

**ROARING FORK TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS MEETING AGENDA**

TIME: 8:30 a.m. – 11:30 a.m., Thursday, June 8, 2017

Usual Location: Town Hall (Room 1), 511 Colorado, Carbondale, CO

(This Agenda may change before the meeting.)

	Agenda Item	Policy	Purpose	Est. Time
1	Call to Order / Roll Call:		Quorum	8:30 a.m.
2	Executive Session: Paul Taddune, General Counsel: One Matter: A. Pursuant to C.R.S. 24-6-402 (4)(e)(I); determining positions that may be subject to negotiations: developing strategy for negotiations and instructing negotiators; and 24-6-402 (4)(a); the purchase, acquisition, lease, transfer, or sale of any real, personal or other property interests: Glenwood Multi-Family LLC		Executive Session	8:31 a.m.
3	Approval of <u>Minutes</u>: RFTA Board Meeting, May 11, 2017, pg. 3		Approve	8:45 a.m.
4	Public Comment: Regarding items not on the Agenda (up to one hour will be allotted if necessary, however, comments will be limited to three minutes per person)		Public Input	8:50 a.m.
5	Items Added to Agenda – Board Member Comments:	4.3.3.C	Comments	8:55 a.m.
6	Consent Agenda: A. <u>Resolution</u> 2017-07: 2017 RFTA Title VI Program Update and 2017 Limited English Proficiency (LEP) Plan Update – Nicole Schoon, Title VI Compliance Officer, page 8	2.8.11	Approve	9:00 a.m.
7	Presentation/Action Items: A. <u>Federal</u> Transit Administration LoNo Grant Application – Kenny Osier, Director Maintenance and Kelley Collier, COO, pg. 11 B. Roaring Fork <u>School</u> District Request for RFTA Support of CR 154 Flyover – Shannon Pelland, Acting Superintendent/CFO, Roaring Fork School District, page 14 C. WE Cycle – RFTA <u>Partnership</u> Alternatives – Mirte Mallory, Executive Director, WE-cycle, page 16 D. <u>Covenant</u> Enforcement Commission Report – Angela Henderson, Assistant Director of Project Management and Facilities, page 18 E. Integrated <u>Transportation</u> System Plan Update – Ralph Trapani, Parsons, page 22	4.2.5 4.2.5 4.2.5	Discussion/Direction Discussion/Direction Discussion/Direction	9:05 a.m. 9:15 a.m. 9:35 a.m.
8	Public Hearing: (Continuance) A. Second Reading: Rio Grande <u>Railroad</u> Corridor Access Control Plan Update – Dan Blankenship, CEO and Angela Henderson, Assistant Director of Project Management and Facilities Operations, page 24	1.1	Vote To Continue 2nd Reading	10:30 a.m.
(This Agenda Continued on Next Page)				

	Agenda Item	Policy	Purpose	Est. Time
9	Appeal: A. Request for Reconsideration of Staff Recommendation for Private Access Location – 0295/0297 Rio Grande Lane, Carbondale, CO Pacifica, Senior Living RE Fund LLC - Michael Sawyer, Karp Neu Hanlon, P.C., page 28	1.1.C	Consider	10:35 a.m.
10	Board Governance Process: A. RFTA Board Strategic Planning Retreat – David Johnson, Director of Planning, page 35	4.3.2.A	Direction	11:10 a.m.
11	Information/Updates: A. CEO Report – Dan Blankenship, CEO, page 36	2.8.6	FYI	11:15 a.m.
12	Issues to be Considered at Next Meeting: To Be Determined at June 8, 2017 Meeting	4.3	Meeting Planning	11:20 a.m.
13	Next Meeting: 8:30 a.m. – 12:00 p.m., July 13, 2017 at Carbondale Town Hall	4.3	Meeting Planning	11:25 a.m.
14	Adjournment:		Adjourn	11:30 a.m.

Mission/Vision Statement:

“RFTA pursues excellence and innovation in providing preferred transportation choices that connect and support vibrant communities.”

Values Statements:

- ✓ **Safe** – Safety is RFTA’s highest priority.
- ✓ **Accountable** – RFTA will be financially sustainable and accountable to the public, its users, and its employees.
- ✓ **Affordable** – RFTA will offer affordable and competitive transportation options.
- ✓ **Convenient** – RFTA’s programs and services will be convenient and easy to use.
- ✓ **Dependable** – RFTA will meet the public’s expectations for quality and reliability of services and facilities.
- ✓ **Efficient** – RFTA will be agile and efficient in management, operations and use of resources.
- ✓ **Sustainable** – RFTA will be environmentally responsible.

**ROARING FORK TRANSPORTATION AUTHORITY
BOARD MEETING MINUTES
May 11, 2017**

Board Members Present:

George Newman – Chairman (Pitkin County); Mike Gamba – Vice Chair (City of Glenwood Springs); Steve Skadron (City of Aspen); Dan Richardson (Town of Carbondale); Art Riddile (Town of New Castle); Jeanne McQueeney (Eagle County); Jacque Whitsitt (Town of Basalt); Markey Butler, via Teleconference (Town of Snowmass Village)

Voting Alternates Present:

Non-Voting Alternates Present:

Kathryn Trauger (City of Glenwood Springs); Ann Mullins (City of Aspen); Greg Poschman (Pitkin County)

Staff Present:

Dan Blankenship, Chief Executive Officer (CEO); Paul Taddune, General Counsel; Michael Yang, Chief Financial and Administrative Officer (CFAO); Kelley Collier, Chief Operating Officer (COO); Nicole Schoon, Secretary to the Board of Directors; Angela Henderson, Mike Hermes, Brett Meredith, Dina Farnell, Facilities & Trails Department; David Johnson, Jason White, Planning Department; Kenny Osier, Maintenance Department; John Hocker, Kent Blackmer, Operations Department; Paul Hamilton, Finance Department

Visitors Present:

Debra Figueroa, City Manager and Tanya Allen, Transportation Manager (City of Glenwood Springs); Bill Hahn (ATU Local 1774); Ralph Trapani (Parsons); David Peckler (Town of Snowmass Village); John Rushenberg, Jay Harrington, Jim Breasted, Mick Ireland, Emzy Veazy III, Dave Sturges and Amy Fulstone (Citizens)

Agenda

1. Roll Call:

George Newman, called the RFTA Board of Directors to order at 8:34 a.m.

George Newman declared a quorum to be present (8 member jurisdictions present) and the meeting began at 8:35 a.m.

2. Executive Session:

Mike Gamba moved to adjourn into Executive Session.

Dan Richardson seconded the motion, and it was unanimously approved. The Board adjourned into Executive Session at 8:38 a.m.

One Matter: Paul Taddune, General Counsel:

Pursuant to C.R.S. 24-6-402 (4) (e) (I); determining positions that may be subject to negotiations; developing strategy for negotiations and instructing negotiators; and 24-6-402 (4) (a); the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interests: **Glenwood Multi-Family LLC.**

RFTA staff present at the Executive Session included: Dan Blankenship, Paul Taddune, Kelley Collier, Nicole Schoon, Mike Hermes, and Angela Henderson.

Dan Richardson moved to adjourn from Executive Session into the regular Board Meeting and Jacque Whitsitt seconded the motion. The motion was unanimously approved.

No action was taken during the Executive Session. The Executive Session adjourned at 8:57 a.m.

3. Approval of Minutes:

Dan Richardson moved to approve the minutes of the April 13, 2017 Board Meeting and Jeanne McQueeney seconded the motion. The motion was unanimously approved.

4. Public Comment:

George Newman asked if any member of the public would like to address the Board or make a comment.

Emzy Veazy III, discussed having been at the Capital Building for the bill hearing in April. He then expressed his belief that advertising on the buses would offer increased capital for RFTA and while in Denver, he noticed transit vehicles with advertising of Glenwood Springs on them.

George Newman closed Public Comments at 9:04 a.m.

5. Items Added to Agenda – Board Member Comments:

George Newman asked if there were any items that needed to be added to the meeting agenda. There were no items added to the meeting agenda.

George Newman next asked if any Board member had comments or questions regarding issues not on the meeting agenda. No Board member had any comments or questions.

6. Consent Agenda:

Intergovernmental Agreement for Transit Services in Unincorporated Garfield County and to Non-Member Municipalities – Dan Blankenship, CEO

Jacque Whitsitt moved to approve the Intergovernmental Agreement for Transit Services in Unincorporated Garfield County and to Non-Member Municipalities and Dan Richardson seconded the motion. The motion was unanimously approved.

7. Presentation/Action Items:

A. Federal Transit Administration LoNo Grant Application – Kenny Osier, Director of Maintenance and Dan Blankenship, CEO

RFTA and the City of Aspen have been researching the possibility of Battery Electric Buses (BEB) being utilized for transit services. On May 3rd, the City of Aspen, RFTA, and a group of local stakeholders participated in a BEB Workshop held at the Aspen Institute. At the conclusion of the workshop, those attending determined that transitioning to BEB's for a portion of the City of Aspen and RFTA bus fleet is a viable option.

The Federal Transit Administration (FTA) issued a Notice of Funding Availability (NOFA) for Federal Fiscal Year (FY) 2017 Section 5339 Low or No Emission Grant Program (LoNo). This program incentivizes the purchase of BEBs and other alternative fuel vehicles. This could be RFTA's best opportunity to transition to a cleaner, quieter bus by applying for funding for the LoNo grant.

RFTA would apply for an initial fleet of eight BEBs which should provide a sufficient number of vehicles to conduct a BEB pilot program. Four would be used on City of Aspen routes and four would be used on RFTA transit routes in the upper Roaring Fork Valley. These routes would help RFTA determine battery range and on-route charging system infrastructure needs. Several issues need to be finalized prior to grant submission:

- ◆ Authorization to submit the LoNo grant from the RFTA Board of Directors.
- ◆ Local match funding contributions from the City of Aspen and the Elected Officials Transportation Committee (EOTC).
- ◆ Select a qualified BEB manufacturer.
- ◆ Finalize the BEB cost estimate, which will be dependent on funding commitments from the City of Aspen and EOTC.
- ◆ Finalize the LoNo grant application.
- ◆ Submit LoNo application to CDOT.

Jacque Whitsitt made a motion to approve staff moving forward with the Federal Transit Administration LoNo Grant Application and Dan Richardson seconded the motion. The motion was unanimously approved.

B. Upper Valley Mobility Study – Ralph Trapani, Parsons

Ralph Trapani discussed the main discoveries at this stage of the ITSP and the Upper Valley Mobility Study (UVMS). Based on extensive study of travel times, costs, forecast ridership and other aspects of BRT and LRT, the consultant team made the following findings:

- ◆ LRT and BRT ridership is virtually the same
- ◆ LRT would reduce number of buses at Rubey Park and improve air/noise quality more than current BRT
- ◆ LRT capital cost is more than 2X BRT capital cost
- ◆ LRT O&M cost is nearly 2X BRT O&M cost
- ◆ Bus service plan refinements would help reduce number of buses and improve efficiency (higher passenger loads)
- ◆ Battery Electric Buses (BEB) would improve air/noise quality at Rubey Park
- ◆ Phased BRT improvements set the stage for future LRT if desired

Parsons Transportation Group recommends RFTA look into purchasing BEBs initially for routes within the City of Aspen and the upper Roaring Fork Valley (including to Snowmass Village). RFTA can gradually begin replacing regional commuter buses, as appropriate, with BEBs.

C. Grand Avenue Bridge Transit Mitigation Plan – Kelley Collier, COO

Kelley Collier presented the Proposed Mitigation Services for the Grand Avenue Bridge.

GAB Services:

1. 27th St. to Amtrak:
 - a. 12-minute headways during Peak: 5:45 a.m. to 9:00 a.m. and 2:30 p.m. to 7:30 p.m.
 - b. 15-minute headways Midday: 9:00 a.m. to 2:30 p.m.
 - c. Access between the south side of the pedestrian bridge and 27th Street BRT station via 8th St. and Grand Ave).
2. West Glenwood P&R to 27th St.:
 - a. 15-minute headway 6:00 a.m. to 9:30 a.m.
 - b. 20-minute headway 9:30 a.m. to 2:30 p.m.
 - c. 15-minute headway 2:30 p.m. to 7:30 p.m.
3. West Glenwood Mall to North Bridge (6th St.):
 - a. 15-minute headway 6:00 a.m. to 9:30 a.m.
 - b. 20-minute headway 9:30 a.m. to 2:30 p.m.
 - c. 15-minute headway 2:30 p.m. to 8:00 p.m.

- d. Development of an additional weekday shuttle to maintain 15-minute headways during peak travel times.
4. Parachute to North Bridge (6th St.) Hogback:
- a. 5 additional eastbound trips in the a.m.
 - b. First departs Parachute at 4:25 a.m.
 - c. 6 additional westbound trips in the p.m.
 - d. Last departs North Bridge at 7:52 p.m.

The Hogback commuter bus service will extend to Parachute and, on the east end of the route, serve the north side of the pedestrian bridge and the West Glenwood Mall in Glenwood Springs. All buses on the Hogback route will serve the Garfield County Fairgrounds.

The allocated cost of the additional peak time, weekday West Glenwood Mall service would be approximately \$52,546, however, staff recommends that RFTA charge the City its direct cost, estimated to be approximately \$19,389.

GAB Park and Ride Locations:

RFTA is finalizing a land lease agreement in South Parachute and RFTA will supply and install fencing, poles, signs, and a bike rack to support parking for 50 vehicles. Garfield County has agreed to temporarily allow bus operations and parking for passengers at the Rifle Fairgrounds. The Town of Rifle is working with CDOT to stripe the existing P&R on Railroad Ave. Staff is also finalizing a land lease agreement to allow for parking of 50 additional vehicles in Silt. The existing P&R has capacity will support approximately 50 additional cars. RFTA staff has been unsuccessful in increasing parking capacity in New Castle.

An estimate of some of the known extra costs that RFTA will incur due to the GAB Transit Mitigation Service are 1) Park and Ride Leases and Improvements, \$11,500 and 2) Additional Employee Housing, \$29,600. RFTA will also incur costs for backup services for the Grand Hogback, Regional BRT and Commuter Bus services. Staff will reach out to the EOTC and Garfield County, to potentially receive additional funding.

During the GAB closure, it was discussed to potentially begin Board meetings at 10:00 a.m. to allow members ample travel time to Carbondale, or allow Board members and staff to attend via skype or GoToMeeting.

8. Public Hearing:

- A. Second Reading: Rio Grande Corridor Access Control Plan Update** – Dan Blankenship, CEO and Angela Henderson, Assistant Director of Project Management and Facilities Operations

Blankenship stated how important this ACP update is to RFTA and the communities. Each of the jurisdictions and legal advisors have had time to review the proposed ACP update and add additional information as needed.

Steve Skadron indicate that he had provided Blankenship, and that Blankenship had provided 15 pages of responses, which he had not had time to review. As such, Skadron continued to have concerns about the ACP as presented and requested that a continuation be granted in order to have those issues addressed.

George Newman asked if any member of the public would like to address the Board or make a comment.

Dave Sturges commented that his concerns are that no one in the public has had the opportunity to see the issues Steve Skadron has raised, nor the responses that Dan Blankenship gave. He

questioned whether there is a document that stops the proliferation of public crossings, and whether that is a standard or a concern of Skadron.

Amy Fulstone stated that she has concerns with the language of the current ACP update and referenced the 2005 ACP, "rail is not a fiscally viable alternative." She went on to state that RFTA is attempting to govern the Rio Grande Corridor with a much broader scope than what they are entitled to govern. She stated that RFTA has created public parking and public access points to the river which impedes owners' rights of their personal land. Many areas along this corridor are being affected and it is not being conserved as stated in the original ACP document.

Mick Ireland commented that this new ACP is flawed and referenced the ACP update where it refers to RFTA approving easements across the railroad corridor if they meet the design guidelines. He stated that there is no way to determine exactly how many easements it will take to create a severance of the corridor. There should be a limited number of easements granted to ensure that the corridor is not severed.

Jay Harrington stated that the ACP is a compromise of all of the jurisdictions, the update is not perfect, however the alternative is continuing using the 2005 ACP which has a number of issues and does not cover the concerns that have been presented since the beginning process of this update.

Jim Breasted passed around photos of where the tracks are still currently in place. He discussed that there needs to be notices where the railroad is still intact to help bicycle riders understand where the railroad right-of-ways are. *(Document available upon request.)*

George Newman closed Public Comments at 11:48 a.m.

The Board agreed to a one month continuation of the Rio Grande Corridor Access Control Plan Update to allow for modifications, the next Reading will be scheduled for the June 8, 2017 Board Meeting.

9. Information/Updates:

A. CEO Report – Dan Blankenship, CEO

Dan Blankenship commented that there was a request from the Roaring Fork school district to build a flyover on Roaring Fork Railroad corridor to construct a new intersection on Highway 82 and eliminate the existing one. They would like to present at a RFTA Board Meeting in the future.

10. Issues to be Considered at Next Meeting:

11. Next Meeting: 8:30 a.m. – 12:00 p.m., June 8, 2017 at Carbondale Town Hall, 511 Colorado Avenue.

12. Adjournment:

Mike Gamba made a motion to adjourn the Board meeting and Dan Richardson seconded the motion. The motion was unanimously approved.

George Newman adjourned the Board meeting at 11:52 a.m.

Respectfully Submitted:
Nicole R. Schoon
Secretary to the RFTA Board of Directors

RFTA BOARD OF DIRECTORS
“CONSENT” AGENDA SUMMARY ITEM # 6. A.

Meeting Date:	June 8, 2017
Agenda Item:	Resolution 2017-07: 2017 Title VI Program & 2017 Limited English Proficiency (LEP) Plan Update
Presented By:	Nicole Schoon, Regulatory Compliance Officer & Dan Blankenship, CEO
Recommendation:	Approve and Adopt Title VI Update Report by Resolution #2017-07 so that it can be submitted to the Federal Transit Administration Civil Rights Office for review and approval.
POLICY #	2.8.11 Board Awareness & Support
Core Issues:	<ul style="list-style-type: none"> ➤ In accordance with FTA Title 49 CFR Section 21.7(a) RFTA, as a condition of receiving Federal financial assistance from the Federal Transit Administration (FTA), must carry out the Title VI Program of the Civil Rights Act of 1964 in compliance with U.S. Department of Transportation (USDOT) regulations; ➤ RFTA must compile, maintain, and submit in a timely manner, Title VI information required by FTA Circular 4702.1B, that was last updated as of October 1, 2012 and in compliance with the USDOT’s Title VI Regulation, 49 CFR, Part 21; ➤ RFTA is obligated to submit an updated Title VI Program & LEP Plan to FTA, Region 8, Civil Rights Office, every three years; ➤ The last RFTA updated Title VI Compliance Report was submitted and approved by FTA in August 2014; ➤ The RFTA provides its programs and services without regard to race, color, sex, age or national origin in accordance with Title VI of the Civil Rights Act; ➤ RFTA’s programs and services are shared equitably throughout its service area; ➤ The level and quality of bus services are sufficient to provide equal access to all riders in its service areas; ➤ RFTA has made it known to the public that any person or persons alleging discrimination on the basis of race, color, sex, age, or national origin, as it relates to the provision of transit services and transit related benefits may file a complaint with RFTA, FTA and/or USDOT; ➤ As soon as the attached Resolution is approved, RFTA’s Title VI & LEP information will be available online at www.rfta.com . ➤ FTA regulations require that the RFTA Board formally approve the Title VI Report & LEP Plan by adopting the attached Resolution 2017-07.
Policy Implications:	RFTA Board Governing Policy 2.8.11 states, “The CEO may not fail to supply for the Board’s consent agenda, along with applicable monitoring information, all decisions delegated to the CEO yet required by law, regulation or contract to be Board-approved.”
Fiscal Implications:	None
Additional Info:	Yes, please see the completed updated 2017 Title VI Program & 2017 LEP Plan.pdf included the June 2017 Board Meeting Portfolio.pdf attached to the e-mail transmitting the Board Agenda packet. Resolution 2017-07 is attached below.

Director _____ moved adoption of the following Resolution:

**BOARD OF DIRECTORS
ROARING FORK TRANSPORTATION AUTHORITY
RESOLUTION NO. 2017-07**

**APPROVAL AND ADOPTION OF
2017 RFTA TITLE VI PROGRAM
AND
2017 RFTA LIMITED PROFICIENT (LEP) PLAN**

WHEREAS, Pitkin County, Eagle County, the City of Glenwood Springs, the City of Aspen, the Town of Carbondale, the Town of Basalt, and the Town of Snowmass Village (the “Cooperating Governments”) on September 12, 2000, entered into an Intergovernmental Agreement to form a Rural Transportation Authority, known as the Roaring Fork Transportation Authority (“RFTA” or “Authority”), pursuant to tile 43, article 4, part 6, Colorado Revised Statutes; and

WHEREAS, on November 7, 2000, the electors within the boundaries of the Cooperating Governments approved the formation of a Rural Transportation Authority; and

WHEREAS, the Town of New Castle elected to join the Authority on November 2, 2004; and

WHEREAS, Section 601 of Title VI of the Civil Rights Act of 1964 states, “no person in the United States shall on the ground of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance;”

WHEREAS, Roaring Fork Transportation Authority is a recipient of Federal financial assistance from the Federal Transit Authority and is subject to Title VI of the Civil Rights Act of 1964, (42 U.S.C. 2000d), and

WHEREAS, the Roaring Fork Transportation Authority has or will provide all annual certifications and assurances to the Federal Transit Administration required for the Title VI Program; and

WHEREAS, the Roaring Fork Transportation Authority assures that no person or group of persons on the basis of race, color, or national origin, including Limited English Proficient (LEP) persons are subjected to discrimination in the level and quality of transportation services, programs and activities provided, whether federally funded or not; and

WHEREAS, The Roaring Fork Transportation Authority is responsible for managing its grant programs in accordance with Federal requirements, and FTA is responsible for ensuring that recipients follow Federal statutory and administrative requirements. The FTA Administrator requires organizations, as a condition of eligibility for financial assistance from FTA, to submit, every three years, their Title VI Compliance Program and Limited English Proficiency Plan (LEP) to the Civil Rights Department of FTA for approval; and

WHEREAS, Title VI is a Federal law that applies to recipients and sub-recipients of Federal financial assistance. FTA recipients must ensure that their programs, policies, and activities comply

with Department of Transportation's (DOT) Title VI regulations. Under Title VI, DOT has the responsibility to provide oversight of recipients and to enforce their compliance with Title VI, to ensure that recipients do not use DOT funds to subsidize discrimination based on race, color, national origin, sex, age, or disability.

NOW, THEREFORE, BE IT RESOLVED by the Roaring Fork Transportation Authority Board of Directors, that the RFTA Board of Directors authorize the Title VI Compliance Officer to submit the **RFTA 2017 TITLE VI PROGRAM AND RFTA 2017 LIMITED ENGLISH PROFICIENCY PLAN (LEP)**, to the Federal Transit Administration.

RESOLVED FURTHER, that the foregoing resolution shall remain in full force and effect, through probable requested updating and/or amendment by the FTA's Civil Rights Officer; and

RESOLVED FURTHER, that the foregoing resolution was adopted in accordance with the governing documents of the Organization, and that such resolution is now in full force and effect.

INTRODUCED, READ AND PASSED by the Board of Directors of the Roaring Fork Transportation Authority at its regular meeting held the 8th day of June, 2017.

**ROARING FORK TRANSPORTATION AUTHORITY
By and through its BOARD OF DIRECTORS:**

By: _____
Michael Gamba, Vice Chair

I, the Secretary of the Board of Directors (the "Board") of the Roaring Fork Transportation Authority (the "Authority") do hereby certify that (a) the foregoing Resolution was adopted by the Board at a meeting held on June 8, 2017 (b) the meeting was open to the public; (c) the Authority provided at least 48 hours' written notice of such meeting to each Director and Alternate Director of the Authority and to the Governing Body of each Member of the Authority; (d) the Resolution was duly moved, seconded and adopted at such meeting by the affirmative vote of at least two-thirds of the Directors then in office who were eligible to vote thereon voting; and (e) the meeting was noticed, and all proceedings relating to the adoption of the Resolution were conducted, in accordance with the Roaring Fork Transportation Authority Intergovernmental Agreement, as amended, all applicable bylaws, rules, regulations and resolutions of the Authority, the normal procedures of the Authority relating to such matters, all applicable constitutional provisions and statutes of the State of Colorado and all other applicable laws.

WITNESS my hand this 8th day of June, 2017.

Nicole R. Schoon, Secretary to the Board

RFTA BOARD OF DIRECTORS MEETING
“PRESENTATIONS/ACTION” AGENDA ITEM SUMMARY # 7. A.

Meeting Date:	June 8, 2017
Agenda Item:	Federal Transit Administration (FTA) LoNo Grant Application
Policy #:	4.2.5: Board Job Products
Strategic Goal:	Support Upper Valley Mobility Study (UVMS)
Presented By:	Kelley Collier, Chief Operating Officer Kenny Osier, Director of Maintenance Jason White, Assistant Planner
Recommendation:	Authorize staff to submit a FTA LoNo grant application for incremental grant funding for up to eight Battery Electric Buses and two charging stations.
Core Issues:	<p>At the May 11, 2017 meeting, the RFTA Board gave conceptual authorization for staff to continue performing due diligence related to an application for Federal Transit Administration (FTA) LoNo grant funding for the purchase of eight Battery Electric Buses (BEB's) and associated charging infrastructure. The estimated total project cost is \$7.6 million.</p> <p>Subsequently, RFTA Procurement staff solicited proposals in order to obtain a BEB manufacturer partner for the LoNo grant. Subject to RFTA Board authorization, staff intends to submit an application to Colorado Department of Transportation (CDOT) by June 19th which, in turn, will submit a consolidated LoNo grant, before FTA's June 26th deadline, on behalf of Colorado's rural transit agencies.</p> <p>Following is a status report regarding several issues that need to be finalized prior to grant submission, as follows:</p> <ol style="list-style-type: none"> 1. Obtain authorization to submit the LoNo grant from the RFTA Board of Directors. (To be requested at RFTA Board meeting on June 8, 2017) 2. Confirm potential local match funding contributions from the City of Aspen and the Elected Officials Transportation Committee (EOTC). (City staff has indicated that a \$1 million matching contribution appears workable. The EOTC request will be made at its June 15th meeting) 3. Select a BEB manufacturer to partner on the LoNo grant with RFTA. (On 6/1/17, following a competitive proposal process, New Flyer was selected to be RFTA's LoNo partner) 4. Finalize the BEB cost estimate, which could be higher or lower than the estimate attached below. (It will take additional time to obtain better pricing information now that RFTA's LoNo grant partner has been selected. However, it is not anticipated that the overall project cost estimate of \$7.6 million will be exceeded. Also, depending upon funding commitment from the EOTC, the estimated LoNo grant share request can be increased to keep the project revenue in balance). 5. Finalize the LoNo grant application. (In progress) 6. Submit LoNo application to CDOT. (Application will be submitted by 6/19/17) <p>Staff recommends that the Board provide authorization for staff to develop and submit a LoNo grant application.</p>

<p>Background Info:</p>	<p>Over the past 18 months, RFTA and the City of Aspen have been researching the feasibility of a Battery Electric Bus (BEB) Program. On May 3rd, the City of Aspen, RFTA, and a group of local stakeholders participated in the Battery Electric Bus Workshop held at the Aspen Institute. Representatives from five BEB manufacturers participated in the workshop and much useful information was exchanged during the daylong event. At the conclusion of the workshop, those attending concluded that transitioning to BEB's for a portion of the City of Aspen and RFTA bus fleets is feasible.</p> <p>On April 27, 2017, the Federal Transit Administration (FTA) issued a Notice of Funding Availability (NOFA) for the Federal Fiscal Year (FY) 2017 Section 5339 Low or No Emission Grant Program (LoNo). This program incentivizes the purchase of BEB's and other alternative fuel vehicles. The current administration may reduce funding for or eliminate many FTA-related programs in the future. As such, FY2017 could be the last year for LoNo grants, and this could be RFTA's best opportunity to apply for and capitalize upon this funding for its transition to BEB's.</p> <p>RFTA's Integrated Transportation System Plan (ITSP) and the UVMS planning processes have accelerated the region's research on and interest in the feasibility BEB's. Parsons Transportation Group (PTG), which is leading the consultant team on both studies, is recommending that RFTA and the City of Aspen pursue a BEB Program, in order to transition to a cleaner and quieter bus technology.</p> <p>RFTA staff believes that an initial fleet of eight BEB's would provide an adequate number of vehicles with which to conduct a BEB pilot program. Four of the buses would be used on City of Aspen routes and four would be used initially on RFTA transit routes in the upper Roaring Fork Valley, until issues related to battery range and on-route charging can be addressed.</p> <p>PTG's recommendation is based on a number of factors, including, but not limited to:</p> <ul style="list-style-type: none"> • The City of Aspen is concerned that the increasing number of diesel and CNG buses circulating within Aspen's core (approximately 500/day during peak seasons) will eventually degrade the City's social, environmental and economic vitality. • An eight-bus fleet can create a viable BEB pilot program and should be competitive for FY17 LoNo Grant funds, due to the high level of proposed local match. • The high cost and operational issues associated with LRT and other fixed-guideway solutions make the interim transition to electric buses appear to be financially feasible, particularly if LoNo funding is awarded to RFTA. • The relatively short loops available for buses to operate within the City of Aspen and in the upper valley, should work well in terms of battery range and access to a central charging station. • A BEB pilot program is implementable in the short term and expanded to regional routes in the future as part of routine bus replacements, as battery ranges improve.
<p>Policy Implications:</p>	<p>Board Job Products Policy 2.4.5 states, "The Board will approve RFTA's annual operating budget (subject to its meeting the criteria set forth in the Financial Planning/Budget policy)."</p>
<p>Fiscal Implications:</p>	<p>See LoNo Battery Electric Bus Preliminary Financing Plan attached below.</p>
<p>Attachments:</p>	<p>Please see LoNo Battery Electric Bus Grant Preliminary Financing Plan attached below.</p>

**LoNo Battery Electric Bus Grant
Preliminary Financing Plan**







	Item	Quantity	Unit Cost	Total Cost		
1	40-foot Battery Electric Buses (BEB)	8	\$ 900,000	\$ 7,200,000	*	
2	Charging Stations (two each)	4	\$ 80,000	\$ 320,000		
3	Infrastructure Installation	1	\$ 80,000	\$ 80,000		
4	Total	N/A	N/A	\$ 7,600,000		
	Sources of Funding			Total		
5	FY18 Statewide FASTER Grant			\$ 1,686,000		
6	RFTA FASTER Grant Local Match			\$ 425,000	**	
7	City of Aspen			\$ 1,000,000	***	
8	EOTC			\$ 500,000	***	
9	Additional RFTA Funding			\$ 789,000	**	
10	Subtotal Local BEB Funding			\$ 4,400,000	58%	Local
11	Estimated LoNo Grant Funding			\$ 3,200,000	42%	LoNo
	Item	Quantity	Unit Cost	Total Cost		
12	BEB Cost	8	\$ 900,000	\$ 7,200,000		
13	Diesel Bus Cost	8	\$ 500,000	\$ 4,000,000		
14	Estimated Incremental Cost of BEB	8	\$ 400,000	\$ 3,200,000		
	<i>*Four buses for the City of Aspen and four buses for RFTA</i>					
	**Total Estimated RFTA Funding			\$ 1,214,000		
	***Not yet committed			\$ 1,500,000		

RFTA BOARD OF DIRECTORS MEETING
“CONSENT AGENDA” AGENDA ITEM SUMMARY # 7. B.

Meeting Date:	June 8, 2017
Agenda Item:	Roaring Fork School District (RFSD) Request for RFTA Support of CR 154 Flyover
Policy #:	1.2.A.i – There is safe usage of trails and transit
Strategic Goal:	Continue to monitor and participate in all municipality development projects that may impact the Rio Grande Railroad Corridor and Rio Grande Trail
Presented By:	Angela M. Henderson - Assistant Director, Project Management & Facilities Operations and Shannon Pelland – Assistant Superintendent/CFO – Roaring Fork School District (RFSD).
Recommendation:	Provide staff with direction regarding the RFSD request for RFTA support for the development of a Flyover of the Railroad/Rio Grande Trail crossing near CR154. A question and answer period will follow the presentation.
Core Issues:	<ul style="list-style-type: none"> • Garfield County has approved several new uses along CR154 near the SH82 intersection, i.e., a new FedEx Facility, an automotive shop, a new veterinarian hospital and a new PreK-8 Riverview School. The combined uses and the proposed increase in daily vehicle trips triggered a CDOT access permit process and related traffic study. • The combined uses are expected to generate an additional 1,052 average daily vehicle trips (ADT) with an estimated 276 morning peak trips and 181 afternoon/evening peak trips. The traffic study concluded that no improvements were necessary at the intersection of SH82 and CR154. The study did not address the CR154 at-grade crossing of RFTA’s Railroad Corridor/Rio Grande Trail. • The at-grade Railroad/Rio Grande Trail crossing on CR154 is located about a ¼ mile from the SH82 intersection that will be utilized by all vehicles accessing the parcels. This particular Railroad crossing is an at-grade diagonal crossing with diminished site lines on both approaches, which sees an estimated 43,000 annual trail users. • Because of the angle of the Railroad Crossing at this location, there is roughly 550’ to 700’ of available queuing distance between the Railroad crossing and the SH82 intersection. • Chris Hale, the engineer tasked with reviewing the RFSD land use application on behalf of Garfield County, has stated that the proposed traffic increase in this location is expected to queue across and block the Railroad Corridor/Rio Grande Trail crossing. • Because of the concerns regarding traffic impacts to the Railroad Corridor/Rio Grande Trail crossing expressed by the GARCO contract engineer, the RFSD asked Yancy Nichols of Sopris Engineering to look at improvements to the Railroad/Rio Grande Trail crossing. Nichols developed a flyover concept (see attached drawing) for improved vehicle access to the site that will accommodate the Rio Grande Trail crossing. However, the flyover concept will need to be revised to address the requirements for a crossing of a Railroad Corridor before staff can evaluate whether the flyover concept will work for the Railroad Corridor as a whole. The intent of the proposed concept plan, if designed to accommodate rail, would allow RFTA to consolidate several adjacent private crossings into one single access point, which would provide a safer and unimpeded Railroad Corridor and Rio Grande Trail experience; now and into the future. The RFSD Board/Staff and RFTA Staff believe the overall public benefits from this flyover design would outweigh the significant construction costs. However final design, engineering and construction will

	<p>require the collective financial efforts of several entities, including Garfield County, RFSD, CDOT, FedEx and others.</p> <ul style="list-style-type: none"> • RFSD and RFTA staff discussed the possibility of RFTA staff exploring a grant funding opportunity. In addition, RFTA staff could possibly provide project management oversight to assist with the construction of this project, similar to what staff has done with other projects (the Basalt underpass, the AABC underpass, etc.). • In the interim staff will work with RFTA's engineers to look at short-term solutions for addressing the safety concerns anticipated at this crossing.
Background Info:	<ul style="list-style-type: none"> • CR154 is a Garfield County Road and all land use approvals for development in this area fall under Garfield County's purview. • RFTA did provide the following comments regarding the RFSD development and similar comments for each of the other developments: <ul style="list-style-type: none"> ○ RFTA's primary interest in commenting on the Location and Extent review of the Roaring Fork RE-1 School District Site Plan is in ensuring the safety of the many people who use the Rio Grande Trail and cross CR 154 near the site under review. Given the significant increase in traffic volumes on CR 154 anticipated due to the Roaring Fork RE-1 School District development and other developments in this area, the potential for conflicts with trail users is likely to increase unless appropriate safety measures are designed and implemented. Consequently, RFTA greatly appreciates and strongly supports the following recommendations made in the Garfield County Community Development Department Staff Comments: <ul style="list-style-type: none"> ▪ Safe and convenient pedestrian and bicycle access shall be provided from the Rio Grande Trail to the school site prior to commencement of the use of the facility. ▪ That the Roaring Fork RE-1 School District consults with RFTA regarding potential trail improvements at the intersections with CR154 and in determining the requirement for PUC approval for the crossing.
Policy Implications:	RFTA Board End Statement 1.2.A.i. states, "There is safe usage of trails and transit."
Fiscal Implications:	Unknown at this time. Staff would need to work with Sopris Engineering to update and advance the design to accommodate a Railroad Crossing in order to develop a reasonable cost estimate for the flyover design.
Attachments:	Yes, please see the letter from RFSD requesting RFTA support, i.e. "RFTA Letter.pdf" included in the June 2017 RFTA Board Meeting Portfolio.pdf attached to the e-mail transmitting the RFTA Board agenda packet.

**RFTA BOARD OF DIRECTORS MEETING
 “PRESENTATION/ACTION” AGENDA ITEM SUMMARY # 7. C.**

Meeting Date:	June 8, 2017
Agenda Item:	Multi-Year WE-cycle Partnership
Policy #:	4.2.5: Board Job Products
Strategic Goal:	Work to extend WE-cycle to City of Glenwood Springs and explore a potential long-term relationship with RFTA
Presented By:	Mirte Mallory, WE-cycle, Executive Director Dan Blankenship, RFTA, CEO
Recommendation:	RFTA form a multi-year partnership, 3 – 5 years, with WE-cycle to include: <ul style="list-style-type: none"> - committed operational funding of \$100,000 annually, subject to annual appropriations - refinement and further development of integrated passes and mobile platforms to facilitate use of both bike and bus services and information - collaborations wherever practical and reasonable including marketing, communication, rider outreach, and employee passes - joint planning efforts in evaluation of, and possible implementation of, expanded WE-cycle service areas within the RFTA jurisdiction - willingness to contribute capital funds to new WE-cycle infrastructure, when appropriate
Core Issues:	<p>WE-cycle, the Roaring Fork Valley’s bike transit system, serves Aspen and Basalt, Willits, and El Jebel with 43 stations and 190 bikes, system-wide, from May – November.</p> <p>WE-cycle has become a valuable component of the valley’s transportation system and is used primarily by Roaring Fork Valley residents, Season Passholders, for short in and around town travel, to get from home to the bus, from the bus to work, from point A to point B, or to run errands. In 2016, WE-cycle’s 1,225 Season Passholders, residing throughout the RFTA service area from New Castle to Aspen, completed 77% of all WE-cycle rides system-wide.</p> <p>Together, WE-cycle and RFTA continue to strive for a bike and bus integration in which their complementary services facilitate and thereby grow transit ridership. In this multi-modal transit ecosystem, WE-cycles function as the low-volume, on-demand, internal circulation, and first/last mile feeder to RFTA’s high-capacity, fixed-route trunk lines on Highway 82.</p> <div style="text-align: center;"> <p>INTEGRATED TRANSIT SYSTEM</p> <p>       </p> <ul style="list-style-type: none"> <li style="width: 30%;">• First mile <li style="width: 30%;">• Long-haul <li style="width: 30%;">• Last mile <li style="width: 30%;">• Flexible timing <li style="width: 30%;">• Fixed schedule <li style="width: 30%;">• Flexible timing <li style="width: 30%;">• Flexible route <li style="width: 30%;">• Fixed route <li style="width: 30%;">• Flexible route </div> <p>With the RFTA Board’s support and encouragement, over the past six months, WE-cycle and RFTA have explored various scenarios for a longer-term and formalized partnership.</p>

	At this meeting, WE-cycle will present an overview of the learnings and timing considerations, namely that of RFTA's current ITSP, that have led to the above recommendation.
Background Info:	<p>RFTA was the first Founding Partner of the WE-cycle bike share system, a 501(c)(3) nonprofit organization, serving the Roaring Fork Valley with bike transit services. WE-cycle complements RFTA's long-haul and fixed-route service by providing bikes as on-demand, 24/7, first/last mile connection to RFTA routes. WE-cycle was established as a public-private partnership with its revenue originating from three primary sources: pass sales, sponsorship, and grants.</p> <p>As of May 2017, the WE-cycle system features 20 stations and 110 bikes in the Aspen system with 23 stations and 80 bikes dispersed between Basalt, Willits, and El Jebel. New this season, in response to rider demand, a WE-cycle Season Pass gives a rider access to unlimited 60-minute rides (augmented from 30 in previous years). Overtime Fees are charged for each ride over 60 minutes.</p> <p>RFTA has provided the following financial and collaborative support to WE-cycle:</p> <p><u>Capital</u></p> <ul style="list-style-type: none"> • \$40,000 towards a WE-cycle station at Rubey Park in Aspen • \$50,000 towards a WE-cycle station at a Basalt BRT Station • Committed - \$50,000 towards a WE-cycle at the Glenwood 27th Street BRT Station <p><u>Operating</u></p> <ul style="list-style-type: none"> • 2015 - \$20,000 Grant • 2016 - \$25,000 Grant • 2017 - \$35,000 Grant <p><u>Collaborative</u></p> <ul style="list-style-type: none"> • RFTA Seasonal Zone Pass that can be activated as a WE-cycle Season Pass • Roll out of the Transit App mobile application which allows one to check out a WE-cycle and see valley-wide RFTA schedules on one interface • Swapping of passes for employees of respective organizations to further the cross-pollination and use of each other's services • Marketing and communication efforts • Federal and local grant applications
Policy Implications:	Board Job Products Policy 2.4.5 states, "The Board will approve RFTA's annual operating budget (subject to its meeting the criteria set forth in the Financial Planning/Budget policy)."
Fiscal Implications:	Subject to RFTA Board approval and annual appropriations a minimum commitment of \$100,000 annually for 3 – 5 years. This is \$65,000 more than the RFTA grant to WE-cycle in 2017.
Attachments:	A copy of the PowerPoint Presentation will be distributed at the Board meeting.

RFTA BOARD OF DIRECTORS MEETING
“PRESENTATION/ACTION” AGENDA ITEM SUMMARY # 7. D.

Meeting Date:	June 8, 2017
Agenda Item:	Covenant Enforcement Commission (CEC) 2016 Report
Policy #:	1.1.B: The Rio Grande Corridor Open Space is Protected
Strategic Goal:	To protect the railbanked status of the Rio Grande Corridor for future transportation uses. In the interim, the Rio Grande Trail will be managed for non-motorized uses and preservation of the scenic, open space and wildlife of the corridor
Presented By:	Angela M. Henderson, Assistant Director, Project Management & Facilities Operations
Recommendation:	FYI with Question & Answer Session following Presentation
Core Issues:	Measurement of RFTA Staff’s performance related to GOCO’s requirement to manage and maintain the nine conservation areas along the Rio Grande trail.
Background Info:	<ul style="list-style-type: none"> • RFRHA with \$1.5 million in assistance from Great Outdoors Colorado (GOCO) and \$3 million in assistance from Colorado Department of Transportation (CDOT) purchased the Rio Grande Corridor, a 33.4 mile stretch of property running from Glenwood Springs to Woody Creek • As part of the Purchase agreement, RFTA and GOCO agreed to place a Covenant on approximately half of the corridor to preserve the “Conservation Values” on the property • One of the requirements of GOCO was the formation of the Covenant Enforcement Commission (CEC). The CEC monitors management by RFTA of the conservation areas called out in the Comprehensive plan • RFTA hires an independent consultant to survey the entire length of the Corridor and report potential violations of the nine designated conservation areas • RFTA staff and consultant also prepare reports on the state of the Railroad Corridor • The CEC committee meets annually to review both the independent consultant and staff reports to prepare recommendations for the RFTA BOD • The three main items that the CEC requested that staff discuss with the RFTA Board are: <ul style="list-style-type: none"> • What direction is the RFTA Board comfortable with providing to staff in managing the ongoing encroachment issues within the Covenant areas, if the adjacent property owners continue to ignore requests to remove the encroachment? • Should RFTA pursue the issue of allowing for policing authority for the Trails staff, to allow RFTA trail personnel to issue tickets for violations, dogs off leash, etc.? • Should RFTA consider adopting an intern program, similar to the Pitkin County program, to assist the Trails’ staff in managing the 21 miles that they currently manage with just two full-time year round employees?
Policy Implications:	RFTA Board of Directors’ End Statement 1.1.B. states, “The Rio Grande Corridor Open Space is Protected.”
Fiscal Implications:	N/A
Attachments:	<p>Please see 2017 Letter to the RFTA BOD by Paul Taddune (attached below); and included in the June 2017 RFTA Board Portfolio.pdf attached to the e-mail transmitting the Board agenda packet, please find:</p> <ul style="list-style-type: none"> • 2016-10-28 CEC Assessment – NPR. • 2016-10-28 RFTA staff Assessment.pdf



Board of Directors
Roaring Fork Transportation Authority
1340 Main Street, #4
Carbondale, Colorado 81623

June 8, 2017

**Re: Annual Report of the Rio Grande Railroad Corridor
Covenant Enforcement Commission**

Dear Board Members:

This is to provide you with the Annual Report of the Rio Grande Railroad Corridor Covenant Enforcement Commission based on information provided to me by Angela Henderson.

On May 22, 2017, the Roaring Fork Transportation Authority Covenant Enforcement Commission ("CEC" or "Commission") held a meeting to review RFTA's progress enforcing the conservation covenants that apply to RFTA's Railroad Corridor. The members of the Commission are listed on an attached page.

The members of the CEC include one elected official from each of the entities that participated in the purchase of the Railroad Corridor: Aspen, Snowmass Village, Basalt, Carbondale, Glenwood Springs and the counties of Pitkin and Eagle. The CEC also includes two at-large members of the Roaring Fork valley and one representative from each of Pitkin County Open Space and the Roaring Fork Open Space Special District. In addition, the Town of New Castle is always invited to participate.

The Roaring Fork Open Space Special District (the "District") is not listed among the members of the CEC. The District was formed in 2000 by a majority vote of the District's electors. However, the electors failed to approve a companion ballot measure that would have provided taxes to fund the District. The District does not wish to participate in the Covenant Enforcement Commission until such time as the District is funded.

Background of the CEC

The Railroad Corridor was initially purchased on June 30, 1997, by the Roaring Fork Railroad Holding Authority ("RFRHA"), a consortium of Roaring Fork Valley Governments. Additional contributors to the Corridor purchase were Great Outdoors Colorado ("GOCO") and the Colorado Department of Transportation ("CDOT"). When RFTA was formed by voter approval in 2000, the operating plan included absorption of an existing transit system and absorption of RFRHA. In 2001, RFRHA was dissolved and its assets, liabilities and obligations were transferred to RFTA. Initially the Corridor was held subject to a Conservation Easement administered by the Aspen Valley Land Trust. However, when a Comprehensive Plan was developed for management of the Corridor it was determined that many portions did not contain the attributes described as "conservation values" warranting protection under the conservation easement. Subsequently, RFRHA entered into an amended agreement with GOCO to change the Conservation Easement to a Conservation Covenant. One of the requirements of GOCO for removal of

the Conservation Easement was the formation of the CEC. The CEC monitors management by RFTA of the conservation areas called out in the Comprehensive Plan.

In 2002, RFTA hired Newland Project Resources as an independent consultant to survey the entire length of the Corridor and report on potential violations of the Conservation Covenants. Newland Project Resources has also assessed the Corridor annually from 2003 through the present; the report for 2016 was submitted to the CEC Board at its May 22nd meeting and the Board reviewed in detail each potential violation cited in the report.

Summary Findings of the CEC for 2016

The following is a summary of the findings of the 2016 Corridor Assessment Report:

The 2016 report found generally acceptable compliance with the terms of the Conservation Restriction Covenant. Nine potential new violations were identified, in addition to two existing violations in place. Potential new violations include some additional irrigation pipes under the trail and the display of American flags in Area two (2), an excessive amount of trash and graffiti in Area five (5), some new wire fencing adjacent to the Corridor and trash containers left on the Corridor in Area six (6), a new ATV crossing in Area seven (7), a thistle infestation on or near the corridor in Area eight (8) and a new building on or near the corridor in Area nine (9). Regarding the two violations still in place, one involves a berm and a structure in conservation Area six (6) which are encroaching on the south side of the corridor, and the other involves a fence which may or may not be located in conservation Area seven (7). Each of these potential violations will need to be confirmed either visually or by a surveyor.

Conclusions of the CEC

- Overall the Railroad Corridor is in outstanding condition. The Rio Grande Trail within the Railroad Corridor is well used and maintained.
- Regarding the potential violations and/or the remaining violations; staff will be working with a local surveying team to establish whether or not some of the potential violations called out in the annual assessment are actually located within the Railroad Corridor and if they are, will begin working on the removal of the violations or relocation to the corridor boundary. Removal or relocation would be consistent with the narrow latitude offered by the GOCO legal agreement initially signed on to by RFRHA in 2001. In addition, this approach is believed to best preserve the physical and conservation integrity of the public lands within the corridor.

A copy of the final 2016 CEC Report is attached to this letter. Please do not hesitate to contact Angela Henderson, any of the members of the CEC listed on the following page or me with any questions.

Sincerely,



The Roaring Fork Railroad Corridor Covenant Enforcement Commission
By Paul J. Taddune
RFTA General Counsel

Inclusions: 2016 Corridor Assessment
 2016 Staff Report
 List of CEC members

RFTA COVENANT ENFORCEMENT COMMISSION 2016

(3 year terms)

APPOINTED

Ms. Ann Mullins
City of Aspen Council Member

APPOINTED

Mr. George Newman
Pitkin County Commissioner

APPOINTED

Mr. Dan Richardson
Mayor - Town of Carbondale

APPOINTED

Ms. Markey Butler
Mayor - Town of Snowmass Village

APPOINTED

Ms. Kathryn Trauger
Glenwood Springs City Council

APPOINTED

Ms. Jeanne McQueeney
Eagle County Commissioner

APPOINTED

Ms. Jacque Whitsitt
Mayor - Town of Basalt

APPOINTED

Mr. Paul Holsinger
Pitkin County Open Space and Trails

APPOINTED, New Castle joined RFTA in 2005

Mr. Art Riddle
Mayor - New Castle

APPOINTED

Mr. John Krueger
Aspen Transportation Department

AT LARGE MEMBER

George Trantow – Eagle County

RFTA BOARD OF DIRECTORS MEETING
“PRESENTATION/ACTION” AGENDA ITEM SUMMARY # 7. E.

Meeting Date:	June 8, 2017
Agenda Item:	Integrated Transportation System Plan (ITSP) Update
Policy #:	4.2.1: Board Job Products
Strategic Goal:	Complete Stages 3 and 4 of Phase I of the Regional Integrated Transportation System Plan (ITSP)
Presented By:	Ralph Trapani, Parsons Transportation Group (PTG)
Recommendation:	Discuss progress of the ITSP and provide comments
Core Issues:	The Consultant Team and RFTA have devoted the majority of time and resources this month to developing scopes and conceptual cost estimates for the various alternatives that emerged as long-term priorities during Stage 1 (Visioning) and Stage 2 (Determine Future Needs). These alternatives will be packaged into as many as three sets of integrated, multimodal system plan alternatives for review at the RFTA Board Retreat.
Background Info:	<p>RFTA and Parsons Transportation Group have completed the following ITSP Phase I Stages:</p> <p>Stage 1: Define the Vision Stage 2: Determine Future Needs.</p> <p>Stage 3: Analyze Options is currently in progress.</p> <p>Based on the outreach efforts of Stage 1 and the forecasted needs of Stage 2, RFTA and PTG have developed a list of proposed service and capital alternatives to consider for evaluation in Stage 3. These will be packaged into as many as three sets of integrated, multimodal system plan alternatives.</p> <p>These alternatives include potential enhanced BRT or fixed guideway options for State Highway 82 between Aspen and Brush Creek Road. The Elected Officials Transportation Committee (EOTC) recognized that these transportation issues required significantly more study than the ITSP envisioned, so the EOTC created an additional budget and scope for Upper Valley Mobility Study (UVMS).</p> <p>Both the enhanced BRT and LRT alternatives developed in the UVMS are being incorporated into the ITSP.</p>
Policy Implications:	Board Job Products Policy 4.2.1. A. & B. states, “The Board is the link between the “ownership” and the operation organization. The Board will assess the needs of the ownership as they relate to RFTA’s activities and scope of influence, and will develop Ends policies identifying the results RFTA is to produce to meet those needs. The Board will inform the ownership of the organizations expected future results, and its present accomplishments and challenges.”

Fiscal Implications:	<p>In 2016, RFTA budgeted a total of \$560,000 for Phase I, Stages 1 and 2 of the ITSP, and \$494,000 budgeted for the Upper Valley Mobility Study, funded by the EOTC. In 2017, RFTA has budgeted \$367,301 for the completion of Phase I, Stage 3, of the ITSP.</p> <p>Phase I of the ITSP has 4 stages:</p> <ol style="list-style-type: none"> 1. Define the Vision: (Completed) 2. Determine Future Needs: (Completed) 3. Analyze Options: (In progress) 4. Develop Financial Sustainability/Financing Plan: (Pending) <p>Phase I, Stages 1 and 2 were completed in early 2017; Stage 3 and possibly Stage 4 will be completed by end of 2017.</p> <p>Phase II of the ITSP will be the implementation phase, assuming the Board decides to move forward with any of the preferred multi-modal transportation alternatives identified in Phase I.</p>
Attachments:	A copy of the PowerPoint presentation will be distributed at the Board meeting.

RFTA BOARD OF DIRECTORS MEETING
“PUBLIC HEARING” AGENDA ITEM SUMMARY # 8. A.

Meeting Date:	June 8, 2017
Agenda Item:	Rio Grande Railroad Corridor Access Control Plan (ACP) Update
Policy #:	1.1: The Rio Grande Corridor is Appropriately Protected and Utilized
Strategic Goal:	Complete all sections of the updated Rio Grande Railroad Corridor Comprehensive Plan
Presented By:	Dan Blankenship, CEO Angela Henderson, Assistant Director, Project Management and Facilities Operations
Recommendation:	Steve Skadron, RFTA Board Member and Mayor of Aspen, was unable to complete his review and/or meet with staff to resolve concerns prior to the Board meeting (and will not be attending the June 6 th Board meeting). Staff recommends that the 2nd Reading of the draft 2017 ACP Update be continued until the July 13, 2017 RFTA Board meeting. No new information has been provided below.
Core Issues:	<ol style="list-style-type: none"> 1. The 2001 Great Outdoors Colorado (GOCO) Legacy grant stipulates that the Corridor Comprehensive Plan (CCP) should be updated every five years. The CCP was last updated in 2005 and adopted in 2006. Technically, the CCP should have been updated in 2010 or 2011, however, due to the staff effort required to implement BRT, the CCP update process was postponed until 2014. 2. Elements of the CCP that should be updated on the 5-year cycle are: <ol style="list-style-type: none"> a. Access Control Plan (ACP): The update addresses revisions to access control policies as well as updates the inventory of existing and anticipated uses of the corridor, such as crossings, utilities, and encroachments. b. Recreational Trails Plan (RTP): The update will address the interim recreational trail, which was completed in 2008, as well as any changes to goals and policies. c. Overview of Compliance with requirements of the GOCO Legacy Grant: The overview will serve as a reset to bring actions taken on the corridor since the last update current with GOCO. 3. Adoption of the components of the Comprehensive Plan Update requires a unanimous vote of the seven original constituent members of the Roaring Fork Railroad Holding Authority (RFRHA). The New Castle Board Member can vote on the Access Control Plan, but his/her vote would not be binding because New Castle was not a constituent member of RFRHA. 4. At the April 13, 2017 meeting, the RFTA Board unanimously agreed to schedule the draft 2017 ACP Update for Second Reading at the May 11, 2107 meeting. 6. As was reported at the April 13 meeting, RFTA’s railroad attorneys, William Mullins and Walter Downing performed a final review of the ACP in April and wrote letters, each with a recommendation they believed would strengthen the ACP document. 7. Mr. Mullins recommended adding language similar to that which is contained in the City of Glenwood Springs’ 8th Street Easement Agreement to Section IV, 17.0 of the ACP as follows: <p style="margin-left: 40px;">Easements for public roadway crossings and utilities, which are conveyed by RFTA to jurisdictions shall contain the following provision:</p>

Railbanking Protection. "Jurisdiction" acknowledges that RFTA's Corridor is not abandoned and is under the jurisdiction of the federal Surface Transportation Board. "Jurisdiction" further acknowledges that the Corridor is "railbanked" under the National Trails System Act, 16 U.S.C. §1247(d), so that RFTA is required to preserve the Corridor for future rail use. "Jurisdiction's" improvements and use shall not interfere with RFTA's use of the Corridor for transportation, shipping, trail, and/or conservation purposes and that no disturbance or interference of said any such uses shall be allowed hereunder without the prior written approval of RFTA. This Easement shall not be deemed to give "Jurisdiction" exclusive possession of any part of the Easement area described, and nothing shall be done or suffered to be done by "Jurisdiction" at any time that shall in any manner impair the usefulness or safety of the Corridor or of any track or other improvement on the Corridor or to be constructed thereon by RFTA in the future. If RFTA in its sole discretion upon advice of legal counsel believes that an action permitted by this Easement has or will cause a severance of the Corridor from the UPRR main line, RFTA shall notify the "Jurisdiction" and RFTA and the "Jurisdiction" shall work together to revise this Easement to correct the potential severance or impediment to freight rail service. Only in the event no modification can be agreed upon, may RFTA terminate this Easement.

8. Mr. Downing recommended adding the following provision to Section V, 5.0, A:

Notwithstanding anything in this document to the contrary, nothing herein is intended to grant to or permit any adjacent landowner or public entity any greater rights of access over, under, along or across the Corridor than they would otherwise have under Colorado law or to impair or limit RFTA's rights as a public entity and landowner in managing its Corridor.

9. The Board indicated that it was amenable to including the suggested revisions (above) of the ACP in the final draft of the ACP that is being presented for adoption at the May 11, 2017 Second Reading. That document, along with the Design Guidelines (DG) and the 2017 – 2005 ACP Comparison Matrix Revised 05-11-17, and other supporting documentation can be found under the heading of "ACCESS CONTROL PLAN UPDATE," by following this link: <https://www.rfta.com/trail-documentation/>. **Note:** Inadvertently, three sections of the Table of Contents in the 02/28/17 draft ACP Update were omitted. These sections have been added to the Table of Contents and are highlighted in red font in the draft ACP copy posted on the RFTA website.

10. As was reported at the April 13, 2017 Board meeting, the major differences between the proposed 2017 ACP Update and the 2005 ACP Update are as follows:

- a. The 2017 ACP Update makes it clear that maintaining the corridor's Railbanked status **is of utmost importance** in order to keep the 34-mile continuous railroad corridor intact.
- b. The 2017 ACP Update assures parties proposing public or private uses of the corridor that RFTA will endeavor to work cooperatively with them, consistent with the policies stated in the ACP and DG, to help them achieve their objectives in the most efficient and cost-effective manner possible, including collaborating with sponsors during the planning and design processes for their projects. Notwithstanding this assurance, the ACP also states that no action which, in the opinion of RFTA's railroad engineers and attorneys,

would jeopardize the railbanked status of the railroad corridor will be approved.

- c. The 2017 ACP Update allows for the approval of public at-grade crossings that are consistent with RFTA's ACP and Design Guidelines (DG) if they will not preclude or unreasonably impair RFTA's ability to reactivate freight rail service or to activate commuter rail, subject to such terms and conditions as approved by the RFTA Board. Private at-grade crossings consistent with the ACP and DG can be approved by a terminable license agreement.
- d. The 2017 ACP Update states that if a grade-separated crossing is proposed before rail is active in the corridor, it should be constructed in accordance with RFTA's DG and be consistent with the ACP. However, the RFTA Board can grant a variance from the ACP and DG subject to an agreement to restore the corridor or remove any temporary impediment at such time that RFTA elects to reactivate freight rail service.
- e. The 2017 ACP Update states that if a public crossing is designed consistent with RFTA's DG or otherwise approved by the RFTA Board of Directors, RFTA will grant an easement to the project sponsor, subject to the approval of the RFTA Board of Directors and/or the CPUC. The easement, however, will be subject to the following reservation and such other terms and conditions as the RFTA Board, in its sole discretion, may determine at the time of issuance:

Should RFTA need to extend, modify, or relocate a crossing to accommodate the activation of freight or passenger rail service on the Corridor by RFTA, RFTA shall be entitled to do so as long as the extension, modification, or relocation does not substantially and materially interfere with the connectivity of the crossing after review and approval of plans detailing the extension, modification, or relocation by the public entity holding the easement, which approval will not be unreasonably withheld, and if applicable, approval by the CPUC. If the sole cause of the need for such extension, modification, or relocation is the needs of RFTA, such cost will be borne by RFTA if RFTA approves the project and costs thereof; it being understood that any funding for such a project is subject to appropriation of funding. If the public entity holding the easement should desire to extend, modify, replace, relocate, or remove the crossing to further its needs, then such cost shall be borne by the public entity. Any such extension, modification, relocation, or replacement or repair by the public entity shall only be made in accordance with plans prepared by the public entity and reviewed and approved by RFTA, which approval will not be unreasonably withheld, and approval by the CPUC, if CPUC jurisdiction is exercised. For extensions, modifications, or relocations that are jointly caused and will benefit both parties, the allocation of costs shall be by further agreement, or if no agreement, then as determined by the CPUC in a hearing.

Easements for public roadway crossings and utilities, which are conveyed by RFTA to jurisdictions shall contain the following provision:

Railbanking Protection. "Jurisdiction" acknowledges that RFTA's Corridor is not abandoned and is under the jurisdiction of the federal Surface Transportation Board. "Jurisdiction" further acknowledges that the Corridor is "railbanked" under the National Trails System Act, 16

	<p>U.S.C.§1247(d), so that RFTA is required to preserve the Corridor for future rail use. “Jurisdiction’s” improvements and use shall not interfere with RFTA’s use of the Corridor for transportation, shipping, trail, and/or conservation purposes and that no disturbance or interference of said any such uses shall be allowed hereunder without the prior written approval of RFTA. This Easement shall not be deemed to give “Jurisdiction” exclusive possession of any part of the Easement area described, and nothing shall be done or suffered to be done by “Jurisdiction” at any time that shall in any manner impair the usefulness or safety of the Corridor or of any track or other improvement on the Corridor or to be constructed thereon by RFTA in the future. If RFTA in its sole discretion upon advice of legal counsel believes that an action permitted by this Easement has or will cause a severance of the Corridor from the UPRR main line, RFTA shall notify the “Jurisdiction” and RFTA and the “Jurisdiction” shall work together to revise this Easement to correct the potential severance or impediment to freight rail service. Only in the event no modification can be agreed upon, may RFTA terminate this Easement</p> <p>e. The 2017 ACP Update states that access and increased connections to the trail should be encouraged to maximize use by, between, and among neighborhoods and communities.</p> <p>f. Unless an emergency exists, amendments of the ACP will require two readings by the RFTA Board of Directors prior to adoption and can only be adopted in the same manner that the ACP is adopted, i.e. by a unanimous vote of the seven original RFRHA member jurisdictions.</p> <p>g. Denials of crossing proposals can be appealed to the RFTA Board.</p> <p>11. The Design Guidelines (DG) are still undergoing a review by City of Glenwood Springs staff and will be included for review prior to the Second Reading of the draft ACP Update on May 11, 2017. The DG are considered advisory, as is other information included as Appendices to the ACP. Staff believes these documents should be allowed to be updated and revised as necessary without further action of the Board.</p> <p>12. Staff recommends that the RFTA Board approve the 2017 draft ACP Update on Second Reading with the proposed revisions recommended by William Mullins, Walter Downing, and staff.</p> <p>13. Following approval of the ACP, staff will begin working on the update of the Recreational Trails Plan and other sections of the Rio Grande Railroad Corridor Comprehensive Plan. Each section of the Plan, as well as the overall Comprehensive Plan will require a unanimous vote of the seven constituent governments of the Roaring Fork Railroad Holding Authority. Adoption of the ACP Update will provide staff with policies by which to review future proposed uses of the corridor and enable staff to devote its full attention to completing the Comprehensive Plan.</p>
Policy Implications:	Board End Statement 1.1 says, “The Rio Grande Corridor is Appropriately Protected and Utilized.”
Fiscal Implications:	Approximately \$150,000 has been budgeted in 2017 for the Comprehensive Plan Update and other corridor management-related tasks.
Attachments:	Yes, please see Draft ACP Update Revised 05-11-17.pdf,” included in the June 2017 RFTA Board Meeting Portfolio.pdf attached to the e-mail transmitting the RFTA Board Agenda packet. A 207 – 2005 ACP Comparison Matrix and the proposed Design Guidelines can be reviewed by following this link: https://www.rfta.com/trail-documentation/

**RFTA BOARD OF DIRECTORS MEETING
“APPEAL” AGENDA ITEM SUMMARY # 9. A.**

Meeting Date:	June 8, 2017
Agenda Item:	Request for Reconsideration of Staff Recommendation for Private Access Location – 0295/0297 Rio Grande Lane, Carbondale, CO
Policy #:	1.1.C.: Rio Grande Corridor is Preserved for Transit Use
Strategic Goal:	To protect the railbanked status of the Rio Grande Railroad Corridor for future transportation uses.
Presented By:	Angela M. Henderson – Assistant Director, Project Management and Facilities Operations
Recommendation:	Accept staff recommendation regarding a request to relocate and extend an existing access as requested by developer. Due to the complexity of this issue, staff also recommends that staff present the information and explain the relevance of various exhibits at the meeting.
Core Issues:	<ul style="list-style-type: none"> • Pacifica Senior Living RE Fund, LLC (developer), has requested a replacement private access license to cross the Railroad Corridor and access its newly acquired parcels located in Carbondale on Rio Grande Lane in the vicinity of 2nd Street (see Exhibit 1 attached on page 33, below). • The original license belonged to a local ranching family and was issued by the D&RGW in 1976 (Railroad MP373.17). In 2007, the parcel was subdivided by the family and a new license (MP373.18) was issued to the second parcel for use of the same access point. In other words, both licenses were consolidated to a single paved access (see Exhibit 2 attached on page 34, below). • The developer contends that the two licenses belong to two separate access points. Staff has reviewed the license agreements and determined that the licenses were both granted for the same paved access point. • Staff and the developer have met onsite on several occasions to look at the existing access location and discuss opportunities for road and utility access to the parcels. • Staff and the developer also worked together over many months to develop a license agreement that was acceptable to both parties. Staff has approved the replacement license for the two existing licenses for the current paved access point. However, staff believes the developer recently changed the configuration of the development and now wants to relocate the access to it. • The relocated access point would move closer to the middle of the development and the developer is asserting that one of the two paved access licenses granted to previous owners of the parcels is for an informal dirt road access further down valley of the paved access. Staff believes the previous owners used this informal unlicensed access to move cattle and farm equipment. • In essence, the developer asserts that the request is for a consolidation of two licensed accesses (the paved access and dirt road access), whereas RFTA staff believes that the informal dirt road access is unlicensed and that granting the developer’s request would amount to relocating and extending the existing consolidated paved access for which there are already two licenses. • Staff denied the developer’s request because relocating and extending the access would utilize more of the right of way in a narrow section of the Railroad Corridor, solely for the benefit of the development.

- The developer is appealing staff's decision to the RFTA Board of Directors. Inasmuch as the 2005 ACP is still in effect the following policy applies to the review process for Private Crossings:

17.0 C. RFTA Review Process for Private Crossings. The following review procedures shall apply to applications for private corridor crossings (i.e., new crossings and consolidations). For public crossing application procedures, please refer to the PUC.

1. The RFTA Director of Trails shall review the applications submitted as per Section 17.0 (A) based on the approval criteria in Section 17.0 (B).
2. The RFTA Director of Trails shall prepare an administrative determination that approves or denies an application for a private corridor crossing.
3. The applicant may appeal the decision of the RFTA Director of Trails by filing an appeal of the administrative determination in writing, to the Board.
4. If the Board decides to address the ruling, the Board will inform the appellant of a hearing to be scheduled at the next Board meeting. (The Board may refuse to make any *exception*.)
5. In order for hearing standards to go outside of the Plan (exceptions), the Standards are as follows:
 - a. The proposed crossing will protect the railroad corridor for future transit;
 - b. The proposed crossing will not interfere with conservation or trails values; and
 - c. The proposed crossing is a unique situation and will cause extreme hardship if not approved. (NOTE: Extreme hardship means more than economic loss or diminution of value).
 - d. The landowner/entity will be financially responsible for all future upgrades of the crossing to meet the requirements of future transit systems in the corridor.
6. If the ruling on the crossing will set a precedent, the Board must attempt to amend the Access Plan so that the ruling is evenly applied.

Other relevant 2005 ACP policies regarding private crossings are as follows:

8.0 New Crossings Defined.

A “new crossing” means a new railroad corridor crossing by a public street, private drive, trail, utility, or similar facility approved by RFTA or the PUC (as applicable), which did not exist prior to the effective date of this Policy, that is June 24, 1999.

- A. **Permit for Consolidation.** The applicant shall receive a permit for consolidating crossings, in accordance with Section 17.0. PUC approval is required for public crossings and RFTA approval is required for private crossings.
- B. **Restriction on New Crossings to Serve New Parcels or Lots.** No new at-grade crossings will be permitted to serve any new parcels or lots. “New” means the lot or parcel that was created (i.e., by plat or deed) after the effective date of this Policy. New at-grade crossings may be permitted to provide access to lots or parcels created prior to the effective date of this Policy if no other access is available.
- C. **Denial of Private Crossing.** RFTA retains the right to deny a private crossing request.

12.0 Consolidation of Crossings.

RFTA encourages consolidation of existing crossings whenever practicable. RFTA may require consolidation of private crossings (i.e., a private crossing with another private crossing; or a private crossing with a public crossing) when a new crossing is proposed adjacent to one or more existing crossings under the same ownership or control; or when an opportunity for consolidation exists through a land division, joint railroad/other transportation improvements, or proposed site development. Private crossings shall be consolidated when the criteria in subsections A through E, below, are met. (The criteria may also be used in recommending the consolidation of public crossings, subject to PUC approval.)

- A. **Site Feasibility.** Consolidation is feasible based on-site topography, existing parcel configuration and use, right-of-way, and property ownership; or can be made feasible through reasonable requirements (e.g., lot line adjustments, dedication of right-of-way, easements, grading, or other improvements).
- B. **Out of Direction Travel.** The out-of-direction travel, which would result, is a reasonable trade-off for the safety benefit to be gained from the consolidation.
- C. **State Highway 82.** Consolidation would not adversely impact operation or safety of State Highway 82. Access consolidations that affect Highway 82 shall also be subject to review and approval by the

issuing authority as defined in the State Highway Access Code (Volume 2, CCR 601-1).

- D. **Consistency with City and County Standards.** Access consolidations that require city or county land use approval, or require a street access permit from a local jurisdiction, shall also be subject to review and approval by the applicable local jurisdiction(s). See also, subsection C, above.
- E. **Consistency with Conservation Covenants.** Existing crossings shall be consolidated so long as the trail, open space, recreational, parks, and wildlife uses and values will not be impaired.
- F. **Permit Required.** The owner shall obtain a permit in accordance with Section 17.0.

15.0 Closure of Crossings and Alternatives to Closure

RFTA shall have the authority, per existing license agreements and easements (as applicable), to close private crossings. In order to further the public health, safety, and welfare, RFTA will work cooperatively with property owners to identify options and alternatives to closure; e.g., crossing realignment, relocation, consolidation, grade separation, conditions on type of access, and similar measures, as appropriate. RFTA will also work cooperatively with the PUC and local governments to resolve conflicts related to public crossings.

16.0 Policy and Design Standards for New Crossings.

As a general policy, RFTA seeks to minimize the number of railroad corridor crossings to ensure the safe and efficient operation of the future transit system and to avoid adverse impacts to the open space, trail, recreational, parks and wildlife uses and values of the corridor. New crossings generally are prohibited, except that they may be allowed for public street crossings when approved by the CPUC. New public crossings will be granted only if the landowner/entity will be financially responsible for providing safety improvements, possibly including grade separated crossings, should transit return. In special circumstances, private crossings may be approved by RFTA when property access cannot reasonably be provided by an existing permitted crossing or another route and the pertinent land use authority has approved the lot. Being exempt from subdivision regulation shall not automatically indicate an approved lot. Crossings may be improved either as part of a general railroad improvement initiated by RFTA, or by separate proceedings. RFTA shall review and approve the materials to be used and specifications for all construction, in accordance with this Policy.

- Staff has agreed to issue a license to the developer for the existing paved access for which there are two existing licenses belonging to previous property owners.
- The developer is proposing to extend the paved portion Second Street and

	<p>utilize more of the right of way in a constrained area of the Railroad Corridor.</p> <ul style="list-style-type: none"> • Staff believes the developer is erroneously asserting that the informal dirt road used for farming activities is licensed. Mike Hermes, Director of Facilities, Property, and Trails, issued the second license to the property owner and knows that the license was for the paved access and not the informal dirt road farm access. • Staff recommends that RFTA Board of Directors uphold staff's decision to deny the relocation and extension of the current paved access.
Background Info:	<ul style="list-style-type: none"> • Railroads have historically controlled the location and design requirements for private access points. • Railroads have also worked to consolidate access points whenever and wherever feasible in order to protect their ability to operate in an unimpeded fashion. • The 2005 and the 2017 Access Control Plans (ACP) both discuss the importance of minimizing new crossings and consolidating crossings wherever feasible and reasonable. • If the new crossing location is approved, it will allow the developer to utilize more of the right of way in the Railroad Corridor, which is constrained in this area, solely for the benefit of the developer.
Policy Implications:	RFTA Board End Statement 1.1.C. states, "Rio Grande Corridor is preserved for transit use."
Fiscal Implications:	If the relocation and extension of the existing paved access is approved by the Board, there may be future potential costs to the Senior Living Facility and/or RFTA for removal of the parallel access road, if the right of way is required for a future mass transportation system.
Attachments:	<p>The appeal was received on at 11:55 a.m. on 6/1/17. Given the timing, staff was unable to assemble all of the documentation that supports its position regarding the location of the access for the two existing licenses. Staff will provide additional documentation regarding the location of the existing licenses when it makes its presentation to the RFTA Board at the June 8, 2017 meeting.</p> <p>Please see the following documents included in the June 2017 RFTA Board Meeting Portfolio.pdf, attached to the e-mail transmitting the Board agenda packet.</p> <ol style="list-style-type: none"> 1. "2005 Access Control Plan.pdf" 2. To review the appeal, please see "20170602 Appeal of Staff Decision – 1.pdf,"

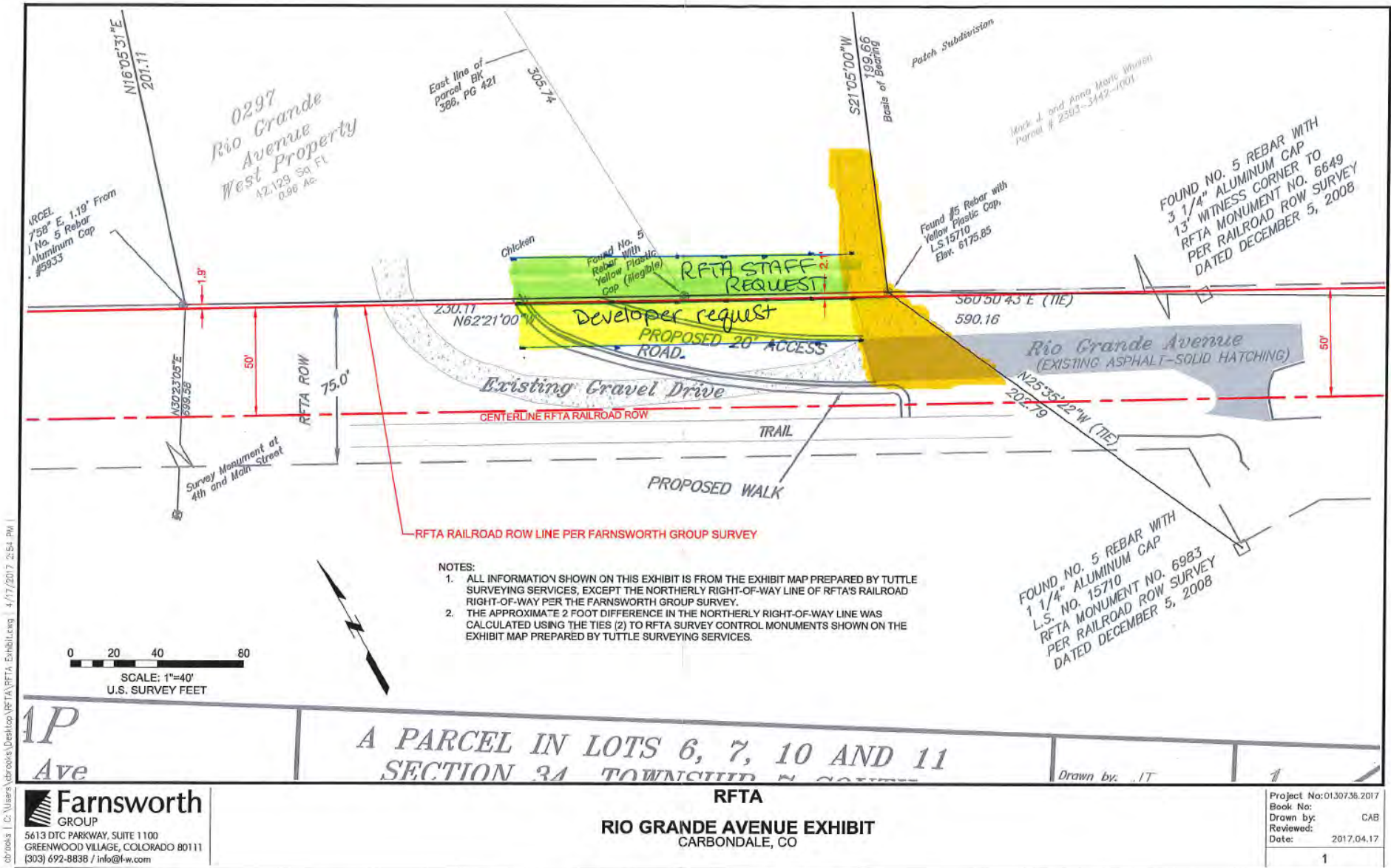


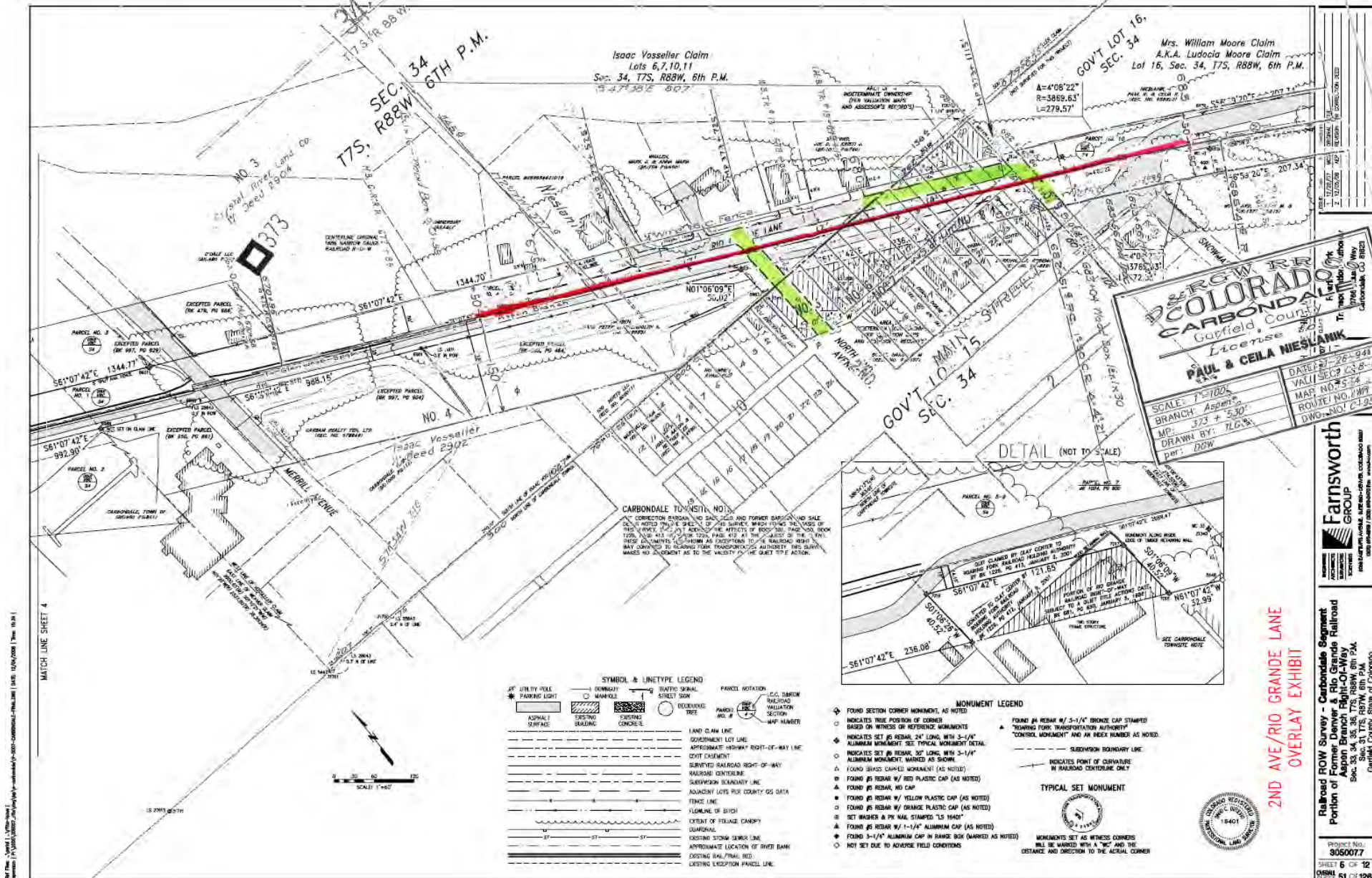
Exhibit 1

Gold = Two consolidated existing paved access licenses issued to Nieslanik's and Crownhart.

Yellow = Developer's request to extend access to development through Railroad r.o.w.

Green = RFTA staff's request for developer to create realigned access road into development on developer's own property

Red Line = Solid is corridor boundary, dashed is northern centerline of the Railroad r.o.w.



D&RGW RR
COLORADO
CARBONDALE
 Garfield County, TR
 License
PAUL & CEILA NIESLANIK
 DATE: 8-26-94
 VALU: SEC 33-8-C
 SCALE: 1"=100'
 BRANCH: Asphalt
 MP: 373 + 5.30'
 DRAWN BY: T.G.S.
 DWG: NOT C-194

Farnsworth
GROUP
 ENGINEERS
 1000 UNIVERSITY AVENUE, SUITE 1000, CARBONDALE, CO 81625
 (970) 261-1111

2ND AVE/RIO GRANDE LANE
OVERLAY EXHIBIT

Railroad ROW Survey - Carbondale Segment
Portion of Former Denver and Rio Grande Railroad
 Surveyed by Paul & Ceila Nieslanik
 Sec. 33, 34, 35, 36, T7S, R88W, 6th P.M.
 Sec. 31, T7S, R87W, 6th P.M.
 Garfield County, State of Colorado

PROJECT NO:
3050077
 SHEET **6** OF **12**
 ORIGIN: **51** OF **128**

Exhibit 2

Original D&RGW map depicting access license issued to Nieslanik's.

**RFTA BOARD OF DIRECTORS MEETING
“GOVERNANCE PROCESS” AGENDA ITEM SUMMARY # 10. A.**

Meeting Date:	June 8, 2017
Agenda Item:	RFTA Board Strategic Planning Retreat
Policy #:	4.3.2.A: Agenda Planning
Strategic Goal:	Update RFTA 5-Year Strategic Plan
Presented By:	David Johnson, Director of Planning
Recommendation:	<p>Please provide direction regarding:</p> <ul style="list-style-type: none"> • Potential Agenda topics • Retreat Agenda Board Subcommittee members • Input on facilitator selection and other issues and preferences
Core Issues:	<ol style="list-style-type: none"> 1. According to the Board’s Agenda Planning Policy 4.3.1, “The Board’s annual planning cycle concludes on the last day of July, so that administrative planning and budgeting can be based on accomplishing a one-year segment of long-term Ends,” however, the Board has generally opted to conduct its retreat earlier. 2. Policy 4.3.2.A. states, “The annual (planning) cycle will start with the Board’s development of its agenda plan for the next year. The Board will identify its priorities for Ends and other issues to be resolved in the coming year, and will identify information gathering necessary to fulfill its role. This may include methods of gaining ownership input, governance education, and other education related to Ends issues, (e.g. presentations by futurists, advocacy groups, demographers, other providers, staff, etc.). 3. Each year, the RFTA Board typically conducts a 7-hour Strategic Planning Retreat in lieu of the regularly scheduled June or July Board meeting. This year, it might be best to conduct the Retreat in September or October so that finalized service alternatives derived from Phase I, Stage 3, of the Integrated Transportation System Plan can be presented to and discussed by the RFTA Board. 4. Staff is seeking RFTA Board members to serve on the Board Retreat Subcommittee. Subcommittee members will work with the Board Chair to establish the topics and the agenda. Board input on the Retreat can be provided the May or June Board meetings or through the Board Subcommittee. 5. Staff also seeks input on selection of a facilitator.
Background Info:	See Core Issues.
Policy Implications:	See Core Issues.
Fiscal Implications:	Budget for facilitation is approximately \$3,500
Attachments:	No.

**RFTA BOARD OF DIRECTORS MEETING
“INFORMATION/UPDATES” AGENDA SUMMARY ITEM # 11. A.**

CEO REPORT

TO: RFTA Board of Directors
FROM: Dan Blankenship, CEO
DATE: June 8, 2017

Chief Operating Officer – Kelley Collier, COO

Save the Date: Leadership Academy Graduation

Please save the date for the RFTA Leadership Academy graduation ceremony on July 12th at 4:00pm in the downstairs meeting room at the Hotel Glenwood Springs. Please help celebrate this amazing accomplishment. Refreshments will be served following the ceremony.

Grand Avenue Bridge Transit Mitigation Outreach

Staff attended the Glenwood Springs and CDOT Employer Roundtable May 10th and a Colorado Mountain College Administrative meeting May 18th to provide trip planning assistance for Grand Avenue Bridge travel options. Staff also met with Valley View Hospital Administration to discuss service options and will be hosting Café Hours to assist hospital staff with GAB mitigation planning. Staff will continue public outreach efforts to inform local residents and businesses of available transit services.

Planning Department Update – David Johnson, Director of Planning

The “06-08-17 Planning Department Update.pdf,” can be found in the June 2017 RFTA Board Meeting Portfolio.pdf attached to the e-mail transmitting the RFTA Board Agenda packet.



Finance Department Update – Mike Yang, Chief Financial and Administrative Officer

2017 Actuals/Budget Comparison (April YTD)

2017 Budget Year				
General Fund				
	April YTD			
	Actual	Budget	% Var.	Annual Budget
Revenues				
Sales tax (1)	\$ 4,453,022	\$ 4,427,666	0.6%	\$ 21,288,000
Grants	\$ 360,989	\$ 360,989	0.0%	\$ 3,628,703
Fares (2)	\$ 1,527,808	\$ 1,507,576	1.3%	\$ 4,869,000
Other govt contributions	\$ 1,456,720	\$ 1,453,955	0.2%	\$ 1,780,517
Other income	\$ 287,827	\$ 285,435	0.8%	\$ 614,940
Total Revenues	\$ 8,086,366	\$ 8,035,620	0.6%	\$ 32,181,160
Expenditures				
Fuel	\$ 555,414	\$ 669,044	-17.0%	\$ 1,408,112
Transit	\$ 6,747,855	\$ 6,968,445	-3.2%	\$ 20,685,734
Trails & Corridor Mgmt	\$ 106,874	\$ 107,866	-0.9%	\$ 471,720
Capital	\$ 817,699	\$ 817,681	0.0%	\$ 6,611,351
Debt service	\$ 523,072	\$ 523,072	0.0%	\$ 1,902,244
Total Expenditures	\$ 8,750,915	\$ 9,086,108	-3.7%	\$ 31,079,161
Other Financing Sources/Uses				
Other financing sources	\$ -	\$ -	0.0%	\$ 1,330,900
Other financing uses	\$ (802,053)	\$ (802,053)	0.0%	\$ (3,372,285)
Total Other Financing Sources/Uses	\$ (802,053)	\$ (802,053)	0.0%	\$ (2,041,385)
Change in Fund Balance (3)	\$ (1,466,601)	\$ (1,852,541)	20.8%	\$ (939,386)

(1) Sales tax revenue is budgeted and received 2 months in arrears (i.e. February sales tax is received and reflected in April).

(2) Through April, fare revenue is up by approx. 1% compared to the prior year. Over the course of the year, the timing of bulk pass orders by outlets and businesses can affect the % change. The chart below provides a April 2016/2017 comparison of actual fare revenues and ridership on RFTA fare services:

Fare Revenue:	Apr-16	Apr-17	Increase/ (Decrease)	% Change
Regional Fares	\$ 1,500,590	\$ 1,527,808	\$ 27,218	2%
Advertising	\$ 5,579	\$ -	\$ (5,579)	-100%
Total Fare Revenue	\$ 1,506,169	\$ 1,527,808	\$ 21,639	1%
Ridership on RFTA Fare Services:	Apr-16	Apr-17	Increase/ (Decrease)	% Change
Highway 82 (Local & Express)	274,003	273,197	(806)	0%
BRT	307,852	316,023	8,171	3%
SM-DV	41,398	41,279	(119)	0%
Grand Hogback	33,403	34,947	1,544	5%
Total Ridership on RFTA Fare Services	656,656	665,446	8,790	1%
Avg. Fare/Ride	\$ 2.29	\$ 2.30	\$ 0.01	0%

(3) Over the course of the year, there are times when RFTA operates in a deficit; however, at this time we are projecting that we will end the year within budget.

RFTA System-Wide Transit Service Mileage and Hours Report								
Transit Service	Mileage April 2017 YTD				Hours April 2017 YTD			
	Actual	Budget	Variance	% Var.	Actual	Budget	Variance	% Var.
RF Valley Commuter	1,426,721	1,416,489	10,232	0.7%	65,357	64,828	529	0.8%
City of Aspen	206,539	205,442	1,097	0.5%	22,647	22,594	54	0.2%
Aspen Skiing Company	196,241	216,428	(20,187)	-9.3%	14,599	14,480	119	0.8%
Ride Glenwood Springs	40,148	39,678	470	1.2%	3,225	3,207	18	0.5%
Grand Hogback	71,931	72,267	(336)	-0.5%	2,807	2,884	(77)	-2.7%
X-games/Charter	4,027	4,147	(120)	-2.9%	469	429	40	9.4%
Senior Van	5,618	6,729	(1,111)	-16.5%	867	639	229	35.8%
Total	1,951,225	1,961,180	(9,955)	-0.5%	109,972	109,060	912	0.8%

Roaring Fork Transportation Authority System-Wide Ridership Comparison Report				
Service	Apr-16 YTD	Apr-17 YTD	# Variance	% Variance
City of Aspen	567,576	646,899	79,323	13.98%
RF Valley Commuter	945,975	924,876	(21,099)	-2.23%
Grand Hogback	33,403	34,947	1,544	4.62%
Aspen Skiing Company	466,958	469,558	2,600	0.56%
Ride Glenwood Springs	64,657	59,982	(4,675)	-7.23%
Glenwood N/S Connector		-	-	N/A
X-games/Charter	29,440	28,265	(1,175)	-3.99%
Senior Van	1,291	1,489	198	15.34%
MAA Burlingame			-	N/A
Maroon Bells	-	-	-	N/A
Total	2,109,300	2,166,016	56,716	2.69%
Subset of Roaring Fork Valley Commuter Service with BRT in 2017				
Service	YTD Apr 2016	YTD Apr 2017	Dif +/-	% Dif +/-
Highway 82 Corridor Local/Express	274,003	273,197	(806)	0%
BRT	307,852	316,023	8,171	3%
Total	581,855	589,220	7,365	1%

2016 Financial Statement Audit – Schedule

Date	Activity	Status
5/1/2017 – 5/5/2017	Start of Audit – auditors conducting onsite fieldwork	COMPLETED
6/20/2017	The Audit Report will be reviewed by the RFTA Board Audit Subcommittee . A meeting will be held at RFTA’s office (1340 Main Street in Carbondale) between the Audit Subcommittee, the auditor and staff to discuss the audit in detail.	<i>On schedule</i>
7/7/2017	Final Audit Report to be distributed to RFTA Board with July Board Packet	<i>On schedule</i>
7/13/2016	Presentation of Final Audit Report at RFTA Board Meeting by Auditor	<i>On schedule</i>

2017 Transit Initiatives and Communities Conference (May 21-23, Seattle, WA)

Michael Yang, Chief Financial & Administrative Officer, and Mike Hermes, Director of Facilities, attended this national conference, which focused on understanding transportation ballot measures, to learn from advocates, transit professionals and campaign leaders, what makes a successful campaign.

The conference was held in Seattle, Washington, where last November, voters passed a \$54 billion proposal that will allow their local transit agency, Sound Transit, to continue to expand and enhance its network in response to growing population, its regional growth strategy, and worsening congestion forecasted through 2040.

In addition to Seattle, we heard first-hand stories and strategies from other campaigns across the country in the recent 2016 elections, which was a historic year with the number of transit measures:

- 2016 Success Rate: 71%
- Number of States with Measures: 23
- Total Number of Measures: 77
- 40% sales tax, 34% property tax, 9% advisory, 8% bonds, 5% fees/other taxes, 4% charter amendments
- Est. Transit Investment: Approx. \$170 billion

Since 2000, there has been a growing trend in the number of transit ballot measures. With difficulty in acquiring Federal and State resources to move transit projects forward, there has become a locally- led phenomenon demonstrating the political and fiscal will through the ballot box, which is becoming a critical step for many transit projects around the country.

The conference was put on by the Center for Transportation Excellence (CFTE) (www.cfte.org), a clearinghouse for information in support of quality transportation choices. CFTE's 2016 post-election presentation can be found here: <https://www.youtube.com/watch?v=iWalBs89sVs>

Facilities & Trails Update – Mike Hermes, Director of Facilities & Trails

Facilities and Bus Stop Maintenance June 8, 2017

Capital Projects Update

Basalt Underpass:

The Basalt underpass is slightly ahead of schedule and it is possible that the project could finish prior to the October construction completion deadline.

- The contractor has shifted its effort to completing the pedestrian underpass portion of the project in an attempt to open it early so that highway work can proceed in a more efficient fashion.
- The concrete walls and roof for the south side of the underpass have been installed.
- The water proofing has been completed and the south side of the underpass is currently being backfilled.
- Work is continuing on the south side as final grades are set and walkways and architectural features are installed.

Glenwood Springs Expansion Phase 1:

The project to expand the parking at the GMF is on schedule and will be operational in time to support the GAB mitigation program.

- Paving of the parking lot is scheduled June 8th.
- The security fencing around the facility is currently being installed.
- The lighting poles are being set and the staircase is being fabricated.

Grand Avenue Bridge Transit Mitigation Service:

Fully executed lease agreements have been received for additional parking during the Grand Avenue Bridge Mitigation service in Parachute (600 Cardinal Way) and in Silt (Silver Spur Road). Staff will work with the jurisdictions on any local permitting requirements and will begin minor improvements as the leases allow.

Facilities, Rail Corridor & Trail Update RFTA Employee Housing

- The Main Street apartment complex in Carbondale, a 5-unit complex with 7 beds, is currently at **100%** occupancy.
- The Parker House apartment complex in Carbondale, a 15-unit complex with 24 beds, is currently at **100%** occupancy.
- RFTA's allotment of long-term housing at Burlingame in Aspen, consisting of four one-bedroom units, is currently at **100%** occupancy.
- RFTA Permanent employee housing is currently at **100%**.
- As of June 8, 2017, RFTA has turned the last seasonal unit back over to Burlingame.
- RFTA signed a master lease agreement with SKICO for 4, four bedroom summer seasonal units, similar to the lease RFTA has with Burlingame. Staff has transitioned employees currently housed in Burlingame over to the SKICO housing and has assigned the remaining bedrooms to the summer new hires.
- RFTA has signed a master lease agreement with Preferred Properties for two townhomes in New Castle, 1 three bedroom unit and 1 two bedroom unit. Staff will also be utilizing the New Castle units for the summer new hires.

RFTA Railroad Corridor

Right-of-Way Land Management Project: Along with its legal and engineering consultants, RFTA staff has been working on completing the following tasks in 2017:

- RFTA filed a "Notice of Intent to Partially Vacate and Modify the Notice of Interim Trail Use (NITU)" with the Surface Transportation Board (STB). This process removes the East Leg of the WYE area in Glenwood Springs and designates the West Leg of the WYE as our main connection to the Interstate Rail System. A copy of the filing is available the STB website at this link:
[https://www.stb.gov/filings/all.nsf/ba7f93537688b8e5852573210004b318/aa7b27903e1b5a528525803e00688992/\\$FILE/241632.pdf](https://www.stb.gov/filings/all.nsf/ba7f93537688b8e5852573210004b318/aa7b27903e1b5a528525803e00688992/$FILE/241632.pdf).
The STB has just recently issued a replacement NITU, which removes the East Leg of the WYE and designates the West Leg of the WYE as RFTA's mainline connection to the interstate rail system. A copy of the decision can be found on the STB website at:
<https://www.stb.gov/decisions/readingroom.nsf/9855c1fb354da09b85257f1f000b5f79/4b20212933dad6248525811e004c83fc?OpenDocument>
- An update to the 2005 Comprehensive Plan. ***The first document to be updated is the Access Control Plan. This item was on the agenda for 1st Reading at the April 13th meeting and was successfully and unanimously passed. It will be on the July 13th agenda for the 2nd Reading.*** Once the draft versions of ACP and DG are finalized and approved by the RFTA Board then staff will send out both documents to GOCO, with an updated list of crossings including existing crossings that

have not been previously approved, any potential new crossings being proposed as well as any new crossings that might be on the horizon, to secure GOCO's approval of the ACP, DG and updated list of crossings. **A final version of the ACP and DG with all associated documentation is available on the RFTA website at <http://www.rfta.com/trail-documentation/>.**

- With acceptance of the ACP by the RFTA Board of Directors, staff will work with the attorneys to review and update the existing templates & formats that RFTA is using for licensing in the Rail Corridor.
- The final version of the ACP and DG will also allow staff to finalize a process for RFTA that will enable it to have railroad and legal experts review, assess and report on proposed development impacts along the corridor along with recommendations regarding potential mitigation of the impacts that RFTA can provide to permitting jurisdictions.
- Once the process for the ACP is complete and the forms and review process has been finalized, staff will begin updating the rest of the Comprehensive Plan. We will begin with an update to the Recreational Trails Plan and then update the Executive Summary documents to bring back to the RFTA Board for review and direction.
- Staff continues working on issues related to the Federal Grant Right-of-Way (fgrow) areas identified up and down the Railroad Corridor. One of the fgrow areas encompasses a neighborhood in Glenwood Springs referred to as the Cole subdivision; this neighborhood is located directly across the street from the Walmart Shopping center at 32nd Street (see the survey sheet below). **(UPDATE)** Staff is in the process of finalizing the scope of the project and will be bringing an update to the RFTA Board at the July 13th meeting.



- **Recreational Trails Plan Update** - Staff will begin working on the update for the Recreational Trails Plan sometime in 2017. Staff will be using the Pitkin County Rio Grande Trail Management Plan as the starting point for the update and will be inviting the public to participate in this process. Staff will also be working with the Pitkin County Open Space and Trails team to establish a permanent location for their 20' trail easement. Staff will provide an update at the July 13th board meeting.
- **South Bridge – No new updates this month.**
- **8th Street Crossing Project by CDOT and the City of Glenwood Springs - No new updates this month.**
- **Covenant Enforcement Commission (CEC)** – The annual CEC meeting is usually held in November but this year's meeting was held on **May 22nd from 6pm to 8pm**. The CEC was established as a result of an agreement between RFTA, the Roaring Fork Railroad Holding Authority ("RFRHA"), and the Board of Trustees of Great Outdoors Colorado ("GOCO"). GOCO provided funds for the purchase of

the Corridor in 1997. Originally RFRHA was required to place a conservation easement on the entire Corridor. Based on concerns about securing federal funding for future RFRHA transportation projects, the Conservation Easement was removed from the entire 33.4 miles of the Railroad Corridor and replaced with Conservation Covenants, in ten discrete areas. Eventually two of the areas, section 7 and 8, which were in such close proximity to each other, were combined into one area, dropping the number of covenant areas to 9. GOCO allowed modification of its original grant agreement in return for RFRHA identifying the covenants. The CEC is made up members from the original members of RFRHA, Pitkin County Open Space and Trails (POST) and two at-large community members that reside in Pitkin County and Eagle County. Staff will be reporting on the annual CEC meeting at the June 8th RFTA Board of Director's meeting.



Rio Grande Trail Update

- Staff has been researching and preparing for 2017 projects; which include cleaning debris from retaining walls, goats, revegetation, ArtWay projects, and bridge repair.
- Staff continues working to beautify the corridor through Carbondale, called the Rio Grande ArtWay.
 - Funding is still needed for an irrigation system, picnic areas, art installations, native landscapes, a Latino Folk Art Garden, and creating a Youth Art Park
 - A volunteer work day to build single track occurred in early spring and the project appears to be a huge success. Staff sees people out using the single track daily
- Staff secured a Colorado Parks and Wildlife grant to fund a soft-surface trail through Carbondale and shoulder repairs along the lower 20 miles of corridor.
 - A good portion of the construction of this project has been completed but staff recently terminated the contract for cause and the remainder of work with the contractor. Staff will be researching ways to complete the remaining work using our own in-house personnel.
- Staff noticed a construction project taking place in the corridor, without RFTA permission. Cedar Networks, a utility company had a contractor out trenching and installing conduit for Fiber Optic. The utility company was notified of the damage to the Corridor, the contractor agreed to hire a company to hydro mulch and reseed the entire area. As of 5/19/17 this work has been completed.
- Staff met with some of the ditch owners of the Thompson-Glen ditch on May 30th to discuss the ditch cleanout process and staff's concerns with the leftover spoils being dumped on the edge of the Railroad Corridor. It was a very good meeting and the ditch owners have agreed to work with RFTA in a joint process to remove the ditch spoils and complete weed mitigation.