



**Board Officers**

Elise Jones, Chair  
Bob Roth, Vice Chair  
Herb Atchison, Secretary  
Bob Fifer, Treasurer  
Jackie Millet, Immediate Past Chair  
Jennifer Schaufele, Executive Director



**AGENDA**  
**DRCOG Board Work Session**  
**Wednesday, February 1, 2017**  
**4 p.m.**  
**1290 Broadway**  
**First Floor Boardroom**



1. Call to Order
2. Roll Call
3. Summary of January 4, 2017 Board Work Session  
(Attachment A)
4. Public Comment  
The chair requests that there be no public comment on issues for which a prior public hearing has been held before the Board of Directors.
5. Discussion of Board of Directors Rules of Conduct  
(Attachment B) Douglas W. Rex, Director, Transportation Planning & Operations
6. Discussion of proposed Transportation Improvement Program Dual Project Selection Model  
(Attachment C) Douglas W. Rex, Director, Transportation Planning & Operations
7. Adjourn

Persons in need of auxiliary aids or services, such as interpretation services or assisted listening devices, are asked to contact DRCOG at least 48 hours in advance of the meeting by calling (303) 480-6701

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BOARD WORK SESSION SUMMARY  
January 4, 2017

**Directors present:**

Bob Roth, Vice Chair	Aurora
Bill Holen	Arapahoe County
Elise Jones	Boulder County
Greg Stokes (Alternate)	City and County of Broomfield
Anthony Graves (Alternate)	City and County of Denver
Robin Kniech	City and County of Denver
Roger Partridge	Douglas County
Aaron Brockett	Boulder
Doris Truhlar	Centennial
Laura Christman	Cherry Hills Village
Rick Teter	Commerce City
Steve Conklin	Edgewater
Daniel Dick	Federal Heights
Ron Rakowsky	Greenwood Village
Shakti	Lakewood
Phil Cernanec	Littleton
Ashley Stolzmann	Louisville
John Diak	Parker
Rita Dozal	Superior
Heidi Williams	Thornton
Herb Atchison	Westminster

**Directors participating via WebEx**

Bob Fifer	Arvada
Joe Jefferson	Englewood
Lynette Kelsey	Georgetown
Scott Norquist	Glendale
Saoirse Charis-Graves	Golden
Jackie Millet	Lone Tree
Wynne Shaw (Alternate)	Lone Tree
Joan Peck	Longmont
Kyle Mullica	Northglenn
Sally Daigle	Sheridan

Others present: Jeff Baker, Julio Iturreria – Arapahoe County; Mac Callison – Aurora; Andrew Firestine – Centennial; Gretchen Armijo – Denver; Jamie Hartig – Douglas County; Kent Moorman, Kevin Forgett – Thornton; Carly Macias – CU Denver; Doug Rex, Director, Transportation Planning & Operations, and DRCOG staff.

Board Vice Chair Bob Roth facilitated the work session. The session began at 4:01 p.m.

Summary of November 2, 2016 Board Work Session

The summary was accepted as presented.

## Board Work Session Summary

January 4, 2017

Page 2

Director Roth introduced Mayor Heidi Williams, the new representative from Thornton, and Commissioner Jeff Baker, an incoming member for Arapahoe County. Director Holen noted this would be his last meeting as the member for Arapahoe County.

### Summary of November 2, 2016 Board Work Session

The summary was accepted as submitted.

### Public Comment

No public comment was received.

### Review of Metro Vision Plan Comments

Brad Calvert, Director of Regional Planning and Development, briefed members on the process for reviewing and responding to comments received on the Metro Vision Plan. He noted staff met individually with staff from several local governments that submitted comments. The group discussed the draft Plan that incorporated comments received during the public comment period.

Members discussed the draft and offered comments:

- Outcome 4, page 29 - a comment was made about use of the term “buy-up” in relation to RTD service. Areas without comprehensive RTD service should not be required to pay for additional service. Others felt this option is a valuable tool for some municipalities and should be kept. Revised language was recommended to clarify that buy-ups are optional.
- A comment was made to make note of the important role that housing and economic development partners played in developing the plan, and the importance of their role in plan implementation.
- Outcome 2 – a comment was made that the proposed staff revisions made regarding UGB/A make the text more confusing. Two suggestions were made to improve clarity – additional language in the narrative for Outcome 2 and an addition to the narrative for Regional Objective 2.

Changes suggested by members will be incorporated into the draft and will be forwarded to the Board of Directors for action at the Jan 18, 2017 meeting. Director Jones noted the vote on the Metro Vision Plan requires a majority of the DRCOG membership to pass. If members are not available a request was made for their alternates to attend.

The work session ended at 5:29 p.m.

**ATTACH B**

To: Chair and Members of the Performance & Engagement Committee

From: Douglas W. Rex, Director, Transportation Planning & Operations  
303-480-6747 or [drex@drcog.org](mailto:drex@drcog.org)

Meeting Date	Agenda Category	Agenda Item #
February 1, 2017	Discussion	5

#### SUBJECT

This item is related to the creation of rules of conduct for board members.

#### PROPOSED ACTION/RECOMMENDATIONS

No action requested, this item is for review and comment.

#### ACTION BY OTHERS

January 4, 2017 – Performance and Engagement Committee recommended approval

#### SUMMARY

The DRCOG Board of Directors expect a standard of civility in words and actions whereby all board members, staff, visitors and the general public interact in a courteous, respectful manner.

Following the October Board in-service training on Organizational Safety and Liability, the Performance and Engagement Committee was tasked to create a rules of conduct policy that formally establishes expectations of board members, its committees and the organization as a whole. The policy also addresses possible disciplinary steps in the event of a breach of the conduct rule.

The Performance and Engagement Committee has requested the draft policy be brought to the Board as a work session topic for review and comment. Attachment 1 reflects the draft Rules of Conduct and Attachment 2 includes the related amendments to the DRCOG Articles of Association.

#### PREVIOUS DISCUSSIONS/ACTIONS

N/A

#### PROPOSED MOTION

N/A

#### ATTACHMENT

1. Draft Board Rules of Conduct
2. Draft revisions to the DRCOG Articles of Association

#### ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Director, Transportation Planning & Operations at 303-480-6747 or [drex@drcog.org](mailto:drex@drcog.org).

## DENVER REGIONAL COUNCIL OF GOVERNMENTS

### BOARD OF DIRECTORS RULES OF CONDUCT (Adopted \_\_\_\_\_, 2017)

These Denver Regional Council of Governments ("DRCOG") Board of Directors Rules of Conduct ("Rules") are designed to establish reasonable expectations for member representative conduct and describe the manner in which member representatives should treat one another, DRCOG staff, constituents, and others they come into contact with while representing DRCOG. *For ease of reference the term "member" is used in these Rules to refer to any member representative or designated alternate.*

#### **RULES OF CONDUCT**

##### **Members' Ethical Conduct**

Members are expected to comply with applicable laws governing ethical conduct, including those requiring avoidance of conflicts of interest, prohibiting receipt of unauthorized gifts, and prohibiting unauthorized use or disclosure of confidential information belonging to DRCOG. Members shall not engage in any activities constituting malfeasance in appointed office.

##### **Members' Conduct with Each Other in Public Meetings**

Members are individuals who, with their member jurisdictions, hold a wide variety of values, positions, and goals. Despite this diversity, all have been appointed as DRCOG member representatives to serve their respective jurisdictions' interests in furthering mutual, regional cooperation. In all cases, this common goal should be acknowledged even though individuals and member jurisdictions may not agree on every issue.

###### *(a) Honor the role of the chair in maintaining order*

It is the role of the chairs of the DRCOG Board and committees to keep the comments of members on track during meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following DRCOG's parliamentary procedures.

###### *(b) Practice civility and decorum in discussions and debate*

Difficult questions, rigorous challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate. However, free debate does not require or justify, and members are expected to avoid making, any intentionally intimidating, slanderous, threatening, abusive, or disparaging comments or attacks.

###### *(c) Avoid personal comments that could offend other members*

If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair controls the discussion.

## **Members' Conduct with the Public in Public Meetings**

Making the public feel welcome is an important part of the public meeting process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

### *(a) Be welcoming to speakers*

While questions of clarification may be asked, the member's primary role during public comments is to listen.

### *(b) Respect for speaker's testimony*

Members should be conscious of their activity while others are speaking and avoid facial expressions, comments or other actions that could be interpreted as smirking, disbelief, anger or boredom.

### *(c) Ask for clarification, but avoid debate and argument with the public*

Only the chair – not individual members – can interrupt a speaker during a presentation. However, a member can ask to be recognized to pose questions of clarification and can ask the chair for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

## **Members' Conduct with DRCOG Staff**

Governance of DRCOG relies on the cooperative efforts of members, who set policy, and DRCOG staff, who advise the Board and DRCOG committees and implement and administer DRCOG's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual.

### *(a) Treat all DRCOG staff as professionals*

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Unprofessional behavior towards DRCOG staff is not acceptable.

### *(b) Never publicly criticize an individual DRCOG staff member*

Members should never express concerns about the performance of an individual DRCOG staff member in public, to the staff member directly, or to the staff member's manager. Comments about DRCOG staff performance should only be made to the Executive Director through private correspondence or conversation. If the concern regards the Executive Director, it should be expressed within and through the established Executive Director performance evaluation meetings and procedures, within appropriate Board or committee discussions, to the Board Chair, or to the chair of the Performance & Engagement Committee.

### *(c) Avoid individual involvement in administrative functions*



Members acting in their individual capacity must not attempt to unduly influence DRCOG staff on the making of appointments, awarding of contracts, hiring of employees, selecting of consultants, processing of applications, or granting of DRCOG approvals or authorizations.

*(d) Do not solicit political support from DRCOG staff*

Members should not solicit any type of political support from DRCOG staff. DRCOG staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

**Non-discrimination and Workplace Safety**

DRCOG is committed to providing a workplace free from discrimination, harassment and retaliation. It is also DRCOG's policy and practice to assure equal employment opportunity in all personnel transactions, without regard to age (40 and over), race, sex, color, religion, creed, veteran status, national origin, ancestry, disability, genetic information, sexual orientation, gender identity, or any other status protected by applicable federal, state or local law, and to promote a safe working environment free from workplace violence. All DRCOG officials and staff, including members, are responsible for and expected to conduct themselves in accordance with DRCOG's policies prohibiting discrimination, harassment, retaliation and workplace violence. Members shall not engage in harassing, hostile or threatening behavior that violates such policies. Member violations of these policies are subject to compliance actions under these Rules.

**COMPLIANCE**

*(a) Behavior and Conduct*

These Rules express standards of appropriate conduct expected for members, and members themselves have the primary responsibility to assure that expectations for appropriate conduct are understood and met. The chairs of the Board and committees have the additional role of intervening when actions of members that appear to be in violation of the Rules are brought to their attention.

Members who intentionally and repeatedly disregard the Rules, or who commit a serious infraction of the Rules, may be reprimanded, censured, have the matter reported to the designating governing body or elected official that designated the member to the DRCOG Board, with or without a request that the member be replaced, or subject to other sanctions.

Individual members should point out to the offending member perceived infractions of the Rules. If the offenses continue or if an offense constitutes a serious infraction, then the matter should be referred to the vice chair of the Performance & Engagement Committee in private, except that if such vice chair is unavailable or is the individual whose actions are being questioned, then the matter should be referred to the chair of the Performance & Engagement Committee.

*(b) Review of Complaints*

It is the responsibility of the vice chair of the Performance & Engagement Committee, upon his or her receipt of a written complaint of violation, to promptly notify the chair of the Executive Committee of the filing of the complaint, and to initiate the process for review of such complaint. In accordance with the Articles of Association of the Denver Regional Council of Governments, the vice chair of the Performance & Engagement Committee, along with two members of such Committee selected by the vice chair, shall comprise a review panel to review the complaint. Members of the Committee shall be selected for the review panel on an ad hoc basis for each complaint, and may serve on more than one panel. However, if the complaint concerns the vice chair or the vice chair is unavailable, the chair of the Committee shall initiate the process for review of such complaint and shall select three members of the Committee, excluding the vice chair, who shall comprise the review panel for such complaint.

The panel shall promptly review the complaint and upon completion of its review, the panel shall provide a recommendation to the Executive Committee of the Council for its review and action, which recommendations and actions may include, without limitation, issuing a letter of reprimand, reporting the matter to the designating governing body or elected official, with or without a request that the member be replaced, or adopting a finding of no violation. All actions taken will require a majority vote of the entire membership of the Executive Committee. Anonymous complaints will not be considered, but the review panel and Executive Committee shall have the power to maintain information relating to a complaint as confidential to the extent possible and to the extent appropriate under applicable laws.

*(c) Investigation, Voting & Other Reporting*

When deemed warranted, the Board Chair or the vice chair (or chair) of the Performance & Engagement Committee may call for an investigation of member conduct, and may obtain the assistance of the DRCOG Executive Director or the DRCOG attorney, or with the consent of the Board Chair or DRCOG Executive Director, the assistance of third parties, to investigate the allegations and report the findings.

No member representative may exercise a vote or grant or withhold any consent pursuant to these Rules for any matter concerning the member representative's own conduct.

The compliance provisions herein are not a substitute for any remedies for violations of state or federal law, and nothing herein prohibits the reporting of violations of state or federal law to the appropriate governmental authorities.

**IMPLEMENTATION**

The Rules are intended to be self-enforcing and an expression of the standards of conduct for members expected by DRCOG. It therefore becomes most effective when members are thoroughly familiar with these Rules and embrace their provisions.

For this reason, the Rules are distributed to members at orientation and other training opportunities, and are included in the regular member resource materials. By accepting appointment as a member, members are expected to adhere to the Rules. In addition, the Rules shall be periodically reviewed and updated by DRCOG Board, after review by the Performance & Engagement Committee.

1 ARTICLES OF ASSOCIATION

2  
3 OF

4  
5 THE DENVER REGIONAL COUNCIL OF GOVERNMENTS

6  
7 As Amended \_\_\_\_\_September 21, 2017

8  
9 ARTICLE I. Organization.

10  
11 These Articles of Association, hereinafter referred to as the “Articles,” shall constitute the  
12 bylaws of the Denver Regional Council of Governments and shall regulate and govern the  
13 affairs of the nonprofit corporation organized pursuant to the Colorado revised Nonprofit  
14 Corporation Act, Articles 121-137 of Title 7, C.R.S., as amended, as a regional planning  
15 commission pursuant to Section 30-28-105, C.R.S., as amended, and an association of  
16 political subdivisions subject to Section 29-1-401 et seq., C.R.S., as amended, with the  
17 authority granted pursuant to intergovernmental contracting statutes at Section 29-1-201 et  
18 seq., C.R.S., as amended, known as the Denver Regional Council of Governments,  
19 hereinafter referred to as the “Council.”

20  
21 ARTICLE II. Purpose of the Council.

22  
23 The Council shall promote regional cooperation and coordination among local governments  
24 and between levels of governments, and shall perform regional activities, services and  
25 functions for the Region as authorized by statute. The Council shall serve as a forum where  
26 local officials work together to address the Region’s challenges. The Council shall serve as  
27 an advisory coordinating agency for investigations and studies for improvement of  
28 government and services in the Region, shall disseminate information regarding  
29 comprehensive plans and proposals for the improvement of the Region, and shall promote  
30 general public support for such plans and programs as the Council may endorse.

31  
32 ARTICLE III. Definitions.

- 33  
34 A. “Chair” means the incumbent holding the position of president of the Council.  
35 “Vice Chair” means the incumbent holding the position as vice president of the  
36 Council.  
37  
38 B. “Council” means the nonprofit corporation of the Denver Regional Council of  
39 Governments, with the duties and responsibilities specified by statute, which  
40 are to be carried out by the Board of Directors in accordance with the statutory  
41 authority.  
42  
43 C. “Board of Directors” hereinafter referred to as “Board,” means the body of  
44 designated individual member representatives of municipalities, counties and  
45 city and counties maintaining membership in the Council.  
46  
47 D. “Member” means a participating county, municipality, or city and county that  
48 meets the requirements for membership in the Council as specified in Article VI.  
49

- 1 E. "Member Representative" means the local elected official, or local elected  
2 official alternate, designated in writing by the chief elected official or the  
3 governing body of a member county, municipality, or city and county to  
4 represent that member on the Board as a voting representative.  
5  
6 F. "Plan" means a regional plan or a comprehensive master plan for the Region as  
7 defined by statute, which Plan is currently denoted as Metro Vision.  
8  
9 G. "Region" means the geographic area composed of the City & County of Denver,  
10 City & County of Broomfield, and the counties of Adams, Arapahoe, Boulder,  
11 Clear Creek, Douglas, Gilpin and Jefferson, and portions of Weld County, and  
12 other counties as may be necessary in the State of Colorado.  
13

14 ARTICLE IV. Declaration of Policy.  
15

- 16 A. The Board finds and declares that the need for a Council of Governments is  
17 based on the recognition that, wherever people live in a metropolitan area, they  
18 form a single community and are bound together physically, economically and  
19 socially. It is the policy of this Council of Governments, through its members,  
20 staff, and programs, to provide local public officials with the means of reacting  
21 more effectively to the local and regional challenges of this regional community.  
22  
23 B. The Board finds and declares that the need for a Council of Governments is  
24 based on the recognition that:  
25  
26 1. Plans and decisions made by each local government with respect to land  
27 use, circulation patterns, capital improvements, and so forth, affect the  
28 welfare of neighboring jurisdictions and therefore should be coordinated  
29 on a voluntary basis; and  
30  
31 2. It is imperative for the regional planning process to be directly related to  
32 the elected local government decision and policymakers, the locally  
33 elected public officials.  
34  
35 C. The Board further finds and declares that the people within the Region have a  
36 fundamental interest in the orderly development of the Region.  
37  
38 D. The Board further finds and declares:  
39  
40 1. That the members have a positive interest in the preparation and  
41 maintenance of a Plan for the benefit of the Region and to serve as a  
42 guide to the political subdivisions and other entities within the Region;  
43  
44 2. That the continuing growth of the Region presents challenges that are  
45 not confined to the boundaries of any single governmental jurisdiction;  
46  
47 3. That the Region, by reason of its numerous governmental jurisdictions,  
48 presents special challenges of development that can be dealt with best  
49 by a regional council of governments that acts as an association of its

1 members and as a regional planning commission created under Section  
2 30-28-105, C.R.S., as amended;

- 3  
4 4. That the Region is well adapted to unified and coordinated consideration,  
5 and;  
6  
7 5. That in order to assure, insofar as possible, the orderly and harmonious  
8 development of the Region, and to provide for the needs of future  
9 generations, it is necessary for the people of the Region to perform  
10 regional activities and functions as defined by statute, and for the Council  
11 to serve as an advisory coordinating agency to harmonize the activities  
12 of federal, state, county and municipal agencies and special purpose  
13 governments/districts concerned with the Region, and to render  
14 assistance and service and create public interest and participation for the  
15 benefit of the Region.  
16

17 ARTICLE V. Functions.

- 18  
19 A. The Council shall promote regional coordination and cooperation through  
20 activities designed to:  
21  
22 1. Strengthen local governments and their individual capacities to deal with  
23 local challenges;  
24  
25 2. Serve as a forum to identify, study, and resolve areawide challenges;  
26  
27 3. Develop and formalize regional policies involving areawide challenges;  
28  
29 4. Promote intergovernmental cooperation through such activities as  
30 reciprocal furnishing of services, mutual aid, and parallel action as a  
31 means to resolve local as well as regional challenges;  
32  
33 5. Provide the organizational framework to foster effective communication  
34 and coordination among governmental bodies in the provision of  
35 functions, services, and facilities serving the Region's local governments  
36 or their residents;  
37  
38 6. Serve as a vehicle for the collection and exchange of information of  
39 areawide interest;  
40  
41 7. Develop regional or master plans for the Region;  
42  
43 8. Serve as spokesperson for local governments on matters of regional and  
44 mutual concern;  
45  
46 9. Encourage action and implementation of regional plans and policies by  
47 local, state and federal agencies;  
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10. Provide, if requested, mediation in resolving conflicts between members and between members and other parties; and
  11. Provide technical and general assistance to members within its staff and financial capabilities. These services are inclusive of, but not limited to, assistance designed to:
    - a. Identify issues and needs that are regional and beyond the realistic scope of any one local government;
    - b. Compile and prepare, through staff and from members, necessary information concerning the issues and needs for Board discussion and decision;
    - c. Debate and concur in a cooperative and coordinated regional action to meet the need or issue;
    - d. Implement the details of the cooperative action among affected member governments, using such devices as intergovernmental contracts and agreements, parallel ordinances or codes, joint performance of services, transfers or consolidations of functions, or special operating agencies;
    - e. And, in general –
      - (1) arrange contracts among members on an intergovernmental basis;
      - (2) publish reports and current information of regional interest;
      - (3) provide advice and assistance on physical land use planning and other programs;
      - (4) sponsor regional training programs;
      - (5) sponsor, support, or oppose legislation on behalf of the Region and its members.

39 B. The Council shall maintain a regional planning program and process. In  
40 conducting such activities and functions, the Council shall:

- 41  
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1. Formulate goals and establish policies to guide regional planning;
  2. Be responsible for developing, approving, and implementing a regional Plan through member governments;
  3. Be the approving and contracting agent for all federal and state regional planning grants, as required;

- 1           4.     Prepare and adopt a Plan and recommend policy for the development of  
2           the Region and the provision of services in the region. The Plan shall be  
3           based on careful and comprehensive surveys and studies of existing  
4           conditions and probable future growth and service needs of the Region.  
5           The Plan shall be made with the general purpose of guiding coordinated  
6           and harmonious development that, considering present and future needs  
7           and resources, will best promote the health, safety, and general welfare  
8           of the inhabitants of the Region.  
9
- 10          5.     Perform all planning functions incident to the exercise of the powers and  
11          duties set forth in Article XII; all plans adopted by the Board in  
12          connection therewith shall constitute portions of the Plan.  
13
- 14          6.     Exercise such other planning powers and functions as are authorized by  
15          statutes and the members.  
16

17   ARTICLE VI. Membership.

- 18
- 19          A.     Members. Each municipality, county, and city and county in the Region shall be  
20          eligible to be a member of the Denver Regional Council of Governments.  
21          Membership shall be contingent upon the adoption of these Articles of  
22          Association by the governing body of any such municipality, county, or city and  
23          county, and upon the payment of an annual assessment as agreed upon by the  
24          Board.  
25
- 26          B.     Member Assessment. Each member's annual assessment is determined by the  
27          Board when adopting the annual budget.  
28
- 29                  1.     Assessments will be billed as follows, and are due within ninety days of  
30                  billing date:  
31
- 32                          a.     Minimum assessment – billed annually.  
33
- 34                          b.     10% or more of the Council's total assessment – billed quarterly.  
35
- 36                          c.     All others – billed semi-annually.  
37
- 38                  2.     Failure by any member to remit payment of an assessment within ninety  
39                  days following billing date shall be grounds for termination of  
40                  membership and such member shall be denied voting privileges and any  
41                  other rights and privileges granted to members.  
42
- 43                          a.     Not less than fifteen days prior to the termination of membership,  
44                          written notice shall be sent by registered mail informing the  
45                          member of the pending termination and loss of privileges and  
46                          requesting payment by a date certain to avoid termination.  
47
- 48                          b.     A member whose membership has been terminated pursuant to  
49                          Section 2 shall be reinstated at any time during the calendar year

1 in which their membership was terminated, by payment of all  
2 assessments then currently due and owing.

- 3  
4 C. Member Representatives. Except as provided herein, only a local elected  
5 official of a member may be designated a member representative, and each  
6 member representative may have a designated elected alternate, as follows:  
7
- 8 1. One county commissioner and an alternate commissioner from each  
9 county, designated by the board of county commissioners.
  - 10  
11 2. The mayor or one member of the governing body, and a similarly elected  
12 alternate, of each municipality and of the City and County of Broomfield,  
13 designated by said mayor or governing body, and  
14
  - 15 3. Two representatives of Denver:  
16  
17 a. The mayor or, as the mayor's designee, any officer, elected or  
18 appointed, of the City & County of Denver and an alternate  
19 similarly designated, and  
20  
21 b. One city council member of the City and County of Denver and an  
22 alternate council member designated by said council or its  
23 president.  
24
- 25 D. Term of Office. Member representatives shall serve until replaced, but shall  
26 hold such office and have Board privileges only during their terms as local  
27 elected officials, or an appointed official, if applicable, in the case of the  
28 alternate for the mayor of the City and County of Denver.  
29
- 30 E. Non-voting Membership. The State of Colorado shall have three (3) non-voting  
31 members on the Board, appointed by the Governor, one of which shall be a  
32 representative of the Colorado Department of Transportation (either the  
33 Executive Director or a member of senior management). The Regional  
34 Transportation District shall have one non-voting member on the Board, to be  
35 appointed by the General Manager of the organization. The General Manager  
36 may appoint themselves to the Board, or they may designate a member of their  
37 senior staff.  
38
- 39 F. Vacancies. Any vacancy shall be filled in the same manner as is provided for  
40 the original designation.  
41
- 42 G. Receipt of Documents. Each member representative shall receive notice and  
43 minutes of meetings, a copy of each report and any other information or  
44 material issued by the Council.  
45
- 46 H. Other Membership Categories. The Council may establish other categories of  
47 membership appropriate to carrying out the provisions of this Article.  
48



1 I. Conduct. By accepting appointment, each member representative is subject to  
2 such rules of conduct as the Board may adopt from time to time. For any  
3 violation of the rules of conduct, the Executive Committee of the Council may  
4 take such action as it deems appropriate, including without limitation, issuing a  
5 letter of reprimand, reporting the matter to the designating governing body or  
6 elected official, with or without a request that the member representative be  
7 replaced, or adopting a finding of no violation.

8  
9 ARTICLE VII. Board Officers.

- 10  
11 A. Number and Title of Board Officers. The officers shall be Chair, Vice Chair,  
12 Secretary, Treasurer, and Immediate Past Chair, all of whom shall be member  
13 representatives, and the Executive Director.  
14
- 15 B. Duties of Board Officers.
- 16
- 17 1. Chair. The Chair shall preside at all meetings of the Board and shall be  
18 the chief officer of the Council in all matters acting as president. The  
19 Chair shall serve as presiding officer of the Board of Directors meetings  
20 and shall serve as a member of either the Finance & Budget Committee  
21 or the Performance & Engagement Committee.  
22
- 23 2. Vice Chair. The Vice Chair shall exercise the functions of the Chair in the  
24 Chair's absence or incapacity acting in the capacity as vice president.  
25 The Vice Chair shall serve as the presiding officer of all Board work  
26 sessions and shall serve as a member of either the Finance & Budget  
27 Committee or the Performance & Engagement Committee. If there is no  
28 Immediate Past Chair, the Vice Chair shall serve on the Nominating  
29 Committee.  
30
- 31 3. Secretary. The Secretary shall exercise the functions of the Vice Chair in  
32 the absence or incapacity of the Vice Chair and shall perform such other  
33 duties as may be consistent with this office or as may be required by the  
34 Chair. The Secretary shall serve as the chair of the Performance &  
35 Engagement Committee.  
36
- 37 4. Treasurer. The Treasurer shall exercise the functions of the Secretary in  
38 the absence or incapacity of the Secretary and shall perform such other  
39 duties as may be consistent with this office or as may be required by the  
40 Chair. The Treasurer shall serve as the chair of the Finance & Budget  
41 Committee.  
42
- 43 5. Immediate Past Chair. The Immediate Past Chair, who shall be the most  
44 recent past chair serving on the Board, shall exercise the duties of the  
45 Chair in the absence or incapacity of the Chair, Vice Chair, Secretary,  
46 and Treasurer. The Immediate Past Chair shall serve on the Nominating  
47 Committee.  
48

1           6.    Executive Director. The Executive Director shall exercise the functions of  
2           the Chief Administrative Officer of the Council and shall be empowered  
3           to execute official instruments of the Council as authorized by the  
4           Finance & Budget Committee or Board.  
5

6    C.    Election of Board Officers.  
7

8           1.    Officer and Terms. The Vice Chair, Secretary, and Treasurer shall be  
9           elected by the Board at the February meeting of each year. Except as  
10          provided in Article VII D.4, the incumbent holding the position of Vice  
11          Chair shall automatically assume the position of Chair. However, if the  
12          Vice Chair is unable to assume the position of Chair, the Board shall  
13          elect a Chair at the applicable February meeting. A notice of election of  
14          officers shall appear on the agenda. Each officer shall serve a one-year  
15          term, or until the next election of officers and his/her successor is  
16          elected, so long as the jurisdiction he/she represents is a member of the  
17          Council, and he/she remains that member's official member  
18          representative on the Board.  
19

20          2.    Nominating Committee for Board Officers.  
21

22           a.    At the January meeting of each year, the Nominating Committee  
23           shall present to the Board nominations for Board officers to be  
24           elected at the February meeting.  
25

26           b.    Board officer nominations may be made from the floor, provided  
27           that the consent of each nominee is obtained in advance.  
28

29    D.    Board Officer Vacancies. If the Chair, Vice Chair, Secretary or Treasurer  
30          resigns or ceases to be a member representative, a vacancy shall exist and  
31          shall be filled for the remainder of the term by:  
32

33          1.    Appointment by a majority of the remaining Board officers of a member  
34          representative to fill the vacancy; or  
35

36          2.    Referral of the vacancy to the Nominating Committee to present to the  
37          Board at least one nominee to fill the vacancy if called for by a majority of  
38          the remaining Board officers. No later than the meeting held on the  
39          month following the month in which the Nominating Committee was  
40          referred the vacancy, the Nominating Committee shall present to the  
41          Board at least one nominee for an officer to be elected by the Board at  
42          that meeting to fill such vacancy.  
43

44          3.    Nominations may be made from the floor, provided that the consent of  
45          each nominee is obtained in advance.  
46

47          4.    In the event the remaining Board officers appoint the incumbent Vice  
48          Chair to fill a vacancy in the position of Chair pursuant to D.1 of this  
49          Article VII, the Vice Chair so appointed shall serve the remainder of the

1 term for such vacancy and shall thereafter automatically retain the  
2 position of Chair for an additional one-year term, subject to other  
3 requirements for holding such position.  
4

- 5 E. Executive Committee. The incumbent Board officers shall constitute the  
6 Executive Committee of the Council. The Executive Committee shall be the  
7 primary executive leadership of the Council, providing leadership to the Board  
8 and guidance to the Executive Director. The Executive Committee has no policy  
9 making authority. The Executive Committee helps set Board meeting agendas;  
10 provides guidance on resolution of conflicts; provides process guidance, ~~and~~  
11 receives updates from and assures the progress of committees of the Council,  
12 and takes action on complaints of violations of the rules of conduct for member  
13 representatives as adopted by the Board from time to time.  
14

15 ARTICLE VIII. Finance & Budget Committee.  
16

- 17 A. Membership on the Finance & Budget Committee. The administrative  
18 business of the Council concerning finances, contracts and related  
19 matters shall be managed by a Finance & Budget Committee. The  
20 Committee membership shall not exceed more than one-quarter of the  
21 total membership of the Board. Members of the Finance & Budget  
22 Committee shall be appointed by the Board upon recommendation of the  
23 Nominating Committee.  
24
- 25 B. Finance & Budget Committee Officers. The incumbent Treasurer of the  
26 Council shall serve as chair of the Finance & Budget Committee. The  
27 vice chair of the Committee shall be elected by the Committee at its first  
28 meeting following election of Board officers and to serve until the next  
29 election of officers.  
30
- 31 C. Powers and Duties. The following powers and duties are vested in the  
32 Finance & Budget Committee:  
33
- 34 1. To review contracts, grants and expenditures and authorize the  
35 expenditure of funds and the entering into contracts, within the  
36 parameters of the Council budget.  
37
  - 38 2. To execute official instruments of the Council.  
39
  - 40 3. To review and recommend to the Board the budget as provided in  
41 Article XV.  
42
  - 43 4. To review the Council's audited financial statements with the  
44 Council's auditor, and to undertake, oversee and/or review other  
45 organization audits.  
46
  - 47 5. To receive and review other financial reports and provide regular  
48 updates to the Board.  
49

1 6. To compensate member representatives for expenses incurred in  
2 attending to the proper business of the Council.

3  
4 7. To exercise such other powers, duties, and functions as may be  
5 authorized by the Board.

6  
7 D. Meetings of the Finance & Budget Committee. The Finance & Budget  
8 Committee shall meet every month and may hold special meetings at the  
9 call of its chair or by request of at least three member representatives on  
10 the Finance & Budget Committee. The Committee chair, in consultation  
11 with the Executive Director, may cancel a meeting if there are no action  
12 items for the Committee's consideration. Members of the Finance &  
13 Budget Committee may attend meetings of the Committee by telephone  
14 in accordance with written policies adopted by the Committee, which  
15 policies shall define the circumstances under which attendance by  
16 telephone shall be permitted.

17  
18 E. Quorum. A quorum for the transaction of Finance & Budget Committee  
19 business shall be one-third (1/3) of its members, plus one.

20  
21 F. Voting. A majority of those present and voting shall decide any question  
22 brought before the meeting. The ~~Budget & Finance~~ & Budget Committee  
23 chair shall vote as a member of the Committee. A Committee member's  
24 designated alternate on the Board may attend meetings of the  
25 Committee and participate in deliberations, at the discretion of the chair,  
26 but may only vote in the absence of the member.

27  
28 ARTICLE IX. Performance & Engagement Committee.

29  
30 A. Membership on the Performance & Engagement Committee. The  
31 administrative business of the Council concerning the performance and  
32 evaluation of the Executive Director, the oversight of onboarding of new  
33 Board members and related matters shall be managed by a Performance  
34 & Engagement Committee. The Committee membership shall not  
35 exceed more than one-quarter of the total membership of the Board, plus  
36 the Board Chair who shall be an ex officio, voting member of the  
37 Committee. The Board Chair's attendance at meetings is at the Chair's  
38 discretion. Members of the Performance & Engagement Committee shall  
39 be appointed by the Board upon recommendation of the Nominating  
40 Committee.

41  
42 B. Performance & Engagement Committee Officers. The incumbent  
43 Secretary of the Council shall serve as chair of the Performance &  
44 Engagement Committee. The vice chair of the Committee shall be  
45 elected by the Committee at its first meeting following election of Board  
46 officers and to serve until the next election of officers.

47  
48 C. Powers and Duties. The following powers and duties are vested in the  
49 Performance & Engagement Committee:

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1. To develop the process for recruitment of the Executive Director.
2. To recommend appointment of the Executive Director to the Board.
3. To execute an employment contract with the Executive Director, within the parameters of the Council budget.
4. To develop the process for, and execute and document the annual performance evaluation for the Executive Director, including approval and execution of amendments to the Executive Director employment contract in connection therewith, within the parameters of the Council budget.
5. To hold quarterly meetings with the Executive Director to provide performance feedback to the Executive Director.
6. To recommend to the Board, as needed, policies and procedures for the effective administration of the Executive Director.
7. To provide oversight of onboarding programs for new Board appointees.
8. To implement and review Board structure and governance decisions.
9. To plan the annual Board workshop.
10. Review results of any Board Assessments and recommend improvements.
11. To receive and review reports related to the business of the Committee and provide regular updates to the Board.
12. To review and make recommendations to the Board regarding the rules of conduct for member representatives.
13. Through a panel of the Committee, to review and make recommendations to the Executive Committee of the Council regarding complaints of violations of the rules of conduct for member representatives as adopted by the Board from time to time, in accordance with the following:
  - a. The vice chair of the Committee, along with two members of the Committee selected by the vice chair, shall comprise a review panel to review any written complaint of a violation. If the complaint concerns the vice chair or the vice chair is unavailable, the chair of the Committee shall

1 select three members of Committee, excluding the vice  
2 chair, who shall comprise the review panel. Upon  
3 completion of its review, the panel shall provide a  
4 recommendation to the Executive Committee for its review  
5 and action, which recommendation may include, without  
6 limitation, issuing a letter of reprimand, reporting the matter  
7 to the designating governing body or elected official, with or  
8 without a request that the member representative be  
9 replaced, or adopting a finding of no violation.

10  
11 b. The panel's review shall be in accordance with rules and  
12 procedures adopted by the Board from time to time.

13  
14 14. To exercise such other powers, duties, and functions as may be  
15 authorized by the Board.

16  
17 D. Meetings of the Performance & Engagement Committee. The  
18 Performance & Engagement Committee shall meet every month and  
19 may hold special meetings at the call of its chair or by request of at least  
20 three member representatives on the Performance & Engagement  
21 Committee. The Committee chair, in consultation with the Executive  
22 Director, may cancel a meeting if there are no action items for the  
23 Committee's consideration. Members of the Performance & Engagement  
24 Committee may attend meetings of the Committee by telephone in  
25 accordance with written policies adopted by the Committee, which  
26 policies shall define the circumstances under which attendance by  
27 telephone shall be permitted.

28  
29 E. Quorum. A quorum for the transaction of Performance & Engagement  
30 Committee business shall be one-third (1/3) of its members, plus one,  
31 not including the ex-officio Board chair.

32  
33 F. Voting. A majority of those present and voting shall decide any question  
34 brought before the meeting. The Performance & Engagement Committee  
35 chair shall vote as a member of the Committee. A Committee member's  
36 designated alternate on the Board may attend meetings of the  
37 Committee and participate in deliberations, at the discretion of the chair,  
38 but may only vote in the absence of the member.

39  
40 ARTICLE X. Nominating Committee.

41  
42 A. Membership on the Nominating Committee. The Nominating Committee  
43 shall be appointed in November of each year and consist of member  
44 representatives herein designated:

- 45  
46 1. The Immediate Past Chair of the Board (or the Vice Chair if there  
47 is no Immediate Past Chair);  
48  
49 2. One Board member representing the City and County of Denver;

3. One member selected by the Performance & Engagement Committee, except that in the initial establishment of the Nominating Committee, such member shall be selected by the Board;
4. One member selected by the Finance & Budget Committee, except that in the initial establishment of the Nominating Committee, such member shall be selected by the Board;
5. One member selected by the Board; and
6. One member selected by the Board Chair.

B. Member Qualifications.

1. Members of the Nominating Committee shall have served not less than one year on the Board before being eligible to serve on the Nominating Committee.
2. No more than one Board officer and no more than one member from the City and County of Denver may serve on the Nominating Committee.
3. A designated alternate may not serve on the Nominating Committee.
4. In the appointment of the Nominating Committee, consideration shall be given to providing representation of a broad cross-section of the Board, taking into account community size, geographic location, the rate of growth, county and municipality, rural and suburban and other factors.
5. If a vacancy arises on the Nominating Committee, the person or entity that selected the departing member shall select a replacement.

C. Nominating Committee Officers. At its first meeting upon annual appointment of its members, the Nominating Committee shall elect its chair and vice chair.

D. Powers and Duties. The following powers and duties are vested in the Nominating Committee:

1. To make recommendations regarding nominations for Board officers and Board officer vacancies as provided in these Articles. A Nominating Committee member may not be a nominee for Board officer.

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2. To recommend member representatives for appointment by the Board to the Finance & Budget Committee and the Performance & Engagement Committee. Such appointments shall be made in accordance with the following procedures and requirements:
  - a. The combined membership of the two Committees shall include the following:
    - (1) One member representative who is designated as the member representative to the Board of each elected board of county commissioners and each city council, provided each such county and city contains a population of 120,000 or more as estimated by the U.S. Census, the Council, or the State Demographer;
    - (2) The Mayor or, as the Mayor's designee, any elected or appointed officer of the City and County of Denver who is designated as the member representative to the Board;
    - (3) One Denver City Council member who is designated as the member representative to the Board;
    - (4) The Immediate Past Chair of the Board; and
    - (5) Other member representatives to the Board not included in (1), (2), (3) or (4) of this section, up to the maximum permitted membership.
  - b. The Nominating Committee shall recommend to the Board candidates for appointment to the Finance & Budget Committee and candidates for appointment to the Performance & Engagement Committee. In addition to the recommendations of the Nominating Committee, nominations for membership to the Committees may be made from the floor, provided that the consent of each nominee is obtained in advance. No individual shall be a member of the two Committees at the same time, except the Board Chair, who may serve on both committees at the same time.
  - c. Consideration shall be given to member representatives' requests to be appointed to a particular Committee, and to providing representation of a broad cross-section of the Board, taking into account community size, geographic location, the rate of growth, county and municipality, rural and suburban and other factors.



- 1 d. The City and County of Denver shall have one  
2 representative on each Committee.  
3  
4 e. Committee members shall be appointed to two-year terms,  
5 except that in the initial establishment of the Committees  
6 the Board shall appoint one half of the members of each  
7 Committee to an initial one-year term so as to achieve  
8 staggered terms. Terms extend until Board appointment of  
9 successors, provided no term is thereby shortened by more  
10 than 30 days. A Committee member may seek re-  
11 appointment at the expiration of his or her term, but the  
12 Board shall have no obligation to re-appoint any member to  
13 successive terms.  
14  
15 f. Committee members are eligible to serve so long as the  
16 jurisdiction he/she represents is a member of the Council,  
17 and he/she remains that member's official member  
18 representative on the Board.  
19  
20 g. Membership on the Finance & Budget Committee and the  
21 Performance & Engagement Committee shall be  
22 designated to the member's jurisdiction. Therefore, if a  
23 member appointed to a Committee is no longer able to  
24 serve, membership on the Committee shall transfer to the  
25 succeeding member representative of that jurisdiction on  
26 the Board, for the remainder of the term of the Committee  
27 appointment.  
28  
29 3. To make recommendations to the Board for appointment to fill any  
30 vacancy on the Finance & Budget Committee and the  
31 Performance & Engagement Committee, which vacancy shall be  
32 filled in accordance with the requirements herein.  
33

- 34 E. Meetings of the Nominating Committee. The Nominating Committee shall  
35 meet as needed to exercise the powers and duties vested herein in the  
36 Committee. The Nominating Committee may hold meetings at the call of  
37 its chair or by request of at least two of its members.  
38  
39 F. Quorum. A quorum for the transaction of Nominating Committee  
40 business shall be all six (6) of its members.  
41  
42 G. Voting. A majority of those present and voting shall decide any question  
43 brought before the meeting.  
44

45 ARTICLE XI. Meetings of the Board.  
46

- 47 A. Frequency. The Board shall meet at least quarterly and may hold special  
48 meetings at the call of the Chair, or by request of at least three member  
49 representatives.

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- B. Notice. Notice of meetings shall be given by E-mail, fax or telephone, made at least two days in advance of the meeting, or by first class mail, post-marked at least five days in advance of the meeting.
  
- C. Agenda. Any member representative shall have the right to request of the officers the addition of any matter to the agenda of any Board meeting fifteen days in advance of the meeting, or by consent of a majority of the member representatives at the meeting.
  
- D. Record of Meetings. The Board shall keep records of all its meetings. The meeting records shall be public records available for inspection by any interested person at reasonable times during regular office hours.
  
- E. Open Meetings. All meetings of the Board and committees of the Council shall be open to the public, except as provided otherwise by state statutes.
  
- F. General Board of Directors Procedural Provision.
  - 1. Quorum. A quorum for the transaction of Board business shall be one-third (1/3) of the member representatives.
  
  - 2. Voting.
    - a. Regular. Only member representatives or alternates shall have voting privileges. Such privileges shall be exercised personally and voting by proxy is not permitted. The vote of a majority of the member representatives present and voting shall decide any question except as otherwise provided in these Articles. The Chair shall vote as a member representative.
  
    - b. Weighted.
      - (1) Upon the specific request of any member representative, whether seconded or not, a weighted vote must be taken in compliance with the weighted vote resolution in effect at the time of the request.
  
      - (2) Denver Allotment. In any weighted vote, the Mayor of the City and County of Denver, or the Mayor's alternate, is authorized to cast two-thirds (2/3) of the total vote allotted to the City and County of Denver and the member representative designated by the City Council of the City and County of Denver or its President is authorized to cast one-third (1/3) of the total vote allotted to the City and County of Denver.

1 (3) Plans and Articles of Association. Adoption and  
2 amendment of plans pursuant to statute and  
3 amending the Articles of Association shall be  
4 accomplished without the use of the weighted voting  
5 system.  
6

7 c. Plan Adoption and Amendment. An affirmative vote of a  
8 majority of member representatives shall be required for  
9 the adoption or amendment of the Plan, or portion thereof,  
10 in accordance with Article XII.  
11

12 d. Amendment of Articles of Association. An affirmative vote  
13 of a majority of member representatives shall be required  
14 for the amendment of these Articles, in accordance with  
15 Article XVI.  
16

17 e. Positions Taken on Ballot Measures and Legislative Issues.

18 (1) An affirmative vote of a majority of member  
19 representatives shall be required to adopt a  
20 resolution taking a position on any ballot measure.  
21

22 (2) An affirmative vote of two-thirds (2/3) of members  
23 present and voting shall be required to take a  
24 position on any legislative issue.  
25

26 f. Mail Vote. The Chair shall, on the Chair's own initiative, or  
27 when so directed by the Board, declare that action on any  
28 motion or resolution, including plan adoption or amendment  
29 and amendment of the Articles of Association, shall be  
30 taken by certified mail vote of member representatives or  
31 their alternates, or if neither has been appointed by a  
32 member, its chief elected official may vote instead. Certified  
33 mail votes shall be returned by the next regular Board  
34 meeting, and any action becomes effective on the date the  
35 Chair certifies the results to the Board.  
36

37  
38 3. Rules of Order. Except as otherwise required by these Articles,  
39 the rules of order of the Council shall be in accordance with the  
40 latest edition of Robert's Rules of Order, Revised.  
41

42 ARTICLE XII. Powers and Duties.

43  
44 A. Regional Plan. The Council shall prepare, maintain and regularly review  
45 and revise a Plan for the Region. In preparing, maintaining, reviewing  
46 and revising the Plan, the Council shall seek to harmonize the master or  
47 general comprehensive plans of municipalities, counties, cities and  
48 counties, and other public and private agencies within or adjacent to the  
49 Region. The Council shall seek the cooperation and advice of

1 municipalities, counties, cities and counties, state and federal agencies,  
2 organizations and individuals interested in the functions of the Council.  
3 The Plan may consist of such plans, elements and provisions as required  
4 or authorized by statute or the members.

- 5
- 6 B. Plan Adoption. The Board may adopt the Plan or portions thereof, or  
7 amendments or additions thereto, by a majority vote of member  
8 representatives. Adoption of the Plan or portions thereof shall be  
9 preceded by notice and public hearing as required by statute. Action by  
10 the Board on the Plan or any amendments thereof shall be recorded in  
11 the minutes of the Board meeting and as otherwise required by statute.  
12
- 13 C. Certification of Plan. To the extent required by statute, the Council shall  
14 certify copies of the adopted Plan, or portion thereof, or amendment or  
15 addition thereto, to the board of county commissioners and planning  
16 commission of each county and the governing body and planning  
17 commission of each municipality lying wholly or partly within the Region.  
18
- 19 D. Review of Local Plan Referrals. The Council shall review all matters  
20 referred to it in accordance with law. The Council may review local laws,  
21 procedures, policies, and developments, including any new or changed  
22 land use plans, zoning codes, sign codes, urban renewal projects,  
23 proposed public facilities, or other planning functions that clearly affect  
24 two or more local governmental units, or that affect the Region as a  
25 whole, or that are subjects of primary responsibility for the Council.  
26 Within thirty days after receipt of any referred case, the Council shall  
27 report to the concerned commission or body. An extension of time may  
28 be mutually agreed upon.  
29
- 30 E. Metropolitan Planning Organization. As may be authorized or required by  
31 federal and state law, the Council shall serve as the metropolitan  
32 planning agency (MPO) for the area and shall exercise such powers and  
33 perform such functions as are required or authorized by statute in  
34 connection therewith.  
35
- 36 F. Area Agency on Aging. As may be authorized or required by federal and  
37 state law, the Council shall serve as the Area Agency on Aging (AAA) for  
38 such planning and service areas as are designated to it, and shall  
39 exercise such powers and perform such functions as are required or  
40 authorized by statute in connection therewith. The Council shall be the  
41 approving and contracting agent for distribution of Older Americans Act  
42 funds and other aging services federal and state funds and grants, as  
43 authorized.  
44
- 45 G. Other Activities, Services and Functions. The Council shall undertake  
46 and perform such other activities, services or functions as are authorized  
47 to it by its members or as are designated to it by federal or state law,  
48 consistent with its purposes and in service and support of its member  
49 governments.

- 1  
2 H. Committees. The standing committees of the Council shall consist of the  
3 Executive Committee, the Nominating Committee, the Finance & Budget  
4 Committee and the Performance & Engagement Committee, as  
5 established in these Articles. The Board may establish other committees  
6 of the Board and advisory committees to the Board as necessary, and  
7 the Chair of the Board, except as otherwise provided by the Board, shall  
8 appoint the membership of these committees.  
9
- 10 I. Cooperation with Others. The Council may promote and encourage  
11 regional understanding and cooperation through sponsorship and  
12 participation in public or private meetings, through publications, or  
13 through any other medium. The Council may offer its facilities and  
14 services to assist in the solution and mediation of issues involving two or  
15 more political jurisdictions.  
16
- 17 J. Functional Review. The Council may study and review the nature, scope,  
18 and organization under which the functions of the Council may best be  
19 carried on, and report to federal, state, and local jurisdictions, and  
20 agencies thereof, on ways to improve proposals concerning legislation,  
21 regulations, and other actions taken for the effectuation of the provisions  
22 of these Articles.  
23
- 24 K. Coordination of Research. The Council may make recommendations to  
25 legislative bodies, planning commissions, and other organizations and  
26 agencies within the Region for the coordination of research, collection of  
27 data, improvement of standards, or any other matter related to the  
28 activities of the Council.  
29
- 30 L. Contracts. The Council may contract for any service necessary or  
31 convenient for carrying out the purposes of the Council.  
32
- 33 M. Real Property. As provided in the Council's Articles of Incorporation, the  
34 Council shall have all the powers granted to nonprofit corporations by  
35 Articles 121 through 137 of Title 7, C.R.S., as amended, but the Board  
36 reserves final approval of the acquisition and disposition of real property.  
37

38 ARTICLE XIII. Council Executive Director.  
39

- 40 A. The Board after receiving a recommendation of the Performance &  
41 Engagement Committee and by the affirmative vote of a majority of member  
42 representatives shall appoint an Executive Director hereinafter referred to  
43 as the "Director," who shall serve at the pleasure of the Board. The  
44 Performance & Engagement Committee shall develop the process for, and  
45 execute and document an annual performance evaluation for the Executive  
46 Director.  
47
- 48 B. The Director shall be the Chief Administrative Officer and authorized  
49 recording officer of the Council. The Director shall administer and

1 execute all other functions and duties determined by the Board, including  
2 but not limited to the following:

- 3  
4 1. Appointment, removal, compensation and establishment of the  
5 number and duties of the Council staff;
- 6  
7 2. Establish and implement policies and procedures for the efficient  
8 administration of personnel matters;
- 9  
10 3. Serve, or designate personnel to serve, as recording secretary of  
11 the Council and be responsible for preparing and maintaining all  
12 records and information required by law to be kept by nonprofit  
13 corporations, including those records required to be kept by  
14 Section 7-136-101, C.R.S., and for authenticating the records of  
15 the Council;
- 16  
17 4. Designate personnel to provide staff services to committees; and
- 18  
19 5. Serve as registered agent for the Council and register as such  
20 with the Colorado Secretary of State.

21  
22 **ARTICLE XIV. Filing of Local Reports.**

23  
24 To facilitate planning and development of the Region, all legislative bodies, planning  
25 agencies, and others within the Region are requested to file with the Council all public plans,  
26 maps, reports, regulations and other documents, as well as amendments and revisions  
27 thereto, that clearly affect two or more local government units, or that affect the Region as a  
28 whole, or that are subjects or primary responsibility for the Council.

29  
30 **ARTICLE XV. Financial Provisions.**

- 31  
32 A. Budget Submission to the Finance & Budget Committee. Each year, no later  
33 than the regular October meeting of the Finance & Budget Committee, the  
34 Director shall submit an estimate of the budget required for the operation of the  
35 Council during the ensuing calendar year.
  - 36  
37 B. Budget Approval by the Board. Each year, no later than the regular November  
38 meeting of the Board, the budget recommended by the Finance & Budget  
39 Committee shall be presented for approval by the Board. The funds required  
40 from each member in the Region shall be apportioned as determined by the  
41 Board in the approved budget.
  - 42  
43 C. Contract and Other Funds. The Council is specifically empowered to contract or  
44 otherwise participate in and to accept grants, funds, gifts, or services from any  
45 federal, state, or local government or its agencies or instrumentality thereof, and  
46 from private and civic sources, and to expend funds received therefrom, under  
47 provisions as may be required of and agreed on by the Council, in connection  
48 with any program or purpose for which the Council exists.
- 49

- 1 D. Records and Audit. The Council shall arrange for a systematic and continuous  
2 recordation of its financial affairs and transactions and shall obtain an annual  
3 audit of its financial transactions and expenditures.  
4

5  
6 ARTICLE XVI. Adoption and Amendment of Articles of Association.  
7

- 8 A. The Articles shall become effective upon their adoption by the boards of county  
9 commissioners, and the governing body of any municipality or city and county  
10 within or adjacent to the Region desiring to participate in the Council activities.  
11
- 12 B. These Articles may be amended at any regular meeting of the Board by an  
13 affirmative vote of a majority of the member representatives, provided that at  
14 least one week's notice in writing be given to all member representatives setting  
15 forth such amendment. These Articles may also be amended by an affirmative  
16 vote of a majority of member representatives obtained through a certified mail  
17 vote in accordance with Article XI, F.2.f when so directed by the Board or on the  
18 initiative of the Board Chair.

## AMENDMENT HISTORY

- AMENDED July 19, 1966. Provided for local elected official representation.
- AMENDED April 18, 1967. General assembly representation added. Policy Advisory Committee created.
- AMENDED July 18, 1967. Quorum changed from 1/2 to 1/3.
- AMENDED April 15, 1968. (Effective July 1, 1968) Name changed to “Denver Regional Council of Governments”
- AMENDED December 17, 1968. Changed election date to first meeting in year. Added municipal representation of Executive Committee.
- AMENDED March 25, 1970. Provided for membership on Executive Committee by either the mayor of the City and County of Denver or the deputy mayor.
- EXTENSIVELY AMENDED February 16, 1972. Incorporated the changes of the Committee on Structure and Organization. See S & O Report.
- AMENDED November 15, 1972. (effective January 1, 1973) Provided for a weighted voting formula for the participating membership.
- AMENDED May 16, 1973. Incorporated a section regarding members which are delinquent in payment of annual assessments.
- AMENDED January 16, 1974. Included the Counties of Clear Creek, Douglas and Gilpin on the Executive Committee, provided each such county contained a population of 120,000 or more.
- AMENDED June 18, 1974. Clarified the section on officers and their election, and provided for a nominating committee for election of officers each year.
- AMENDED January 19, 1977. Added three non-voting members, to be named by the Governor, to the full Board as outlined in the Metropolitan Planning Organization Memorandum of Agreement.
- AMENDED August 3, 1977. (through mail ballot) Increase the membership on the DRCOG Executive Committee from 6 to 8 by adding the Vice Chairman and Secretary-Treasurer of the Board to the Executive Committee membership.
- AMENDED December 19, 1979. Made the Immediate Past Chairman of the Board an officer of the Board, and by virtue of being a Board officer, the Immediate Past



Chairman would also be a member of the Executive Committee. This increased the Board officers from 4 to 5 and the Executive Committee from 8 to 9.

- AMENDED December 16, 1981. Changed the name of the policymaking body from “Council” to “Board of Directors”; Provided definitions of Council, Board of Directors, member, and member representative; Provided for Executive Committee alternates; Provided clarification and modification of certain agency procedures; and made extensive editorial changes.
- AMENDED June 22, 1983. Changed the structure of DRCOG from an unincorporated association to a nonprofit corporation, designated officers of the corporation, and provided for Board approval of real property transactions.
- AMENDED March 19, 1986. Changed to provide for election of Executive Committee officers at the first meeting following election of Board officers.
- AMENDED February 15, 1989. Expanded Executive Committee membership from 9 to 12 members with the three new members elected by the Board; provided for Board designation of a member representative of a county or a municipality to the Executive Committee in instances where the officers of the Board are already included as members of that Committee.
- AMENDED July 17, 1991. Provided the Mayor of Denver with a designee and an alternate to the Board; added a process for filling Executive Committee vacancies; changed the Mayor of Denver’s alternate on the Executive Committee from the Deputy Mayor to the Mayor’s designated representative to the Board; clarified the powers and duties of the Executive Committee regarding personnel matters and the Executive Director; revised the process for certification of adopted plans; and made extensive editorial changes to conform to statutory language.
- AMENDED June 17, 1998. Made technical changes in accordance with the newly adopted Colorado Revised Nonprofit Corporation Act regarding notice of meetings, termination of membership, and responsibilities for record keeping.
- AMENDED July 21, 1999. Revised to provide membership on the Executive Committee for counties with 120,000 or more estimated by either the U.S. Census, the Council or the state demographer.
- AMENDED April 18, 2001. Revised to change the Executive Committee name to Administrative Committee and provide membership on the Administrative Committee for each county and city containing a population of 120,000 or more.
- AMENDED January 15, 2003. Revised to split the Board Officer position of Secretary-Treasurer, creating the positions of Secretary and Treasurer, thus expanding the Administrative Committee membership, and to recognize the City and County of Broomfield.

- AMENDED February 19, 2003. Revised Board and Administrative Committee officer terms and revised Administrative Committee quorum.
- AMENDED November 19, 2008. Added voting requirements for taking positions on ballot measures and legislative issues.
- AMENDED May 20, 2009. Editorial revisions addressing superfluous and/or outdated items, items requiring clarification and/or elaboration, and items requiring updating as a result of the inclusion of Southwest Weld County communities.
- AMENDED July 21, 2010. Amended Section VII.C.1., to revise the procedure for election of Chair, and VII.C.2, to revise the number of members of the nominating committee.
- AMENDED April 20, 2011. Amended Section X, to remove reference to Water Quality Planning and reorder following lettered sections. Amended Section XIII, to revise the month that the budget will be provided to the Administrative Committee and Board for approval.
- AMENDED January 18, 2012. Amended Article VIII D to add language related to telephonic participation at Administrative Committee meetings.
- AMENDED May 15, 2013. Amended Article VI.E, to stipulate that the State of Colorado shall have three (3) non-voting members on the Board, appointed by the Governor, one of which shall be a representative of the Colorado Department of Transportation (either the Executive Director or a member of senior management), and the Regional Transportation District shall have one non-voting member on the Board, to be appointed by the General Manager of the organization. The General Manager may appoint themselves to the Board, or they may designate a member of their senior staff.
- AMENDED July 16, 2014. Amended Article VII C.1 and add VII D.3 to address a vacancy at Chair created when a Chair resigns mid-term. The amendment allows the incumbent Vice Chair to be appointed to serve the remainder of the term vacated, as well as serving their own full-year term.
- AMENDED March 16, 2016. Amended to reflect committee structure changes as recommended by the Structure and Governance group. Formalize the Board Officers as an Executive Committee; split the Administrative Committee into two new committees: Finance and Budget and Performance and Engagement; and revising the membership of the Nominating Committee to add two permanent members: Board Immediate Past Chair and a representative of the City and County of Denver, and defines how the remaining members of the Nominating Committee will be selected.
- AMENDED September 21, 2016. Amended to reflect additional modifications/clarifications to membership and duties of the Finance and Budget Committee and Performance and Engagement Committee. Adding the Board Chair as

an ex-officio voting member of the Performance and Engagement Committee, and clarifying responsibilities of the Performance and Engagement Committee regarding performance evaluation and contract amendments for the Executive Director.

**ATTACH C**

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Director, Transportation Planning and Operations  
303-480-6747 or [drex@drcog.org](mailto:drex@drcog.org)

Meeting Date	Agenda Category	Agenda Item #
February 1, 2017	Discussion	6

#### SUBJECT

TIP Review Work Group report to the Board regarding possible funding and project selection framework for the next TIP call for projects.

#### PROPOSED ACTION/RECOMMENDATIONS

N/A

#### ACTION BY OTHERS

N/A

#### SUMMARY

##### Background

In August 2015, the DRCOG Board of Directors established the formation of a work group, comprised of DRCOG staff and Transportation Advisory Committee (TAC) members, to develop a white paper addressing issues associated with the development of the 2016-2021 Transportation Improvement Program (TIP). Topics directed for discussion included: TIP process, funding targets and criteria, and a comparative look at other MPO practices. The purpose of the white paper was to assist a future Board to address identified issues/concerns in the development of the next DRCOG TIP Call for Projects.

On February 17, 2016, DRCOG staff presented the [2016-2021 TIP Review White Paper](#) to the DRCOG Board highlighting discussions and recommendations of the Work Group from its October 16, 2015 to February 3, 2016 deliberations. Following discussion, the Board acted to accept the document and directed the Work Group to continue investigating the white paper's five recommendations:

1. Develop a project selection process purpose statement for the TIP.
2. Further explore the Regional/Subregional dual project selection model.
3. Create a project selection process that places more emphasis on project benefits, overall value, and return on investment.
4. Explore opportunities to exchange CDOT state funds with DRCOG federal funds.
5. Evaluate off-the-top programs and projects.

##### The Work Group's Latest Efforts

The Work Group reconvened in April 2016 and focused primarily on further exploration of the Regional/Subregional dual model (Dual Model). In its initial white paper evaluation, the Work Group indicated the Dual Model contained no known fatal flaws and appeared

to offer the desired local flexibility to implement projects with the most benefit to their communities while being consistent with the policy direction within the adopted Metro Vision Plan, Regional Transportation Plan, and federal legislation. The additional analysis of the Dual Model was necessary to determine model's "goodness of fit" for the DRCOG region.

Following this examination, the Work Group recommends the Board commit to establishing a Dual Model approach for the next two TIP call for project cycles. Furthermore, the Work Group recommends the Board allow the TIP Review Work Group to continue as the taskforce responsible for the development of the 2020-2023 TIP Policy document that will recommend the final framework for the next call for projects, scheduled for 2018.

The Work Group's report entitled: *Recommended Funding and Project Selection Framework for the 2020-2023 Transportation Improvement Program*, is available for the Board's review as Attachment 1. The report highlights the Work Group's discussions, recommendations on a variety of topics related to the Dual Model, as well as a timeline for the successful completion of the 2020-2023 TIP. A summary of the recommendations is shown as Attachment 2.

Staff will provide a detailed briefing of the Work Group's efforts at the February meeting.

#### PREVIOUS BOARD DISCUSSIONS/ACTIONS

[August 19, 2015](#) – Board directed staff to create a work group and develop the TIP white paper.

[February 17, 2016](#) – Board accepted the 2016-2021 TIP Review White Paper and directed the Work Group to continue investigating its recommendations

#### PROPOSED MOTION

N/A

#### ATTACHMENTS

1. *Recommended Funding and Project Selection Framework for the 2020-2023 Transportation Improvement Program* Report
2. Summary of Work Group Recommendations
3. Staff presentation

#### ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Director, Transportation Planning and Operations, at 303-480-6747 or [drex@drcog.org](mailto:drex@drcog.org).

**Denver Regional Council of Governments**

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**Recommended Funding and Project Selection Framework  
for the 2020-2023 Transportation Improvement Program**

Presented by TIP Review Work Group

Board Work Session - February 1, 2017



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## TIP Review Work Group

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Adams County, City of Thornton	Kent Moorman
Arapahoe County	Bryan Weimer
Arapahoe County, City of Aurora	Mac Callison
Boulder County	George Gerstle
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Colorado Department of Transportation	Jeff Sudmeier
Colorado Department of Transportation	Danny Herrmann
Denver, City and County	Janice Finch
Denver, City and County	David Gaspers
Denver Regional Council of Governments	Douglas Rex
Denver Regional Council of Governments	Steve Cook
Douglas County, City of Lone Tree	John Cotten
Douglas County	Art Griffith
Environmental	Mike Salisbury
Jefferson County	Steve Durian
Jefferson County, City of Lakewood	Dave Baskett
Regional Air Quality Council	Ken Lloyd
Regional Transportation District	Chris Quinn
TDM/Non-motor	Ted Heyd
Weld County	Janet Lundquist

Federal Highway Administration: William Haas, Aaron Bustow

DRCOG staff: Todd Cottrell, Brad Calvert, Mark Northrop, Casey Collins



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# Recommended Funding and Project Selection Framework for the 2020-2023 Transportation Improvement Program

## Introduction and Purpose

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In August 2015, the DRCOG Board of Directors established the formation of a work group, comprised of DRCOG staff and Transportation Advisory Committee (TAC) members, to develop a white paper addressing issues associated with the development of the 2016-2021 Transportation Improvement Program (TIP). Topics directed for discussion included: TIP process, funding targets and criteria, and a comparative look at other MPO practices. The purpose of the white paper was to assist a future Board to address identified issues/concerns in the development of the next DRCOG TIP Call for Projects.

On February 17, 2016, DRCOG staff presented the [2016-2021 TIP Review White Paper](#) to the DRCOG Board highlighting discussions and recommendations of the Work Group from its October 16, 2015 to February 3, 2016 deliberations. Following discussion, the Board acted to accept the document and directed the Work Group to continue investigating the white paper's five recommendations:

1. Develop a project selection process purpose statement for the TIP.
2. Further explore the Regional/Subregional dual project selection model.
3. Create a project selection process that places more emphasis on project benefits, overall value, and return on investment.
4. Explore opportunities to exchange CDOT state funds with DRCOG federal funds.
5. Evaluate off-the-top programs and projects.

The purpose of this report is to provide an update to the Board on the Work Group's progress. While an update is provided on all of the recommendations (Appendix A), the report focuses on **Recommendation #2 - Further explore the Regional/Subregional dual project selection model (i.e., Dual Model)**. In its initial white paper evaluation, the Work Group indicated the Dual Model contained no known fatal flaws and appeared to offer the desired local flexibility to implement projects with the most benefit to their communities while being consistent with the policy direction within the adopted Metro Vision Plan, Regional Transportation Plan, and federal legislation. The additional evaluation was necessary to determine the model's "goodness of fit" for the DRCOG region.

Following its evaluation, **the Work Group recommends the Board utilize the regional/subregional dual project selection model for the next two TIP calls for projects.** The Work Group believes the model will provide the desired flexibility for member governments to apply local values to the TIP process and still maintain DRCOG’s strong commitment to implementing a TIP process consistent with Metro Vision and the Regional Transportation Plan. The remainder of this report highlights discussion topics and procedural recommendations for the implementation of the Dual Model.

## **Dual Model Evaluation – A comprehensive review**

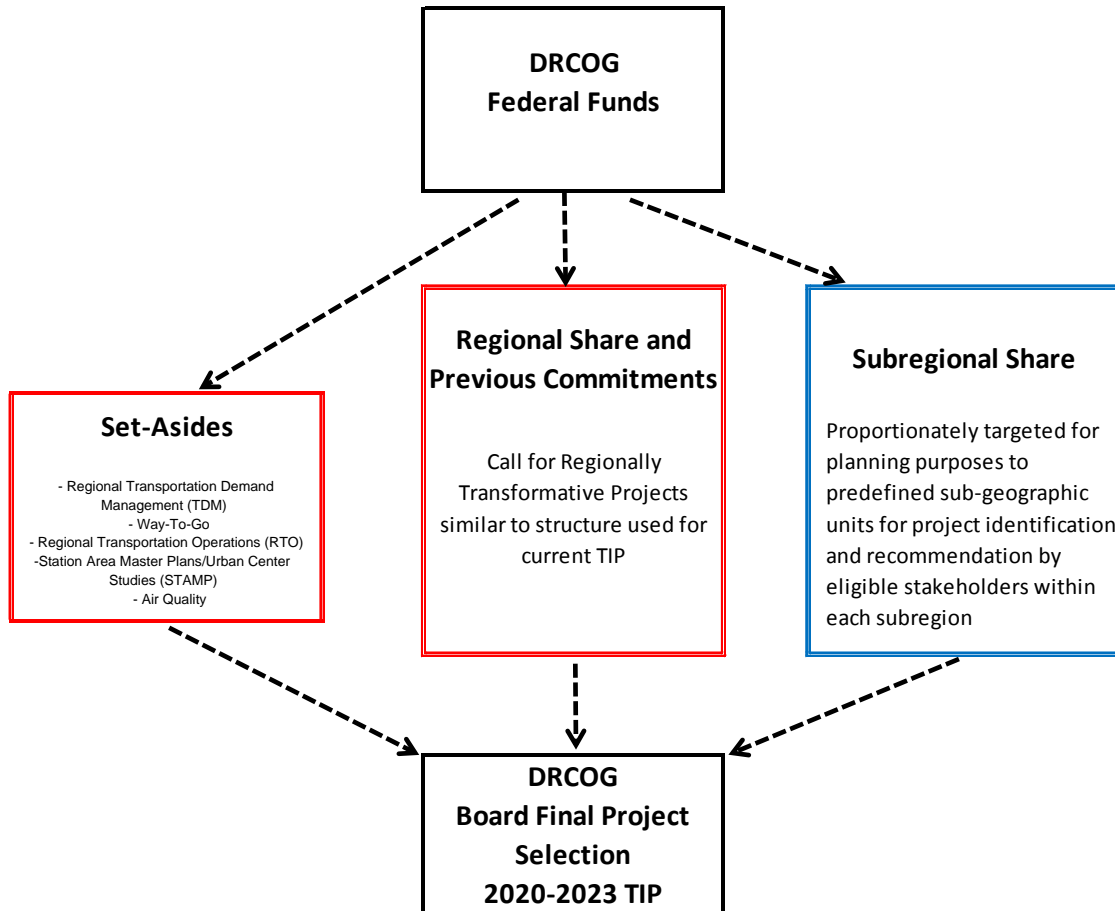
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The premise of the dual project selection model is that it has two TIP project selection elements, regional and subregional. A dual selection process is currently being used by Puget Sound Regional Council (PSRC) and more information about their process can be found [here](#). DRCOG currently utilizes a more centralized call for project process where all applications are submitted to the MPO and are collectively scored and ranked.

Figure 1 illustrates what the Dual Model may look like in the DRCOG area if implemented. Like PSRC, the TIP process would have two defined selection elements: a regional share and a subregional share. In the regional share, projects would fund larger infrastructure projects/programs that have a mutually agreed regional benefit. Within the subregional share, funds would be proportionately targeted for planning purposes to predefined sub-geographic units for project identification and recommendation to the DRCOG Board.

Additionally, **the Work Group envisions a separate share be maintained for regional set-aside programs.** DRCOG has historically taken funds “off the top” (before the TIP Call for Projects) to fund established regional programs. In the 2016-2021 TIP, funds were allocated to the following set-aside programs: Regional Transportation Demand Management, DRCOG Way to Go Program, Regional Transportation Operations, Station Area Master Plans/Urban Center Planning Studies, and Air Quality Improvements. **The Work Group recognizes the importance of these regional programs and while it recommends an evaluation of all set-aside programs and the flexibility to add or remove set-asides prior to the next TIP call for projects, it remains committed to this concept.**

Figure 1  
Example Dual Model Concept



Over the course of many months, the TIP Review Work Group systematically evaluated Dual Model topics falling into three general categories:

- the Regional Funding process,
- the Subregional Funding process, and
- the overall Dual Model process.

### Project/Program Selection Process

The Work Group discussed many subjects related to regional/subregional funding and its associated call for projects. Policies regarding procedures, eligibility, evaluation, and project selection will need to be established. An overarching theme of the Work Group's discussion was the establishment of TIP Focus Area(s).

Consistent with its white paper recommendation, the **Work Group encourages the Board to develop specific goals or focus areas that are consistent with Metro Vision and the Regional Transportation Plan** for what it hopes to accomplish in the next TIP call for projects.

The Work Group believes establishing focus areas is essential to develop appropriate overarching project/program scoring criteria for both the regional and subregional shares and suggests the Board consider devoting time at this summer’s Board workshop to address this issue.

**Specific questions/topics discussed by the Work Group and positions taken about the dual selection process are highlighted below:**

### **Regional Funding Share Topics**

#### **1. What is a “regional” project?**

The Work Group felt it was important to develop a regional project/program definition. A clear definition of eligible projects/programs would hopefully reduce the number of regional applications to a reasonable amount and would assure scarce funding goes to the highest priority projects/programs with the greatest benefit to the region.

The Work Group believes regional project/program applications should be limited to regionally “transformative” projects/programs that play a crucial role in shaping and sustaining the future of individuals, cities, and counties within the DRCOG region.

The Work Group submits the following **purpose statement** for regional projects/programs:

*Selected Regional Share TIP projects/programs should directly address established TIP Focus Area(s) through a systems-approach focused on enhancing regional connections, regardless of travel mode. Regional projects/programs should connect communities; improve mobility and access, while providing a high return on investment to the region consistent with Metro Vision and the Regional Transportation Plan.*

#### **2. What types of projects/programs should be eligible for selection through the Regional Funding Share?**

Regional projects/programs fall into two categories: larger transportation projects and set-aside programs. As discussed previously, large transportation projects are transformative with potentially higher price tags. Set-aside programs such as DRCOG’s Regional Transportation

Operations and Way to Go programs are more regionally focused and the Work Group believes they should not compete against the larger transportation projects during a call for projects. As a result, set-asides have their own share of the total funds. Additionally, most set-aside programs maintain their own call for projects benefiting communities throughout the region.

**The Work Group recommends DRCOG Regional Share funds be used primarily to supplement larger projects submitted by our regional partners (e.g., CDOT, RTD, public authorities and other entities that qualify for federal funds).** In other words, DRCOG’s share should be considered the “last funds in” to complete these transportation projects. Additionally, the criteria used for final selection must adhere to the Board established TIP Focus Area(s), thereby ensuring the selected projects are providing the most benefit and greatest return on investment.

### **3. What type of evaluation criteria should be used for the selection process?**

As stated above, the Work Group believes evaluation criteria should be established once the Board determines its TIP Focus Area(s).

Once Focus Areas are determined, **the Work Group recommends a simplified application process that requires sponsors to describe how a proposed project/program aligns to the Board’s TIP Focus Area(s), Metro Vision, and the Regional Transportation Plan, and what are its quantifiable benefits to the region.**

The formal evaluation process and criteria will be developed in 2017 as part of the TIP Policy document if the Board acts to pursue the Dual Model concept.

## **Subregional Funding Share Topics**

### **1. How should the subregional geographic areas be defined?**

**The Work Group recommends using counties as the subregional geographic unit for funding recommendations.** Though other sub-geographical concepts were discussed, such as dividing the region into quadrants for example, counties are recommended for the following reasons:

- Counties already exist and a comfortable working relationship is present among its jurisdictions.
- Counties are used for CDOT’s hearing process, which may aid in better coordination on project applications.
- It would encourage cooperation and collaboration with neighboring counties on important cross-jurisdictional projects.

However, unlike PSRC for instance, the DRCOG region contains two counties where there is only one governmental unit: City/County of Denver and the City/County of Broomfield. This is an important distinction as federal regulations prohibit the distribution of MPO federal funds to individual jurisdictions unless “...it can be clearly shown to be based on considerations required to be addressed as part of the metropolitan transportation planning process”.

DRCOG staff met with FHWA and FTA staff to discuss this provision. Ultimately, FHWA agreed that counties could be used in DRCOG’s subregional application since (1) a subregional committee process will only be making project recommendations to the DRCOG Board for its determination, and (2) DRCOG will ensure the process is transparent and vetted at the Board level prior to implementation. Furthermore, FHWA emphasized the importance that any model concept under consideration must maintain its regional perspective.

## **2. How should funding targets for subregions be calculated?**

Understanding there is no perfect funding formula, **the Work Group recommends funding targets for subregions be based on some combination of population, employment, vehicle miles traveled (VMT), or person miles traveled (PMT)**. The Work Group is not recommending a funding target formula at this time since it believes the discussion is better placed during the development of the TIP Policy document later in 2017.

The Work Group has developed two recommendations related to subregional funding targets:

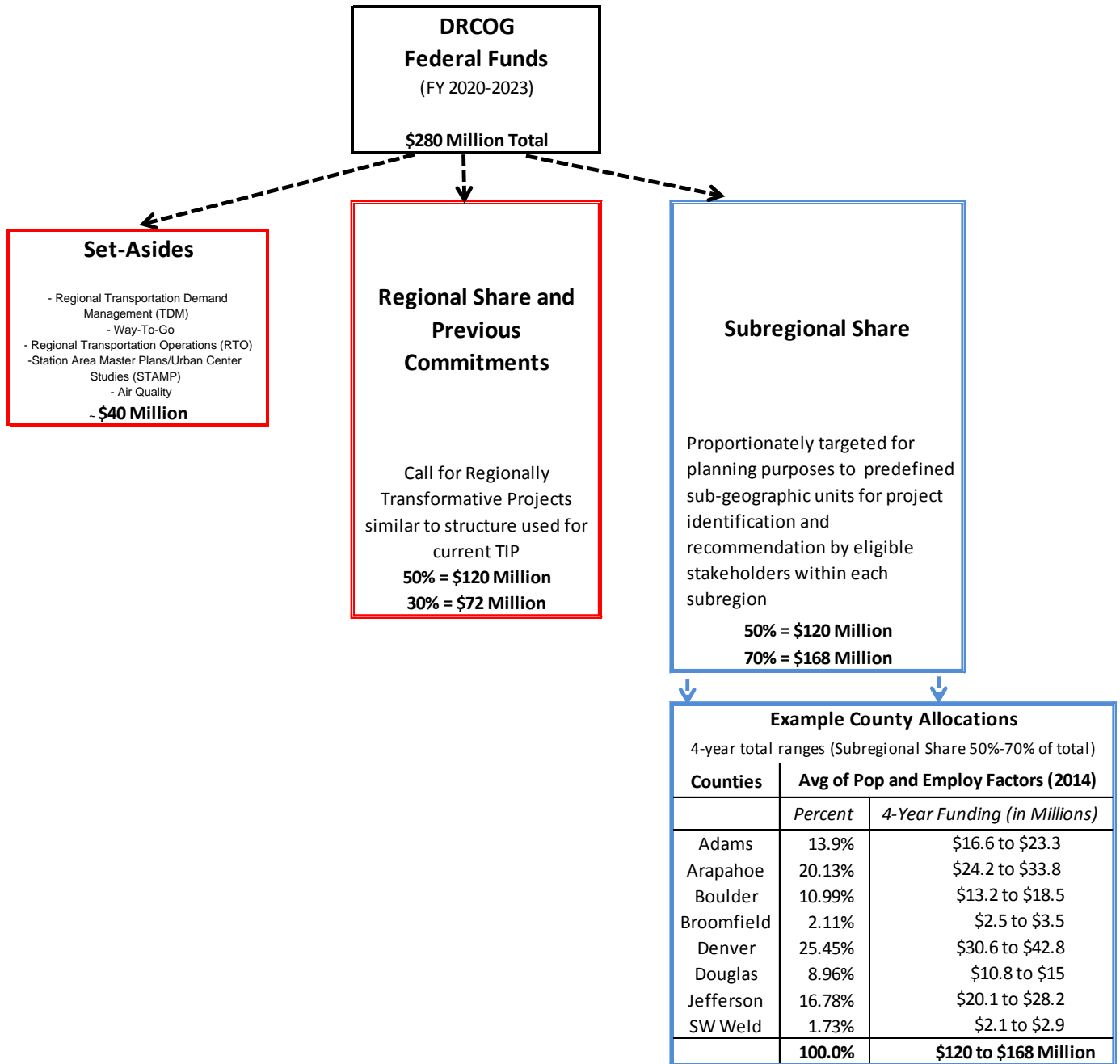
- i. **The Work Group believes the funding split between the regional share and the subregional share needs to be determined early in the process to ensure adequate time is allowed for the subregional call for projects and to develop the subregional forum process.**
- ii. **The amount of funds in the subregional share needs to be “meaningful” to justify establishing a separate project selection process.**

For illustrative purposes only, Figure 2 reveals the funding range each county would receive for project recommendations assuming the subregional share contained 50-70 percent of total federal funds allocated to DRCOG. For this example, population and employment are used to proportionately target subregional share funds to each county.



Figure 2

**Example Estimates of 4-Year Funding for Subregional Share and Counties**



### **3. How should the subregional process be governed?**

The intent of the subregional process is to provide an opportunity to fund local priority projects in all sizes and types of communities, while maintaining a focus on Metro Vision and the Regional Transportation Plan. To aid in this venture, **the Work Group recommends the formation of subregional “forums” as the committee responsible for coordinating a project prioritization process to recommend projects to the DRCOG Board.** To ensure a strong countywide collaboration, the **Work Group further recommends that every local governmental unit within a county be invited to participate on the subregional forum.** CDOT and RTD may participate as non-voting members. Other members/stakeholders may be invited at the discretion of each subregional forum.

### **4. What project types should be eligible and should project targets be incorporated into the subregional process?**

One of the major reasons for the consideration of the Dual Model is to allow as much flexibility as possible for local levels of governments to determine the best way to address transportation issues within their collective communities.

**The Work Group recommends keeping project eligibility as flexible as possible, while ensuring projects meet federal requirements, address Metro Vision, and are consistent with the Regional Transportation Plan.** As a result, project type targets are not recommended at the subregional level.

### **5. What evaluation criteria should be used?**

Keeping with the theme of maintaining flexibility, **the Work Group recommends a hybrid approach to developing project selection criteria.** The approach would require each subregional forum to use:

- certain overarching criteria to address federal requirements (i.e., safety, congestion, environmental justice, and ADA); and
- criteria that ensures proposed projects address Board-defined TIP Focus Area(s) and are consistent with Metro Vision and the Regional Transportation Plan.

Subregional forums will also have the flexibility to include additional criteria to address local values in the process.

## Overall Dual Model process – What might it look like?

If the Board decides to move forward with the Dual Model approach, it is imperative that the selection process and overall TIP policy be approved by the Board no later than December 2017 if DRCOG is to have a new TIP approved by March 2019.

The following schedule assumes that critical decisions on the regional/subregional structure have been vetted by a TIP Policy Work Group (which will be established by the Board in early 2017).

Proposed Dual Model Process Schedule	OVERALL TIP Policy and Regional Project/Program	Subregional Project/Program
<b>Feb-March 2017</b>	Board establishes TIP Policy Work Group to develop the 2020-2023 TIP Policy document. <ul style="list-style-type: none"> <li>• Among its tasks, the TIP Policy Work Group will finalize the regional/ subregional dual selection process.</li> <li>• <b>The TIP Review Work Group recommends the Board allow the TIP Review Work Group to continue and become the basis for the TIP Policy Work Group.</b></li> <li>• The TIP Policy Work Group will utilize Board Work Sessions to update the Board and receive policy direction.</li> </ul>	
<b>Summer 2017</b>	Summer 2017 Board Workshop. <ul style="list-style-type: none"> <li>• Board participants establish TIP Focus Area(s) for next call for projects, discuss/approve at next scheduled Board meeting.</li> </ul>	
<b>Fall 2017</b>	TIP Policy Work Group will: <ul style="list-style-type: none"> <li>• Finalize TIP criteria based on Board-approved TIP Focus Area(s).</li> <li>• Recommend the funding levels for the Regional Funding Share, Subregional Funding Share, and individual subregions.</li> <li>• Define funding levels for set-aside programs.</li> </ul>	Initiate process for formation of county subregional forums <sup>1</sup> and prepare forum guidelines. <ul style="list-style-type: none"> <li>• Membership shall be offered to an elected official (or their designee) from the county and all local governments within the county.</li> <li>• CDOT and RTD are invited to be non-voting members.</li> <li>• Other members at the discretion of each subregional forum.</li> </ul>
<b>By December 2017</b>	Board and committees recommend and take action on the TIP Policy document.	
<b>By January 2018</b>		Finalize establishment of county subregional forums and forum guidelines. <ul style="list-style-type: none"> <li>• Forums are encouraged to be established earlier than January 2018 if possible.</li> </ul>
<b>February 2018</b>	Regional Project/Program Call for Projects. <ul style="list-style-type: none"> <li>• Eight-week call for projects.</li> </ul>	Forum meetings and discussions begin. <ul style="list-style-type: none"> <li>• Types or examples of projects.</li> </ul>

<sup>1</sup> Two counties within the DRCOG area are only one governmental unit; Denver and Broomfield. This situation will be further explored within the TIP Policy.

Board Work Session – February 1, 2017

Proposed Dual Model Process Schedule	OVERALL TIP Policy and Regional Project/Program	Subregional Project/Program
	<ul style="list-style-type: none"> <li>• Project applications for regionally transformative projects/programs must answer the following types of questions (final questions to be contained within the adopted TIP Policy, as approved by the Board):               <ul style="list-style-type: none"> <li>○ What is the existing problem the project/program is attempting to solve?</li> <li>○ How does this project/ program address the Board-defined TIP Focus Area(s)?</li> <li>○ Explain how this project/program relates to and addresses Metro Vision.</li> <li>○ How will this project/program benefit environmental justice persons or communities?</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Unique types of partnerships, situations, or funding arrangements.</li> <li>• Guidelines and rules (e.g., evaluation criteria and scoring) for the call for projects.</li> </ul>
<b>April 2018</b>	Evaluation of project/program applications by Board-led taskforce (subset of Board). <ul style="list-style-type: none"> <li>• Process may involve oral presentations from applicants (at the discretion of the Taskforce).</li> </ul>	Further forum meetings and discussions. <ul style="list-style-type: none"> <li>• Project evaluation criteria.</li> <li>• Joint project definition and discussion</li> <li>• Other matters.</li> </ul>
<b>May 2018</b>	Taskforce recommendations to the full DRCOG Board for discussion.	
<b>June 2018</b>	DRCOG’s transportation committees will recommend and the Board will take action on Regional Projects/Programs and set-asides.	
<b>By July 2018</b>		Subregional Call for Projects. <ul style="list-style-type: none"> <li>• Length of call for projects at the discretion of individual subregional forums, but no less than four weeks.</li> <li>• The following criteria (contained within the Board-adopted TIP Policy) must be considered by each subregional forum, at a minimum:               <ul style="list-style-type: none"> <li>▪ Qualitative-related criteria:                   <ul style="list-style-type: none"> <li>▪ What is the existing problem that this project/program is attempting to solve?</li> <li>▪ How does this project/program align, relate to, solve, or assist to implement the Board-defined TIP Focus Area?</li> <li>▪ Explain how this project/program relates to and addresses Metro Vision.</li> <li>▪ How will this project/program benefit the environmental justice communities located near your project?</li> </ul> </li> </ul> </li> <li>• How will this project/program prohibit discrimination against individuals with disabilities?</li> </ul>

Board Work Session – February 1, 2017

Proposed Dual Model Process Schedule	OVERALL TIP Policy and Regional Project/Program	Subregional Project/Program
		<ul style="list-style-type: none"> <li>○ If applicable, does this project advance the sponsor’s ADA Transitional Plan?</li> <li>▪ Quantitative-related criteria:               <ul style="list-style-type: none"> <li>▪ What are the existing conditions? For example, congestion, pavement condition, crashes, volume, usage, ridership, service gaps, barriers</li> <li>▪ What are the likely benefits? For example, crash/delay reduction, new users or ridership/service, connectivity</li> <li>▪ What are other related beneficial elements? For example, multimodal elements, connectivity to other modes, safety</li> </ul> </li> </ul> <p>All criteria must be reviewed by DRCOG staff for consistency with appropriate state and federal rules and TIP Policy guidelines (the Board-approved TIP Policy document will define what information minimally needs to be provided).</p>
<b>By September 2018</b>		Project evaluations completed and project prioritization discussions underway.
<b>By October 2018</b>		<p>Subregional forum project recommendations to DRCOG Board for consideration.</p> <ul style="list-style-type: none"> <li>• A representative of each subregional forum (presumably the forum chairperson) presents the subregional forum’s recommendations to the DRCOG Board. The presentation will include a summary of how the recommended project/programs will benefit the region and advance the Board-adopted TIP Focus Area(s).</li> </ul> <p>Individual project sponsor representatives should also attend the applicable Board meeting, to respond to questions.</p>
<b>November 2018</b>	<p>DRCOG’s transportation committees will recommend and the Board will take action on the entire set of TIP projects, including:</p> <ul style="list-style-type: none"> <li>• Regional Funding Share projects/programs</li> <li>• DRCOG Set-aside programs</li> <li>• Subregional Funding Share projects/programs</li> <li>• CDOT- and RTD-selected projects/programs</li> </ul>	
<b>January 2019</b>		<p>Announce public hearing on the 2020-2023 TIP Draft 2020-2023 TIP completed</p>
<b>February 2019</b>		Public hearing on the 2020-2023 TIP
<b>March-April 2019</b>		DRCOG Board approval of the 2020-2023 TIP
<b>July 2019</b>		Evaluate Dual Project Selection Model



## **Appendix A**

### **Update on 2016-2021 TIP Review White Paper Recommendations**

## Appendix A. Update on 2016-2021 TIP Review White Paper Recommendations

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### 1. Develop a project selection process purpose statement for the TIP.

The original recommendation discussed the necessity for the Board to develop a purpose and needs statement. The Work Group offered the following general purpose statement as a starting point for discussion:

*The purpose of the DRCOG TIP project selection process is to allocate transportation funds to implement transportation priorities consistent with Metro Vision and the Regional Transportation Plan.*

Additionally, the Work Group encouraged the Board to develop specific goals that are consistent with Metro Vision and the Regional Transportation Plan for what it hopes to accomplish with the next round of TIP funding and project applications should be used to help meet those goals.

*Update:* As stated earlier in this document, **the Work Group has further refined this recommendation to suggest the Board consider using this upcoming summer’s Board Workshop to deliberate and establish Focus Area(s) for what they hope to accomplish with the next TIP call for projects.**

### 2. Further explore the Regional/Subregional dual project selection model.

*Update:* Further exploration was the primary purpose of this follow-up report. **The Work Group recommends the Board utilize the regional/subregional dual project selection model for the next two TIP calls for projects.** The Work Group believes the model will provide the desired flexibility for member governments to apply local values to the TIP process and still maintain DRCOG’s strong commitment to implementing a TIP process consistent with Metro Vision and the Regional Transportation Plan.



**3. Create a project selection process that places more emphasis on project benefits, overall value, and return on investment.**

Establish a project selection process that applies investment decisions based on quantifiable performance metrics directly linked to Metro Vision and regional plan goals and objectives, while allowing flexibility to implement projects providing the most benefit to meet today's needs and advance the region's multimodal transportation system.

*Update:* While the Work Group reiterates the necessity of having criteria with quantifiable performance metrics, **the discussion about these specific criteria is better placed during the TIP Policy document development in 2017.**

**4. Explore opportunities to exchange CDOT state funds with DRCOG federal funds.**

*Update:* CDOT has implemented a pilot program involving four projects in the DRCOG area. **DRCOG staff will continue to monitor the program's process** with the hope that it will provide the desired outcome of accelerating and streamlining project delivery, as well as to reduce overall project costs.

**5. Evaluate off-the-top programs and projects.**

Thoroughly review all set-aside programs to ensure they contribute towards meeting the associated Metro Vision and Regional Transportation Plan goals. Additionally, the Work Group recommends developing a clear evaluation process by which large off-the-top project funding requests for regionally significant projects can be thoroughly vetted before decisions are reached.

*Update:* **The Work Group recommends the evaluation of off-the-top (e.g., set-aside) programs occur during the development of the TIP Policy document in 2017.**

## ATTACHMENT 2

### Summary of Work Group Recommendations

#### Introduction and Purpose

1. The Work Group recommends the Board utilize the regional/subregional dual project selection model for the next two TIP calls for projects. (pg. 2)

#### Dual Model Evaluation – A comprehensive review

2. The Work Group envisions a separate share be maintained for regional set-aside programs. The Work Group recognizes the importance of these regional programs and while it recommends an evaluation of all set-aside programs and the flexibility to add or remove set-asides prior to the next TIP call for projects, it remains committed to this concept. (pg. 2)

#### Project/Program Selection Process

3. The Work Group encourages the Board to develop specific goals or focus areas that are consistent with Metro Vision and the Regional Transportation Plan for what it hopes to accomplish in the next TIP call for projects. (pg. 4)

#### Regional Funding Share Topics

4. The Work Group recommends DRCOG Regional Share funds be used primarily to supplement larger projects submitted by our regional partners (e.g., CDOT, RTD, public authorities and other entities that qualify for federal funds). (pg. 5)
5. Once Focus Areas are determined, the Work Group recommends a simplified application process that requires sponsors to describe how a proposed project/program aligns to the Board's TIP Focus Area(s), Metro Vision, and the Regional Transportation Plan, and what are its quantifiable benefits to the region. (pg. 5)

#### Subregional Funding Share Topics

6. The Work Group recommends using counties as the subregional geographic unit for funding recommendations. (pg. 5)
7. The Work Group recommends funding targets for subregions be based on some combination of population, employment, vehicle miles traveled (VMT), or person miles traveled (PMT). (pg. 6)

## ATTACHMENT 2


### Summary of Work Group Recommendations

8. The Work Group has developed two recommendations related to subregional funding targets:
  - i. **The Work Group believes the funding split between the regional share and the subregional share needs to be determined early in the process to ensure adequate time is allowed for the subregional call for projects and to develop the subregional forum process. (pg. 6)**
  - ii. **The amount of funds in the subregional share needs to be “meaningful” to justify establishing a separate project selection process. (pg. 6)**
9. **The Work Group recommends the formation of subregional “forums” as the committee responsible for coordinating a project prioritization process to recommend projects to the DRCOG Board. (pg. 8)**
10. To ensure a strong countywide collaboration, the **Work Group further recommends that every local governmental unit within a county be invited to participate on the subregional forum. (pg. 8)**
11. **The Work Group recommends keeping project eligibility as flexible as possible, while ensuring projects meet federal requirements, address Metro Vision, and are consistent with the Regional Transportation Plan. (pg. 8)**
12. **The Work Group recommends a hybrid approach to developing project selection criteria.** The approach would require each subregional forum to use:
  - o certain overarching criteria to address federal requirements (i.e., safety, congestion, environmental justice, and ADA); and
  - o criteria that ensures proposed projects address Board-defined TIP Focus Area(s) and are consistent with Metro Vision and the Regional Transportation Plan.

Subregional forums will also have the flexibility to include additional criteria to address local values in the process. **(pg. 8)**

#### Proposed Dual Model Process Schedule


13. **The TIP Review Work Group recommends the Board allow the TIP Review Work Group to continue and become the basis for the TIP Policy Work Group. (pg. 9)**



# Recommended Funding and Project Selection Framework for the 2020-2023 TIP


## Board Work Session


*Presented by:*  
**Douglas W. Rex**  
February 1, 2017



## Background



- 2016-2021 TIP Postmortem (August 2015)
- Board directed the formation of a TIP Review Work Group
  - DRCOG staff and TAC members
- Presented White Paper to Board in February 2016
  - Recommendations:
    - Develop a project selection process purpose statement for the TIP.
    - Further explore the Regional/Subregional dual project selection model.
    - Create a project selection process that places more emphasis on project benefits, overall value, and return on investment.
    - Explore opportunities to exchange CDOT state funds with DRCOG federal funds.
    - Evaluate off-the-top programs and projects.






## Background

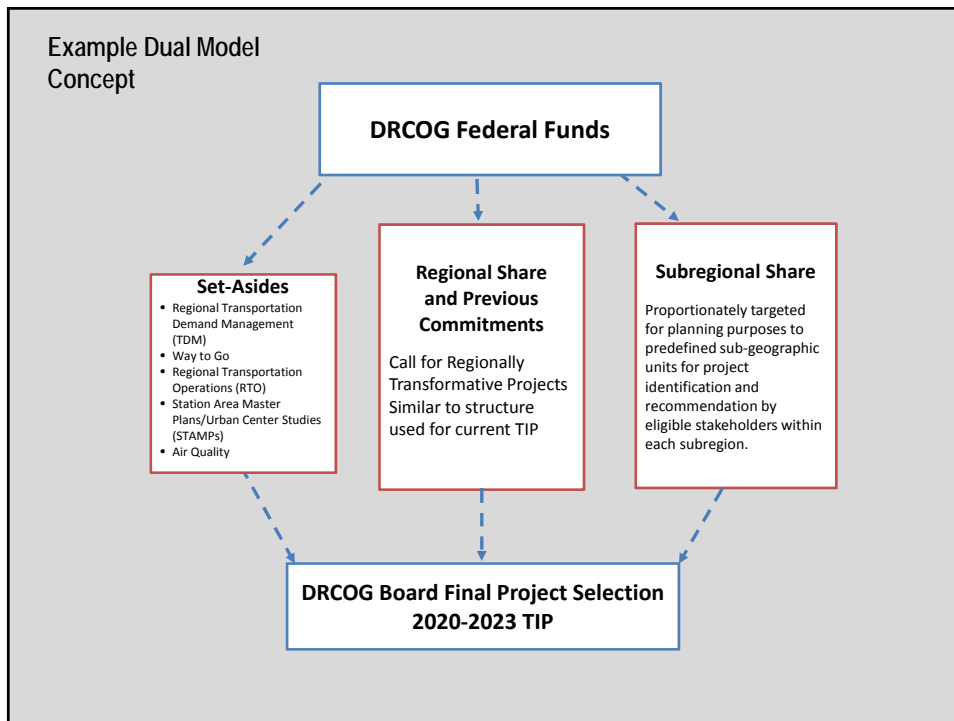
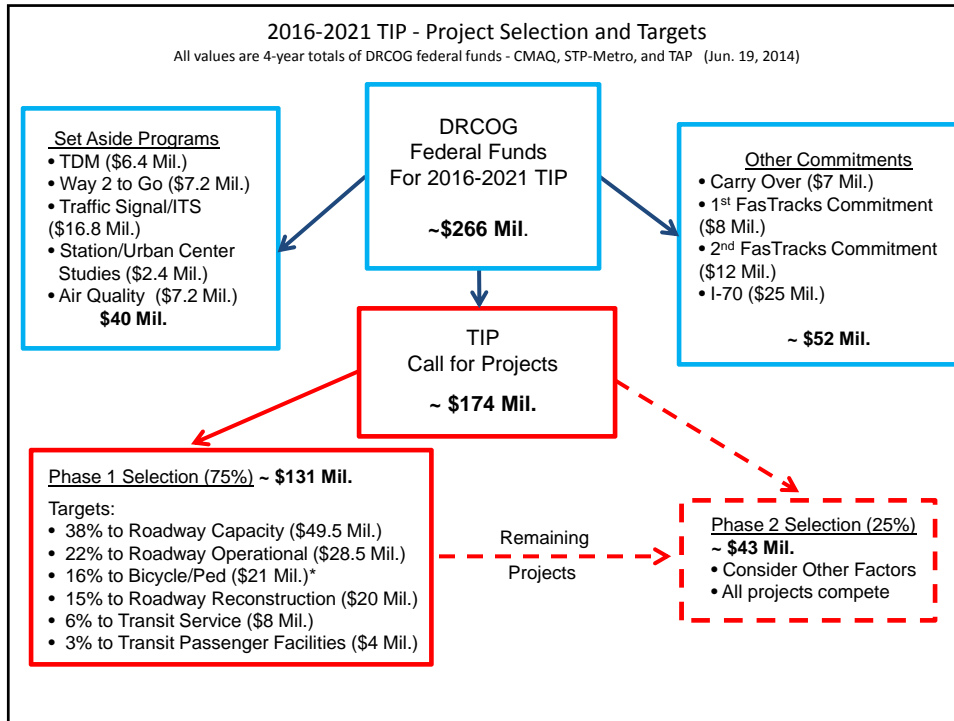
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    - Explore opportunities to exchange CDOT state funds with DRCOG federal funds.
    - Evaluate off-the-top programs and projects.

## Back together again!

- Board direction: continue investigating the recommendations
- Work Group reconvened in April 2016
- TIP Review Work Group Report for February 2017 Board Work Session
- Purpose of report:
  - Further explore Regional/Subregional Dual Model concept: Goodness of fit
  - Updates on the white paper recommendations are also included







## Dual Model – A comprehensive review

### Establish TIP Focus Areas

- Responsibility of the Board
- Regional priorities: What would the Board like to do with DRCOG funding to make life better?
- Consistent with Metro Vision and the RTP
- Discuss TIP Focus Areas at this summer's Board workshop

### Set-aside Share

- Regional programs: Regional Traffic Operations, Way-To-Go, TDM, STAMP, AQ
- Evaluation of existing programs



## Dual Model – A comprehensive review (cont.)

### Regional Share

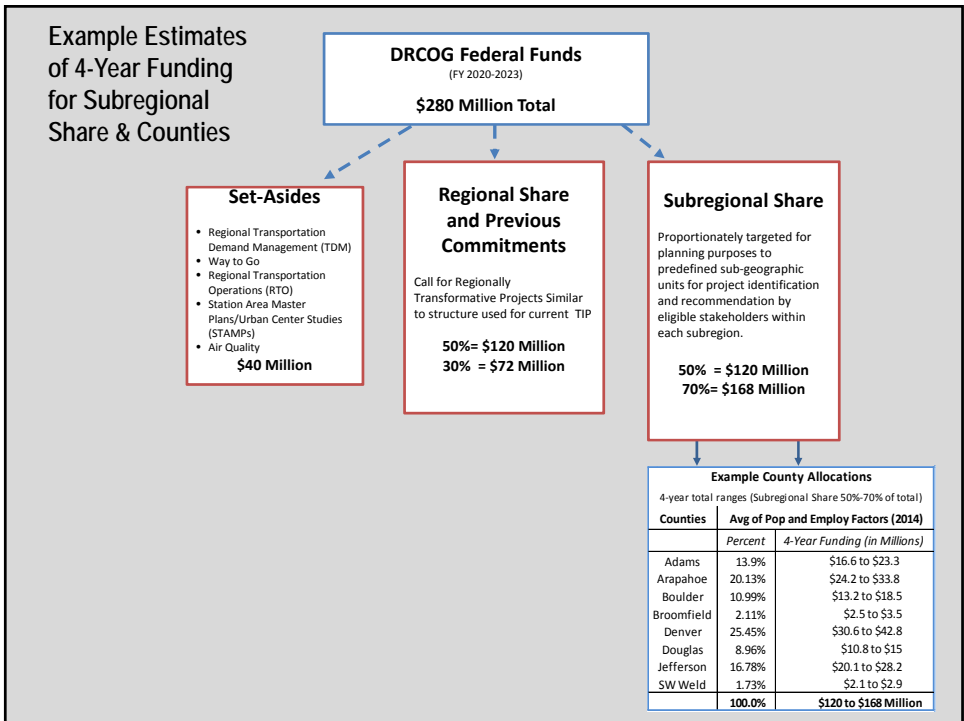
- “Transformative” projects
  - Must adhere to Board TIP Focus Areas
- Funds primarily used to supplement larger regional projects submitted by regional partners (e.g. CDOT, RTD, public authorities and other entities that qualify for federal funds)
- Simplified application process
  - Must be able to quantify the benefits to the region
- Projects reviewed by a subcommittee of the Board
  - Make recommendations to the full Board



## Dual Model – A comprehensive review (cont.)

### Subregional Share

- Funds proportionately targeted to predefined sub-geographic units for project identification and recommendation
  - Counties recommended
    - Comfortable relationship among jurisdictions
    - CDOT public hearing process: better coordination of project applications
    - Encourage cooperation and collaboration with neighboring counties on cross-jurisdictional projects
  - Subregional share needs to be “meaningful”
  
- How should funds be proportionately targeted?
  - Some combination of population, employment, VMT, PMT?







## Dual Model – A comprehensive review (cont.)

### Subregional Share

- **Governance:**
  - Establishment of subregional “forums” to coordinate a project prioritization process
  - Every local governmental unit within the county is invited to participate
  - CDOT and RTD non-voting
  - Other stakeholders at the discretion of subregional forums
- **Project eligibility:**
  - Keep flexible: allow local jurisdictions to determine best way to address transportation issues
  - Projects must be federally eligible
  - Must be consistent with Metro Vision and the RTP




## Dual Model – A comprehensive review (cont.)

### Subregional Share



- **Evaluation Criteria**
  - Hybrid approach
    - Universal criteria to address federal planning requirements (safety, congestion, environmental justice and ADA)
    - Criteria addressing Board TIP Focus Areas
    - Subregional criteria: forums can include additional criteria to address local values





## 2020-2023 TIP Schedule

- Develop TIP Policy document
  - Rules governing TIP development
  - Needs to be approved by Board no later than December 2017
  - Establish TIP Policy Work Group ASAP
    - Recommendation: use the TIP Review Work Group
- 2020-2023 TIP needs to be approved by March 2019

## Update of White Paper Recommendations

Develop a project selection process purpose statement for the TIP.

- Establish TIP Focus Areas at this summer's Board workshop

Further explore the Regional/Subregional dual project selection model.

- Recommend Dual Model for the next two TIP Call for Project TIP cycles

Create a project selection process that places more emphasis on project benefits, overall value, and return on investment.

- To be discussed during development of TIP Policy document

Explore opportunities to exchange CDOT state funds with DRCOG federal funds.

- CDOT's defederalization pilot

Evaluate off-the-top programs and projects.

- To be discussed during development of TIP Policy document

