “on” after the word “based”.
2. Map titles on ES-3, ES-4 and ES-5 should be consistent to indicate potential routes. Recommend that we eliminate the word “All” since future studies might develop new routes.  
ES-3, “Map of Potential Routes in the I-25 South Corridor”  
ES-4, “Map of Potential Routes in the I-25 North Corridor”  
ES-5, “Map of Potential Routes in the I-70 Corridor from Denver to Grand Junction” and “Map of Potential Routes in the I-70 Corridor from Denver to Golden”
3. ES-7, change “The FRA also identifies six high-speed rail feasibility factors to be considered” to “The FRA also identifies six high-speed rail feasibility factors that must be considered”
4. ES-21, add language under 1.6 Right-of-Way Risk Analysis regarding vehicle compliance with FRA regulations for sharing right-of-way with freight trains.

The point that the Steering Committee would like to emphasize is that there is not a mandate in our study conclusions for Colorado high-speed passenger trains to meet FRA compliance for sharing right-of-way with freight trains since the study explores feasible options that include sharing right-of-way with freight trains and feasible options that do not share right-of-way with freight trains.

If final alignments developed in subsequent studies, preliminary engineering and final design include sharing right-of-way with freight trains, then Colorado high-speed passenger trains may be required to comply with FRA regulations for sharing right-of-way with freight trains. If final alignments developed in subsequent studies, preliminary engineering and final design do not include sharing right-of-way with freight trains, then Colorado high-speed passenger trains may not be required to comply with FRA regulations for sharing right-of-way with freight

trains.

5. ES-22, under 1.7 Next Steps change the first two bullets to read the following:

**Develop a Colorado State Rail Plan** – This is a prerequisite for federal funding eligibility under both the American Recovery and Reinvestment Act (ARRA) and the Passenger Rail Investment and Improvement Act (PRIIA). CDOT recently received federal funding for this study and anticipates soliciting proposals on it in 2010.

**Develop a Metro Denver Local Transit Connectivity Study** – There remains some question of how high-speed rail and local transit can best be integrated. CDOT also received funding for a study that will address interoperability (e.g. joint stations, shared infrastructure, etc.) of the two systems in the metro Denver area.

6. Include a cover with a March 2010 date.

The Steering Committee recommended approval of the High Speed Rail Feasibility Study Final Report and Appendix with a change in the date from February 2010 to March 2010.

Approval of Executive Summary, Final Report and Appendix

Director Moore moved, Director Putman seconded, approval of the Executive Summary, Final Report and appendix with the Steering Committee recommendations for amendment. Passed.

Chairman Dale indicated that he would work with Douglas County staff to provide a dedicated page on the RMRA web site for the Final Report. The RMRA Board intention is to provide every RMRA member jurisdiction with a hard copy and a CD of the Final Report, Appendix and Executive Summary.

Presentation of the Final Report

The Board agreed on a presentation priority for April and May which would focus on Colorado's Congressional Delegation, the Ritter Administration, the State Transportation Advisory Committee, the CDOT Transportation Commission, the Front Range MPO's and the I-70 Coalition. Chairman Dale will be working with Andy Mountain, the Executive Committee, the Board and Steering Committee members to begin scheduling these presentations. The presentation materials will be made available to all Board and Steering Committee members so they can begin to present the study findings to their jurisdictions, local Business groups, Chambers, Rotary, etc. These materials should be available by mid April.

The Board agreed that they will need some time to work with our partners in CDOT, including the new Division of Transit and Rail, and the Ritter Administration to develop the appropriate strategy to pursue High Speed Rail Corridor designation with the FRA. While the Board believes the Feasibility Study provides a good basis for Colorado designation, the Board is still unclear if state leaders would prefer to pursue a multi-state designation.

#### HSIPR Advocacy in Colorado

Chairman Dale mentioned to the Board that there may be other potential partners in Colorado for continuing to advocate for high-speed intercity passenger rail service. The Colorado Association of Transit Agencies (CASTA) may be interested in working with RMRA to promote further high-speed rail studies that continue to look at connecting Colorado's current transit agencies. Move Colorado has also expressed interest in promoting high-speed rail as a component of Colorado's 21<sup>st</sup> century multi-modal transportation system. The new CDOT Division of Transit and Rail will also be a partner to continue to explore high-speed intercity passenger rail feasibility including pre-NEPA, and NEPA studies for strategic corridors. The soon to be starting State Rail Plan will also provide vision and guidance for both passenger and freight railroad improvements in Colorado.

#### Next RMRA Board Meeting

Chairman Dale stated that the next RMRA Board meeting will be on Friday, May 14, 2010 at 1 pm in the Jefferson County Courts and Administration Building, Lookout Mountain Room. The Board also agreed to schedule an Executive Committee Meeting for mid to late April in order to consider approval of bills.

#### Adjournment

In that there were no further items of business to discuss, the meeting stood adjourned at 2:35 p.m.

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Secretary of the Meeting