

AGENDA
BOARD OF DIRECTORS
WEDNESDAY, January 20, 2021
6:30 – 8:15 p.m.
VIDEO/WEB CONFERENCE
Denver, CO

1. 6:30 Call to Order
2. Roll Call and Introduction of New Members and Alternates
3. Move to Approve Agenda
4. 6:35 Report of the Chair
 - Report on Performance and Engagement Committee
 - Report on Finance and Budget Committee
5. 6:40 Report of the Executive Director
6. 6:45 Public Comment

Up to 45 minutes is allocated now for public comment and each speaker will be limited to 3 minutes. If there are additional requests from the public to address the Board, time will be allocated at the end of the meeting to complete public comment. The chair requests that there be no public comment on issues for which a prior public hearing has been held before this Board. Consent and action items will begin immediately after the last speaker.

TIMES LISTED WITH EACH AGENDA ITEM ARE APPROXIMATE. IT IS REQUESTED THAT ALL CELL PHONES BE SILENCED DURING THE BOARD OF DIRECTORS MEETING. THANK YOU!

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.



CONSENT AGENDA

- 7. 7:00 Move to Approve Consent Agenda
 - i. Minutes of December 16, 2020
(Attachment A)

INFORMATIONAL BRIEFINGS

- 8. 7:05 Briefing on COVID-19 Relief Funding and unallocated TIP funding
(Attachment B) Ron Papsdorf, Director, Transportation Planning and Operations
- 9. 7:25 Briefing on the 2020-2023 Transportation Improvement Program (TIP) Whitepaper
(Attachment C) Todd Cottrell, Senior Transportation Planner, Transportation Planning and Operations
- 10. 7:45 Update on regional climate action planning
(Attachment D) Brad Calvert, Director, Regional Planning and Development
- 11. 8:05 Committee Reports
The Chair requests these reports be brief, reflect decisions made and information germane to the business of DRCOG
 - A. Report from State Transportation Advisory Committee – Ashley Stolzmann
 - B. Report from Metro Mayors Caucus – Herb Atchison
 - C. Report from Metro Area County Commissioners – Jeff Baker
 - D. Report from Advisory Committee on Aging – Jayla Sanchez-Warren
 - E. Report from Regional Air Quality Council – Doug Rex
 - F. Report from E-470 Authority – John Diak
 - G. Report from CDOT – Rebecca White
 - H. Report on FasTracks – Bill Van Meter

INFORMATIONAL ITEMS

- 12. Amendment to the Articles of Association
(Attachment E) Jenny Dock, Director, Administration and Finance
- 13. Recommendations for election of DRCOG Board officers for 2021
(Attachment F) Nominating Committee
- 14. Transportation Improvement Program (TIP) administrative modifications
(Attachment G) Todd Cottrell, Senior Transportation Planner, Transportation Planning and Operations
- 15. Draft 2021 Policy Statement on State Legislative Issues
(Attachment H) Rich Mauro, Senior Policy and Legislative Analyst
- 16. Draft 2021 Policy Statement on Federal Legislative Issues
(Attachment I) Rich Mauro, Senior Policy and Legislative Analyst

17. COVID-19's effects on traffic volumes
(Attachment J) Melissa Balding, Mobility Analytics Planner, Transportation Planning and Operations
18. RTD Accountability Preliminary Report
(Attachment K) Matthew Helfant, Senior Planner, Transportation Planning and Operations

ADMINISTRATIVE ITEMS

19. **Next Meeting – February 17, 2021**
20. Other Matters by Members
21. 8:15 Adjourn

CALENDAR OF FUTURE MEETINGS

January 2021

6	Board Work Session	4:00 p.m.
6	Performance and Engagement Committee	5:30 p.m.*
19	Regional Transportation Committee	Cancelled
20	Finance and Budget Committee	5:30 p.m.
20	Board of Directors	6:30 p.m.
22	Advisory Committee on Aging	Noon – 3 p.m.
25	Transportation Advisory Committee	1:30 p.m.

February 2021

3	Board Work Session	4:00 p.m.
3	Performance and Engagement Committee	5:30 p.m.*
16	Regional Transportation Committee	8:30 a.m.
17	Finance and Budget Committee	5:45 p.m.
17	Board of Directors	6:30 p.m.
19	Advisory Committee on Aging	Noon – 3 p.m.
22	Transportation Advisory Committee	1:30 p.m.

March 2021

3	Board Work Session	4:00 p.m.
3	Performance and Engagement Committee	5:30 p.m.*
16	Regional Transportation Committee	8:30 a.m.
17	Finance and Budget Committee	5:45 p.m.
17	Board of Directors	6:30 p.m.
19	Advisory Committee on Aging	Noon – 3 p.m.
22	Transportation Advisory Committee	1:30 p.m.

*Start time for this meeting is approximate. The meeting begins at the end of the preceding Board Work Session

ATTACH A

SUMMARY
BOARD OF DIRECTORS
WEDNESDAY, December 16, 2020

Members/Alternates Present

John Diak, Chair	Town of Parker
Eva Henry	Adams County
Jeff Baker	Arapahoe County
Bob Fifer	City of Arvada
Mike Coffman	City of Aurora
Larry Vittum	Town of Bennet
Elise Jones	Boulder County
Aaron Brockett	City of Boulder
William Lindstedt	City and County of Broomfield
Deborah Mulvey	City of Castle Pines
Tammy Mauer	City of Centennial
Randy Weil	City of Cherry Hills Village
Craig Hurst (Alternate)	City of Commerce City
Nicholas Williams	City and County of Denver
Kevin Flynn	City and County of Denver
Roger Partridge	Douglas County
Steve Conklin	City of Edgewater
Bill Gippe	City of Erie
Linda Olson	City of Englewood
Josie Cockrell	Town of Foxfield
Lynette Kelsey	Town of Georgetown
Jim Dale	City of Golden
George Lantz	City of Greenwood Village
Libby Szabo	Jefferson County
Stephanie Walton	City of Lafayette
Jacob LaBure	City of Lakewood
James Kuemmerle	Town of Lochbuie
Wynne Shaw	City of Lone Tree
Joan Peck	City of Longmont
Ashley Stolzmann	City of Louisville
Colleen Whitlow	Town of Mead
Julie Duran Mullica	City of Northglenn
Sally Daigle	City of Sheridan
Neal Shah	Town of Superior
Jessica Sandgren	City of Thornton
Herb Atchison	City of Westminster
Bud Starker	City of Wheat Ridge
Rebecca White	Colorado Department of Transportation
Bill Van Meter	Regional Transportation District

Others Present: Douglas W. Rex, Executive Director, Melinda Stevens, Executive Assistant, DRCOG; Chris Chovan, Kristin Sullivan, Adams County; Bryan Weimer, Arapahoe County; Mac Callison, Alison Coombs, Aurora; Sarah Grant, Heidi Henkel,

Broomfield; Brad Boland, Jason Gray, Castle Rock; Art Griffith, Lauren Pulver, Douglas County; Wendi Palmer, Erie; Tim Howard, Superior; Diane Van Fossen, Kent Moorman, Thornton; Ed Bowditch, Jennifer Cassell, Bowditch & Cassell Public Affairs; Angie Drumm, Danny Herrman, Paul Jesaitis, Jessica Myklebust, Jan Rowe, Jordan Rudel, Keith Stefanik, Darius Pakbaz, CDOT; Debra Johnson, Dan McClain, RTD; Lisa Hood, Matthew Burde, Randle Loeb, Tracy Kraft-Tharp, Citizen; and DRCOG staff.

Chair John Diak called the meeting to order at 6:30 p.m. with a quorum present.

Move to approve agenda

Director Atchison **moved** to approve the agenda. The motion was **seconded** and **passed** unanimously.

Report of the Chair

- Debra Johnson, CEO and GM of RTD, expressed her eagerness and willingness to work in collaboration with DRCOG to improve transportation needs around the region.
- Director Flynn reported the Performance and Engagement Committee had not met.
- Director Conklin reported the Finance and Budget Committee met and received an informational briefing on Colorado Department of Regulatory Agencies (DORA) additional funding. The committee also acted on two resolutions approving the Executive Director to:
 - negotiate and execute a contract with Kucera International, Inc. in an amount not to exceed \$350,000 with a term of February 2021 through September 2022 to create planimetric datasets.
 - allocate excess CARES, OAA and SFSS funds in the amount of \$3,354,971 to local service providers as recommended by the ACA for the six-month period of January 1, 2021 through June 30, 2021.

Report of the Executive Director

- All Solicitations of Interest for serving on the Executive Committee needed to be received by December 23 to be considered.
- An amendment to the DRCOG Articles of Association will be coming to the Board to change our current fiscal year to align with the state fiscal year, beginning July 2021.
- Transportation Photo Contest – will be taking place through January 20th. Photos should be of the best ways to get around the region (walking, biking, etc.) and the winner will receive a basket full of Colorado related items.
- Affordable housing – DRCOG (along with Housing Colorado) plans to offer a four-part webinar series starting in January and going through April. Each part of the series will include specific focal points of affordable housing, which are: financial tools, best practices and permitting processes, a developer's perspective, and tips/best practices.
- Executive Director Rex wanted to give a fond farewell to Director Elise Jones, Director Libby Szabo, Director Larry Strock, and Director Roger Partridge. Mr. Rex

also wanted to express his gratitude to those directors for their service on the DRCOG Board.

Public Comment

Julie Hood, Strasburg resident, has been working with Senior Hub and wanted to comment on the current meal program for the senior population in Strasburg. Ms. Hood wanted to advocate for May Farms to continue to receive funding to provide meals to this population. Currently the plan is to switch to a Denver based restaurant to provide these services. Ms. Hood is concerned that if May Farms loses funding/business, the whole economy of Strasburg/Byers will be affected and could potentially collapse.

Randall Loeb wanted to invite and inform the directors that a memorial will be taking place December 21 for people who have died in the DRCOG region. Mr. Loeb also wanted to advocate for free public transportation for all citizens to improve quality of life and the economy.

Chair Diak closed public comment at 7:01 p.m.

Move to approve consent agenda

Director Vittum **moved** to approve the consent agenda. The motion was **seconded** and **passed** unanimously.

Items on the consent agenda included:

- Summary of the November 18, 2020 meeting
- 2020-2023 Transportation Improvement Program (TIP) Amendment
- Fixing America's Surface Transportation Act (FAST Act) 2022 Infrastructure Condition and 2021 Public Transportation Agency Safety Plan Targets

FY 2020 Transportation Improvement Program (TIP) Project Delay Actions

Todd Cottrell presented the delay actions to the directors. Delays wrap up highly coveted federal funds that could be used for other ready projects/phases. At the end of FY 2020, DRCOG staff reviewed the status of DRCOG-selected projects/phases with CDOT and RTD. Staff discussed with sponsors the reasons for these delays and identified action plans demonstrating the sponsor's commitment to begin projects in a timely fashion. The [TIP Project Delays Report for FY 2020](#) summarizes the reasons for delays and actions proposed by sponsors to get the project or particular phase(s) initiated. The report included DRCOG staff recommendations for TAC, RTC, and Board consideration.

Director Atchison **moved** to adopt the actions proposed by DRCOG staff regarding TIP project delays for Fiscal Year 2020. The motion was **seconded** and **passed** unanimously.

Corrections to the 2050 Metro Vision Regional Transportation Plan (2050 MVRTP) fiscally constrained project and program investment priorities

Jacob Riger provided a brief explanation of the corrections to the directors. After the November 18, 2020 Board meeting, staff discovered the projects and program list included in the agenda was a previous version that did not contain a few revisions. The updates to the list were minor and did not change the projects approved by the Board. Staff wanted to be transparent with the Board about the updates to the project list, which are listed in the [agenda memo](#).

Director Walton **moved** to approve the corrected 2050 MVRTP fiscally constrained project and program investment priorities, recognizing the Metro Vision Plan's primary objectives were considered in developing these recommendations. The motion was **seconded** and **passed** unanimously.

Urban Arterial Multimodal Safety Improvement Program (Safer Main Streets) Project Awards

Ron Papsdorf, Paul Jesaitis, Jordan Rudel, and Jessica Myklebust provided an overview of projects that will be awarded funding to the directors. The Safer Main Streets program goals include reducing fatal/serious injury crashes on the region's transportation system, supporting a transportation system that safely accommodates all modes of travel, improving transit access and multimodal mobility, supporting the development of connected urban/employment centers and multimodal corridors, and helping communities adjust to new travel patterns caused by COVID-19. Through a partnership between DRCOG and CDOT, the program has \$77 million of funding available for the program. CDOT and DRCOG received 46 applications requesting a total of \$123 million of grant funds. The Scoring and Selection Panel, with representatives from CDOT, DRCOG, and RTD, reviewed and scored projects against the evaluation criteria and met to develop a recommendation. CDOT and DRCOG also convened an Advisory Panel twice to first review the initial work of the Scoring and Selection Panel and then to review the final recommendation. The Scoring and Selection Panel recommended awarding \$58.9 million for full or partial funding of 30 projects located in 9 jurisdictions.

Director Brockett **moved** to award \$58,853,430 to the proposed list of Safer Main Streets projects as presented. The motion was **seconded** and **passed** unanimously.

Preview of 2021 state legislative session

Rich Mauro, Ed Bowditch, and Jennifer Cassell provided an [overview of the upcoming session](#) to the directors. The Colorado General Assembly will convene on January 13, 2021. Changes to leadership, voter adoption of ballot measures that affect state revenues, and budget challenges were main focus areas, following the general election. State funding for the Area Agencies on Aging (AAA) is one of the most important focus areas for DRCOG. Staff convened a working group of experts and advocates to consider options for legislative and executive branch consideration to stabilize State Funding for Senior Services (SFSS). DRCOG and its partners produced [a report outlining the value of AAA services](#), how these services save the state money, and recommendations for prioritizing the policy options for current and long-term funding. DRCOG and C4A will use the report in advocacy efforts with state officials. There also appears to be renewed interest from the

legislature on actions that may be taken during the session to enhance transportation revenues.

Setting 2021 Safety Targets as required by the Fixing America's Surface Transportation Act (FAST Act) and setting Vision Zero safety targets

Jacob Riger provided a brief overview of the targets to the directors. The FAST Act requires State DOTs and MPOs to set targets and report on progress towards achieving those targets. The topics include safety, infrastructure condition, system performance, transit asset management, and public transportation agency safety. DRCOG has previously used the Metro Vision Plan's 2040 fatalities target to establish the FAST Act-required annual safety targets. DRCOG committed to a target of zero fatalities, with the timeframe to be established as part of the 2050 MVRTP process and adopted via formal amendment to the Metro Vision Plan. The directors participated in a live survey via Mentimeter for setting the zero fatalities target timeframe for the 2021 FAST Act safety targets (these must be adopted by February 27, 2021). Most directors indicated a preference that the year 2040 should be the target for zero fatalities and in the next 5-10 years, there should be zero serious injuries.

Setting Congestion Management Process and preliminary results of the 2019 Annual Report

Robert Spotts highlighted results of the report for directors. DRCOG maintains a federally required congestion management process (CMP). A component of the process is the calculation of congestion measurements for roadways in the DRCOG region and an annual report on traffic congestion. The focus is discussion of daily vehicle miles traveled (VMT) in the region through 2019, prior to the impacts of COVID-19. Next year's report will delve into details on COVID-19 impacts on 2020 traffic congestion and examine potential long-term impacts on travel patterns, transportation services, and local decisions.

Committee Reports

State Transportation Advisory Committee – Director Jones reported that the committee had not met but took the opportunity to state what an honor it has been to serve on the DRCOG Board of Directors.

Metro Mayors Caucus –Director Starker reported the caucus met on December 3 and received extensive briefings from the regional health departments of Denver County, Jefferson County, and the Tri-Counties regarding COVID-19 challenges.

Metro Area County Commissioners –Director Partridge stated they met and discussed affordable housing and homelessness and how to utilize CARES Act funding. Director Partridge also stated his gratitude for being able to serve on the DRCOG Board of Directors.

Advisory Committee on Aging – Jayla Sanchez-Warren reported the committee met and discussed transportation for AAA. The first aspect discussed was a review of the 8 different transportation providers and what they accomplished before and during the pandemic. There was an in-depth discussion of the Ride Alliance project (re-branded from VTCLI) and the creation of a virtual hub to schedule rides through different providers.

Regional Air Quality Council – Doug Rex reported the council had a discussion on the Clean Air Champions Award and RTD was one of the recipients. The council approved

their 2021 budget and work program. They also received an update on the Serious Area Ozone Plan and RAQC's implementation plan.

E-470 Authority – Chair Diak stated that they met and recognized Roger Partridge for his service on the E-470 Board, which addressed the Aurora Parkway intergovernmental agreement with the City of Aurora. The board approved their 2021 budget, which included a projection of a 10% decrease in revenue.

Report from CDOT – Director White reported they are working on distributing \$200 million stimulus funds for transportation and \$70 million for the Safer Main Streets initiative. Ms. White wanted to personally thank Director Partridge and Director Jones for their tenure serving on the STAC. She also wanted to welcome Directors Stolzmann and Mauer to the STAC.

Report on FasTracks – Director Van Meter reported that RTD was one of the recipients of the Clean Air Champions Award. The Board received updates on the process for the RTD re-districting of directors' boundaries and those efforts will begin next year. They also received a progress update on the Front Range Passenger Rail.

Next meeting – **January 20, 2021**

Other matters by members

There were no other matters by members.

Adjournment

The meeting adjourned at 8:41 p.m.

John Diak, Chair
Board of Directors
Denver Regional Council of Governments

ATTEST:

Douglas W. Rex, Executive Director

ATTACH B

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Informational Briefing	8

SUBJECT

COVID-19 Relief Funding and unallocated TIP funding update and next steps.

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

NA

SUMMARY

At the end of December, the President signed the Consolidated Appropriations Act, 2021. The bill also included the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 which included approximately \$9.8 billion allocated in the form of the Surface Transportation Block Grant (STBG) program, with funding available to spend until September 30, 2024. A portion of STBG funding is allocated based on population to urban areas with populations over 200,000. CDOT has estimated DRCOG's portion of funding would be approximately \$36,200,000.

At a special Transportation Commission meeting on January 4, 2021, the Commission adopted a resolution selecting projects to be funded with CDOT-directed COVID Relief funds and establishing goals for the expeditious use of these funds (Attachment 1). The resolution includes a request that DROC complete its project selection process by April 2021 and that most projects go to advertisement by summer, 2021.

These funds are in addition to \$17,000,000 of unallocated TIP funding DRCOG is currently working through with project sponsors on the TIP Waiting List Protocols. As of today, DRCOG is aware of \$53.2 million available to program to sponsors with projects off the waiting lists. DRCOG staff proposes to utilize the adopted Waiting List Protocol for the 2020-2023 Transportation Improvement Program to allocate all of these funds.

Waiting List Process

DRCOG staff originally began the TIP waiting list process in March 2020, but paused the process to focus on TIP issues related to the COVID-19 pandemic. In light of the COVID-19 Relief funding, staff is restarting the process, which consists of three basic steps:

1. Split the available funding 20% to the Regional Share waiting list and 80% to the Subregional Share waiting lists, and then further break down the subregional share funding according to the forum allocations in the TIP Policy.
 - a. Available funding from pre-20-23 TIP project closeouts, project returns, or new allocations get split 20/80 as stated above, but available funding from

20-23 TIP project closeouts or returns, gets directed to the appropriate subregional forum waiting list to reprogram.

2. Advance existing project funding if sponsors wish.
3. Select projects from available waiting lists.

Attachment 1 contains the current regional and subregional funding breakdown of the available \$53.2 million.

Individual Waiting Lists

Comparing the individual waiting lists in Attachment 2 with the available funding to each forum waiting list in Attachment 1, it is apparent that one forum (Jefferson County) does not have enough projects on their waiting list for the funding that would be available to them. In addition, given these waiting lists were finalized in the summer of 2019, some sponsors may no longer pursue their waiting list project either due to completing them with local or other funds, the availability of local match or staff, or a shift in priority.

Next Steps

In consideration of the adopted TIP and TIP Policy document and the concerns stated above, DRCOG proposes to take the following steps:

1. Advance project sponsor funding from FY22 and/or FY23 into FY21 and/or FY22 if requested. An email sent in mid-December started this process and concluded last week. However, DRCOG staff are interested in finding additional opportunities to advance programmed projects to utilize COVID-19 relief funds. This step needs to be completed first in order to know the exact funding available in which years of the TIP. Attachment 3 may assist project sponsors in identifying possible project advancements.
2. Begin the waiting list process (as set outlined in Attachment 2) by contacting the first project sponsor on each of the Regional Share waiting list and Subregional Share waiting lists.
3. Since the COVID-19 relief funding has an expiration date of September 30, 2024, DRCOG intends to program all COVID-19 STBG funding to projects that are expected to go to ad in FY21 and FY22.
4. If funding is still available to allocate to any one waiting list (meaning a waiting list no longer has any projects left on it or those projects on a waiting list wish to not accept the funding), conduct a new Call for Projects only for those affected forums using the existing subregional or regional application(s) to add projects to their waiting lists.

Since DRCOG Board approval will be necessary, staff anticipates the Call for Projects process to begin by April/May and wrap up by the fall (the beginning of FY22). Projects recommended by those affected forums and approved by the Board will be placed on their waiting list to use the available funding, with the remaining projects placed on their waiting list for future allocation.

PREVIOUS BOARD DISCUSSIONS/ACTIONS

NA

PROPOSED MOTION

N/A

ATTACHMENT

1. January 4, 2021 Transportation Commission Resolution
2. Funding breakdown by Regional/Subregional
3. TIP Waiting List Protocols and Project Lists
4. 20-23 TIP Projects, sorted by year and funding type

ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Executive Director, at drex@drcog.org or (303) 480-6701; or Ron Papsdorf, Director, Transportation Planning and Operations Division at 303-480-6747 or rpapsdorf@drcog.org.

Resolution #TC-RES-2021-01-01 SM

Resolution Related to Federal COVID-19 Relief Package

Approved by the Transportation Commission on January 4, 2021.

WHEREAS, a \$900 billion COVID-19 relief package and a \$1.4 trillion FY 2021 omnibus appropriations package was passed by Congress and signed by the President of the United States on December 27, 2020; and

WHEREAS, the funding package includes \$9.8 billion for surface transportation for State Departments of Transportation, and Colorado's share of this would be 1.37% or \$134.3 million; and

WHEREAS, taken together, COVID Relief and FY 21 Supplemental funding is expected to provide Colorado approximately \$150 million; and

WHEREAS, the legislation dictates that funding will be allocated based on the Surface Transportation Block Grant (STBG) Program formula that is based on population (larger urban, small urban, rural, flexible) with portions sub-allocated to the large urban Transportation Management Areas; and

WHEREAS, in addition to eligible uses under the STBG Program, stimulus funds may be used for costs related to preventive maintenance, routine maintenance, operations, personnel, including salaries of employees (including those employees who have been placed on administrative leave) or contractors, debt service payments, availability payments, and coverage for other revenue losses; and

WHEREAS, funding is available through September 30, 2024; and

WHEREAS, the Transportation Commission (Commission) supports the following goals for these additional funds:

Move Quickly

- By allocating dollars quickly, CDOT can ensure maximum benefit to Colorado's economy.
- CDOT has focused on projects ready to go to advertisement as soon as possible (preferably February-April).
- CDOT staff will provide formal guidance to sub-recipients within 30 days on the timely use of funds.

Retain Focus on 10-yr Plan

- Projects come from the 10-yr plan (specifically Years 3 and 4 of the SB267 list) and reflect stated priorities from the plan (e.g. improving assets).

Distribute Dollars Equitably

- Because these dollars are intended to help the economy, staff proposes distributing them equitably across the state using the same formula as was used for the SB267 funding.

Advance Health and Sustainability Goals

- Continue critical COVID infrastructure support--Revitalizing Main Streets--supporting communities through the winter months.
- Help modernize our approach to NEPA so that project investments continue to

support GHG goals.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission approves the attached list of projects to be implemented with funds received from the COVID-19 relief and government funding package contingent upon their inclusion in the Statewide Transportation Improvement Program (STIP); and

NOW THEREFORE BE IT FURTHER RESOLVED, in order to show how quickly Colorado can make use of transportation funds, the Commission anticipates sub-recipients to approve projects by April, 2021, and expects most projects to go to advertisement by summer, 2021; and

NOW THEREFORE BE IT FURTHER RESOLVED, the Commission supports staff developing expenditure curves for all projects, including those chosen by sub-recipients, to ensure all stimulus funds are expended by the September 30, 2024 deadline, and if a project is unable to meet that deadline, a new project shall be chosen.

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

__1/4/2021__
Date

Current Funding Unallocated

1/5/2021 15:07

		COVID-19 Funding				
Current Unallocated Amounts						
		\$ 36,200,000				
STP-Metro	\$ 17,114,366					
CMAQ	\$ (2,632,866)					
TA	\$ (633,697)					
MMOF	\$ 3,151,000					
Total Unallocated		\$ 53,198,803				
<i>Total without 20-23 returns (added in later) *used for initial 80/20 split*</i>		\$ 50,598,803				
				20-23 Project Savings/Returns		20-23 Funding Available
Regional	\$ 10,119,761	20.00%	Plus		=	\$ 10,119,761
Subregional	\$ 40,479,042	80.00%				
Adams	\$ 6,140,671	15.17%	Plus	\$ 300,000	=	\$ 6,440,671
Arapahoe	\$ 7,840,791	19.37%	Plus		=	\$ 7,840,791
Boulder	\$ 3,926,467	9.70%	Plus	\$ 2,200,000	=	\$ 6,126,467
Broomfield	\$ 943,162	2.33%	Plus		=	\$ 943,162
Denver	\$ 9,832,359	24.29%	Plus		=	\$ 9,832,359
Douglas	\$ 4,064,096	10.04%	Plus		=	\$ 4,064,096
Jefferson	\$ 6,654,755	16.44%	Plus		=	\$ 6,654,755
SW Weld	\$ 1,076,743	2.66%	Plus	\$ 100,000	=	\$ 1,176,743

Table 5. Eligible Projects for Waiting List for the 2020-2023 TIP

DRCOG Regional Share Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-3)	Project Activity	Waiting List Ranking
Denver	Denver	Broadway Station and I-25 Safety & Access Improvements	\$ 12,000	2.4	Construction	1
Boulder	Boulder County	US-287 BRT Feasibility and Corridor Safety Study	\$ 250	1.9	Study	2
Broomfield	Broomfield	US-36 Bikeway Realignment and Safety Improvements	\$ 1,234	1.9	Construction	3

Subregional Share: Adams County Forum Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-5)	Project Activity	Waiting List Ranking
Adams	Northglenn	120th Ave. Improvements: Washington St. to York St. (remaining amount)	\$ 9,763	3.2	Construction	1
Adams	Aurora	Fulton St. Bicycle Boulevard and Pedestrian Enhancements (Phase 2)	\$ 1,911	3.0	Construction	2
Adams	Aurora	Bicycle and Pedestrian Improvements: Havana St. and Lola St.	\$ 917	2.9	Construction	3

Subregional Share: Arapahoe County Forum Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-3)	Project Activity	Waiting List Ranking
Arapahoe	Littleton	Santa Fe Dr. and Mineral Ave. Operational Improvements (remaining amount)	\$ 6,048	1.9	Construction	1
Arapahoe	Centennial	Havana St. and Easter Ave. Intersection Operational Improvements	\$ 5,000	2.0	Construction	2
Arapahoe	Littleton	Broadway Corridor Study	\$ 800	1.9	Study	3
Arapahoe	Littleton	Federal Blvd. and Bowles Ave. Intersection Operational Improvements	\$ 3,400	1.9	Construction	4
Arapahoe	Arapahoe County	Peoria St. and Easter Ave. Intersection Operational Improvements	\$ 5,194	1.8	Construction	5

Subregional Share: Boulder County Forum Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-3)	Project Activity	Waiting List Ranking
Boulder	Boulder County	US-287 BRT Feasibility and Corridor Safety Study	\$ 250	2.4	Study	1
Boulder	Lyons	US-36 Multimodal Improvements in Lyons	\$ 1,966	2.3	Construction	2
Boulder	Lyons	St. Vrain Trail Extension: Lyons	\$ 1,048	2.3	Construction	3
Boulder	Boulder	30th St. Corridor Improvements: Boulder Creel to Arapahoe	\$ 2,580	2.1	Construction	4
Boulder	Longmont	SH-119 Operational Improvements: Nelson to Pratt	\$ 3,000	2.1	Construction	5
Boulder	Boulder	SH-7 and Arapahoe Bridge Replacement	\$ 4,200	2.0	Construction	6
Boulder	Longmont	County Line Rd. Shoulder Improvements: 17th to SH-66	\$ 225	1.9	Design	7
Boulder	Superior	Marshall Rd. Underpass	\$ 1,440	1.5	Construction	8
Boulder	Boulder County	Multimodal Intersection Improvements: SH-7 and 95th Ave.	\$ 5,200	1.2	Construction	9

Subregional Share: City/County Broomfield Forum Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-3)	Project Activity	Waiting List Ranking
Broomfield	Broomfield	Industrial Lane Bikeway Phase 2 (remaining amount)	\$ 186	2.1	Construction	1
Broomfield	Broomfield	Industrial Ln. & Nickel/Commerce Intersection Improvements (remaining amount)	\$ 1,600	1.8	Construction	2

Subregional Share: City/County Denver Forum Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-3)	Project Activity	Waiting List Ranking
Denver	Denver	Strategic Transportation Plan Update	\$ 4,000	2.4	Study	1
Denver	Denver	Broadway Station and I-25 Safety & Access Improvements (remaining amount)	\$ 3,755	2.4	Construction	2
Denver	Denver	Transit Speed & Reliability (remaining amount)	\$ 6,100	2.4	Construction	3
Denver	Denver	N. Broadway Multimodal Improvements: 7th Ave. to 16th St.	\$ 9,183	2.2	Construction	4
Denver	Denver	South Platte Regional Trail Improvements	\$ 17,504	2.1	Construction	5
Denver	Denver	Buchtel Trail Multimodal Network Improvements	\$ 12,838	2.2	Construction	6
Denver	Denver	Peoria St. Multi-Modal Improvements: 37th Ave. to 56th Ave.	\$ 6,589	2.1	Construction	7
Denver	Denver	Alameda Ave. Multimodal Improvements: Santa Fe Dr. to Cherokee St.	\$ 7,600	1.9	Preconstruction	8
Denver	Denver	Park Ave. West Viaduct Rehab Phase 3: Wazee to I-25	\$ 9,600	1.8	Construction	9
Denver	Denver	Sand Creek Regional Trail Improvements	\$ 7,077	2.1	Construction	10
Denver	Evergreen	Evergreen Lake Trail Improvements	\$ 200	1.8	Construction	11

Subregional Share: Douglas County Forum Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-3)	Project Activity	Waiting List Ranking
Douglas	Castle Rock	Fifth St. Roadway Operational Improvements	\$ 3,900	2.3	Construction	1
Douglas	Castle Rock	Wolfensberger Rd. Roadway Operational Improvements	\$ 3,300	2.2	Construction	2
Douglas	Douglas County	Broadway & Highlands Ranch Pkwy. Intersection Improvements	\$ 2,500	1.6	Construction	3
Douglas	Parker	Parker Rd. Adaptive Traffic Signal System	\$ 1,000	2	Construction	4

Subregional Share: Jefferson County Forum Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-3)	Project Activity	Waiting List Ranking
Jefferson	Jefferson County	W. 32nd Ave. Bike Lanes: Ford St. to Eldridge St.	\$ 4,000	1.8	Construction	1

Subregional Share: SW Weld County Forum Waiting List						
Subregional Forum	Project Sponsor	Project Name	Funding Request (\$1,000's)	Score (1-3)	Project Activity	Waiting List Ranking
SW Weld	Mead	SH-66 and WCR-7 Pedestrian Underpass (remaining amount)	\$ 825	1.8	Construction	1
SW Weld	CDOT R4	SH-52 PEL (remaining amount)	\$ 750	2.3	Study	2

WAITING LISTS PROTOCOL

If additional funds become available in FY2020-2022, DRCOG staff will initiate the process to allocate funds to waiting list projects as described below. Additional funding that becomes available in FY2023 (October 1, 2022) will be rolled over and included with the Calls for Projects in the FY2024-2027 TIP. This protocol does not apply to any TIP set-asides, pool programs, or projects not on the waiting list.

Additional funding can come from two sources:

- Project cancellations by project sponsors or project savings. Funding from these methods will be returned to where it was originally programmed (Regional Share or each individual Subregional Share forum). TIP Set-Asides project cancellations or savings will be returned to their respective set-aside and are not listed in Table 5.
- New revenues. Funding from this method will be split according to the established funding split; 20% to the Regional Share and 80% to the Subregional Share processes. Subregional funds will be further broken down and targeted according to the established breakdown:
 - Adams County: 15.17%
 - Arapahoe County: 19.37%
 - Boulder County: 9.70%
 - City/County of Broomfield: 2.33%
 - City/County of Denver: 24.29%
 - Douglas County: 10.04%
 - Jefferson County: 16.44%
 - SW Weld County: 2.66%

When DRCOG staff is notified of additional funds, the following steps will be followed:

1. Obtain official verification from CDOT of availability of funds.
2. When either a) \$2 million is accrued or b) an amount equal to 100% of the next-in-line (top-ranked) project funding request is accrued for any one of the individual waiting lists (Regional Share, or any of the Subregional Share forums), staff will first contact sponsors of projects to try to advance project phases and/or adjust funding types already identified in the TIP. Staff will then select projects in order from the appropriate waiting lists included in preceding page (Appendix D, Table 5) of the 2020-2023 TIP to the limit of applicable funds available.
 - a. Contact the sponsor of the top ranked project on the specific waiting list to determine the sponsor's interest in being selected. If the amount of funds available is less than the requested cost of that project, the sponsor will be asked if it would be willing to complete the entire project as submitted for the amount of funds available. Projects that accept partial funding will be removed from the list. If the response is no, or if all the available funds have not been fully

allocated, DRCOG staff will proceed to the next project on the waiting list. Sponsors that request to be passed over on the funding opportunity will remain on the waiting list. DRCOG staff will make every attempt to adjust and swap funding types between projects in order to fund the top ranked project with the appropriate available funding.

- b. At the end of FY2022 (September 30, 2022), even if less than \$2 million has accrued within a funding category, staff will go down each specific waiting list in accordance with section 2.a. above to allocate available funds.
- 3. Recommend projects to be programmed and take them through the committee process to the Board as TIP Amendments.

2020-2023 TIP: All Funded Projects, Listed *by Funding Type*

1/12/2021

TA Funding						
-----Listed in \$1,000s-----						
Sponsor	Project Title	2020	2021	2022	2023	Total Federal
Jeffco	Colfax Ave. Multiuse Path: I-70 to Poppy St.		\$875			\$875
Aurora	High Line Canal Trail: East Colfax Ave. to I-70		\$3,301			\$3,301
Aurora	Aurora Missing Sidewalk Program			\$295	\$1,670	\$1,965
Superior	US-36 Bikeway Extension: Superior to Broomfield	\$200	\$849			\$1,049
Mead	SH-66 and WCR-7 Pedestrian Underpass			\$320	\$1,255	\$1,575
Lone Tree	C-470 Grade Separated Trail over Acres Green Drive			\$2,000		\$2,000
Englewood	Oxford Ave. Pedestrian Bridge		\$309			\$309
Jeffco	Jefferson County Bike Master Plan Update	\$200				\$200
	PROGRAMMED TOTAL	\$400	\$5,334	\$2,615	\$2,925	\$11,274
MMOF Funding						
-----Listed in \$1,000s-----						
Sponsor	Project Title	2020	2021	2022	2023	Total Federal
Arapahoe County	High Plains/Cherry Creek Trail Connector		\$2,375			\$2,375
Jeffco	Front Range Trail Study	\$100				\$100
Parker	Parker Rd. Multi-Use Trail/Sidewalk: Twenty Mile Rd. to Hess Rd.		\$1,000			\$1,000
Longmont	St. Vrain Greenway, Phase 13: SH-119 to St. Vrain State Park		\$250	\$1,250		\$1,500
Lochbuie	Greenway Trail: CR-37 to 168th Ave.		\$100	\$350		\$450
Denver	16th St Mall Rehabilitation	\$6,666	\$6,666	\$6,668		\$20,000
Louisville	Rock Creek and Coal Creek Trail Connection	\$75		\$400		\$475
Clear Creek Co	Peaks to Plains	\$500				\$500
Nederland	Downtown ADA Sidewalk Connections	\$150	\$450	\$150		\$750
DRCOG	Second FasTracks Commitment	\$2,860				\$2,860
Boulder	HOP Transit Service Expansion	\$800	\$800	\$800		\$2,400
Jeffco	Peaks to Plains		\$2,125	\$4,050	\$4,075	\$10,250
	PROGRAMMED TOTAL	\$11,151	\$13,766	\$13,668	\$4,075	\$42,660
CMAQ Funding						
-----Listed in \$1,000s-----						
Sponsor	Project Title	2020	2021	2022	2023	Total Federal
DRCOG	TDM Services - DRCOG Way-To-Go Program	\$4,400		\$4,400		\$8,800
DRCOG	TDM Services - Regional Partnerships	\$700	\$700	\$700	\$700	\$2,800
DRCOG	Regional Transportation Operations and Technology	\$5,000	\$7,070	\$5,972	\$5,303	\$23,345
RAQC	Air Quality Set-Aside	\$3,300	\$1,400	\$1,900		\$6,600
DRCOG	Human Services Transportation	\$1,000	\$1,000	\$1,000	\$1,000	\$4,000
CDOT R1	Central 70	\$12,500	\$12,500			\$25,000
Westminster	Sheridan Blvd. Multimodal Improvements	\$1,500	\$2,000	\$2,000		\$5,500
Castle Rock	SH-86/5th St. and Founders Pkwy/Ridge Rd Intersection Operational Improvements	\$300		\$3,925		\$4,225
Parker	Parker Rd. Operational Improvements: Lincoln Ave. to Pine Ln.			\$1,750		\$1,750
Lochbuie	I-76 and Baseline Rd. Interchange Improvements		\$200	\$1,200		\$1,400
Erie	Traffic Signalization: Erie Pkwy. and WCR-7	\$54	\$426			\$480
Broomfield	FlexRide Expansion & Marketing	\$360		\$132	\$360	\$852
CDOT R1	Vasquez Blvd. Improvements: 52nd Ave. to E. 64th Ave.	\$500	\$800		\$3,450	\$4,750
Bennett	SH-79 and I-70 Interchange Eastbound Ramp Improvements	\$400	\$400			\$800
RTD	Micro Transit Service & Mobility Options: North I-25 Area	\$475			\$388	\$863
Lafayette	SH-7 and 119th Ave. Intersection Improvements	\$500	\$2,105			\$2,605
Aurora	Havana St. Transit Improvements		\$540			\$540
Aurora	Parker-Quincy-Smoky Hill Intersection Improvements			\$3,044	\$2,000	\$5,044
Arapahoe County	Dry Creek Rd. Operational Improvements		\$1,000	\$1,665		\$2,665
Arapahoe County	Inverness Dr. West Shared Path		\$2,191	\$1,302		\$3,493
Arapahoe County	I-25 and Dry Creek Rd. SB on-ramp	\$380	\$1,000			\$1,380
Boulder County	Enhanced FLEX Transit Service	\$250	\$250	\$250	\$250	\$1,000
Longmont	Coffman	\$600			\$2,400	\$3,000
Boulder County	119/52				\$3,070	\$3,070
Littleton	Santa Fe Dr. and Mineral Ave. Operational Improvements	\$1,000	\$500	\$1,286	\$6,366	\$9,152
Wheat Ridge	Wadsworth Blvd. Operational Improvements: 48th Ave. to I-70	\$2,000		\$3,280		\$5,280
Northglenn	120th Ave. Improvements: Washington St. to York St.	\$400	\$500	\$1,000	\$5,097	\$6,997
Douglas County	SH-83 Safety Improvements: Bayou Gulch Rd. to El Paso County			\$1,500	\$4,000	\$5,500
	PROGRAMMED TOTAL	\$35,619	\$34,582	\$36,306	\$34,384	\$140,891

STBG Funding		~~~~~Listed in \$1,000s~~~~~				
Sponsor	Project Title	2020	2021	2022	2023	Total Federal
DRCOG	TDM Services - Non-infrastructure Projects	\$1,136		\$900		\$2,036
DRCOG	Community Mobility Planning and Implementation	\$1,705	\$1,592	\$2,452		\$5,749
RAQC	Ozone State Implementation Plan (SIP) Modeling Study	\$475				\$475
Longmont	Coffman				\$2,520	\$2,520
Boulder	BAT Lanes			\$4,560		\$4,560
RTD	Open Ticket Platform	\$1,813				\$1,813
Arapahoe County	US-85 PEL Study	\$1,500				\$1,500
Broomfield	SH-7 Corridor: Boulder to Brighton: Preconstruction Elements	\$1,600	\$3,200	\$2,400	\$800	\$8,000
Golden	US-6/Heritage Rd. Interchange - Preconstruction Activities	\$600	\$1,800			\$2,400
Wheat Ridge	Ward Rd/BNSF Grade Separation - Preconstruction Activities			\$800	\$800	\$1,600
Broomfield	Industrial Ln. Bikeway Phase 2		\$614			\$614
Lone Tree	I-25/Lincoln Ave. Traffic and Mobility Improvement Plan		\$350	\$500	\$400	\$1,250
Douglas County	US-85 Capacity Improvements: SH-67 to Meadows Pkwy. - Preconstruction Activities	\$855				\$855
Centennial	County Line Rd. Capacity Improvements: Broadway to University Blvd.				\$10,000	\$10,000
Larkspur	Spruce Mountain Rd Bicycle and Pedestrian Improvements: Perry Park Ave. to Town hall				\$400	\$400
Denver	Transit Speed & Reliability on Federal Blvd.	\$700	\$800	\$800	\$700	\$3,000
Denver	Broadway Station and I-25 Safety & Access Improvements	\$5,142		\$12,223		\$17,365
DRCOG	Safer Main Streets	\$9,500				\$9,500
CDOT	I-25 and Alameda Ave. Operational Improvements: Valley Highway Phase 2.0	\$5,000	\$11,000	\$8,000		\$24,000
CDOT R4	SH-52 PEL	\$625	\$625			\$1,250
Broomfield	US-287/120th Ave. Multimodal & Safety Study		\$240	\$240		\$480
Broomfield	US-36 Bike N Ride Shelters, Amenities, Operations & Marketing	\$48	\$384	\$44	\$44	\$520
Broomfield	Transit Needs Assessment & Pilot Project	\$120	\$200	\$160	\$160	\$640
Broomfield	Midway Blvd. Multimodal Corridor Action Plan	\$160	\$240			\$400
Broomfield	Industrial Ln. & Nickel St./Commerce St. Intersection Improvements		\$320			\$320
Adams County	I-270 Corridor Environmental Assessment	\$1,800				\$1,800
Commerce City	US-85/120th Ave. Interchange: Preconstruction Activities		\$4,200	\$2,100		\$6,300
Commerce City	88th Ave Widening: I-76 to Hwy. 2 - Preconstruction Activities	\$1,500	\$500			\$2,000
Thornton	104th Ave. Widening: Colorado Blvd. to US-85 Preconstruction Activities		\$1,600			\$1,600
Golden	US-40 Complete Streets: Violet St. to I-70	\$600	\$2,500	\$2,500		\$5,600
Aurora	13th Ave. Corridor Multimodal Mobility Study	\$295				\$295
Arapahoe County	Parker Rd. PEL			\$1,000		\$1,000
Aurora	Nine Mile Pedestrian and Bicycle Bridge	\$1,000	\$1,075	\$2,291		\$4,366
Englewood	US-285 Study		\$680	\$600		\$1,280
Englewood	Oxford Ave. Pedestrian Bridge	\$200	\$1,091			\$1,291
Boulder	Downtown Boulder Station Improvements		\$77		\$316	\$393
Jeffco	Evergreen Lake Trail Improvements		\$2,284	\$330		\$2,614
Boulder County	SH-119 Bikeway: Boulder to Longmont - Preconstruction Activities	\$1,106				\$1,106
Nederland	Downtown ADA Sidewalk Connections	\$150	\$450	\$150		\$750
Boulder	SH-7 Multiuse Path and Transit Stop Improvements		\$38	\$152	\$570	\$760
Jeffco	JC-73: SH-74 to Buffalo Park Rd Operational Improvements			\$2,375	\$6,375	\$8,750
Longmont	SH-66 Improvements: Hover St. to Main St.	\$450				\$450
Louisville	SH-42 Design Plan: Empire Rd./Lock St. to SH-7	\$350				\$350
Louisville	At-Grade Crossing Improvements: S Boulder Rd. at Main St.	\$200	\$803			\$1,003
RTD	T2 Comp Study	\$1,420				\$1,420
Englewood	US-285 and Broadway Interchange Operational Improvements	\$800	\$600	\$2,500	\$3,700	\$7,600
Broomfield	Active Transportation Wayfinding Pilot	\$120	\$160			\$280
	PROGRAMMED TOTAL	\$40,970	\$37,423	\$47,077	\$26,785	\$152,255

ATTACH C

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Information Briefing	9

SUBJECT

Briefing on the 2020-2023 Transportation Improvement Program (TIP) Whitepaper.

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

N/A

SUMMARY

In early 2017, as part of the 2020-2023 TIP dual model development process, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) issued a [joint letter](#) “to ensure consistency with federal metropolitan planning requirements”, due to the anticipated larger than usual changes to the TIP process. Their conclusion was that the dual model process was consistent with the requirements and outlined numerous activities that needed to be monitored for compliance. One of those was the following:

“After the first TIP cycle using this dual project selection model is complete, DRCOG will evaluate the concept and make any appropriate revisions for the next cycle, or if so determined, discontinue its use.”

The purpose of the attached whitepaper is to summarize and evaluate the 2020-2023 TIP process, noting items the DRCOG Board of Directors, or any other work group or committee, may wish to discuss in the development of the next Regional and Subregional Share TIP Call for Projects¹ anticipated to take place in the summer/fall of 2022 for the 2024-2027 TIP.

In mid-2019, a CU Denver School of Public Affairs graduate student reached out to DRCOG staff inquiring about ways to work in partnership to complete his capstone project and assist DRCOG in reviewing the TIP process. This partnership included a survey, input and comment from technical committees and forums, one-on-one stakeholder interviews (as necessary), and developing a white paper describing the outcomes. This allowed both parties to achieve their end results (the capstone paper/presentation and the DRCOG white paper), with the added benefit of allowing the capstone project to provide additional technical details and statistics into the history of the TIP process and compare the previous processes to the new dual model process.

Based on information collected throughout the process, the whitepaper lays out the following high-level topics that staff believes should be the focus of discussions for the

¹ The next TIP, scheduled for adoption in April 2021, will be the 2022-2025 TIP and will not select new DRCOG-allocated TIP projects, except for projects within individual Set-Asides.

next TIP policy document and call for projects for the 2024-2027 TIP beginning in this summer.

1. Regional Share intent, definition, and eligibility
2. Percentage split between the Regional and Subregional Share
3. The role of the Regional Share Project Review Panel in the Regional Share process
4. The role of DRCOG staff scoring in the Subregional Share process
5. Review of the TIP Focus Areas

In addition to the topics above, the whitepaper also outlines technical improvements that would positively improve the process.

1. Develop better communication, deadlines, and forms to facilitate coordination among subregions (i.e., Regional and Subregional applications, local match partnerships, local government support letters)
2. Develop a master all-encompassing checklist of schedule, steps, and actions for the subregions
3. Develop additional guidelines or rules surrounding applications submitted for both regional and subregional funding
4. Review and refine the application form to keep relevant, transportation-focused, and to remove duplication
5. Review the “High-Medium-Low” scoring method when translated to develop a score between 3 and 1
6. Develop a standard scoring sheet and methodology for use by all reviewers
7. Finally, staff will review and discuss with stakeholders issues including TIP Set-Asides, project delay rules, and TIP amendment processes as part of developing the next TIP Policy

Staff will review the TIP Whitepaper during the meeting.

PREVIOUS DISCUSSIONS/ACTIONS

N/A

PROPOSED MOTION

N/A

ATTACHMENTS

1. Link: [DRCOG 20-23 TIP Dual Model Analysis Whitepaper](#)
2. Staff Presentation

ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Executive Director, at drex@drcog.org or (303) 480-6701; or Todd Cottrell, Senior Planner, Short Range Transportation Planning, Transportation Planning and Operations Division at 303-480-6737 or tcottrell@drcog.org.

2020-2023 TIP REVIEW WHITEPAPER

Presented by

Todd Cottrell and
Kerensa Maletsky

October 10, 2020

2020-2023 TIP WHITEPAPER BACKGROUND



- Pre-2020-2023 TIP cycle reviews
 - Discussions with technical and elected officials
 - Outcomes/suggestions guide next process
- 2020-2023 TIP cycle review: path to this whitepaper
 - Previous whitepapers during development
 - Federal partner weigh-in

2020-2023 TIP WHITEPAPER ORGANIZATION



- Introduction and Purpose
- Dual Modal Process Overview
 - TIP process and newly introduced elements
 - Forums, selection process, focus areas, application, scoring method
- Post-TIP Adoption Analysis and Future Discussion Topics

TECHNICAL ASSISTANCE



- Graduate student partnership
- Data collection
 - Survey, forums, interviews
- Mutual benefits
 - Capstone project – history vs. the dual model process
 - TIP Whitepaper

COMPARING THE PROCESSES



- Projects selected
 - Comparison of TIP project lists
- Collaborative outcomes
 - Analysis of survey results

CHANGES TO PROJECT SCALE



- Funding per project

- No significant change

- 2016 – 2021 Cycle: \$3.7 M average per project
 - 2020 – 2023 Cycle: \$3.4 M average per project

- Share of overall funding per project

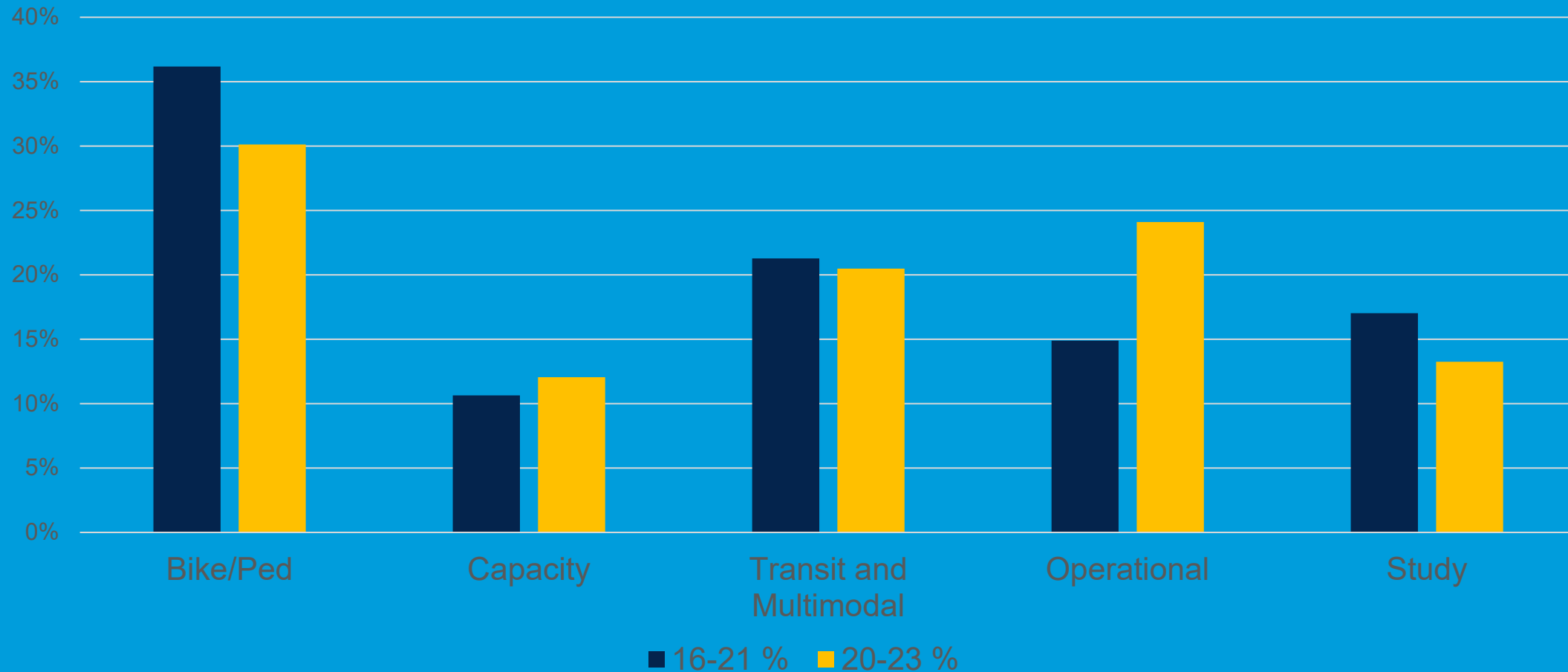
- Significant decrease

- 2016 – 2021 Cycle: 2.1% per project (3% standard deviation)
 - 2020 – 2023 Cycle: 1.2% per project (1.7% standard deviation)

CHANGES TO PROJECT TYPE



Distribution of Projects by Percentage Within Functional Categories



CHANGES TO SPONSORING AGENCIES



Distribution of Projects Among Subregional Forum Members

<i>Year of funding determination:</i>	2004	2006	2008	2011	2015	2019
Total Projects	34	54	44	74	39	75
Number of Sponsoring Agencies	17	16	20	26	23	33
Percentage of Eligible Cities and Counties Awarded Projects	30%	28%	35%	46%	40%	58%

SURVEY RESULTS



Determination of Funding Shares

Eligibility Requirements

Collaborative Environment

Evaluation Criteria

Scoring

Overall Process

Call(s) for projects

Stakeholder Trust in the Process

Project Selection

Training



■ Average Score (1=False/Disapprove, 4=True/Approve)

RECOMMENDATIONS



- Maintain subregional forums
- Emphasize the subregional forums' capacity for encouraging regional thinking

2020-2023 TIP WHITEPAPER DISCUSSION TOPICS



- High-level Questions and Topics
 - Kicks-off 2024-2027 TIP Policy discussions
 - Discussions for TAC, RTC, Board of Directors
- Minor/technical Improvements
 - Staff level and/or technical input
- Discussions begin this summer
 - topics listed are not all-inclusive

2020-2023 TIP WHITEPAPER HIGH-LEVEL TOPICS



1. Regional Share (intent, definition, eligibility)

- reasonable number of projects with greatest benefit
- “You know it when you see it”
- Topics
 - Recommended by forums/committees without application?
 - One/few projects to move the needle?
 - Eliminated?

2020-2023 TIP WHITEPAPER HIGH-LEVEL TOPICS



2. Regional/Subregional Percentage Split

- Survey: adequate, but comments to change
- Discussions are warranted
- Ties back to Regional Share discussions/outcomes

2020-2023 TIP WHITEPAPER HIGH-LEVEL TOPICS



3. Regional Share Project Review Panel

- New panel; recommends projects to DRCOG
- Discussions are warranted due to being new
- Ties back to Regional Share discussions/outcomes

2020-2023 TIP WHITEPAPER HIGH-LEVEL TOPICS



4. DRCOG Staff Scoring of Projects

- Subregional process – forum or DRCOG scores applications
- Positive reaction, but takes staff time and raised questions about objectivity
- Question: return the process to DRCOG staff or keep as is?

2020-2023 TIP WHITEPAPER HIGH-LEVEL TOPICS



5. TIP Focus Areas

- Concept of adjusting each cycle
- Question: Continue using Focus Areas? Non-eligibility component?

2020-2023 TIP WHITEPAPER MINOR/TECHNICAL IMPROVEMENTS



- A mixture of staff and other technical/forum input
 - Interactions between forums (applications, match partnerships, support letters, checklists, calendars, etc.)
 - Review/refine application
 - Review scoring method
 - Standardized scoring sheets and methodology



DISCUSSION

ATTACH D

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
303-480-6747 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Informational Briefing	10

SUBJECT

Update on regional climate action planning

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

N/A

SUMMARY

Background

House Bill 19-1261 was signed into law on May 30, 2019. The bill concerns the reduction of greenhouse gas pollution and establishing statewide greenhouse gas pollution reduction goals. The law sets statewide goals to reduce greenhouse gas emissions from 2005 levels by at least 26% by 2025, at least 50% by 2030, and at least 90% by 2050.

The first phase of implementation was to develop an updated, statewide greenhouse gas inventory, completed in early 2020. Strategies to achieve the bill's greenhouse gas targets will be detailed in a final "GHG Roadmap" that will be delivered to the Air Quality Control Commission (AQCC).

Tonight's Discussion

In 2019 the Denver region was one of four regions in the U.S. to receive funding to advance regional approaches to promote and support voluntary action to address climate change. This initiative brought together multiple local governments, many of which are pursuing local climate strategies; along with regional and state partners, to develop a regional climate action plan.

ICLEI Local Governments for Sustainability USA worked with a dedicated group of local and regional stakeholders, including DRCOG, to produce the first regional GHG inventory and climate vulnerability assessment for the Denver region. The project team will share highlights from the inventory and assessment and ongoing efforts to coordinate regional climate actions.

PREVIOUS DISCUSSIONS/ACTIONS

[December 18, 2019](#)

PROPOSED MOTION

N/A

ATTACHMENTS

1. ICLEI USA presentation
2. January 12, 2021 Metro Vision Idea Exchange – polling results (1 of 2)
3. January 12, 2021 Metro Vision Idea Exchange – polling results (2 of 2)

ADDITIONAL INFORMATION

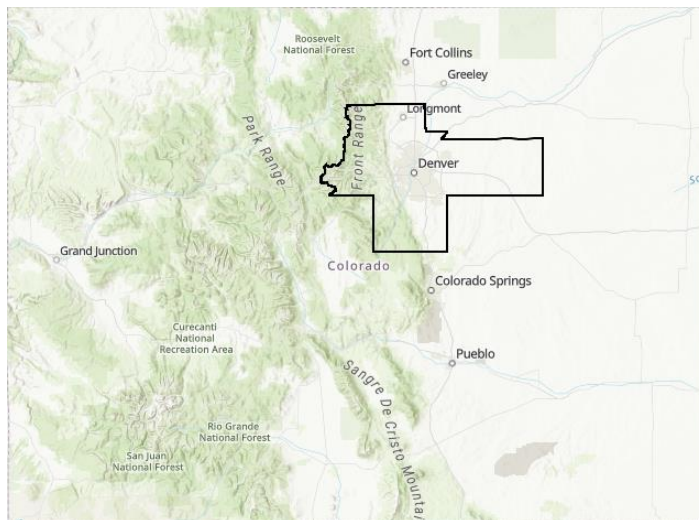
If you need additional information, please contact Douglas W. Rex, Executive Director, at 303-480-6747 or drex@drcog.org; or Brad Calvert, Director, Regional Planning and Development, at 303-480-6839 or bcalvert@drcog.org.

Boundary Overview

Colorado

Population (2019): 5,758,736

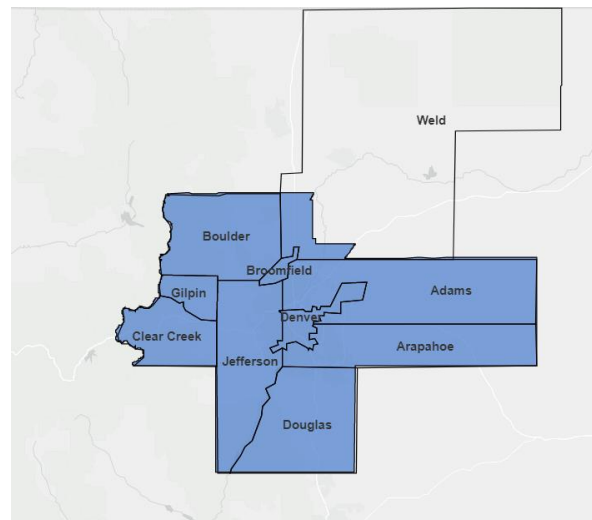
104,094 mi²



Region

Population (2019): 3,258,001

5,288 mi²



9 counties + SW Weld County
53 local jurisdictions

The region represents only 5.08% of the state area, but 56.07% of the state's population.

Jurisdictions with Inventories in ICLEI's

ClearPath

Boulder
Denver
Edgewater
Golden
Lakewood
Northglenn
Westminster
Jefferson County

The DRCOG region was one of four pilot regions selected by the Global Covenant of Mayors for Climate and Energy. ICLEI's ClearPath tool and accessible data allows for expansion of the region.

Inventory Overview

Accounting Method

US Community Protocol using Global Warming Potentials from IPCC 5th Assessment Report* (AR5)

Data was collected from 35 sources

Utilities, transit agencies, power plants, waste haulers, government agencies, etc.

GHG Inventory Management Software

ICLEI's ClearPath

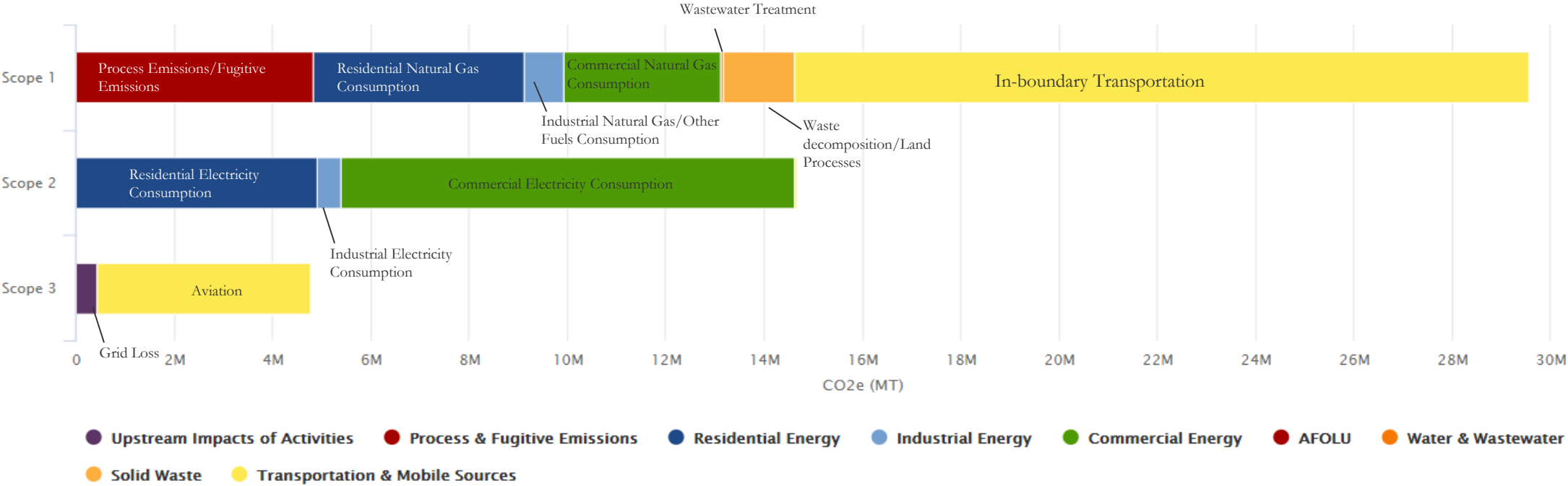
IPCC Fifth Assessment Report Global Warming Potentials

GHG	Global Warming Potential
CO ₂	1
CH ₄	28
N ₂ O	265

*State still uses EPA's SITT tool which utilizes AR4

Scope Overview

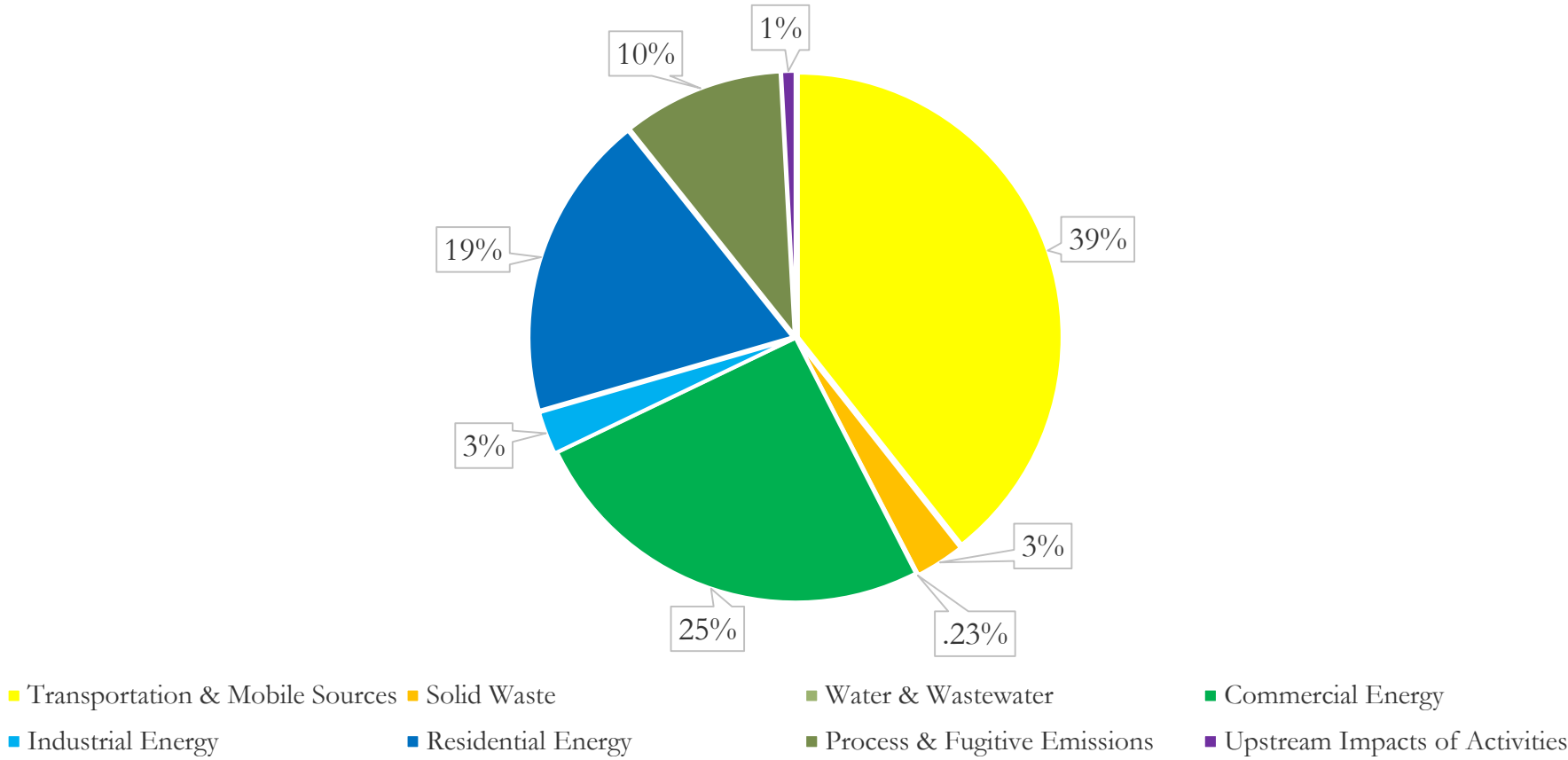
Scope	Definition	Examples
1	Direct emissions from occurring within the boundary of the community	Natural Gas combustion, on-road vehicle combustion
2	Emissions that occur outside the boundary but are demanded by activity within the boundary	Emissions from generation of purchased energy
3	emissions occur outside a boundary but relate to in-boundary activities	Emission from in-boundary generated solid waste (sent outside boundary), cross-jurisdiction air travel



While the region acknowledges that consumption-based emissions exist, these emissions are not included in the regional inventory. However, this inventory does include other scope 3 emissions, such as upstream emissions related to electricity grid transmission and distribution loss.

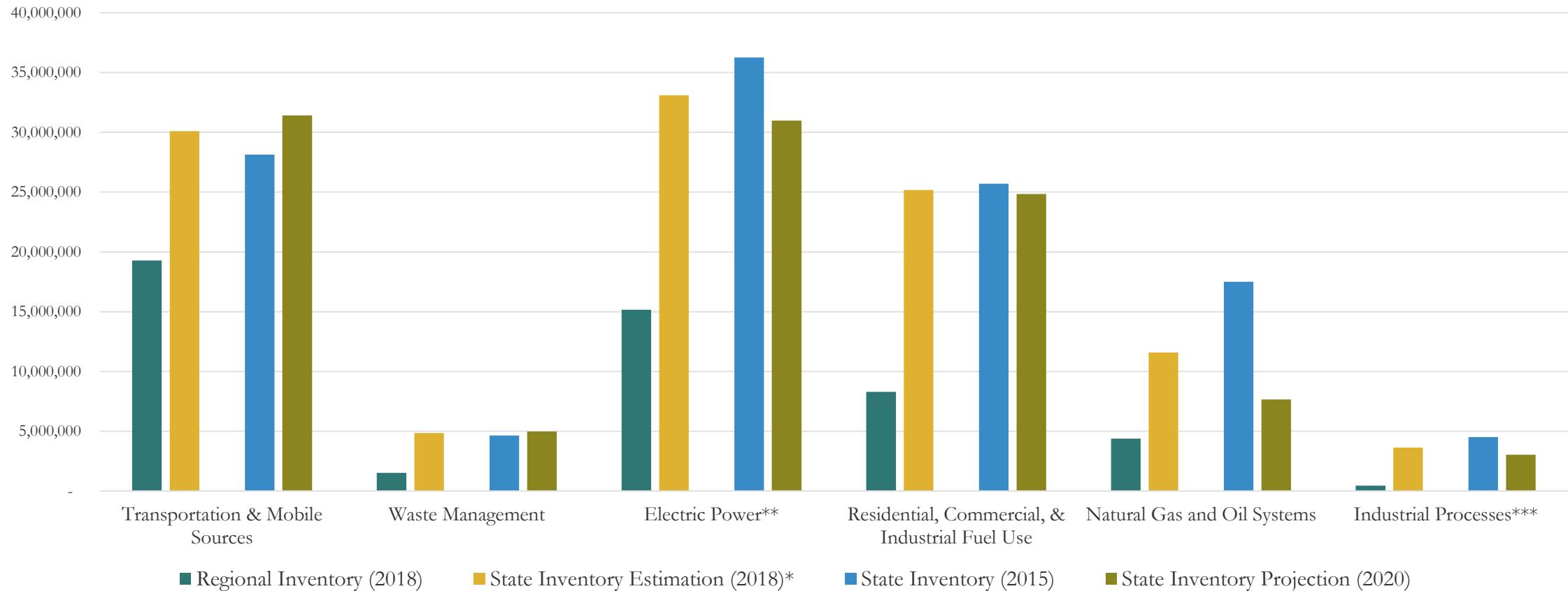
Emissions Overview

Regional CO₂e Emissions by Sector



Emissions Overview (Cont.)

Regional & State CO₂e Emissions by Sector (AR5)



*2018 estimation calculation used a constant annual % change from 2015 to 2020

**Regional Inventory reports electricity consumption and includes T&D losses

***State values reported in AR4- State inventory report did not differentiate individual industrial process gasses

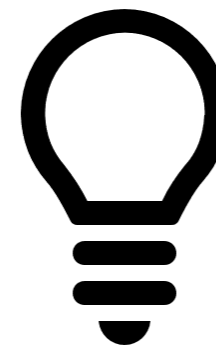
Significant Findings



64%

Of Colorado's transportation
related GHG emissions

(Larger per capita share)



46%

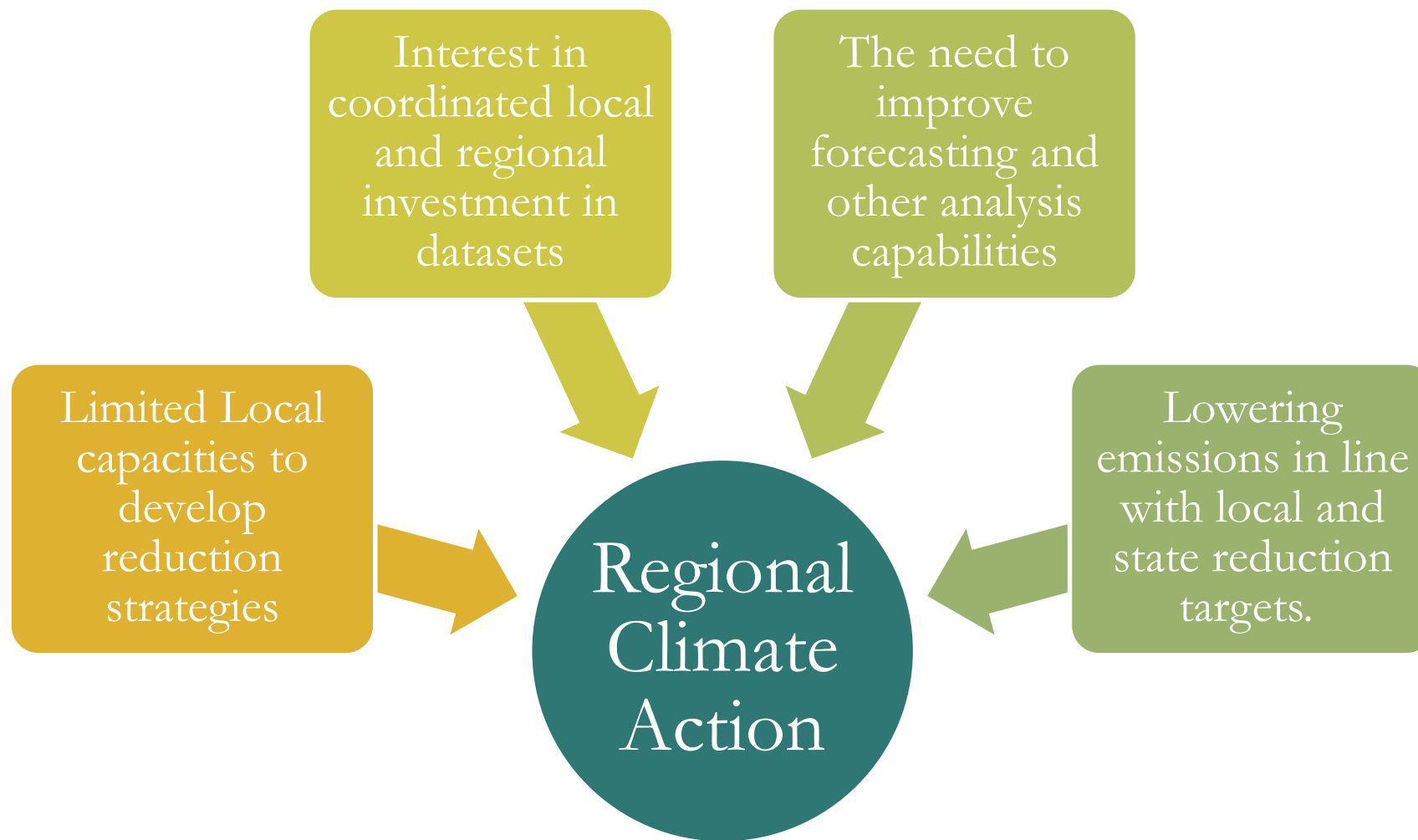
Of Colorado's total electric power
emissions

(Smaller per capita share)

*Likely due to the prevalence of Xcel Energy, mandated to transition to
renewable fuels since 2004*

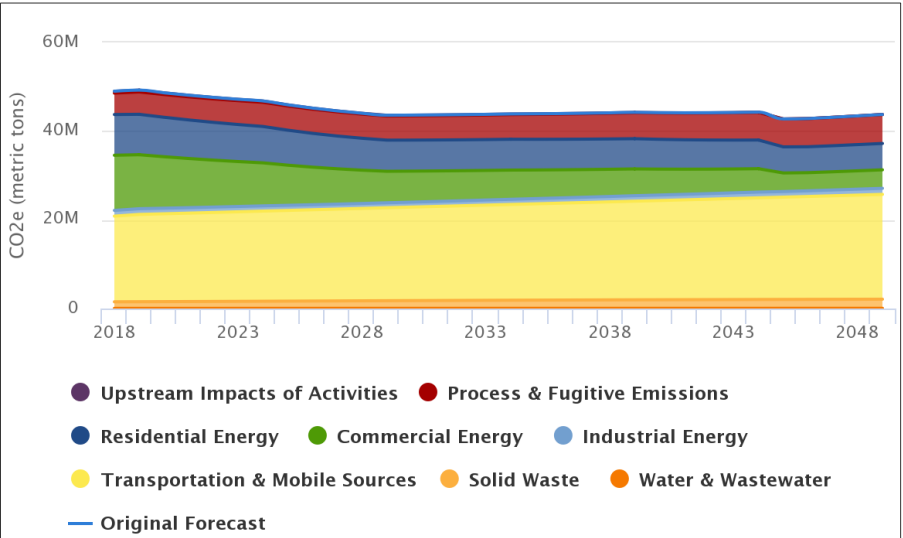
As the region shifts to electrification to address air quality and transportation emissions, an
increase in electricity use is expected

A Regional Approach

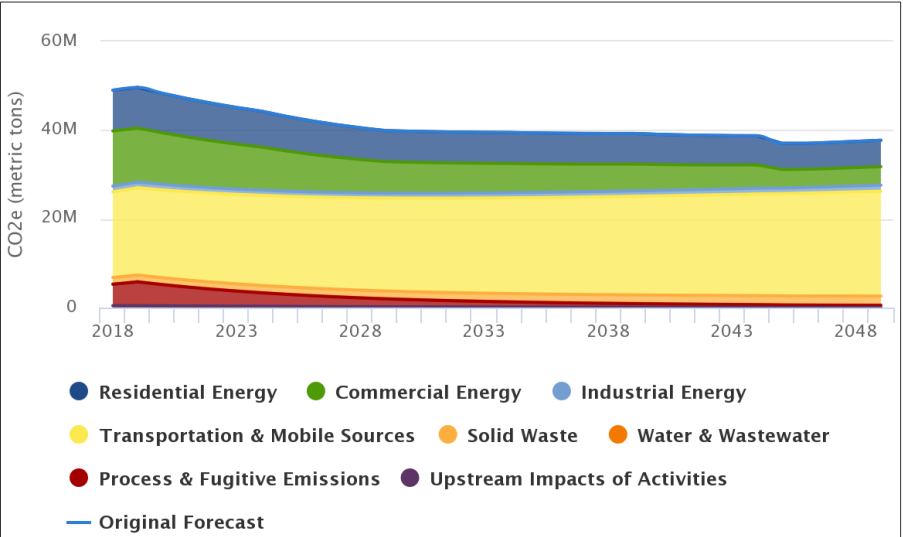


Regional Forecasts (2018-2050)

Worst Case Scenario

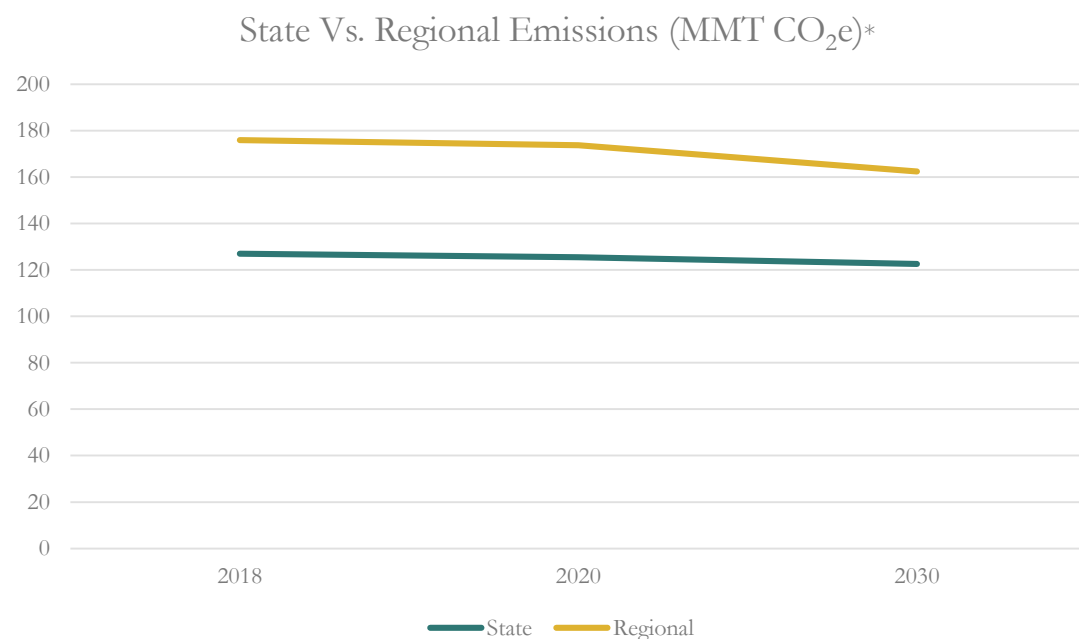


Business as Usual

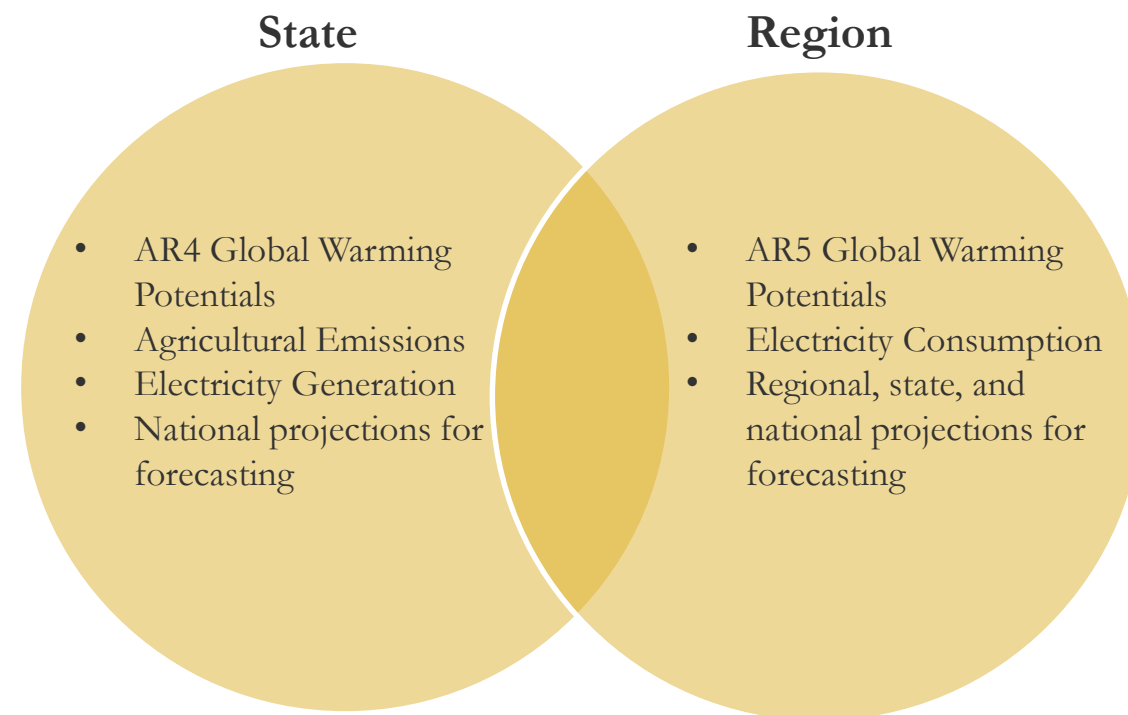


Primary Drivers of Emissions Growth/Reduction		
Residential Energy	↓ Electricity: Carbon Intensity (Xcel Renewables Portfolio)	↑ Natural gas: Population growth
Commercial Energy	↓ Electricity: Carbon Intensity (Xcel Renewables Portfolio)	↑ Natural gas: Commercial Square Footage
Industrial Energy	↓ Electricity: Carbon Intensity (Xcel Renewables Portfolio)	↑ Natural gas/other fuels: Economic Activity
Transportation	↓ On-Road VMT: Fuel Standards	↑ Aviation: Denver International Airport Passenger Growth
Solid Waste	↑ Waste Generation: Population growth	
Water/Wastewater	↑ Septic Systems: Population growth	↑ Treatment Emissions: Population growth
Process/Fugitive	↓ (BAU) Oil/Gas Emissions: Diminishing Production	↑ (WCS) Oil/Gas Emissions: Regional Rocky Mountain production estimates
Upstream Impacts	↓ Electricity: Xcel Renewables Portfolio	

State vs. Regional Forecasts (2018-2030)



*State emissions are calculated using AR4 Global Warming Potentials.
Regional emissions are calculated using AR5.



How can regional climate action benefit individual communities? (1 of 6)

Cleaner air

Reduce costs

Getting buy-in from citizens reluctant to incur additional cost

It can be an important way to identify local, regional, and state "levers" for GHG reductions so efforts can be better coordinated.

minimize impact of hazards

Public health and resource equity

Technical support and expertise

Consistency with goals and strategies

Consolidates resources for greater impact

How can regional climate action benefit individual communities? (2 of 6)

Reduce overcooling buildings and homes

No one community needs to be the "tip of the spear" and depend on political will

Cleaner air, fewer health issues, more people using outside facilities

clean air

Regional action has bigger impact

Public health

Helps prevent duplicating efforts

Better health

Coordinated transportation systems

How can regional climate action benefit individual communities? (3 of 6)

Air quality

public health co-benefits of reduced reliance on personal vehicles for all or most trips

Avoid installing new turf grass, install native prairie grass or native species at new developments & residences. Reduced mowing, fertilizers, water, edging. Improve pollinators.

Be able to ski in 2030

Addressing oil and gas production in the region

apples to apples comparisons

Help all communities advance climate action by sharing best practices and addressing shared regional systems/infrastructure Strategic collaboration to advance policy that supports climate action

Understanding regional inequities and climate impacts

Eliminate energy wasted in buildings and homes.

How can regional climate action benefit individual communities? (4 of 6)

Emissions don't know borders, cleaner air for one community means cleaner air for *most* all communities. Improved public health is a key outcome

Recycle training and engagement

coordinating health care system responses

access to resources
coordination of efforts

shared data across the region

Collective coordinated action

Climate change impacts (and the benefits accrued by addressing them) don't respond to political boundaries.

Coordinated efforts to reduce effort and cost overall. Some efforts can only be achieved regionally, such as trans

promote climate action but retain governance at state and local level

How can regional climate action benefit individual communities? (5 of 6)

Better land use, building code, and energy codes

2021 IECC Code Adoption

air quality control

Electrification, Waste

2021 IECC Code Adoption

coordinated transportation networks. Public Transportation

Renewable energy

Employee trip reduction program at a regional level

voluntary programsinventory refinementtransportation and land use planningequity

How can regional climate action benefit individual communities? (6 of 6)

net zero building codeswalkable land use planningcommute
reductionaffordable low-carbon housing

affordable transit

Love the Boulder example of making the right choice the
only or easiest choice. What perks can we give people as
well to make more sustainable choices?

I think post offices still stand as good examples of a more
sustainable choice. The notion of a centralized location
where deliveries can be made and individuals pick up could
help reduce the emissions of delivery. How do we spread
centralization

What climate actions should the region work on together? (1 of 6)

Bus lanes

Regional climate emergency response plan

Transportation

Congestion pricing

Carbon tax

waste infrastructure

Public transportation

save transit

Greenhouse gas emissions reduction

What climate actions should the region work on together? (2 of 6)

market based solution to incentivize EV transportation choices

carbon pricing

"Easy wins" where community members can observe the positive effects in their daily lives

Resource distribution and conservation of natural resources and environment

protected bike lanes

transit to all areas of the region

Buildings / building codes

Mandatory employee trip reduction program

Statewide building and energy codes (same for us all)

What climate actions should the region work on together? (3 of 6)

energy benchmarking

pay as you drive

reducing transportation emissions

Transportation links/connections,
more compact planning

vehicle electrification

standardizing zero energy building
codes

100% Renewable Electricity
generation for our communities

Decarbonizing transportation

Bike lanes

What climate actions should the region work on together? (4 of 6)

Phase out of ICEs

reduce sprawl

building standards

Fold climate impacts into all regional planning activities including transportation, health, etc.

shared data

Protected bikeways

supporting changes in land use development patterns

Reduce highway capacity

allow more infill and redevelopment

What climate actions should the region work on together? (5 of 6)

higher density zoning/housing,
electrification of parking meters, high
speed rail up i70

Encourage "green" business to locate
in the region to create economic
drivers

Building Stock analysis

organic waste infrastructure

improving transporation connections
for materials

Connected, protected bikeways

Pushing utilities

Transit

Utility data access

What climate actions should the region work on together? (6 of 6)

Connected, protected bikeways

fees

No more single fam zoning

ATTACHE

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
303-480-6747 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Informational Item	12

SUBJECT

This item pertains to making an Amendment to the Articles of Association to align DRCOG's fiscal year with the state's.

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

N/A

SUMMARY

DRCOG's current fiscal year operates on the calendar year: January through December. In addition to our calendar fiscal year, DRCOG administers grants that operate on the federal fiscal year (October through September), the state fiscal year (July through June) and various other contract years as determined by the grantor.

Over the last several years, DRCOG has seen its funding expand dramatically on programs that operate on the state fiscal year. In 2020, more than \$25,000,000 of DRCOG's overall budget of \$41,000,000 in revenues will be administered on the state fiscal year. Because the state fiscal year is six months off from DRCOG's current fiscal year, this has made budgeting and forecasting very difficult. It has also proved challenging from an audit perspective since two grant years of state funded programs will overlap one calendar year at DRCOG.

In 2019 staff researched the possibility of aligning DRCOG's fiscal year with the state's fiscal year. Both our external auditors, CliftonLarsonAllen (CLA), and our attorneys were consulted. In our review with them, staff was not presented with any obstacles that would prevent us from making this change. Further, in performing our due diligence it was found that several Metropolitan Planning Organizations throughout the country also operate on the state year. As a result of this research, staff has determined that aligning DRCOG's fiscal year with the state fiscal year will likely provide greater visibility and transparency to our fiscal position throughout the year. Other benefits to be gained include staff's ability to accurately budget and forecast, staff's effectiveness in its administration of grant contracts, and a simplified audit process overall.

Therefore, effective July 1, 2021, DRCOG's fiscal year will move to align with the state fiscal year of July 1 through June 30th. Staff will continue to consult with CLA throughout the process to ensure a seamless transition. The attached amendment to ARTICLE XV of the DRCOG Articles of Association is needed to reflect this change and will be requested for action at the February 17 Board meeting.

PREVIOUS DISCUSSIONS/ACTIONS

[July 15, 2020](#) - Informational item presented to the Finance and Budget Committee

PROPOSED MOTION

N/A

ATTACHMENTS

Redline Amendment to the Articles of Association

ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Executive Director, at 303-480-6747 or drex@drcog.org; or Jenny Dock, Administration and Finance Director at 303-480-6707 or jdock@drcog.org.

ARTICLES OF ASSOCIATION

OF

THE DENVER REGIONAL COUNCIL OF GOVERNMENTS

As Amended February 17, 2021 ~~February 15, 2017~~

ARTICLE I. Organization.

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

ARTICLE II. Purpose of the Council.

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

ARTICLE III. Definitions.

- A. "Chair" means the incumbent holding the position of president of the Council.
"Vice Chair" means the incumbent holding the position as vice president of the Council.
- B. "Council" means the nonprofit corporation of the Denver Regional Council of Governments, with the duties and responsibilities specified by statute, which are to be carried out by the Board of Directors in accordance with the statutory authority.
- C. "Board of Directors" hereinafter referred to as "Board," means the body of designated individual member representatives of municipalities, counties and city and counties maintaining membership in the Council.
- D. "Member" means a participating county, municipality, or city and county that meets the requirements for membership in the Council as specified in Article VI.

- 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;
48

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.

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

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;

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

ARTICLE VI. Membership.

- A. Members. Each municipality, county, and city and county in the Region shall be eligible to be a member of the Denver Regional Council of Governments. Membership shall be contingent upon the adoption of these Articles of Association by the governing body of any such municipality, county, or city and county, and upon the payment of an annual assessment as agreed upon by the Board.
- B. Member Assessment. Each member's annual assessment is determined by the Board when adopting the annual budget.
 1. Assessments will be billed as follows, and are due within ninety days of billing date:
 - a. Minimum assessment – billed annually.
 - b. 10% or more of the Council's total assessment – billed quarterly.
 - c. All others – billed semi-annually.
 2. Failure by any member to remit payment of an assessment within ninety days following billing date shall be grounds for termination of membership and such member shall be denied voting privileges and any other rights and privileges granted to members.
 - a. Not less than fifteen days prior to the termination of membership, written notice shall be sent by registered mail informing the member of the pending termination and loss of privileges and requesting payment by a date certain to avoid termination.
 - b. A member whose membership has been terminated pursuant to 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 2. The mayor or one member of the governing body, and a similarly elected
11 alternate, of each municipality and of the City and County of Broomfield,
12 designated by said mayor or governing body, and
13
 - 14 3. Two representatives of Denver:
15
16 a. The mayor or, as the mayor's designee, any officer, elected or
17 appointed, of the City & County of Denver and an alternate
18 similarly designated, and
19
20 b. One city council member of the City and County of Denver and an
21 alternate council member designated by said council or its
22 president.
23
- 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
49

1 ARTICLE VII. Board Officers.

2
3 A. Number and Title of Board Officers. The officers shall be Chair, Vice Chair,
4 Secretary, Treasurer, and Immediate Past Chair, all of whom shall be member
5 representatives, and the Executive Director.
6

7 B. Duties of Board Officers.
8

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

46 C. Election of Board Officers.
47

- 48 1. Officer and Terms. The Vice Chair, Secretary, and Treasurer shall be
49 elected by the Board at the February meeting of each year. Except as

provided in Article VII D.4, the incumbent holding the position of Vice Chair shall automatically assume the position of Chair. However, if the Vice Chair is unable to assume the position of Chair, the Board shall elect a Chair at the applicable February meeting. A notice of election of officers shall appear on the agenda. Each officer shall serve a one-year term, or until the next election of officers and his/her successor is elected, so long as the jurisdiction he/she represents is a member of the Council, and he/she remains that member's official member representative on the Board.

2. Nominating Committee for Board Officers.

- a. At the January meeting of each year, the Nominating Committee shall present to the Board nominations for Board officers to be elected at the February meeting.
- b. Board officer nominations may be made from the floor, provided that the consent of each nominee is obtained in advance.

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

1. Appointment by a majority of the remaining Board officers of a member representative to fill the vacancy; or
2. Referral of the vacancy to the Nominating Committee to present to the Board at least one nominee to fill the vacancy if called for by a majority of the remaining Board officers. No later than the meeting held on the month following the month in which the Nominating Committee was referred the vacancy, the Nominating Committee shall present to the Board at least one nominee for an officer to be elected by the Board at that meeting to fill such vacancy.
3. Nominations may be made from the floor, provided that the consent of each nominee is obtained in advance.
4. In the event the remaining Board officers appoint the incumbent Vice Chair to fill a vacancy in the position of Chair pursuant to D.1 of this Article VII, the Vice Chair so appointed shall serve the remainder of the term for such vacancy and shall thereafter automatically retain the position of Chair for an additional one-year term, subject to other requirements for holding such position.

E. Executive Committee. The incumbent Board officers shall constitute the Executive Committee of the Council. The Executive Committee shall be the primary executive leadership of the Council, providing leadership to the Board and guidance to the Executive Director. The Executive Committee has no policy making authority. The Executive Committee helps set Board meeting agendas;

1 provides guidance on resolution of conflicts; provides process guidance,
2 receives updates from and assures the progress of committees of the Council,
3 and takes action on complaints of violations of the rules of conduct for member
4 representatives as adopted by the Board from time to time.
5

6 ARTICLE VIII. Finance & Budget Committee.
7

- 8 A. Membership on the Finance & Budget Committee. The administrative
9 business of the Council concerning finances, contracts and related
10 matters shall be managed by a Finance & Budget Committee. The
11 Committee membership shall not exceed more than one-quarter of the
12 total membership of the Board. Members of the Finance & Budget
13 Committee shall be appointed by the Board upon recommendation of the
14 Nominating Committee.
15
- 16 B. Finance & Budget Committee Officers. The incumbent Treasurer of the
17 Council shall serve as chair of the Finance & Budget Committee. The
18 vice chair of the Committee shall be elected by the Committee at its first
19 meeting following election of Board officers and to serve until the next
20 election of officers.
21
- 22 C. Powers and Duties. The following powers and duties are vested in the
23 Finance & Budget Committee:
24
- 25 1. To review contracts, grants and expenditures and authorize the
26 expenditure of funds and the entering into contracts, within the
27 parameters of the Council budget.
28
 - 29 2. To execute official instruments of the Council.
30
 - 31 3. To review and recommend to the Board the budget as provided in
32 Article XV.
33
 - 34 4. To review the Council's audited financial statements with the
35 Council's auditor, and to undertake, oversee and/or review other
36 organization audits.
37
 - 38 5. To receive and review other financial reports and provide regular
39 updates to the Board.
40
 - 41 6. To compensate member representatives for expenses incurred in
42 attending to the proper business of the Council.
43
 - 44 7. To exercise such other powers, duties, and functions as may be
45 authorized by the Board.
46
- 47 D. Meetings of the Finance & Budget Committee. The Finance & Budget
48 Committee shall meet every month and may hold special meetings at the
49 call of its chair or by request of at least three member representatives on

the Finance & Budget Committee. The Committee chair, in consultation with the Executive Director, may cancel a meeting if there are no action items for the Committee's consideration. Members of the Finance & Budget Committee may attend meetings of the Committee by telephone in accordance with written policies adopted by the Committee, which policies shall define the circumstances under which attendance by telephone shall be permitted.

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

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

ARTICLE IX. Performance & Engagement Committee.

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

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

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

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 select three members of Committee, excluding the vice chair, who shall comprise the review panel. Upon completion of its review, the panel shall provide a recommendation to the Executive Committee for its review and action, which recommendation 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 representative be replaced, or adopting a finding of no violation.

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

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

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

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

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

ARTICLE X. Nominating Committee.

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

1. The Immediate Past Chair of the Board (or the Vice Chair if there is no Immediate Past Chair);
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.
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.
 - d. The City and County of Denver shall have one representative on each Committee.
 - e. Committee members shall be appointed to two-year terms, except that in the initial establishment of the Committees the Board shall appoint one half of the members of each Committee to an initial one-year term so as to achieve staggered terms. Terms extend until Board appointment of

1 successors, provided no term is thereby shortened by more
2 than 30 days. A Committee member may seek re-
3 appointment at the expiration of his or her term, but the
4 Board shall have no obligation to re-appoint any member to
5 successive terms.

6
7 f. Committee members are eligible to serve so long as the
8 jurisdiction he/she represents is a member of the Council,
9 and he/she remains that member's official member
10 representative on the Board.

11
12 g. Membership on the Finance & Budget Committee and the
13 Performance & Engagement Committee shall be
14 designated to the member's jurisdiction. Therefore, if a
15 member appointed to a Committee is no longer able to
16 serve, membership on the Committee shall transfer to the
17 succeeding member representative of that jurisdiction on
18 the Board, for the remainder of the term of the Committee
19 appointment.

20
21 3. To make recommendations to the Board for appointment to fill any
22 vacancy on the Finance & Budget Committee and the
23 Performance & Engagement Committee, which vacancy shall be
24 filled in accordance with the requirements herein.

25
26 E. Meetings of the Nominating Committee. The Nominating Committee shall
27 meet as needed to exercise the powers and duties vested herein in the
28 Committee. The Nominating Committee may hold meetings at the call of
29 its chair or by request of at least two of its members.

30
31 F. Quorum. A quorum for the transaction of Nominating Committee
32 business shall be all six (6) of its members.

33
34 G. Voting. A majority of those present and voting shall decide any question
35 brought before the meeting.

36
37 ARTICLE XI. Meetings of the Board.

38
39 A. Frequency. The Board shall meet at least quarterly and may hold special
40 meetings at the call of the Chair, or by request of at least three member
41 representatives.

42
43 B. Notice. Notice of meetings shall be given by E-mail, fax or telephone,
44 made at least two days in advance of the meeting, or by first class mail,
45 post-marked at least five days in advance of the meeting.

46
47 C. Agenda. Any member representative shall have the right to request of
48 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.

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

- 1 c. Plan Adoption and Amendment. An affirmative vote of a
2 majority of member representatives shall be required for
3 the adoption or amendment of the Plan, or portion thereof,
4 in accordance with Article XII.
5
6 d. Amendment of Articles of Association. An affirmative vote
7 of a majority of member representatives shall be required
8 for the amendment of these Articles, in accordance with
9 Article XVI.
10
11 e. Positions Taken on Ballot Measures and Legislative Issues.
12
13 (1) An affirmative vote of a majority of member
14 representatives shall be required to adopt a
15 resolution taking a position on any ballot measure.
16
17 (2) An affirmative vote of two-thirds (2/3) of members
18 present and voting shall be required to take a
19 position on any legislative issue.
20
21 f. Mail Vote. The Chair shall, on the Chair's own initiative, or
22 when so directed by the Board, declare that action on any
23 motion or resolution, including plan adoption or amendment
24 and amendment of the Articles of Association, shall be
25 taken by certified mail vote of member representatives or
26 their alternates, or if neither has been appointed by a
27 member, its chief elected official may vote instead. Certified
28 mail votes shall be returned by the next regular Board
29 meeting, and any action becomes effective on the date the
30 Chair certifies the results to the Board.
31
32 3. Rules of Order. Except as otherwise required by these Articles,
33 the rules of order of the Council shall be in accordance with the
34 latest edition of Robert's Rules of Order, Revised.
35

36 ARTICLE XII. Powers and Duties.
37

- 38 A. Regional Plan. The Council shall prepare, maintain and regularly review
39 and revise a Plan for the Region. In preparing, maintaining, reviewing
40 and revising the Plan, the Council shall seek to harmonize the master or
41 general comprehensive plans of municipalities, counties, cities and
42 counties, and other public and private agencies within or adjacent to the
43 Region. The Council shall seek the cooperation and advice of
44 municipalities, counties, cities and counties, state and federal agencies,
45 organizations and individuals interested in the functions of the Council.
46 The Plan may consist of such plans, elements and provisions as required
47 or authorized by statute or the members.
48

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

of the Board and advisory committees to the Board as necessary, and the Chair of the Board, except as otherwise provided by the Board, shall appoint the membership of these committees.

- I. Cooperation with Others. The Council may promote and encourage regional understanding and cooperation through sponsorship and participation in public or private meetings, through publications, or through any other medium. The Council may offer its facilities and services to assist in the solution and mediation of issues involving two or more political jurisdictions.
- J. Functional Review. The Council may study and review the nature, scope, and organization under which the functions of the Council may best be carried on, and report to federal, state, and local jurisdictions, and agencies thereof, on ways to improve proposals concerning legislation, regulations, and other actions taken for the effectuation of the provisions of these Articles.
- K. Coordination of Research. The Council may make recommendations to legislative bodies, planning commissions, and other organizations and agencies within the Region for the coordination of research, collection of data, improvement of standards, or any other matter related to the activities of the Council.
- L. Contracts. The Council may contract for any service necessary or convenient for carrying out the purposes of the Council.
- M. Real Property. As provided in the Council's Articles of Incorporation, the Council shall have all the powers granted to nonprofit corporations by Articles 121 through 137 of Title 7, C.R.S., as amended, but the Board reserves final approval of the acquisition and disposition of real property.

ARTICLE XIII. Council Executive Director.

- A. The Board after receiving a recommendation of the Performance & Engagement Committee and by the affirmative vote of a majority of member representatives shall appoint an Executive Director hereinafter referred to as the "Director," who shall serve at the pleasure of the Board. The Performance & Engagement Committee shall develop the process for, and execute and document an annual performance evaluation for the Executive Director.
- B. The Director shall be the Chief Administrative Officer and authorized recording officer of the Council. The Director shall administer and execute all other functions and duties determined by the Board, including but not limited to the following:
 - 1. Appointment, removal, compensation and establishment of the number and duties of the Council staff;

2. Establish and implement policies and procedures for the efficient administration of personnel matters;
3. Serve, or designate personnel to serve, as recording secretary of the Council and be responsible for preparing and maintaining all records and information required by law to be kept by nonprofit corporations, including those records required to be kept by Section 7-136-101, C.R.S., and for authenticating the records of the Council;
4. Designate personnel to provide staff services to committees; and
5. Serve as registered agent for the Council and register as such with the Colorado Secretary of State.

ARTICLE XIV. Filing of Local Reports.

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

ARTICLE XV. Financial Provisions.

- A. Budget Submission to the Finance & Budget Committee. Each year, no later than the regular ~~April~~ ~~October~~ meeting of the Finance & Budget Committee, the Director shall submit an estimate of the budget required for the operation of the Council during the ensuing ~~fiscal calendar~~ year.
- B. Budget Approval by the Board. Each year, no later than the regular ~~May~~ ~~November~~ meeting of the Board, the budget recommended by the Finance & Budget Committee shall be presented for approval by the Board. The funds required from each member in the Region shall be apportioned as determined by the Board in the approved budget.
- C. Contract and Other Funds. The Council is specifically empowered to contract or otherwise participate in and to accept grants, funds, gifts, or services from any federal, state, or local government or its agencies or instrumentality thereof, and from private and civic sources, and to expend funds received therefrom, under provisions as may be required of and agreed on by the Council, in connection with any program or purpose for which the Council exists.
- D. Records and Audit. The Council shall arrange for a systematic and continuous recordation of its financial affairs and transactions and shall obtain an annual audit of its financial transactions and expenditures.

1 ARTICLE XVI. Adoption and Amendment of Articles of Association.
2

- 3 A. The Articles shall become effective upon their adoption by the boards of county
4 commissioners, and the governing body of any municipality or city and county
5 within or adjacent to the Region desiring to participate in the Council activities.
6
- 7 B. These Articles may be amended at any regular meeting of the Board by an
8 affirmative vote of a majority of the member representatives, provided that at
9 least one week's notice in writing be given to all member representatives setting
10 forth such amendment. These Articles may also be amended by an affirmative
11 vote of a majority of member representatives obtained through a certified mail
12 vote in accordance with Article XI, F.2.f when so directed by the Board or on the
13 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.

- AMENDED February 15, 2017. Amended to reflect addition of language related to establishing a conduct policy for Board Directors and a process for receiving and processing complaints related to the policy.
- AMENDED _____, 2020. Amended to revise the month the budget will be presented to the Finance & Budget Committee and Board to accommodate change in DRCOG's fiscal year from a calendar year to the State fiscal year (July – June).

ATTACH F

To: Chair and Members of the Board of Directors

From: Members of the Nominating Committee

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Informational Item	13

SUBJECT

This item is related to the Nominating Committee's recommendations for election of DRCOG Board officers for 2021.

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

N/A

SUMMARY

The Nominating Committee – comprised of Bob Fifer, Arvada; Aaron Brockett, Boulder; Nicholas Williams, Denver; Jim Dale, Golden; Sally Daigle, Sheridan; and Herb Atchison, Westminster – considered all individuals who submitted their names to serve as Board officers. The committee wishes to thank those who expressed interest in serving. After discussion and consideration, the candidates proposed below are recommended by the Nominating Committee:

Vice Chair – Kevin Flynn, Council Member, Denver

Secretary – Steve Conklin, Mayor Pro Tem, Edgewater

Treasurer – Wynne Shaw, Council Member, Lone Tree

Ashley Stolzmann will serve as Chair and **John Diak** will serve as Immediate Past Chair for the coming year.

Nominees have all been contacted and have indicated their willingness and enthusiasm to serve. In accordance with the *Articles of Association*, nominations may be made from the floor, provided the consent of the nominee is obtained in advance.

Election of Officers occurs at the February meeting of the Board of Directors.

PREVIOUS DISCUSSIONS/ACTIONS

N/A

PROPOSED MOTION

N/A

ATTACHMENTS

N/A

ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Executive Director at 303-480-6701 or drex@drcog.org; or Melinda Stevens, Executive Assistant/Board Coordinator at 303-480-6701 or mstevens@drcog.org.

ATTACH G

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Informational Item	14

SUBJECT

January administrative modifications to the *2020-2023 Transportation Improvement Program*.

PROPOSED ACTION/RECOMMENDATIONS

No action requested. This item is for information.

ACTION BY OTHERS

N/A

SUMMARY

Per the DRCOG Board-adopted [2020-2023 TIP Policy](#), administrative modifications to the [2020-2023 TIP](#) are reviewed and processed by staff. Administrative modifications represent revisions to TIP projects that do not require formal action by the DRCOG Board.

After the Board is informed of the administrative modifications, the TIP adjustments are processed and posted on the [DRCOG 2020-2023 TIP web page](#). Then they are emailed to the TIP Notification List, which includes members of the Transportation Advisory Committee, the Regional Transportation Committee, TIP project sponsors, staff of various federal and state agencies, and other interested parties.

The January 2021 administrative modifications are listed and described in the attachment. Highlighted items in the attachment depict project revisions.

PREVIOUS DISCUSSIONS/ACTIONS

N/A

PROPOSED MOTION

N/A

ATTACHMENT

2020-2023 TIP Administrative Modifications (January 2021)

ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Executive Director, at (303) 480-6701 or drex@drcog.org; or Todd Cottrell, Senior Planner, at (303) 480-6737 or tcottrell@drcog.org.

ATTACHMENT 1

To: TIP Notification List

From: Douglas W. Rex, Executive Director

Subject: **January 2021 Administrative Modifications to the 2020-2023
Transportation Improvement Program**

Date: January 20, 2021

SUMMARY

- Per the DRCOG Board-adopted [2020-2023 TIP Policy](#), Administrative Modifications to the [2020-2023 TIP](#) are reviewed and processed by staff before presented to the DRCOG Board as an informational item. They are then emailed to the TIP Notification List, and posted on the [DRCOG 2020-2023 TIP web page](#). Administrative Modifications represent minor changes to TIP projects not defined as “regionally significant changes” for air quality conformity findings, or per CDOT definition.
- The TIP Notification List includes the members of the DRCOG Transportation Advisory Committee, the Regional Transportation Committee, TIP project sponsors, staffs of various federal and state agencies, and other interested parties. If you wish to be removed from the TIP Notification List, please contact Todd Cottrell at (303) 480-6737 or via e-mail at tcottrell@drcog.org.
- The projects included through this set of Administrative Modifications are listed below. The attached describes these modifications, with highlighted items depicting project revisions.

PROJECTS TO BE MODIFIED

- **2007-095:** **Region 4 Surface Treatment Pool**
 - Combine two pool projects
- **2007-133:** **Region 4 Bridge On-System Pool**
 - Reduce funding and add pool project
- **2012-116:** **Region 4 2013 Flood-Related Projects Pool**
 - Add funding and shift funding years
- **2018-015:** **I-25/SH-119 Interchange and Park-N-Ride Improvements**
 - Add project funding
- **2020-087:** **Region 1 Urban Arterial Safety Pool**
 - Add pool projects

2007-095: Combine two pool projects using available funding**Existing**Title: **Region 4 Surface Treatment Pool**Project Type: **Roadway Reconstruction**TIP-ID: **2007-095**STIP-ID: **SR45218**

Open to Public:

Sponsor: **CDOT Region 4****Project Scope**

Projects in CDOT Region 4 (Boulder and SW Weld Counties) to be approved for pool funding by Region 4 Director.



Affected County(ies)
Boulder
Weld

Performance Measures	
<input type="checkbox"/>	Bridge Condition
<input type="checkbox"/>	Congestion
<input type="checkbox"/>	Freight Reliability
<input checked="" type="checkbox"/>	Pavement Condition
<input type="checkbox"/>	Safety
<input type="checkbox"/>	Transit Assets
<input type="checkbox"/>	Transit Safety
<input type="checkbox"/>	Travel Time Reliability

All pool project funding depicts federal and/or state funding only.

Facility Name	Start-At and End-At	Cost (1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (1,000s)
SH-119	47th St to Monarch Rd	\$11,100	SH-119	County Line to I-25	\$730	US-36	Iris to Mapleton	\$500
SH-7	28th St to US-287	\$0,103	SH-79 Resurfacing	MP 10-24	\$200	96B	Lyons South	\$2,225
SH-7 Non Flood Phase II	Estes Park to SH-72	\$5,233	US-85	South of Platteville	\$1,400	110A - Nederland	Eldora Rd. to Roundabout (MM 25-28)	\$825
SH-119: Nederland - East		\$11,160	SH-119: Nederland - West	MP 22-25	\$2,600			
Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding	
Federal		\$0	\$0	\$0	\$0			
Federal (SAE)		\$0	\$37	\$0	\$0			
State		\$0	\$0	\$0	\$0			
State (Surface)		\$26,500	\$22,500	\$5,900	\$6,000			
Local		\$0	\$0	\$0	\$0			
Total	\$72,167	\$26,500	\$22,537	\$5,900	\$6,000	\$0	\$134,104	

ATTACHMENT 1

Administrative Modifications – January 2021

2020-2023 Transportation Improvement Program

Revised

Facility Name	Start-At and End-At	Cost (1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (1,000s)
SH-119	47th St to Monarch Rd	\$11,100	SH-119	County Line to I-25	\$730	36B	Lyons South	\$2,225
SH-7	28th St to US-287	\$9,103	SH-79 Resurfacing	MP 19-24	\$200	SH-119	Nederland West to Roundabout	\$3,525
SH-7 Non Flood Phase II	Estes Park to SH-72	\$5,233	US-85	South of Platteville	\$1,400			
SH-119: Nederland - East		\$11,160	US-36	Iris to Mapleton	\$500			

2007-133: Reduce FY 2021 funds to match project costs. Add a new pool project using available funding

Existing

Title: **Region 4 Bridge On-System Pool**

Project Type: **Bridge**

TIP-ID: **2007-133**

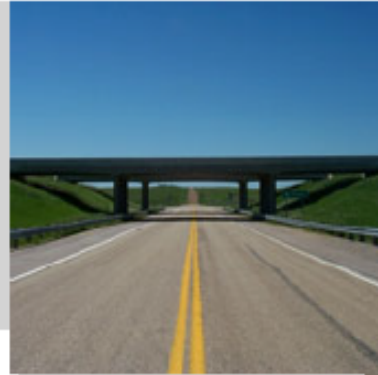
STIP-ID: **SR46598**

Open to Public:

Sponsor: **CDOT Region 4**

Project Scope

Pool funds Region 4 On-System bridge projects.



Affected County(ies)

Boulder

Weld

Performance Measures

- ☒ Bridge Condition
- ☒ Congestion
- ☒ Freight Reliability
- ☒ Pavement Condition
- ☒ Safety
- ☐ Transit Assets
- ☐ Transit Safety
- ☐ Travel Time Reliability

All pool project funding depicts federal and/or state funding only.

Facility Name	Start-At and End-At	Cost (1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (1,000s)
SH-119 (FY18)	Boulder East, Niwot Rd to Hower St	\$263	I-25 Preventative Maintenance (FY20)		\$200			
SH-7 (FY19)	26th St to US-287	\$240	Boulder Polyester Overlay		\$2,705			
Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding	
Federal (BR)		\$5,446	\$5,000	\$7,000	\$4,000			
State		\$0	\$0	\$0	\$0			
Local		\$0	\$0	\$0	\$0			
Total	\$12,014	\$5,446	\$5,000	\$7,000	\$4,000	\$0	\$33,460	

Revised

Facility Name	Start-At and End-At		Cost (1,000s)	Facility Name (Cont)	Start-At and End-At		Cost (1,000s)	Facility Name (Cont)	Start-At and End-At		Cost (1,000s)
SH-119 (FY18)	Boulder East, Niwot Rd to Hover St		\$263	I-25 Preventative Maintenance (FY20)			\$200	Critical Culvert Construction (FY 22)	Pkg D - SH-170		\$222
SH-7 (FY19)	28th St to US-287		\$240	Boulder Polyester Overlay			\$2,705				
Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding				
Federal (BR)		\$5,446	\$2,484	\$7,000	\$4,000						
State		\$0	\$516	\$0	\$0						
Local		\$0	\$0	\$0	\$0						
Total	\$12,014	\$5,446	\$3,000	\$7,000	\$4,000	\$0	\$31,460				

2012-116: Shift funds from FY 2020 to FY 2021 and increase by \$3,000,000**Existing**Title: **Region 4 2013 Flood-Related Projects Pool**Project Type: **Roadway Reconstruction**TIP-ID: **2012-116**

STIP-ID:

Open to Public:

Sponsor: **CDOT Region 4****Project Scope**

Pool contains flood-related repair projects from the fall of 2013 flood event.

**Affected County(ies)**

Boulder

Weld

Performance Measures

- ☒ Bridge Condition
- ☒ Congestion
- ☐ Freight Reliability
- ☒ Pavement Condition
- ☒ Safety
- ☐ Transit Assets
- ☐ Transit Safety
- ☒ Travel Time Reliability

All pool project funding depicts federal and/or state funding only.

Facility Name	Start-At and End-At	Cost (1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (1,000s)
ERLA 47th St	@ Fourmile Canyon Creek		ERLA Sunset Bridge	@ St Vrain Creek T19		ER SH 7 St. Melo	MP 11	
ERLA 55th St/Cypress Ave	@ Big Dry Creek		ERLA Boston Bridge	@ St Vrain Creek T17		ER US36	MP21	
ERLA Table Mesa Dr	Lehigh To Broadway		ERLA 57th St	@ Fourmile Canyon Creek T22		PR US36	D-15-X D-15-I	
ERLA Lehigh	Table Mesa to Cragmoor		ERLA 75th Ave St Repairs T24			PR SH7 Flood Repair	MP 19-35	
ERLA Violet Ave Bridge	@ Fourmile Canyon Creek		ERLA Kenosha Rd T25	In Erie		PR SH 119A	Boulder Canyon	
10th St	@ Fourmile Canyon Creek		ERLA Valmont Rd Bridge	@ S. Boulder Creek		PR SH 119B	MP 52.9 to 60.0	
26th St	@ Fourmile Canyon Creek		ERLA 66th St	@ Left Hand Creek		PR SH 170	MP 1.08 to 3.64	
ERLA Baseline Rd	@ S Boulder Creek Path		ERLA Airport Rd	@ Left Hand Creek		PR SH 72B Resurfacing		
ERLA Lefthand Canyon Drive T01			ERLA Pike Rd	@ Lefthand Creek Longmont		PR SH 52 Flood Repair	MP 6.9 to 7.2	
ERLA 63rd St	@ Lefthand Creek		ERLA Airport Rd	@ BNSF RR		ERLA Bella Rosa Pkwy/WCR 20 Repairs		
ERLA 73rd St	@ Lefthand Creek T11		ERLA 9th Ave (S&)	E Hayden Ct		ERLA WCR 7 Repairs		
ERLA Dillon Rd	Over Rock Creek T28		ERLA 95th St	Over Coal Creek Bridge Repl		ERLA Godding Hollow Parkway/WCR 18		
ERLA Sunshine Canyon Drive Detour T29			ERLA Dillon Rd Underpass Repairs			ERLA WCR 13 CR 26A Bridge	Over St Vrain	
ERLA Ed/WCR1 Bridge	@ Bidr Creek T20		ERLA Left Hand Canyon Dr.	MP 16.2 - 16.8		ER SH119 DelCamino	D-16-OG	
ERLA 95th St	@ Boulder Creek T14		ER SH 7 Lyons to Raymond	MDB		ER SH66	@ CR17	
ERLA 71st St Pipe T23			ER SH119	MP 26-41		PR SH 119	MP 61.5-63.9	
ERLA Valmont At Dry Creek T09			ER US36	Just South of SH66		PR SH66B Permanent Flood Repairs		
ERLA South Boulder Road Repair T27			ER US36	MP 28 D-15-X				
ERLA Ed Rd/WCR 1	@ St Vrain Creek T19		ER CROOK FLOOD					

Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding
Federal (EMR)		\$50,000	\$0	\$0	\$0		
State		\$0	\$0	\$0	\$0		
Local		\$0	\$0	\$0	\$0		
Total	\$189,355	\$50,000	\$0	\$0	\$0	\$0	\$239,355

Revised

Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding
Federal (EMR)		\$0	\$53,000	\$0	\$0		
State		\$0	\$0	\$0	\$0		
Local		\$0	\$0	\$0	\$0		
Total	\$189,355	\$0	\$53,000	\$0	\$0	\$0	\$242,355

2018-015: Add FY 2021 funding for design**Existing**

Title: I-25/SH-119 Interchange and Park-N-Ride Improvements

Project Type: Transit Passenger Facilities

TIP-ID: 2018-015

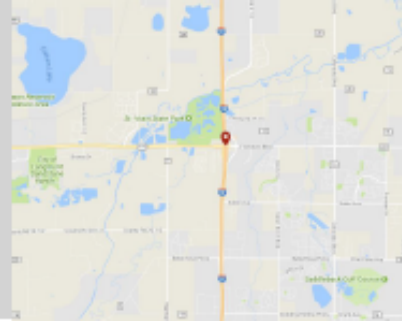
STIP-ID: SSP4428

Open to Public:

Sponsor: CDOT Region 4

Project Scope

Construct Bustang passenger stations and stops with appropriate pedestrian facilities, ADA ramps, and bus pullouts.

**Affected County(ies)**

Weld

Performance Measures

- ☐ Bridge Condition
- ☒ Congestion
- ☐ Freight Reliability
- ☐ Pavement Condition
- ☐ Safety
- ☐ Transit Assets
- ☐ Transit Safety
- ☒ Travel Time Reliability

Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding
Federal		\$0	\$0	\$0	\$0		
State (SB267)		\$400	\$0	\$0	\$0		
Local		\$0	\$0	\$0	\$0		
Total	\$200	\$400	\$0	\$0	\$0	\$0	\$600

Revised

Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding
Federal		\$0	\$0	\$0	\$0		
State (SB267)		\$400	\$80	\$0	\$0		
Local		\$0	\$0	\$0	\$0		
Total	\$200	\$400	\$80	\$0	\$0	\$0	\$680

2020-087: Add 30 pool projects approved by the DRCOG Board in December 2020. Add funding, adjust funding types, and project title

Existing

Title: **Region 1 Urban Roadway Arterial Safety Pool**

Project Type: **Roadway Operational Improvements**

TIP-ID: **2020-087**

STIP-ID:

Open to Public:

Sponsor: **CDOT Region 1**

Project Scope

Urban arterial safety investments, with a focus on bicycle and pedestrian mobility. Improvements include shoulders, striping, medians, traffic signals, and safe crossings that align with DRCOG's Vision Zero elements.



Affected County(ies)

Adams
Arapahoe
Broomfield
Denver
Douglas
Jefferson

Performance Measures

- ☐ Bridge Condition
- ☒ Congestion
- ☐ Freight Reliability
- ☐ Pavement Condition
- ☒ Safety
- ☐ Travel Time Reliability

Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding
Federal		\$0	\$0	\$0	\$0		
State (SB267)		\$25,000	\$0	\$0	\$0		
Local		\$0	\$0	\$0	\$0		
Total	\$0	\$25,000	\$0	\$0	\$0	\$0	\$25,000

Revised

Title: **Safer Main Streets Pool**

Project Type: Roadway Operational Improvements

TIP-ID: 2020-087

STIP-ID:

Open to Public:

Sponsor: CDOT Region 1

Project Scope

Urban arterial safety investments, with a focus on bicycle and pedestrian mobility. Improvements include shoulders, striping, medians, traffic signals, and safe crossings that align with DRCOG's Vision Zero elements.
Pool funding contains both DRCOG and state funding sources.



Affected County(ies)

Regional

Performance Measures

- ☐ Bridge Condition
- ☒ Congestion
- ☐ Freight Reliability
- ☐ Pavement Condition
- ☒ Safety
- ☐ Transit Assets
- ☐ Transit Safety
- ☐ Travel Time Reliability

All pool project funding depicts federal and/or state funding only.

Facility Name	Start-At and End-At	Cost (\$1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (\$1,000s)	Facility Name (Cont)	Start-At and End-At	Cost (\$1,000s)
Arapahoe County	Arapahoe Road at Olaf St Intersection Improvements	\$450	Centennial	S Holly St HAWK Signal and Pedestrian Improvements	\$250	Lakewood	West Colfax Pedestrian Safety and Infrastructure Project	\$10,000
Arapahoe County	S. Federal Blvd. Sidewalk Improvements	\$464	Commerce City	Colorado Boulevard Bicycle and Pedestrian Improvements	\$2,720	Littleton	Mineral Station East Mobility-shed Improvements	\$1,100
Boulder	Safer Signals, Safer Streets	\$435	Denver	Mississippi Avenue Vision Zero Safety Project	\$2,132	Littleton	Prince Street Link Project	\$615
Boulder	28th St. (US 36) and Colorado Ave. Protected Intersection	\$2,104	Denver	SH-88/Federal Boulevard Median Gaps	\$3,600	Lone Tree	Rapid Rectangular Flashing Beacons (RRFBs)	\$248
Boulder	30th Street – Separated Bike Lanes (SH-7/Arapahoe Avenue – Colorado Avenue)	\$2,300	Denver	West Colfax Pedestrian and Transit Improvements + Partial E. Colfax	\$10,000	Lone Tree and Douglas County	C-470 Trail Connector to RTD/Park Meadows LRT	\$1,600
Boulder County	US 36 Intersections Improvements Project (Lyons to Boulder)	\$240	Denver	Broadway Corridor Multi-Modal Improvements (Elevate Project)	\$4,800	Longmont	SH-119 & Sunset St Intersection Multimodal Safety Improvements	\$1,200
Broomfield	US 287/ 120th Avenue Sidepath Infill & Transit Access Improvements	\$2,000	Denver	Federal Blvd Pedestrian Improvement Project	\$3,812	Morrison	Morrison Main Street Revitalization	\$426
Broomfield	CO 128 / US 36 Bikeway Connection	\$296	Douglas County	US Highway 85 Shoulder Widening (Castle Rock Parkway to Daniels Park Road)	\$880	Nederland	Nederland Crosswalk Improvements	\$280
Broomfield	112th/Uptown Ave. Complete Streets and Railroad Safety Improvements	\$2,000	Englewood	West Dartmouth Ave Multimodal Safety	\$1,260	Northglenn	Connect Northglenn Multimodal Improvements	\$560
Centennial	Arapahoe and Clarkson Traffic Signal and Bike Lane Continuation	\$400	Erie	County Line Road Telleen to Evans	\$2,360	Superior	US 36 Bikeway Extension - Rock Creek Parkway Segment	\$320

Amounts in \$1,000s	Prior Funding	FY20	FY21	FY22	FY23	Future Funding	Total Funding
Federal		\$0	\$0	\$0	\$0		
Federal (STP-M)		\$0	\$9,000	\$17,000		\$0	
State		\$0	\$0	\$0		\$0	
State (Leg)		\$0	\$8,000	\$16,500		\$0	
State (Leg-T)		\$0	\$9,000	\$17,000		\$0	
Local		\$0	\$0	\$0		\$0	
Total	\$0	\$0	\$26,000	\$50,500	\$0	\$0	\$76,500

ATTACH H

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Informational Item	15

SUBJECT

This item concerns transmittal of the *Draft 2021 Policy Statement on State Legislative Issues*.

PROPOSED ACTION/RECOMMENDATIONS

No action is requested. This item is provided for information only.

ACTION BY OTHERS

N/A

SUMMARY

Each year, the Board adopts two policy statements on a range of specific state and federal legislative issues. These documents provide the DRCOG Board, staff and lobbyists with policy direction on legislative issues during the coming year.

The *Draft 2021 Policy Statement on State Legislative Issues* is provided now to give Board members and their staff sufficient time to review its contents before the Board considers and acts on the document at its February 17, 2021 meeting. A change is proposed to update the policy on aging funding and a change is proposed to update the policy on transportation safety. If you have suggested changes to the draft, you are encouraged to contact staff prior to February 3, 2021. Action to approve the document will be requested at the February Board meeting.

Also note the attached Principle Statement. It lays out the Board's general guidelines for the types of issues to be considered for positions. These particularly focus on issues with a specific significance to the Denver region; a unique effect upon local governments in this region; or a specific effect on DRCOG.

PREVIOUS DISCUSSIONS/ACTIONS

N/A

PROPOSED MOTION

N/A

ATTACHMENTS

1. Legislative Principle Statement
2. Draft 2021 Policy Statement on State Legislative Issues (with track changes)

ADDITIONAL INFORMATION

Should you have any questions regarding the draft policy statement, please contact Douglas W. Rex, Executive Director, at (303) 480-6701, or drex@drcog.org; or Rich Mauro, Senior Legislative and Policy Analyst, at (303) 480-6778 or rmauro@drcog.org.

PRINCIPLES GUIDING DRCOG LEGISLATIVE POSITIONS

**As adopted by the DRCOG Board of Directors December 1982
And revised February 17, 1988, January 16, 1991 and January 17, 2001**

The Denver Regional Council of Governments' federal and state Legislative Program is defined by the character of the Denver region and the concerns of its local governments. The Denver region constitutes a unique area as distinguished from the rest of the state because its member governments comprise a large and highly urbanized population.

In the Denver region, the regional council, organized as a voluntary association of county and municipal governments, is the only regional spokesman for these entities. Due to DRCOG's regional character and local government orientation, the council is the appropriate forum for regionally focused legislative activity.

This self-imposed limitation to regional issues is reinforced by the activities of two other organizations, the Colorado Municipal League (CML) and Colorado Counties, Inc. (CCI). As statewide associations of municipal and county governments respectively, their interests are correspondingly broad. As a consequence, they address the entire range of local government issues before the state legislature, state executive and regulatory agencies, and the federal government. Both associations generally avoid issues that are unique to an individual community or region.

In addition to regional issues, DRCOG is concerned with issues that affect the organization or its programs. The organization assumes the responsibility for identifying and promoting the regional interest in its various fields of planning and management to state and federal legislative and administrative bodies.

It is not the policy of the Legislative Program to address all legislative/administrative issues of interest to local governments generally. Support of or opposition to a bill or legislative funding measure will be given, and be subject to reassessment, according to the bill's or measure's consistency with DRCOG's adopted principles, policies and plans. Where appropriate, DRCOG will strive to collaborate with other organizations representing local government(s), such as CCI and CML.

DRCOG's legislative activity generally will be focused on the following types of issues:

1. Proposals of special significance to the Denver region;
2. Proposals that would have a unique effect upon local governments in this region;
3. Proposals that affect DRCOG as an agency or which would affect one or more of its programs.

POLICY STATEMENT ON STATE LEGISLATIVE ISSUES 2021

INTRODUCTION

This paper outlines the key state policy issues of the Denver Regional Council of Governments (DRCOG). It identifies policy positions intended to inform the General Assembly, state executive branch officials and others as they develop and implement state policy on these issues. This policy statement guides positions and actions taken by the DRCOG Board, its staff and members during the 2019 state legislative session.

DRCOG is a membership organization of local elected officials representing 48 municipalities and nine counties in the Denver metro area. Under federal law, DRCOG serves as the metropolitan planning organization (MPO) coordinating transportation planning with air quality goals and serves as the Area Agency on Aging in eight counties to aid the 60-plus population. Under state statutes DRCOG, as the regional planning commission, prepares and adopts a regional plan for the metro area and has regional responsibility for oversight of transit projects and certain state-sponsored and private toll-road projects.

REGIONAL PLANNING & DEVELOPMENT

Regional growth and development is of significant concern for metro area residents, policymakers and community leaders. The counties and municipalities of the Denver region have been advancing a shared aspirational vision of the future of the metro area for more than 60 years. Working together to make life better for our communities and residents, that vision has taken various forms over the years — most recently as a regional plan known as Metro Vision.

Metro Vision fulfills DRCOG's statutory duty to make and adopt a regional plan for the physical development of the region's territory. The plan remains advisory for a local jurisdiction unless its planning commission chooses to adopt it as its official advisory plan under Colorado Revised Statutes 30-28-106(2). The current Metro Vision plan was most recently adopted by DRCOG's board of directors on April 18, 2018.

Metro Vision guides DRCOG's work and establishes shared expectations with our region's many and various planning partners. The plan outlines broad outcomes, objectives and initiatives established by the DRCOG board to make life better for the region's residents. Metro Vision is aspirational and long-range in focus, but it has historically served to inform nearer-term policies and initiatives.

The DRCOG board of directors recognizes that the success of the Metro Vision plan requires the coordinated efforts of local, state and federal governments; the business community; and other planning partners, including philanthropic and not-for-profit organizations

DRCOG supports those efforts that contribute to the achievement of Metro Vision's regional outcomes and encourages state and regional entities to align their policies and investment decisions with Metro Vision and other regional agreements to advance shared objectives.

Metro Vision establishes 14 interrelated aspirational outcomes, which describe a future that DRCOG, local governments and its partners will work toward together. DRCOG may support or oppose legislative proposals based on their potential to impact the region's ability to achieve these outcomes and the associated performance measures, targets and action elements.

These Metro Vision outcomes are as follows:

Outcomes – An efficient and predictable development pattern

- The region is comprised of diverse, livable communities.
- Through a coordinated effort between DRCOG and local communities, new urban development occurs in an orderly and compact pattern within regionally designated areas.
- Connected urban centers and multimodal corridors throughout the region accommodate a growing

share of the region's housing and employment.

Outcomes – A connected multimodal region

- The regional transportation system is well-connected and serves all modes of travel.
- The transportation system is safe, reliable and well-maintained.

Outcomes – A safe and resilient natural and built environment

- The region has clean water and air, and lower greenhouse gas emissions.
- The region values, protects and connects people to its diverse natural resource areas, open space, parks and trails.
- The region's working agricultural lands and activities contribute to a strong regional food system.
- The risk and effects of natural and human-created hazards is reduced.

Outcomes – Healthy, inclusive and livable communities

- The built and natural environment supports healthy and active choices.
- The region's residents have expanded connections to health services.
- Diverse housing options meet the needs of residents of all ages, incomes and abilities.

Outcomes – A vibrant regional economy

- All residents have access to a range of transportation, employment, commerce, housing, educational, cultural and recreational opportunities.
 - Investments in infrastructure and amenities allow people and businesses to thrive and prosper.
- Metro Vision also includes numerous objectives and strategic initiatives that identify areas for continuous improvements and specific voluntary opportunities that DRCOG and our many partners can consider. To help track the region's progress toward our shared outcomes, the plan establishes a series of regional performance measures. **More information on the Metro Vision plan, including objectives and performance measures that may inform DRCOG's position on legislative proposals can be found on the DRCOG website (metrovision.drcog.org).**

Transit-oriented development

The residents of the Denver metro area have made a significant financial commitment to expand the region's rapid transit system. To maximize the benefit of this investment, the areas surrounding existing and future transit stations should be developed or redeveloped to include appropriate higher-density, mixed-use, pedestrian- and bicycle-oriented development that supports transit use. **DRCOG supports legislative initiatives that foster transit-oriented development, including but not limited to: a) providing the Regional Transportation District (RTD) with the ability to manage its park-and-ride facilities using best practices that help the region reduce vehicle miles traveled (VMT); b) expanding the ability of RTD and local governments to enter into joint-development agreements; and c) protecting local authority to use tax-increment financing to leverage development in areas around transit stations.**

Local land use authority and planning

Local comprehensive/master plans provide a framework for the exercise of local land use authority. They form the basis for local growth and development decisions. **DRCOG supports the use of comprehensive/master plans as the foundation for local land use decision-making.**

Private property rights

DRCOG respects private property rights within a legal context that protects local land use authority and emphasizes that governmental actions often add value to private property. While acknowledging that there are concerns over a potential for inappropriate uses of that authority, DRCOG believes that U.S. Supreme Court decisions defining constitutional restrictions on local government regulation of private property are adequate to protect both public and private rights. When these restrictions are

coupled with established precedents of the Colorado Supreme Court, protections accorded to landowners are reasonable, appropriate and balanced. Therefore, **DRCOG opposes further restrictions on the ability of governmental entities to regulate private property for the benefit of the public and opposes takings and eminent domain legislation that goes beyond the existing rulings of the U.S. Supreme Court and the Colorado Supreme Court as an attempt to unconstitutionally restrict local land use authority.**

Planning data and technical support

DRCOG recognizes the importance of unbiased, reliable and consistent data in effective local and regional planning and decision-making. DRCOG also collaborates with the state to provide a variety of planning and technical assistance services to small communities. **DRCOG encourages the General Assembly and state agencies to further support efforts that would provide local governments with planning tools, technical assistance and other resources needed to enhance local and regional decision-making. DRCOG supports legislation that ensures readily available access to public data sets, including digital data, for use in planning analysis.**

Housing

An adequate supply and mix of housing options continues to be a concern of local governments. Housing choices allow individuals and families to find desirable housing that is affordable and accessible in communities throughout the region, allowing them to stay in their community of choice as their economic or life circumstances change. A range of housing options across the region benefits both individuals and families and can improve the economic vitality and diversity of local communities. **DRCOG supports the following principles pertaining to the quality, quantity and affordability of housing in the Denver metro area:**

- policies and programs that support the private and public sectors in the creation and maintenance of an adequate supply of affordable rental and ownership options and providing a variety of housing sizes and types integrated with the community to meet the needs of people of all ages, incomes, and abilities
- regional approaches to addressing the affordable housing issue that incentivize local efforts, particularly as they relate to preservation of existing affordable housing stock
- an adequate supply of permanently affordable housing located near job and transit hubs and continued public- and private-sector support for such an effort
- increased state financial support for loan and grant programs for low- and moderate-income housing, including associated supportive services and programs that promote wellness, stability and access to opportunity
- collaboration among public and private entities, including efforts to develop loan programs and address the jobs-housing connections
- renters and homeowners (including manufactured home owners) have appropriate protections from discrimination and displacement. Policies should emphasize the rights of residents and minimize disparities in treatment under the law.
- actions to provide more accessible and obtainable housing options for seniors

TRANSPORTATION PLANNING

Federal and state laws and regulations establish a critical role for the metropolitan planning organization (MPO) in the transportation planning process. Congress has emphasized the importance of local government involvement, through the designated regional planning agency, in selecting projects and prioritizing funding for transportation. **DRCOG supports the process established between DRCOG, the Regional Transportation District (RTD) and the Colorado Department of Transportation**

(CDOT) to address the following issues before final adoption of the Statewide Transportation Plan and will evaluate state legislative and administrative actions for consistency with this process:

- the distribution of estimated future transportation revenues and the range of certainty regarding estimated funding allocations
- rules and criteria for determining regional transportation project selection, including system preservation projects as well as immediate and future transportation priorities based on the Regional Transportation Plan
- a dispute-resolution process to mediate disputes related to these requirements

The synergy between transportation and land use affects the region's growth and development, use of transportation facilities and environmental quality. A coordinated approach between the state and regional transportation systems' planning efforts and local project development is crucial to ensure environmental compatibility, efficient system performance and cost-effective solutions. Although individual local governments can take actions to address these issues in their own jurisdictions, a regional approach to addressing them also is necessary. **DRCOG supports early and frequent consultations between state, regional and local agencies to coordinate regionwide system and project planning efforts, as well as to coordinate transportation, land use and air quality planning efforts. DRCOG will evaluate state legislative and administrative actions for consistency with this policy.**

Role of the MPO

The interdependence of transportation systems in metropolitan areas, particularly in the context of population growth and its demands on resources, necessitates a regional approach to transportation problem solving. As the MPO for the Denver metro area, DRCOG is responsible for planning and programming funds for a regional multimodal transportation system. The role of the MPO and the importance of cooperation among transportation agencies are recognized in federal law and regulation. The MPO serves as the forum for collaborative decision-making on regional transportation issues and brings together decision-makers from local governments, other regional agencies and state transportation agencies to consider strategic and innovative solutions.

The critical role of the MPO needs to be recognized and supported at the state level. Consensus between state and regional transportation agencies also is critical. **DRCOG supports the following principles with regard to the role of the MPO:**

- transportation planning that is coordinated between DRCOG, CDOT, RTD and local communities, with each participating transportation agency's plan recognizing the region's priorities in the context of statewide transportation priorities
- a strong role for MPOs placing them on equal footing with CDOT and applicable regional transit agencies in selecting projects to be funded to ensure that local, regional and state transportation needs are met in a coordinated and cooperative manner
- legislation that reinforces collaboration between state and regional transportation agencies and recognizes their respective roles, responsibilities and interests
- legislation to ensure that representation on the Transportation Commission reflects approximately equal populations based on the most recent population census

Transportation financing

Colorado and the Denver metro area face serious funding shortages for meeting their transportation needs. Regional and statewide analyses show existing revenue sources are inadequate to maintain current infrastructure, let alone address congestion, provide multimodal options desired by the public, address needs in agricultural and energy-impacted areas, and ensure safe travel throughout the state. The region's long-term economic vitality requires a built environment that includes effective and convenient transportation options. Colorado and the metro area need a revenue system that is reliable and sufficient to maintain the existing transportation system in good condition and to invest in the system to keep pace with

population growth. Thus, enhancements to existing revenue sources and the enactment of new revenue sources are necessary.

DRCOG supports the following principles and actions to meet transportation financing needs:

- Increase funding for transportation to preserve the system, address congestion and safety, and provide multi-modal options for people of all ages, incomes and abilities.
- Reduce or eliminate off-the-top appropriations from the Highway Users Tax Fund.
- Consider alternative revenue and financing mechanisms, such as road usage charges, and, under certain circumstances, tolling and congestion pricing of existing roadways.
- Provide an appropriate share of new or increased revenues back to local governments.
- Consider the effects of land use decisions on transportation infrastructure needs.
- Protect and expand the authority of regions to implement regional financing tools.
- Where appropriate, support the use of managed lanes, including tolled express lanes, to help drivers reliably anticipate travel time on major corridors in the Denver metropolitan area. Retain the requirement that any road, highway or tolled lane within or affecting the Denver metro area be reviewed and approved by the DRCOG board for inclusion in the fiscally constrained regional transportation plan. Ensure toll receipts remain in the regional highway system that is being tolled.
- Allow toll receipts to be used for multimodal improvements and accumulated for system reconstruction.
- Allocate federal and state funds to achieve funding equity statewide based on justified needs (system preservation, congestion and multimodal options) and contribution to overall revenues.
- Re-examine state formulas and procedures to ensure an adequate amount of federal and state funds are made available to urbanized and metropolitan areas to relieve congestion, increase safety, and achieve and maintain air quality standards.
- Consider revising the responsibilities for maintenance and supervision of the non-National Highway System portions of the current state highway system, subject to the condition that any devolution to local governments be accompanied by the funding necessary to avoid unfunded mandates and pursuant to review by, and consent of, affected local and regional agencies.

Multimodal transportation

Efforts to address transportation needs in the region must draw upon an array of transportation modes to reduce single-occupant vehicle demand and to provide a variety of transportation choices. DRCOG strongly believes multimodal travel options are imperative to preserve and enhance our quality of life. **DRCOG supports legislation that promotes efforts to fund, maintain and expand a multimodal transportation system. DRCOG also supports measures to improve safety for users of alternative modes, especially pedestrians and bicyclists. DRCOG supports funding for programs that provide transportation for access to jobs for low-income workers who cannot afford to live near where they work, and for safe routes to schools.**

Coordination of regional and statewide transportation efforts

The DRCOG area generates a significant number of trips throughout the state of Colorado. At the same time, residents from throughout Colorado travel to, and through, the metro area. Coordination of transportation planning and funding efforts between DRCOG and neighboring councils of governments, transportation planning regions and coalitions, especially in the primary north-south (Interstate 25) and east-west (Interstate 70) corridors will provide mobility and economic benefits not just for the DRCOG region but for the entire state. Regional consensus through the existing planning processes is critical for defining

large-scale projects in the state's major transportation corridors, establishing their priorities, and broadening the base for their funding. **DRCOG supports regional and statewide efforts to enhance consensus-building among partners and will work to pursue multimodal**

transportation solutions. DRCOG supports using the regional and statewide transportation planning processes to explore and identify transportation solutions and will evaluate state legislative and administrative actions for consistency with this policy.

Advanced mobility

Rapidly changing technology is revolutionizing transportation mobility. From dockless scooters and e-bikes (electric bicycles) to the potential for connected and automated vehicles, the transportation sector is undergoing a rapid and uncharted evolution toward mobility on demand and mobility as a service. In 2018, DRCOG participated in Mobility Choice Blueprint – a one-of-a-kind planning and funding partnership among CDOT, DRCOG, RTD and the Denver Metro Chamber of Commerce to help the Denver region identify how to best prepare for the era of advanced mobility. Through the Mobility Choice Blueprint process, DRCOG has identified leadership opportunities in the areas of advanced mobility governance and data management. As the MPO, DRCOG coordinates the region's transportation planning process among DRCOG, CDOT and RTD. Advanced mobility represents a natural extension of DRCOG's MPO role as the region implements and expands the Mobility Choice Blueprint process.

Similarly the cooperative and collaborative data management essential to the region's successful integration of new and emerging transportation technologies will be facilitated by DRCOG's experience leading the Denver Regional Data Consortium and creating or serving as a repository of numerous land use, transportation, traffic, GIS and other data sets. **DRCOG encourages the General Assembly and state agencies to support efforts to provide local governments with planning tools, technical assistance and the other resources necessary to prepare for new and emerging transportation technologies.**

Transportation demand management

Transportation demand management programs, projects and services can help reduce congestion and improve air quality by decreasing the amount of automobile traffic during high-demand periods.

DRCOG sees transportation demand management as an important element of the region's long-range growth management and transportation planning strategy.

DRCOG supports the following principles and programs to promote transportation demand management efforts

- a coordinated regionwide effort (Way to Go) to promote and encourage adoption of non-single-occupant-vehicle (non-SOV) travel options
- active transportation to encourage healthier travel choices, including bicycling and walking
- transit
- telecommuting, flextime and other changes to normal work patterns to avoid peak traffic conditions
- carpooling, vanpooling and other forms of ridesharing including the underlying technologies to facilitate matches
- encouraging parents to use carpools for taking students to school and infrastructure that facilitates these transportation options
- non-automobile infrastructure investments by the state, counties and cities
- employer promotion of alternative mode use by employees
- coordination of transportation alternatives wherever traffic congestion occurs, such as at schools, large retail shopping centers and in connection with sporting or cultural events or major transportation infrastructure construction
- incentives to individuals who use alternative modes

Safe and effective management of the transportation system

Efforts to promote the effective day-to-day operational management of the freeway and arterial road systems and transit facilities are important to making the best use of existing transportation investments. **DRCOG supports approaches that make use of the roadways and transit facilities more efficient, including collaborative programs for incident management and intelligent transportation systems. DRCOG supports efforts that improve or expand situational awareness for transportation operators and supports their ability to both effectively manage transportation systems and distribute real-time traveler information.**

DRCOG's board-adopted "Taking Action on Regional Vision Zero" Metro-Vision plan establishes a goal to eliminate traffic deaths and severe injuries in the transportation system with a proactive, preventive approach includes a safety performance measure to reduce the number of traffic fatalities to fewer than 100 annually by 2040. The board will consider investments through the Transportation Improvement Program to improve the safety and security of the transportation system.

DRCOG supports efforts to improve the safety of the traveling public – drivers, transit riders, pedestrians and bicyclists. **DRCOG supports to increase transportation funding to create a reliable, dedicated funding stream for safety projects; require motorcycle drivers and passengers to wear helmets; and maintain ability to use safety cameras as an enforcement technique, including red-light running and speeding educational, enforcement and engineering approaches that enhance safety to reduce crashes, serious injuries and fatalities. These include approaches to optimize the multimodal transportation system to improve the safe and reliable flow of people and goods such as incident management, safety education and awareness, driver safety measures and other measures proved to enhance safety.**

Transportation for older adults and vulnerable populations

Access to transportation is critical for older adults and individuals with disabilities, low incomes, veterans and other vulnerable populations. Transportation allows them to obtain health care, food and to maintain and increase social, family and other life-sustaining relationships. DRCOG promotes the concept of regional cooperation and coordination among counties and local service providers to most effectively use the limited resources available for transportation for older adults and other vulnerable populations. **DRCOG supports the following:**

- a system that:
 - ensures more and better service is provided to older adults and vulnerable populations
 - reduces administrative and service duplication
 - increases coordination among funding sources, providers, jurisdictions and trips
- efficiently uses taxpayer dollars to provide life-sustaining mobility
- increased state funding for general and Medicaid transportation services for older adults and other vulnerable populations

OLDER ADULTS & INDIVIDUALS WITH DISABILITIES

As the designated Area Agency on Aging (under the federal Older Americans Act) for Adams, Arapahoe, Broomfield, Clear Creek, Denver, Douglas, Gilpin and Jefferson counties, DRCOG advocates, plans, funds and coordinates the provision of services for older adults. DRCOG also has been designated as an Aging and Disability Resource Center (ADRC) under the Affordable Care Act and in that capacity is charged with providing a coordinated and streamlined access point to long-term care services and supports for adults age 60 and over or age 18 and over living with a disability, and their caregivers. As an advocate for older adults, individuals with disabilities, veterans and their

caregivers, DRCOG works with various agencies, groups and individuals to support state legislation, regulations and programs to meet their needs. DRCOG also provides the direct services of a long-term care ombudsman and information, referral and assistance. In performing these roles, **DRCOG supports the following:**

Planning and delivery of services

The federal Older Americans Act and the state Older Coloradans Act mandate critical roles for area agencies on aging: planning and developing programs and services to meet the needs of older adults; advocating for and representing the issues and concerns of older adults; and distributing federal and state funds to service providers. As an ADRC, DRCOG is directed to provide older adults, individuals with disabilities, and their caregivers with information and assistance about available resources and options counseling. DRCOG works with the state, other government agencies, consumers, service providers, private and nonprofit organizations, and foundations to identify needs for services and then brings the parties together to determine the preferred approaches to address these needs. **DRCOG supports:**

- state legislative and regulatory provisions reinforcing collaboration between the state and area agencies on aging and respecting their respective roles and interests, consistent with state and federal laws.
- collaboration and partnerships to better meet the service needs of older adults consistent with DRCOG's responsibilities as an Area Agency on Aging and an ADRC.
- collaboration in the exploration of partnerships to provide access to area agency on aging services through public and private health insurance benefits that would be coordinated with the area agencies on aging across the state to provide cost effective community-based services.
- the establishment of local wellness funds, which are locally controlled pools of funds created to support community well-being and clinical prevention efforts that improve health outcomes and reduce the cost of health care.

Funding

Colorado and the Denver metro area face serious funding shortages related to economically and socially needy older adults, individuals with disabilities and their caregivers in the region. Regional and statewide assessments show that existing revenue sources are insufficient to meet current needs for services such as home modifications, meals, transportation to medical appointments and health promotion. Thus, enhancements to existing sources and development of more reliable sources are necessary. **DRCOG supports:**

- increased funding for programs and exploration of programs providing services to older adults, individuals with disabilities, veterans and their caregivers, especially services that support individuals continuing to live independently in their homes and communities, including efforts to improve data collection and analysis of cost effectiveness.
- efforts to use state funds for programs that provide prescription drugs more efficiently and effectively, including efforts to increase pricing transparency and reduce the costs of purchasing such prescription drugs to enable associated programs to better serve their growing caseloads
- increasing the appropriations to the State Funding for Senior Services line item in the Long Bill. This includes increasing the continuing appropriation to the Older Coloradans Cash Fund, as well as any additional state general fund monies that might become available. DRCOG specifically supports a stable, long-term funding source that increases to meet the growing need for services, which would provide a level of funding certainty that would improve yearly program planning for needed services.
- action by the General Assembly to fully fund the required share to match federal funds available to the state through the Older Americans Act, including the National Family Caregiver Support Program, so as not to require an increase in the required local share. Such state or local shares or matches should not be required to come from existing program funds. Similarly, increases in federal funding should not be offset with reductions in state funds.

- distributing State Funding for Senior Services monies, including the Older Coloradans Cash Fund, using the existing structure created to administer Older Americans Act funds. DRCOG also supports the equitable distribution of federal and state funds to area agencies on aging based on the needs and contribution of each region.
- re-examination of state procedures and distribution formulas for federal and state funds to ensure adequate funds are available to urbanized areas to meet the needs of older adults

Long-term care

Older adults receiving long-term care services, including those living in long-term care communities (such as nursing homes and assisted living facilities) and those enrolled in the Program of All-Inclusive Care for the Elderly (PACE) are some of the most vulnerable members of the regional community. As the operator of the Long-Term Care Ombudsman Program for the region, DRCOG is an advocate for the rights of residents and quality of care for those in long-term care communities and participants in PACE. **DRCOG supports increases in the quality of care and consumer protections for older adults and their caregivers and, in particular, legislation strengthening the role of the long-term care ombudsman and PACE ombudsman as resident and consumer advocates. DRCOG urges the state, when making decisions regarding funding for long-term care programs, to structure such funding to protect the quality of care for residents and participants, including funding for optimal ombudsman staffing.**

Housing

Available, affordable and accessible housing is a particular concern of older adults and individuals with disabilities, who mostly live on fixed incomes. However, an equally critical concern is the ability to live independently as part of the larger community. As individuals age or experience disability, the availability of in-home and related services that enable them to remain in their homes becomes increasingly important. Growing evidence indicates older adults and individuals with disabilities are healthier and require fewer costly services when they have affordable and accessible housing choices, are provided with the ability to age in place, remain connected to the community and its networks, and have access to long-term care. **DRCOG supports:**

- increased funding and regulatory changes that improve the availability of supportive services, while maintaining consumer protections for clients and family caregivers
- property tax relief to help reduce a tax liability that especially burdens low-income seniors and older adults on fixed incomes
- policies, programs and services that preserve existing affordable housing stock, promote access to a variety of housing options in diverse geographic locations, and provide consumer protections that enable older adults and individuals with disabilities to age in place

Driver safety and older adults

As individuals age, their ability to drive safely may diminish. However, DRCOG is concerned that addressing this issue solely based on age imposes undue hardships on older residents who can drive safely. When older residents are not allowed to drive, the availability of transportation for medical appointments, grocery shopping and social activities is essential for seniors to maintain independence. **DRCOG supports functional assessments of driving ability rather than age cut-off as the basis for imposing limitations on driving by individuals. DRCOG supports adequate funding for providing transportation services for the elderly and individuals with disabilities**

ENVIRONMENT

Air quality

Air quality affects all residents of the region and continues to be a concern. The region fails to meet current federal standards for ozone and more stringent standards are expected to be established by the Environmental Protection Agency. Meeting a more aggressive ozone standard will require continuous efforts from many parties. **DRCOG supports:**

- efforts to reduce emissions from all sources sufficient to meet federal air quality standards
- transportation and land use strategies that improve air quality in the region
- alternative fuel sources and clean-burning technology and provision of infrastructure and services for alternative fuels
- incentives for purchasing high fuel economy or alternative fuel vehicles or for accelerated retirement of inefficient or high-polluting personal, commercial or fleet vehicles that are beyond repair
- offering services, including incentives that encourage and facilitate the use of alternative modes of travel
- examination of the potential of select speed limit reductions

Water supply

An adequate, dependable supply of water is necessary for urban, agriculture, recreation and open-space priorities both in the Denver metro area and throughout the state. Metro Vision calls for maximizing the wise use of water resources through efficient land development and other strategies. **DRCOG supports:**

- collaborative efforts among local governments, water providers and other stakeholders to promote water conservation
- data collection and research to increase understanding of the link between land development and water demand, and best practices to promote the efficient use of water resources across the region
- water resource planning, management and development within the existing constitutional framework and pursuant to the basin roundtables process established in the Colorado Water for the 21st Century Act (HB 05-1177), in which interbasin compacts are negotiated for the equitable distribution of the state's waters
- water reuse as one component in efforts to meet water supply needs and thus supports efforts to facilitate the reuse of water consistent with Colorado's constitutional water rights system
- policies and practices that, consistent with local government authority, protect Colorado's water resources
- the development of Colorado's Water Plan that emphasizes conservation, storage, drought mitigation and streamlining of the regulatory processes, aligns the state's various water efforts and provides a benchmark for future collaboration in addressing Colorado's water supply needs

Open space

Open space resources available to citizens in the Denver metro area are important to our quality of life. **DRCOG supports:**

- planning, acquisition, protection and preservation of open space resources
- increasing funding for open space preservation
- Great Outdoors Colorado and other efforts advancing major land acquisitions along the Front Range that link open spaces in the metro area to protect canyons and river corridors, the mountain backdrop and prominent geographic features, freestanding community buffer areas, and the east metro plains

INTERGOVERNMENTAL RELATIONS

Intergovernmental cooperation

The state government, local governments and regional agencies all provide critical services and implement programs for the benefit of Colorado residents. Legislative bodies and executive agencies at each level should respect the roles and responsibilities of the others. **DRCOG supports building consensus among state, local and regional entities in developing and implementing new and existing programs and improved approaches to planning and service provision.**

Shared services

Many of the services provided by local governments to their residents are also provided by neighboring communities. To address related coordination and funding concerns, local governments have entered into agreements with each other and with DRCOG for shared-service delivery. **DRCOG encourages local governments to enter into shared-services agreements and supports efforts to ensure such agreements are honored and endorsed by the state.**

State-regional relations

As the state's policy issues become more complex, it is evident that the solutions are not one-size-fits-all. The Denver metro area has made significant progress in developing collaborative solutions and decision-making processes for several complex issues with which it has been confronted — especially in the related areas of growth and transportation. As the regional planning commission, the metropolitan planning organization for transportation, and the Area Agency on Aging, DRCOG is in a unique position to convene parties of interest on intergovernmental issues, provide the necessary forum for their resolution and facilitate a negotiated outcome. **In recognition of the importance of regionalism, it is an appropriate role for DRCOG to act as a facilitator of regional approaches. Consequently, it is appropriate for state agencies to ensure that actions they take affecting the region are consistent with regionally derived solutions and the adopted Metro Vision plan.**

Regional service delivery

The state plays an important role in the funding of public services and programs administered at the regional and local levels. When making such funding and programmatic decisions, it is appropriate for state agencies and the General Assembly to give consideration to which programs are most appropriately implemented at the local and regional level. State administration of federal programs can be problematic for local governments, as state agencies tend to be more removed from clients and less responsive to their needs. On the other hand, individual local governments may lack the resources to achieve desired efficiencies and cost-effectiveness. Also, some programs are most appropriately and effectively addressed at the regional level. The collaborative partnerships typical of regional approaches can provide the critical mass of users and clients for services or programs to be cost-effective.

DRCOG urges the state, when making funding and programmatic decisions, including creating new programs or changing existing programs, to consider the following principles:

- use existing local or regional service delivery systems wherever practical
- ensure a consultative process among federal, state and local governments and regional councils before making changes to services currently being delivered at the local or regional level
- ensure existing levels of services are maintained and adequate administrative funds are provided to implementing agencies
- ensure the state treats the continuity of service delivery as a key principle guiding any actions to create new programs or revise existing programs by respecting the local and regional programs already in existence

ATTACH I

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Informational Item	16

SUBJECT

This item concerns transmittal of the *Draft 2021 Policy Statement on Federal Legislative Issues*.

PROPOSED ACTION/RECOMMENDATIONS

No action is requested. This item is provided for information only.

ACTION BY OTHERS

N/A

SUMMARY

Each year, the Board adopts two policy statements on a range of specific state and federal legislative issues. These documents provide the DRCOG Board, staff and lobbyists with policy direction on legislative issues during the coming year.

The *Draft 2021 Policy Statement on Federal Legislative Issues* is provided now to give Board members and their staff sufficient time to review its contents before the Board considers and acts on the document at its February 17, 2021 meeting. The aging section has been updated to reflect the reauthorization of the Older Americans Act and lessons learned from the COVID-19 pandemic. If you have suggested changes to the draft, you are encouraged to contact staff prior to February 3, 2021. Action to approve the document will be requested at the February Board meeting.

PREVIOUS DISCUSSIONS/ACTIONS

N/A

PROPOSED MOTION

N/A

ATTACHMENTS

Draft 2021 Policy Statement on Federal Legislative Issues (with track changes)

ADDITIONAL INFORMATION

Should you have any questions regarding the draft policy statement, please contact Douglas W. Rex, Executive Director, at (303) 480-6701, or drex@drcog.org; or Rich Mauro, Senior Policy and Legislative Analyst, at (303) 480-6778 or rmauro@drcog.org.

POLICY STATEMENT ON FEDERAL LEGISLATIVE ISSUES 2020

INTRODUCTION

This paper outlines the key federal policy issues of the Denver Regional Council of Governments. It identifies policy positions intended to inform the Colorado congressional delegation, Congress, federal and state executive branch officials, and others as they develop and implement national policy on these issues. This policy statement guides DRCOG's federal legislative positions and actions during the coming year.

DRCOG is a membership organization of more than 50 cities, towns and counties in the Denver metropolitan area. Under federal law, it serves as the Area Agency on Aging for eight counties to aid the 60-and-older population and the metropolitan planning organization (MPO) to coordinate transportation planning with air quality goals. Under state statutes, DRCOG is a regional planning commission, responsible for preparing a regional plan for the development of the metro area.

REGIONAL PLANNING

Comprehensive planning and land use. Although comprehensive planning and land use are primarily matters for local determination and regional coordination, the federal government can play a supportive role in encouraging local and regional efforts through funding, technical assistance and other incentives. DRCOG's Metro Vision plan represents a shared regional vision for creating sustainable, livable communities that allow people of all ages, incomes and abilities to succeed. Metro Vision further recognizes that the success of the region's visionary plan requires the coordinated efforts of local, state and federal governments; the business community; and other planning partners, including philanthropic and not-for-profit organizations.

Metro Vision guides DRCOG's work and establishes shared expectations with our region's many and various planning partners. The plan outlines broad outcomes, objectives and initiatives established by the DRCOG Board to make life better for the region's residents. Achieving Metro Vision goals requires coordinated investment in a wide range of planning and implementation activities that transcend traditional funding categories. **DRCOG supports those efforts that help the region achieve the shared outcomes described in Metro Vision and encourages federal entities to align their policies and investment decisions to advance regionally determined objectives where appropriate.**

DRCOG's Metro Vision plan emerged from a collaborative process that spanned more than four years. During this time, DRCOG's policy committees, member governments, partner agencies, regional stakeholders and the community at large worked together to create a shared vision for action for shaping the future of the Denver metro area. The plan's shared vision of the future is captured in five overarching themes and 14 inter-related aspirational outcomes, which describe a future that DRCOG, local governments and partners will work toward together. **DRCOG may support or oppose legislative proposals that affect the ability of the region to achieve these outcomes and the associated performance measures and targets.**

Outcomes: Efficient and predictable development pattern

- The region is comprised of diverse, livable communities.
- Through a coordinated effort between DRCOG and local communities, new urban development occurs in an orderly and compact pattern within regionally designated areas.
- Connected urban centers and multimodal corridors accommodate a growing share of the region's housing and employment.

Outcomes: A connected multimodal region

- The regional transportation system is well-connected and serves all modes of travel.
- The transportation system is safe, reliable and well-maintained.

Outcomes: A safe and resilient built and natural environment

- The region has clean water and air, and lower greenhouse gas emissions.
- The region values, protects and connects people to its diverse natural resource areas, open space, parks and trails.
- The region's working agricultural lands and activities contribute to a strong regional food system.
- The risk and effects of natural and human-created hazards is reduced.

Outcomes: Healthy, inclusive and livable communities

- The built and natural environment supports healthy and active choices.
- The region's residents have expanded connections to health services.
- Diverse housing options meet the needs of residents of all ages, incomes and abilities.

Outcomes: A vibrant regional economy

- All residents have access to a range of transportation, employment, commerce, housing, educational, cultural and recreational opportunities.
- Investments in infrastructure and amenities allow people and businesses to thrive and prosper.

DRCOG further urges Congress to consider the following in support of local and regional planning:

- DRCOG supports improving the coordination of housing, community development, transportation, energy, and environmental policy in the United States; coordinating federal policies and investments to promote sustainable development; and encouraging comprehensive regional planning for livable communities.
- DRCOG supports federal policies and investments that help local governments and the private sector develop successful urban centers, including transit station areas.
- DRCOG supports federal funding, regulatory support and other incentives to bolster local and regional efforts to increase the supply of affordable housing, including housing suitable for fixed-income older adults. Additionally, DRCOG supports effective means to create and maintain supportive services for residents in affordable housing communities.
- DRCOG supports efforts to promote affordable housing options by:
 - Promoting policies and programs that support the creation and maintenance of an adequate supply of affordable rental and ownership options integrated with the community to meet the needs of people of all ages, incomes, and abilities. This should include expansion of the Low-Income Housing Tax Credit, a critical tool for supporting private investment in the production and preservation of affordable housing in the state of Colorado and throughout the country, and efforts to strengthen communities through investments in transportation, economic opportunities, education, health services and other amenities that promote opportunity.
 - Ensuring that renters and homeowners (including manufactured-home owners) have appropriate protections from discrimination and displacement. Policies should emphasize the rights of residents and minimize disparities in treatment under the law, while balancing the rights of property owners.
 - Ensuring that policies, programs and other actions that affect land use and housing support the private and public sectors in providing a variety of housing sizes and types for people of all ages, incomes and abilities.
 - Federal agencies and elected officials should respect and support local and regional plans and land use authority. This includes ensuring funding decisions and the siting of federal and other facilities are consistent with those plans and respect local and regional land use authority. Federal agencies and elected officials also should ensure maximum local and regional participation in those decisions.
- The federal government should protect open space, including natural habitats, by fully funding the land conservation, preservation and infrastructure improvement trust fund programs and providing

new incentives for land conservation and outdoor recreation opportunities.

- Federal investments in local and regional data and information programs help DRCOG deliver improved information, tools and services for local and regional planning and decision-making. DRCOG supports continued funding for these programs and legislation that requires local, regional and state governments to proactively share digital data with the public.

OLDER ADULTS

Older Americans Act reauthorization and implementation

DRCOG has been the designated Area Agency on Aging (AAA) for the metro area under the auspices of the federal Older Americans Act since 1973. In this capacity, DRCOG is responsible for planning and advocating for the needs of the region's older residents, as well as for providing a broad array of services and programs.

Congress reauthorized the Older Americans Act in ~~2016, and the act was set to expire in 2019.~~ ~~Although the act was not reauthorized, it remains in effect through a continuing resolution passed by Congress. Reauthorization will be a top priority for 2020.~~ Since the last full reauthorization (~~2006~~**2016**), the challenges to communities, states and the nation presented by the aging of the population have continued to accelerate across the U.S. but particularly in Colorado.

This critical national issue has continued to put pressure on services, especially the need for more tailored in-home and community-based services, the need for more focused prevention programs, the need for consumer advocacy in long-term care facilities, and increased support for family caregivers. After nearly ten years of advocacy by DRCOG and all members of the Colorado Congressional delegation, the 2020 ~~These issues were not addressed in any substantive way in the 2016 reauthorization. The 2016 reauthorization also only partially~~finally addressed the funding imbalances in the existing Older Americans Act funding formula. The so-called "hold harmless" provision now will be phased out with Colorado (and DRCOG) already seeing significantly adjusted increases in funding. With reauthorization accomplished, attention turns to implementation. coming reauthorization offers a prime opportunity to modernize and reshape aging services in the U.S. and rebalance the allocation of Older Americans Act funds to the states. **Accordingly, DRCOG adopts the following principles for reauthorization implementation of the Older Americans Act.**

Eliminate obsolete funding provisions in the Older Americans Act

~~DRCOG has expressed concerns that the current funding formula for the Older Americans Act is outdated and unfair, particularly to states with fast growing older adult populations. The Older Americans Act funding formula generally allocates federal funds to states based on the proportion of older adults in each state. However, the full reauthorization in 2006 included a modified "hold harmless" provision to prevent slow growing states from falling below their fiscal year 2006 funding levels. The population data used in the funding formula 2006 formula also used population numbers from the 2000 Census, which quickly became outdated after the 2010 Census. Although the data was updated in the full reauthorization that passed in 2016, it will need to be updated again after the 2020 Census. Using the most up-to-date population numbers is critical so that all states receive the full distribution to which they are entitled under the Act. This combination of obsolete data and the hold harmless provision caused Colorado to lose more funding than any other state, during both the annual appropriations as well as in the sequestration cuts in 2012.~~

~~The full reauthorization only included a small change to the funding formula in the direction of fairness. All nine members of the Colorado congressional delegation in a bipartisan manner have sent multiple communications to House and Senate leadership and the administration urging them to ensure the next reauthorization of the Older Americans Act treats all seniors fairly by eliminating the hold harmless provision.~~ **DRCOG appreciates the continued support of the Colorado delegation for this issue.**

Encourage meaningful coordination with other systems and programs

The Administration on Aging should adopt rules and regulations incorporating the following specific concerns:

- Require states, area agencies on aging, Medicaid long-term care agencies and other relevant entities to continue efforts to better coordinate regional and statewide planning of services and programs for seniors.
- Coordinate all federal programs and planning processes that serve older adults, such as Older Americans Act, Medicaid, Fixing America's Surface Transportation (FAST) Act and Section 202 housing programs.
- Establish new policy and program guidelines to improve coordination and optimize all public and private benefits, services and resources aimed at promoting elder economic security.
- Remove institutional barriers to the coordination of elderly and disabled transportation services by providing the flexibility to allow trips for elderly and non-elderly disabled persons and for meal, medical and personal services to be served by the same provider using a combination of U.S. Department of Health and Human Services and U.S. Department of Transportation funding.
- Avoid shifting the cost burden from cash-strapped programs such as Medicaid to the Older Americans Act programs, simply to bail out those programs.
- Strengthen the collaboration between the area agencies on aging and federal, state and local governments with community-based organizations and national organizations that work with diverse older adults by providing resources, including funding research, programs and training to more effectively respond to changing demographics and target services to those most in need.

Establish a federal services identification database for senior services

To better provide coordinated services to seniors, DRCOG supports the creation of a federal database which will summarize all care that a patient is receiving regardless of which federal agency is providing the care. Currently, DRCOG has no ability to understand the complete umbrella of services a patient is receiving because there is no way to access information about that patient outside of the information that DRCOG has. This data sharing will allow the Area Agency on Aging to better shape and provide services for aging adults.

Maximize flexibility in use of Older Americans Act funds

Most federal funding provided to state and local entities under the federal Older Americans Act is specifically earmarked to particular services. Although all of the Older Americans Act-funded services, such as meals and transportation, are critically important, the area agencies on aging, local governments and service providers are in the best position to assess the specific needs in the local areas. Funding flexibility to meet local needs has been particularly important to the success of the Aging Network in Colorado in responding to the COVID-19 pandemic. **Increased flexibility in the use of program funds would allow area agencies on aging to better meet the needs of older adults.**

- Simplify rules and regulations to allow better coordination of senior services thus enabling area agencies on aging and service providers to more efficiently and effectively use federal funds to address local priorities. This could include the consolidation of certain funding categories to improve administration of the affected programs. For example, the Title III C-1 congregate meal and Title III C-2 home-delivered meal programs could be merged.
- Create flexibility in state- and federally specified allotments of Older Americans Act funds allowing area agencies on aging to use regional priorities to determine funding distributions at the local level, consistent with the goals of the act.
- Set required local match at 10 percent and required state match at 5 percent across all programs of the Older Americans Act. Currently, required local and state funding match percentages vary widely. For example, state/local match for the National Family Caregiver Support Program is 25 percent,

while the Nutrition and Supportive Services Programs require a 15 percent state/local match. In some cases, states can completely opt out of providing a state match, as with the National Family Caregiver Support Program.

- Congress and the administration should, in consultation with the states and area agencies on aging, implement the lessons learned from the experience with the pandemic to inform future coordination.

Fund aging-related planning for local communities

The 2006 reauthorization established new requirements for area agencies on aging to broaden their planning efforts beyond service needs to include senior-friendly community planning to promote livable communities for all ages but did not include funds for this new mandate. **To ensure these requirements are met, Congress must appropriate funds for state, regional and local collaboration, planning, community capacity-building and technical assistance. This should include funds for conducting analyses of the strengths and needs of seniors in a given area. Increase federal funding for Older Americans Act programs**

The funding provided through the Older Americans Act has proved critical in maintaining a quality standard of living for many of the nation's older adults. For years, however, Older Americans Act funding has not kept pace with inflation or the growing population of individuals eligible for services. Yet, demand by at-risk older adults in need of supportive services has risen and will continue to rise with the growth of the aging population. This long-term gap in funding translates to greater numbers of older adults and family caregivers with unmet needs and increasing pressures on state and local agencies, service providers and families. Meanwhile, waiting lists for Older Americans Act-funded services, such as Meals on Wheels, rides to medical appointments and in-home care, have burgeoned throughout the country.

Compounding these problems, financial pressures on other programs that provide services to seniors, such as Medicare and Medicaid, have led to reductions in the services provided by those programs, and a related increase in demands on Older Americans Act programs. Both in Fiscal Year 2020 and the upcoming Fiscal Year 2021 and 2022 budget cycles, COVID-19 will put enormous pressures on the Health and Human Services budget both within the Administration and the Congressional budget process. It is critical DRCOG advocate to ensure COVID-19 does not adversely affect the dollars appropriated to the states for Older American's Act Programs. At the same time, there are proposals for addressing the nation's long-term debt that actually would result in significant cuts in funding for these programs.

Funding cuts, such as those in the Budget Control Act of 2011 under sequestration, had devastating consequences for vulnerable older adults in the metro area and across Colorado. Congress should fund the Older Americans Act adequately now and into the future in preparation for the aging of the baby boomers. **DRCOG specifically supports:**

- A balanced approach to addressing the nation's budget deficits and long-term debt.
- Any approach must protect those older adults in greatest social and economic need by fairly balancing increased revenues and targeted spending reductions and taking no actions that increase economic vulnerability or poverty.
- Significant annual increases in the overall funding for the Older Americans Act programs, which are necessary to catch up with the lag in historical funding. DRCOG supports the position of the National Association of Area Agencies on Aging, which is advocating total funding for Older Americans Act be increased to at least the inflation- and population-adjusted 2010 levels to restore the service capacity of Older Americans Act programs, with special attention to Title III B Supportive Services, Title III E National Family Caregiver Support Program and Title VII State Long-Term Care Ombudsman program, as these programs have had no relief from the sequester.
- Future authorized appropriations at levels adequate to fund all identified needs but at least commensurate with the rates of growth in inflation and the economically and socially needy older population. Congress also should change budget rules to allow credit for discretionary programs that save money in mandatory programs.
- In general, priority for funding should be given to those Older Americans Act programs and services that:

- emphasize assisting clients to live in their homes as long and as independently as possible
- support evidence-based health and wellness programs
- bridge the gap between community services and health care through programs that promote care transitions and care coordination and encourage community-based service delivery models, including broader experimentation with Accountable Health Communities to integrate social needs in the delivery of health services
- increase the funding for family caregiver support services (including training, respite care, counseling, and information and assistance) and the continued distribution of these monies through area agencies on aging, which are important to address the growing needs of families who provide extensive care to their loved ones.
- increase funding for Long-Term Care Ombudsman programs, which are necessary to improve the ability to respond to complaints and safeguard residents' rights

Provide a path for private sector investment in Older Americans Act services

As part of the Older Americans Act reauthorization, as well as other federal programs like Medicare Advantage Plans, Congress has allowed for area agencies on aging, outside of the OAA, to engage in private pay, integrated care and other arrangements to expand services. Congress and the administration should incentivize such activities, including funding demonstration projects and evaluations of the benefits of community-based services for improving health care outcomes and reducing care costs.~~should allow for and incentivize citizens and insurance companies to purchase private insurance benefits that would be coordinated with the AAAs across the country to provide low-cost senior services such as Meals on Wheels and trips to the doctor's office.~~

Long-term care facility quality of care

Older adults living in long-term care communities (i.e., nursing homes and assisted living) are some of the most vulnerable members of society. As the Long-Term Care Ombudsman for the region, DRCOG is an advocate for the rights of residents in long-term care communities and for improvement in the quality of care in such facilities. The quality of care provided by long-term care facilities is an ongoing concern to facility residents, their families, local governments and resident advocates. **DRCOG supports increases in consumer protections for older adults and their caregivers and, in particular, strengthening the role of the Long-Term Care Ombudsman as a resident/consumer advocate and reimbursement for long-term care communities structured to enhance the quality of care for residents. DRCOG believes the following issues require particular attention by Congress and federal agencies.**

- Federal regulations designed to ensure the quality of care in long-term care facilities are not fully enforced, largely due to inadequate staffing levels in state enforcement agencies. There also are several actions that could be added to the regulations to improve enforcement. These include increased inspections and penalties on long-term care facilities failing to comply with regulations. DRCOG supports such improved enforcement of long-term care regulations and an increase in funding for enforcement actions.
- Most complaints investigated by DRCOG ombudsmen are traceable to staffing issues in the long-term care facilities. The inability to maintain adequate staffing is a critical concern that negatively impacts long-term care facility quality of service. DRCOG supports federal legislation, policies and programs to improve the quality of service in long-term care facilities, including setting minimum staffing levels and providing financial and technical assistance for the recruitment, training and retention of long-term care facility employees.
- Nursing home transparency is an ongoing issue in advocacy for the rights of residents. Occasionally legislation has been proposed to enhance families' access to information about the quality of care in nursing homes and improve the government's ability to ensure quality care and a better-trained staff in those facilities. DRCOG supports legislation that includes stronger disclosure of ownership and control of facilities, better oversight of quality of care indicators, improved consumer information, and an enhanced complaint and penalty process.

Fund the Elder Justice Act

This legislation provides critical protection for residents living in nursing homes and assisted living; provides needed resources and coordination to address the problem of elder abuse; and includes increased funding for the Long-Term Care Ombudsman program. The Elder Justice Act sets out a comprehensive approach to preventing and combating elder abuse, neglect, exploitation and self-neglect.

DRCOG supports full funding and implementation of the Elder Justice Act, consistent with the following principles:

- Provide a stronger and more coordinated federal response to promote elder justice.
- Increase federal support to states and communities for elder justice activities.
- Provide funding and training support to adult protection programs.
- Improve consumer protection by requiring the reporting of crimes by nursing facilities or employees and communication of consumer rights information.
- Provide new funding to improve ombudsman capacity and training, and for training of health department surveyors investigating allegations of abuse.

Other health and community services

There are numerous other health and home care issues not covered under the Older Americans Act. In general, the following policies address concerns regarding consumer protection, access to treatment and access to services that increase independence. DRCOG believes it is appropriate for federal legislation, regulations and policies to promote access to health care coverage and the integration of long-term care into a continuum of medical and non-medical services, including health promotion and disease prevention.

- **Enhancing health and security of older adults.** The Affordable Care Act contains several provisions regarding older adults and their ability to stay healthy and age in the community. These include provisions for aging and disability resource centers, prevention and wellness programs, care transitions and coordination, and efforts to rebalance the long-term care system relative to institutional and community care. The area agencies on aging are positioned to play a key role in implementing these provisions. **DRCOG urges Congress and federal agencies to recognize the full potential of the Aging Network and use area agencies on aging in implementing these Affordable Care Act provisions.**
- **Avoid institutional care.** Home- and community-based services are critical components in the continuum of care for the elderly and disabled and are more cost-efficient than services in institutions, particularly with regard to rural areas and for minority populations. Adequate reimbursements to providers are necessary to offset the costs of providing these important services. **DRCOG supports increased funding of home- and community-based care programs and higher Medicare and Medicaid reimbursements.**
- **Prescription medication.** Older adults typically require more medication than younger people. Even with the adoption of a prescription drug benefit under Medicare, the high cost of prescription medication will continue to be a financial hardship for many older adults and federal programs.
- DRCOG supports increased prescription drug pricing transparency.
- DRCOG supports revisions to the Medicare Part D prescription drug benefit to simplify the application process and coverage offered, as well as cap out-of-pocket costs and address the gaps in coverage to provide a more comprehensive prescription medication benefit for all beneficiaries.
- DRCOG supports allowing the federal government to negotiate prescription drug prices for patients using Medicare, Medicaid and other federal programs to lower cost to these critical federal programs.
- DRCOG also encourages the federal government to provide additional funding for area agencies on aging to provide public education, counseling and enrollment assistance for citizens about the Medicare drug program.
- **Patients' rights.** Enforceable federal protections in areas including access to care, quality

assurance, patient information, grievances and appeals, the doctor-patient relationship and physician treatment decisions are necessary to ensure that quality health care and other services are available to all. **DRCOG supports legislation to protect consumers in managed care plans and other health coverage.**

- **Housing.** The ability to afford to live in a residence independently is a concern of older adults, especially those on fixed incomes. As the Denver metro area has grown and developed, the shortage of affordable housing has become an even more important concern. **DRCOG supports policies and programs designed to support older adults, especially those of low- and moderate-income, and persons with disabilities to live independently in the residence of their choice. This includes policies and programs to:**
 - Encourage the delivery of home- and community-based supportive services to assist older people and persons with disabilities in maintaining independence and actively engaging in their community.
 - Improve home design to promote independence and aging in place, including home modification and repair, appropriate design features in new and rehabilitated housing (through principles such as universal design, visitability, inclusive home design and energy efficiency), and the use of innovative home products.
 - Ensure that policies and funding for housing assistance and preservation programs continue to support residents who choose to remain in their homes as they age and that low- and moderate-income households have access to well-designed, safe, decent, affordable and accessible housing integrated throughout well-designed communities.
 - Promote financial security of housing assets to support the availability of affordable homeownership options, safeguard home equity and promote the innovative use of housing assets to maintain and improve the independence and quality of life of older people.

TRANSPORTATION

Transportation is an essential component of multidimensional efforts to advance economic development, industry growth and competitiveness; reduce the nation's dependency on fossil fuels; increase job access and mobility; and create communities having a high quality of life for people of all ages, incomes and abilities.

Funding

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)-authorized National Surface Transportation Policy and Revenue Study Commission, which released a congressionally mandated report in January of 2008, called for interim investments of at least \$225 billion annually over the next 50 years at all levels of government. The February 2009 report of the National Surface Transportation Infrastructure Financing Commission set up under SAFETEA-LU estimated we need to invest at least \$200 billion per year at all levels of government to maintain and improve our highways and transit systems. The FAST Act did not meaningfully increase transportation revenues nor provide anywhere near these levels of investment.

DRCOG supported the Fixing America's Surface Transportation (FAST) Act. However, while the FAST Act provided funding stability and delivery of long-term capital projects, the reauthorization falls short of needed investment in the nation's infrastructure and did not address a number of other important issues. DRCOG supports the funding principles adopted by the National Surface Transportation Infrastructure Financing Commission, which includes developing a funding and financing framework that:

- Supports a goal of enhancing mobility and accessibility for users of the transportation system,
- Generates sufficient resources to meet national investment needs on a sustainable basis with the aim of closing the funding gap,
- Causes users and all beneficiaries to bear the full cost of using the transportation system to the greatest extent possible,

- Encourages efficient investment in the transportation system,
- Incorporates equity considerations, including but not limited to geography, equity across income groups, population growth, and revenue generation, and
- Synchronizes with other broad public policy objectives (and may include energy independence, environmental protection, and workforce housing).

As Congress and the U.S. Department of Transportation consider additional transportation issues and rulemaking for FAST Act and proposals for infrastructure investment that may come from the new administration, DRCOG will evaluate each for consistency with the following policies.

- DRCOG supports an energy-efficient, environmentally sustainable, multimodal transportation system that ensures America's economic competitiveness and supports livable communities for its residents.
- DRCOG supports providing additional transportation revenues to accomplish this vision.
- Maintain transportation program's use of contract authority, allowing states to advance money for multiyear construction projects.
- While supporting a shift to national performance standards and goals, consideration must be given to equity issues (geographical/return on dollar).
- Continue and expand funding for transportation projects that improve air quality.
- If the Congress brings back earmarking or modifies any discretionary programs, a number of safeguards should be included: ensure transparency of the earmarking process; fully fund each phase of an earmarked project (no partial funding earmarks should be approved); do not reduce formula funds that would affect projects already in an approved Transportation Improvement Program.
- Provide full-year appropriations at the start of the federal fiscal year to the level of the authorization. Limit the use of short-term continuing resolutions and rescissions. These tactics reduce the flow of or cut into formula funds and negatively impact fiscal constraint, responsible planning, implementation of federal requirements and project continuity.

DRCOG supports both short- and long-term federal funding policies to provide additional investment in the nation's infrastructure.

Short-term

- Boost the federal gas tax (at minimum, to restore the purchasing power of the Highway Trust Fund) and other existing Highway Trust Fund revenue.
- Index the federal gas tax to inflation.
- Reduce federal obstacles to options available to states and localities such as tolling, congestion pricing and public-private partnerships.
- Further expand current federal credit programs.

Long-term

- Carbon tax or trading programs (if Congress implements such a program) should ensure transportation activities that reduce greenhouse gas emissions receive a proportionate share of any new revenue generated by such programs.
- Transition to a new, more direct user-based system such as a road usage charge. This includes:
- An aggressive research, development and demonstration program to address issues such as privacy rights, program administration, costs, revenues, partnerships with states and localities, and interplay with national policy objectives such as reducing vehicle miles traveled and congestion,
- A national public education program, and
- A national pilot program.

Multimodal solutions

Addressing the nation's transportation challenges requires investment in a comprehensive, multifaceted approach. The nation will need to implement multimodal alternatives to provide congestion relief, improve air quality, reduce household transportation costs and increase independence for people unable to drive because of age, income or ability. DRCOG's Metro Vision plan includes targets for reducing vehicle miles traveled and greenhouse gas emissions per capita, traffic fatalities, traffic congestion and single-occupant vehicle mode share.

Transit is an essential part of the metropolitan transportation system. Implementation of the Denver region's transit system is a high priority for DRCOG. Unfortunately, cost increases and revenue decreases forced the Regional Transportation District and DRCOG to remove some corridors from the fiscally constrained 2040 Regional Transportation Plan. DRCOG recognizes the importance of making transit-supportive improvements to bus and rail corridors throughout the region. The metro area has made a significant commitment of local resources for the regional transit system.

DRCOG supports adding multimodal transportation capacity appropriate to meet national and regional objectives.

- Maintain and expand funding programs that allow states and planning regions to develop, fund and implement integrated transportation solutions should be maintained and expanded. In addition, transportation funding must allow flexibility to address the multimodal, energy and environmental needs of individual urban areas.
- Establish national performance objectives and measures for increasing access and mobility for people of all ages, incomes and abilities should be established in addition to those for traffic congestion.
- Permit flexibility to allow each state and region to decide how to best make investments to show progress toward national safety, mobility and accessibility goals.
- Expand the National Freight Strategic Plan to include all major modes of freight transport including rail, water and air to better enable informed decision-making about efficient, long-distance freight movement.

DRCOG urges Congress and the administration to take the following actions in support of transit in the Denver region:

- Continue the federal investment for transit and multimodal projects in the Denver region.
- Provide dedicated sources of revenue and increased funding for bus rapid transit and rail new starts programs.
- Continue to provide federal funding for the FasTracks corridors (over time this could include corridors that have had to be removed from the fiscally constrained regional transportation plan).
- Clarify with regard to transit-oriented developments that up to a half-mile from an existing or proposed transit station, parking and transportation infrastructure, transit-oriented development planning, land acquisition and a project or program that supports compact, mixed-use, mixed-income, bicycle/pedestrian friendly development are eligible for federal transportation funding and require that this clarification be incorporated in funding program decisions, and work to identify additional sources of funding.
- Incorporate the Partnership for Sustainable Communities' livability principles into federal policy and investment decisions.
- Improve transportation services for older adults and individuals with disabilities by giving states added flexibility in utilizing their federal funds; enhancing the planning and coordination process; providing technical assistance; and promoting innovative community programs.
- Designate the "Rocky Mountain Corridor" (from Cheyenne, Wyoming, through Colorado to Albuquerque, New Mexico, and the Interstate 70 corridor from Denver International Airport to the Utah border) and the Western Regional Alliance high-speed rail network (to provide high-speed rail connections between Denver, Salt Lake City, Reno, Las Vegas, and Phoenix) as High-Speed Rail Corridors. This action would identify them as having potential for high-speed rail activity and enable these corridors to receive federal funds that might become available for corridor studies of high-speed rail options, development of plans for high-speed rail infrastructure, construction of high-speed rail facilities and highway/rail grade crossing

safety improvements.

Metropolitan mobility

Metropolitan areas account for 85.7 percent of the U.S. population and more than 90 percent of employment, income, and production of goods and services (source: U.S. Conference of Mayors, Jan. 20, 2016). Growing congestion and reduced travel reliability, along with deteriorating infrastructure, threaten the ability of regions and the nation to compete globally. Metropolitan areas must play a stronger role in the nation's transportation programs, both in the authority to direct investment and demonstrate accountability for the system's performance.

DRCOG supports actions that minimize the barriers to the use of alternatives to the single-occupant vehicle and encourage changes to normal work patterns to avoid peak traffic conditions. DRCOG also supports efforts to provide incentives to employers, schools, rideshare agencies, and individuals to encourage alternative transportation use.

DRCOG supports transportation legislation that addresses metropolitan mobility and accessibility issues, specifically with consideration for the following:

- Enable major metropolitan areas to establish and implement overarching plans for mobility and accessibility with focus on:
 - Increased accessibility, modal choices and seamless transfers.
 - Elimination of traffic chokepoints and reduction of severe traffic congestion.
 - Strategies that manage transportation demand, provide transit service and implement nonmotorized methods of travel.
 - Strategies for accommodating inter-regional movement of people and goods within and through the metropolitan areas.
 - Fostering livable communities for people of all ages, incomes and abilities.
 - Promoting the urban infrastructure necessary to support high-density development around transit.
 - Performance metrics that extend beyond existing traffic congestion and motor vehicle emissions measures and consider vehicle miles traveled, reduction, economic development, environmental sustainability, global competitiveness, accessibility, etc.
- Fold Complete Streets policies into the metropolitan planning process so that transportation agencies routinely consider designing and operating the entire right of way to enable safe access for drivers, transit users and vehicles, pedestrians, and bicyclists, as well as for older people, children and people with disabilities.

Energy efficiency and environmental sustainability

Transportation plays a key role in achieving energy independence and addressing some of the nation's environmental concerns. In the United States today, more than 60 percent of every barrel of oil is used by the transportation sector, and transportation sources accounted for 26 percent of total U.S. greenhouse gas emissions in 2016 (source: U.S. Environmental Protection Agency website). The competitiveness of our economy, the health of our citizens and the strength of our national security depend on reducing our reliance on and consumption of fossil fuels. **DRCOG supports strategies to reduce fossil fuel use and greenhouse gas emissions by the transportation sector.**

- Expand investment in research and development for alternative fuels, new clean fuel technologies, more efficient vehicles and new ideas and technologies for transporting people and goods.
- Incentivize rapid conversion to more fuel-efficient and lower-emission vehicles or retrofits.
- Increase incentives for environmentally friendly replacement transportation fuels.
- Incentivize regions to more closely link land use and transportation infrastructure to reduce transportation energy consumption, increase nonvehicle transportation options and reduce

vehicle miles traveled, through techniques including scenario planning and investments in projects that improve accessibility.

- Add public transit projects that enhance mobility, convenience and/or reliability to the exempt project list for Clean Air Act purposes; these types of improvements increase in importance in situations where conformity cannot be attained.

Project delivery and planning

The scope and complexity of transportation planning has increased significantly, including new performance-based planning requirements, rapidly changing vehicle technology, and changing job access and mobility needs. Efforts to streamline project planning and delivery are important but must be balanced against appropriate levels of regional and local coordination and environmental assessment.

DRCOG supports the following policies that promote efficiency, stability and reliability of funding, project delivery and planning:

- Allow metropolitan planning organizations to directly contract with subrecipients for non-infrastructure projects using federal funds.
- Continue to streamline project delivery and National Environmental Policy Act processes without compromising environmental or public participation values.
- Enhance and strengthen the cooperative, collaborative partnerships required under current legislation with all transportation planning partners.
- Support publication and dissemination of performance measurement results and analyses and widespread distribution of, and education about, the conditions of the transportation system.
- Increase the authority of metropolitan planning organizations to employ solutions at the regional level and provide regions and local governments the direct authority, flexibility, and funding to create a safe and efficient transportation system.
- Provide maximum flexibility so that comparatively minor changes to the planned or programmed highway and transit network do not require a full air quality conformity analysis at taxpayer expense.

DRCOG supports clarifying and enhancing the role of the metropolitan planning organization.

- The metropolitan planning process establishes a cooperative, continuous and comprehensive framework for making transportation investment decisions in metropolitan areas. In many cases, MPOs provide the only regional, multimodal transportation plans that link transportation to land use, growth and air quality. Through the MPO process, local governments, in cooperation and collaboration with state and local transit operators, determine the best mix of transportation investments to meet the long-term transportation needs of a metropolitan area. **This important role must be strengthened to make metropolitan transportation planning successful.**
- The FAST Act requires adequate regional financial forecasts be developed with the cooperation and collaboration of the state, MPO and public transit agency for use in preparing transportation plans. However, “collaboration, cooperation and consultation” are poorly defined in the context of developing such financial forecasts. States are given wide discretion in how and when those estimates of revenues are to be provided and allowing for various interpretations of the regulations. **DRCOG supports:**
- Expanding regulations to require all three entities (DRCOG, the Regional Transportation District and the Colorado Department of Transportation) to agree upon procedures governing the projection of future revenue estimates.
- Requiring all three agencies to agree upon distribution of estimated revenues.
- Establishing an external appeals process to the U.S. Department of Transportation if there is disagreement among the parties regarding estimate procedures and revenues.
- The FAST Act similarly requires cooperative project selection and prioritization for the TIP. DRCOG supports:
- Expanding current regulations to require all three entities to agree upon procedures governing project selection and prioritization for transportation planning and there should be consequences for not following these procedures.

- As part of the normal memorandum of agreement between an MPO, state Department of Transportation and local transit agency, requiring the three entities to cooperatively establish a process for addressing project cost overruns.
- Requiring revenue suballocation to transportation management areas (MPOs representing populations greater than 200,000) to be based on the total population within the MPO boundary.
- Establishing a population-based air quality severity formula for suballocating Congestion Mitigation and Air Quality funds within a state and requiring suballocation of Congestion Mitigation and Air Quality funds to non-attainment MPOs representing populations greater than 200,000 on the basis of the total populations within the MPO boundary.
- DRCOG views transportation demand management principles and practices as increasingly important elements of the region's long-range transportation planning strategy.

ENVIRONMENT

Water conservation. Water is a particularly scarce resource in the Denver region and the western United States, and a key consideration in planning for future growth and development. Recognizing this fact, the DRCOG Board of Directors added a water conservation element to Metro Vision, the Denver region's long-range plan for growth. The element calls on the region to maximize the wise use of limited water resources through efficient land development and other strategies, and establishes a goal of reducing regional per capita water consumption. **DRCOG therefore supports federal policies and investments that contribute to local and regional water conservation efforts.**

- **Water quality.** Local governments in the Denver region face increasingly complex water quality challenges in an environment unique to the arid West but without the resources to respond to them appropriately. Reauthorization of the Clean Water Act could provide local governments and regional water quality planning agencies the additional planning, financing and regulatory tools needed to address our growing water quality challenges. **As the legislative process proceeds in these areas, there are a number of issues of concern to DRCOG that Congress can address.**
- **Integrated planning.** DRCOG supports an integrated approach to water quality, tying together the management of point sources, nonpoint sources and stormwater through the involvement of the various stakeholders.
- **Regional planning.** The Clean Water Act recognizes the importance of planning to address the challenges associated with both point and nonpoint source pollution. The regional planning provided for in the act is even more critical, given the growing emphasis on watershed approaches. **Congress should maintain and strengthen the regional planning process as the key component of the watershed approach. The planning funds provided under section 604(b) need to be increased to assist responsible parties in meeting the expanding responsibilities that accompany implementation of a watershed planning and management approach.**
- **Infrastructure funding.** Colorado and the nation are at a critical juncture regarding water and wastewater infrastructure. There are significant needs for new treatment plants and upgrades to existing plants. Local governments already shoulder a significant portion of water and wastewater capital investment. **Increased funding for infrastructure investment as well as the provision of greater flexibility of these funds will allow states and local governments to determine the best use, according to local prioritization of needs.**
- **Good Samaritan protection.** Abandoned and inactive mines present a serious risk to the quality of nearby water supplies. Lack of adequate funding for reclamation and the potential liability for good Samaritans are serious obstacles that have prevented cleanup of many of these sites.

DRCOG supports federal funding for reclamation activities. DRCOG also supports legislation encouraging federal, state, tribal and local governments, as well as mining companies and nonprofit groups that have no prior ownership or responsibility for an abandoned mine, to clean up an abandoned or inactive mining site by granting them liability protections under several

environmental statutes, including the Clean Water Act.

- **Superfund.** DRCOG is concerned that a number of Superfund issues have become serious problems in recent years while the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) has been awaiting reauthorization. **DRCOG urges Congress to address the following issues individually or as part of a comprehensive reauthorization.**
- **Liability protection.** Under current law and regulation, parties interested in cleaning up a Superfund site may decide not to pursue remediation efforts for fear of being held liable for preexisting problems. Lengthy cleanup delays have occurred in our region and elsewhere while parties litigate over responsibility. DRCOG supports federal funding for cleanup activities. **DRCOG supports legislation and regulations encouraging parties that have had no prior ownership or responsibility for a site to clean up the site by granting them liability protections under several environmental statutes, including the Superfund law. DRCOG also supports limiting liability when a party has complied with applicable environmental laws at the time of disposal to further the goal of timely and cost-effective cleanup of Superfund sites.**
- **Community participation.** Local governments often face significant community and neighborhood concerns regarding contaminated sites. Public involvement in the assessment, planning and cleanup for such sites is an important aspect of efforts to bring these sites to a safe condition. **Provisions that assist local governments in establishing and funding formal mechanisms for citizens to participate in the cleanup and land-use decision-making process are appropriate and necessary.**
- **Funding for cleanup.** DRCOG is concerned that the federal government not reduce its commitment to assist with clean-up and redevelopment of these sites. **DRCOG supports the creation of new mechanisms to fund cleanup to the extent they are sufficient to make significant progress toward the act's goals. Allocation of cleanup costs among responsible parties should be according to the proportion of contamination caused by each.**
- **Health risk criteria.** The safety and health of populations exposed to pollution associated with Superfund sites is a primary concern related to potential redevelopment. Health risk-based criteria are necessary to guide these efforts. **These criteria must reflect the intended reuse of a site and the risks to special populations including children, the elderly and those already disproportionately exposed to pollution. Risk-based standards specific to Superfund clean-up are needed to promote redevelopment of contaminated sites while protecting human health and the environment.**
- **Brownfields.** Redevelopment of brownfields is important for economic development and environmental and public health and safety in many areas within the Denver region. This is a specific issue related to CERCLA that is of particular significance and should be pursued separately, if inaction on the Superfund reauthorization continues. There are approximately 250 brownfields, former industrial and commercial sites, in both urban and rural areas throughout the Denver region. The redevelopment of brownfields is consistent with DRCOG's Metro Vision, which supports infill and redevelopment within the region. **DRCOG supports federal actions including increased funding to encourage the redevelopment of brownfields. DRCOG urges Congress to prioritize funding for projects that go beyond remediation and redevelopment of individual sites to focus on broader planning and economic development efforts, such as projects that incorporate brownfield remediation and redevelopment into larger infill development efforts.**

INTERGOVERNMENTAL RELATIONS

Intergovernmental cooperation. All levels of government – federal, state, local and regional – play an important role in providing critical services and implementing programs for the benefit of their residents. Legislative bodies and executive agencies at the federal and state levels should respect the roles and responsibilities of local governments and regional entities. DRCOG supports cooperation among federal, state, local and regional entities in developing and implementing new programs and improved approaches to service provision.

Federal/regional relations. The region is the nexus of local, state and federal issues and economic activities.

DRCOG convenes parties of interest on intergovernmental issues, providing the necessary forum for their resolution, and facilitating a negotiated outcome. **DRCOG urges Congress, when new legislation is proposed and existing legislation is reauthorized, to identify and use regional agencies as critical partners in the implementation of such legislation, including the planning for and delivery of services.**

Regional service delivery. The federal government plays an important role in setting standards and priorities for the funding of public services and programs administered at the state, regional and local levels. **When making such funding and programmatic decisions, it is essential to consider the most appropriate level of government for delivery of such public services.**

State administration of federal programs can be problematic for local governments, as state agencies tend to be more removed from clients and less responsive to their needs. On the other hand, individual local governments may lack the resources to achieve the desired efficiencies and cost-effectiveness. Further, some programs, such as transportation, air quality and water quality, that address issues crossing local political boundaries, are most appropriately and effectively addressed at the regional level. Regional programs also often benefit from economies of scale.

The collaborative partnerships of regional approaches can provide more cost-effective services and programs for users and clients. **DRCOG urges Congress to use existing regional service delivery systems.**

Principles for implementation. New programs or changes to existing programs must at least maintain the existing level of services and provide adequate administrative funds for implementation. Otherwise, there is a shift in responsibility without adequate funds for the services to be provided or programs administered. As such, it is important to treat the continuity of service delivery as a key principle guiding any actions to create new programs or revise existing programs. **A consultative process among the federal, state, local and regional agencies must be in place before any changes are made to services currently being delivered at local or regional levels.**

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Informational Item	17

SUBJECT

Providing a *Denver Region Data Brief*, “COVID-19’s effects on traffic volumes”

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

N/A

SUMMARY

The COVID-19 pandemic disrupted lives around the globe. In the Denver region, government policies and personal safety measures to reduce the spread of the virus changed how people traveled and the amount of vehicle traffic on the region’s roadways. DRCOG staff compared the volume of traffic at several permanent traffic counter locations for 2020 and 2019, which revealed that COVID-19 affected both the quantity and timing of vehicle travel throughout the day. DRCOG and its partners will explore the ongoing implications of the pandemic for travel in the region. Additional information will be provided in the 2020 Annual Report on Roadway Traffic Congestion in the Denver Region.

PREVIOUS DISCUSSIONS/ACTIONS

N/A

PROPOSED MOTION

N/A

ATTACHMENTS

Denver Region Data Brief, “COVID-19’s effects on traffic volumes”

ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Executive Director, at 303-480-6701 or drex@drcog.org or Melissa Balding, Mobility Analytics Planner, TPO 303-455-1000 or mbalding@drcog.org.

DENVER REGION DATA BRIEF

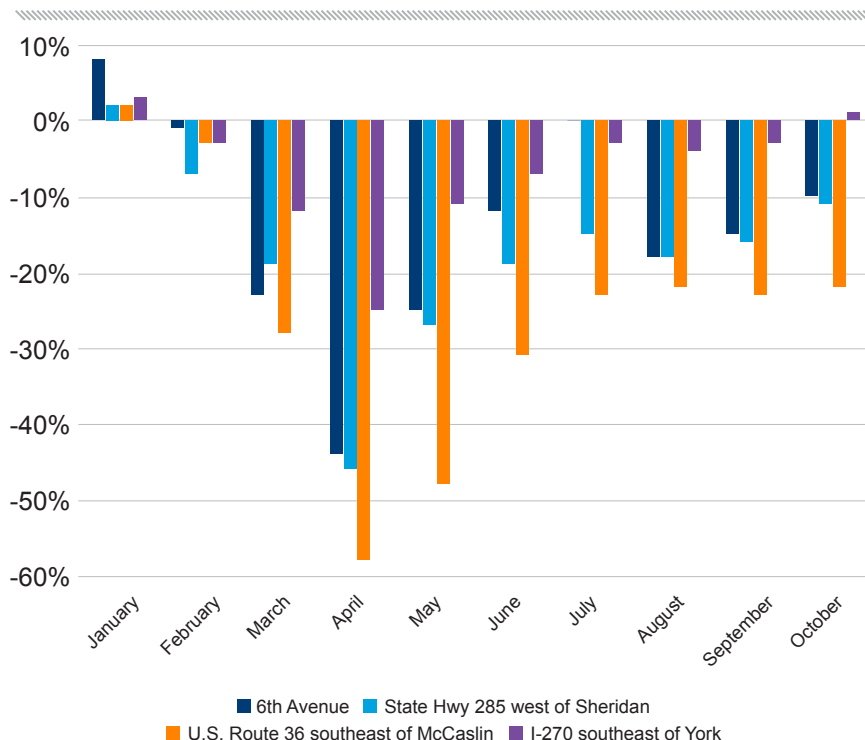
COVID-19's effects on traffic volumes

December 2020

TRAFFIC TELLS A STORY

The COVID-19 pandemic disrupted lives around the globe. In the Denver region, government policies and personal safety measures to reduce the spread of the virus changed how people traveled and the amount of vehicle traffic on the region's roadways. DRCOG staff compared the volume of traffic at several permanent traffic counter locations for 2020 and 2019, which revealed that COVID-19 affected both the quantity and timing of vehicle travel throughout the day.

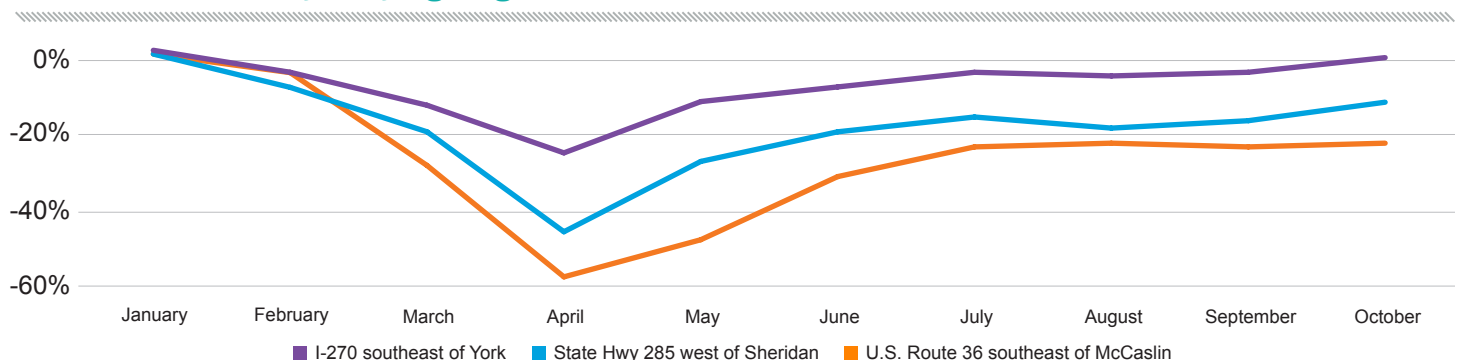
2020 Monthly Average Traffic Volume Change from 2019 (Monday-Friday)



Just the numbers

- Overall traffic in the region in April 2020 was 50% less than in April 2019.
- Volumes increased through the spring. By June, regional average volumes were approximately 15% less than in June 2019. By October, average regional traffic volumes were approximately 10% less than they had been in October 2019.
- The I-270 southeast of York Street location was an exception, because higher commercial and freight activity resulted in less significant decreases of only 25%. By October, this location had slightly more average weekday traffic than 2019.

Widely Varying Regional Differences in Volume Decrease From 2019



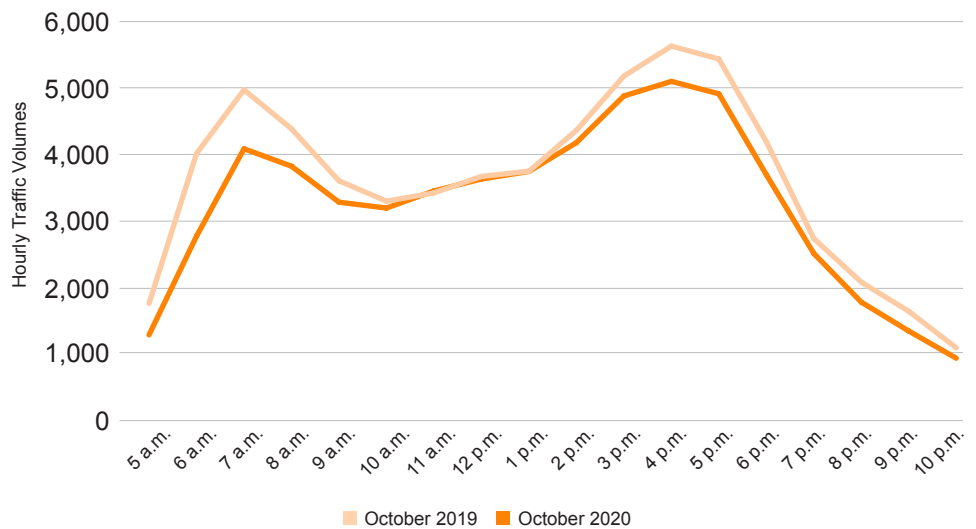
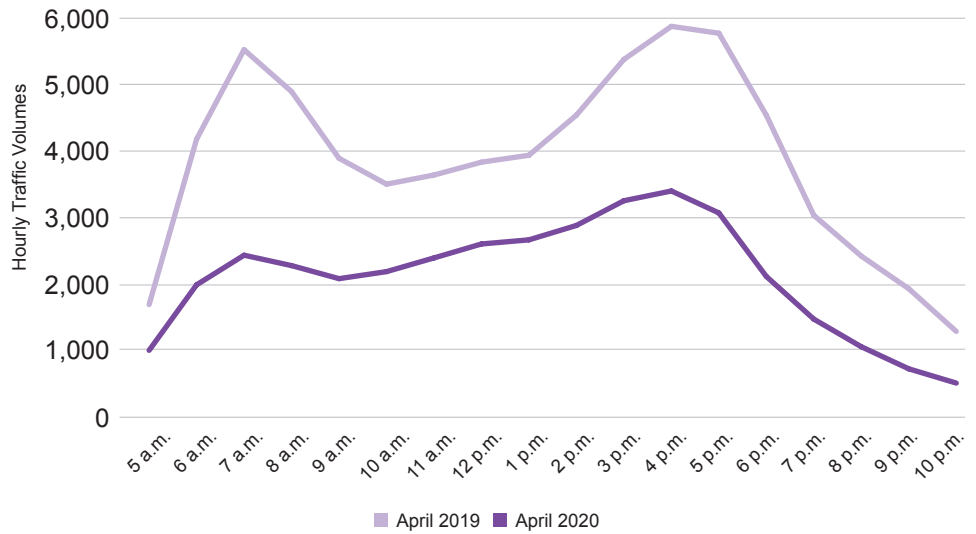
COMMUTER AND COMMERCIAL DIFFERENCES

The effects of COVID-19 on traffic volumes varied across the region. Roadways used by a higher percentage of office commuters, such as U.S. Route 36, had a persistent decrease in traffic throughout 2020. Traffic did not decrease as significantly on roads with high amounts of commercial and freight traffic, such as I-270.

TIME OF TRAVEL CHANGE

The patterns for April, June, and October of 2019 and 2020 at each traffic counter demonstrate how the pandemic affected travel by the time of day. In April, overall travel significantly declined, and the difference is most evident during morning and evening rush hours. Congestion was nearly eliminated. By October 2020, daily traffic patterns, including peak periods, looked similar to October 2019. People drove marginally less during peak periods, but slight variations in the time of day they traveled resulted in significantly less observable congestion. The graphs at right depict the counts at U.S. Route 285 west of Sheridan Boulevard as an example of the trend at count locations across the region.

U.S. Route 285 west of Sheridan Boulevard Hourly Traffic Volumes



THE ROAD AHEAD

COVID-19 dramatically changed the times of day and total amount that people travel. To better understand and enhance travel in the region in the future, it is critical to monitor and understand what COVID-19's effects on travel will be after the pandemic. DRCOG and its partners will explore the ongoing implications to travel in the region, such as:

- Will the increase in working from home continue?
- How will trips be distributed among all the various modes of travel?
- How will the dynamic relationship of housing choice, supply and demand affect where people choose to, or are economically steered to, live?
- Will package and food deliveries continue to grow?
- What does the future hold for shared-mobility and ride-hailing services?

Data sources: Colorado Department of Transportation Automated Traffic Recorders

The Denver Regional Council of Governments is a planning organization where local governments collaborate to make the region a great place to live, work and play. To support decision-making, DRCOG staff maintains and analyzes various data sets. This briefing is an opportunity to highlight insights from the data sets. Questions? Ideas for topics? Contact Robert Spotts at rspotts@drcog.org. For more data, visit data.drcog.org.



To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701 or drex@drcog.org

Meeting Date	Agenda Category	Agenda Item #
January 20, 2021	Information Item	18

SUBJECT

RTD Accountability Preliminary Report

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

N/A

SUMMARY

The RTD board, in collaboration with the Governor of Colorado and the Transportation committee chairs of the General Assembly, created the independent RTD Accountability Committee. The Committee's mission is to provide feedback and a set of recommendations for improvement to the operations of and statutes related to RTD, to the board and staff of the RTD, the Governor, the General Assembly, and the public. DRCOG is providing staff support for this important endeavor.

The Committee was given the option to issue a preliminary report to RTD, the Governor, and the General Assembly at the end of 2020. The Committee adopted an interim report January 11, 2021. This report includes background information about the Committee, status reports on each of the three subcommittees (governance, finance, and operations), and legislative recommendations adopted by the committee for consideration by the Governor and General Assembly that can be pursued in the 2021 Legislative Session. These recommendations are focused on statutory restrictions that, if modified or deleted, have the potential to provide RTD with greater flexibility and opportunity to improve its finances and/or ridership.

PREVIOUS DISCUSSIONS/ACTIONS

N/A

PROPOSED MOTION

N/A

ATTACHMENTS

RTD Accountability Preliminary Report

ADDITIONAL INFORMATION

If you need additional information, please contact Douglas W. Rex, Executive Director, at drex@drcog.org or (303) 480-6701; or Matthew Helfant, Senior Planner, Long Range Transportation Planning, Transportation Planning and Operations Division at 303-480-673 or mhelfant@drcog.org.

A photograph of a modern light rail train (RTD) stopped at a station platform. The train is silver with orange and blue accents. A person in an orange safety vest is visible in the foreground window. The platform has a yellow tactile paving strip. In the background, there are station buildings and other people. The image is partially covered by a large orange semi-circle in the top left and a smaller orange circle in the bottom right.

RTD Accountability Committee

Preliminary Report

January 2021

Membership

Co-Chairs

Elise Jones (co-chair) - Local Government served by RTD

Crystal Murillo (co-chair) - Local Government served by RTD

Members

Dan Blankenship – Multimodal Expertise

Rutt Bridges – Financial Planning Expertise

Chris Frampton – Economic Development Expertise

Jackie Millet – Local Government served by RTD

Julie Duran Mullica – Local Government served by RTD

Kathy Nesbitt – Human Resources Expertise

Krystin Trustman – Expertise on Issues Facing Transit Riders with Disabilities

Rebecca White – Urban Planning Expertise

Deyanira Zavala – Transportation Equity Expertise

Ex-officio Members

Lynn Guissinger (ex officio) – RTD Board Director

Troy Whitmore (ex officio) – RTD Board Director

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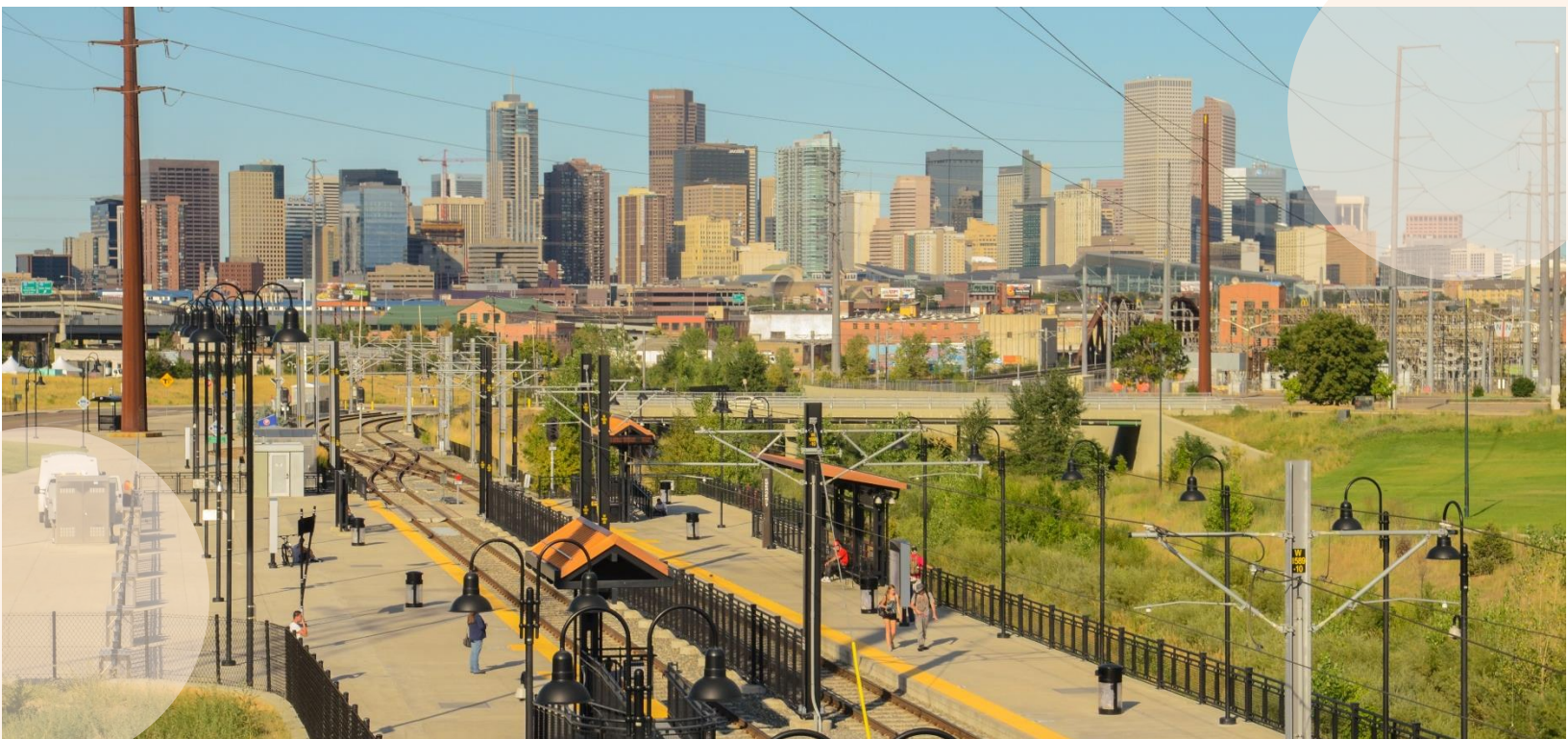
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Executive Summary

The Regional Transportation District (RTD) is a vital part of the Denver region's multimodal transportation system, connecting people to jobs, schools, shopping, medical care and recreation. It helps reduce transportation-related climate emissions and provides an equitable mobility alternative for people who cannot afford, are not able, or choose not to drive. It also represents independence for so many and is an important stimulant for the region's economic development. The region's transit system must also increasingly address major trends, such as a rapidly growing population and employment base, new technology, an evolving economy, and changing residential and workplace preferences.

Understanding the important role RTD plays in the success of the Denver region, in the summer of 2020, the RTD Board in collaboration with Governor Polis and the transportation committee chairs of the Colorado General Assembly created the RTD Accountability Committee. The purpose of the Committee is to provide feedback and develop a set of recommendations for improvement to the operations and statutes related to RTD. The Committee is independent of RTD and hosted by the Denver Regional Council of Governments (DRCOG).

As referenced in the RTD Accountability Committee Scope of Work ([Appendix 1](#)), the membership has elected to provide this optional preliminary report to the collaborating partners. The report highlights areas of discussion by the Committee to date, future investigations, and some initial legislative recommendations for consideration by the Colorado General Assembly.



Duties

As identified in the Committee's scope of work, the RTD Accountability Committee shall perform a comprehensive review of the district, taking into account the perspectives of staff, Board, and the public. Specifically, the work of the Committee should include a review of at least the following:

- A review of recent financials from the district, including any recent audits and a thorough review of the agency's use of CARES Act stimulus funds.
- The structure of RTD governance and executive leadership.
- A review of the district's short-term and long-term prioritization of resources to maximize the agency's limited dollars for the benefit of taxpayers.
- How it can better serve all riders including those with disabilities, how it can better serve transit-dependent populations, a review of the district's plans for how to expand ridership, how the district is addressing coverage gaps, how the district is prioritizing route planning, and how the district is serving its entire service area.
- A determination of the long-range financial stability of the agency, and how the agency can achieve stability and growth while still meeting its core mission.

Initial Activities

From its earliest meetings, Committee members discussed the importance of establishing an organizational structure that would allow for an effective evaluation of RTD functions. First, the Committee formalized its meeting rules through the adoption of RTD Accountability Committee Guidelines ([Appendix 2](#)) and the election of Boulder County commissioner Elise Jones and Aurora council member Crystal Murillo as the Committee's co-chairs.

The Committee also agreed that social, financial, and environmental equity shall be at the forefront as they consider and finalize recommendations. As a result, the Equity Assessment Mission Statement ([Appendix 3](#)) was adopted, which ensures that an equity lens will be applied to the Committee's recommendations to make certain that benefits are shared across the RTD service area and that no one group bears a larger burden of environmental or financial impact, especially communities of concern (including, but not limited to minority, low-income, individuals with disabilities, older adult, and veteran populations).

Subcommittee Formation

Understanding the complexity and time-sensitive nature of the Committee's work, three subcommittees were formed so that a "deeper dive" on specific issues could be undertaken: Governance, Finance, and Operations. Additionally, the Committee created the following focus areas for the subcommittees, aligned with its scope of work, for initial inquiry and development of recommendations.

Initial Subcommittee Focus Areas*

Governance Subcommittee	Finance Subcommittee	Operations Subcommittee
Explore and develop an alternative governance structure and deployment of transit services that follow a regional/subregional model in partnership with local governments.	Review and make recommended changes to RTD to achieve a more sustainable financial model, including review of investment policies, debt, regional/subregional funding allocation, and statutes that limit opportunities for revenue generation, cost savings and increased ridership.	Assess and make recommendations on how RTD fares and pass programs can be improved to increase equity, ridership, affordability, and ease of access.
Explore how to enable partnerships with other transit agencies and nonprofits to provide for better service outside and inside RTD boundaries.	Review FasTracks spending and make recommendations on how to achieve an equitable resolution of the unfinished FasTracks corridors.	Make recommendations on how RTD can enhance service delivery to transit-reliant, vulnerable populations through different models of service delivery and reflecting changing travel trends post COVID-19.
Assess whether the size and structure of RTD's service area is appropriate relative to its ability to provide transit service.	Make recommendations on how to improve financial transparency to restore public trust and demonstrate RTD accountability to voters and policy-makers, such as the development of a public online dashboard to show how RTD money is generated and spent.	Focus on proactive, community-based transit service planning and operations. Strengthen and formalize coordination between RTD and cities/counties with development review/approval of project and design of transit service for key developments.
Assess whether the RTD Board would be more effective with a different size or structure.	Examine partnership opportunities to enhance mobility services and allow RTD to focus on delivering the types of services it can do most effectively and efficiently.	Undertake an overall organizational assessment (HR, work culture, management and governance of district, organizational and Board structure).
		Emphasize social/environmental justice and equity analyses to influence transit services provided.

- Focus Areas are not mutually exclusive and may be discussed by one or more subcommittees

Subcommittees

Governance Subcommittee

The Governance Subcommittee was formed to review the structure of RTD governance and executive leadership. The subcommittee has identified three areas of improvement it wishes to address:

1. The need for local communities and residents to have an elevated voice in transit service decision-making
2. Equity (social and geographic) considerations in RTD service delivery
3. Importance of restoring trust and confidence in RTD

Julie Duran Mullica (chair)

Jackie Millet (primary)
Kathy Nesbitt (primary)
Dan Blankenship (secondary)
Elise Jones (secondary)
Crystal Murillo (secondary)
Deyanira Zavala (secondary)



GOVERNANCE

Summary of Subcommittee Activities

September

In order to effectively pursue opportunities for improvement to RTD's governance model, the subcommittee was briefed on the legal structure and governance model of RTD. Then the subcommittee embarked on a peer review of other public transportation governance models. Thirteen models have been evaluated to date and are summarized as [Appendix 4](#).

October

The subcommittee began to focus its attention on models that would increase local community participation in decision-making. Many subcommittee members were familiar with DRCOG's new regional/subregional Transportation Improvement Program (TIP) process that resulted in improvements to collaborative outcomes, including increased problem-solving capacity, enhanced relationships among the region's agencies, and significantly more trust in the funding allocation process. The subcommittee was fully briefed on DRCOG's model in hope that there were elements that could be utilized in its work. The subcommittee was also briefed on a similar governance concept at LA Metro where five local service councils throughout its service area are used to better coordinate bus service changes and improve public involvement opportunities for its residents. Additional information about LA Metro's local service councils can be found at the following link: [Local Service Councils](#).



November

The subcommittee began to develop its own governance concept, building on the theme of enhancing local community involvement in RTD's decision-making process. A draft model concept was presented for discussion purposes only at the November 9 RTD Accountability Committee meeting. The concept, illustrated below, provided two options for local community involvement: the formation of a Local Advisory Council or the formation of Subregional Transit Councils. Conversations at both the full RTD Accountability Committee meeting and subsequent discussions at the Governance Subcommittee indicated a clear affinity for further exploration of the Subregional Transit Council concept.

Draft RTD Governance Structure Concept **For Discussion Purposes Only**

RTD Board of Directors

- Sets RTD policy, adopts RTD budget, sets overall district service goals and objectives.
- Allocates resources to "regional" transit services: light rail, commuter rail, regional bus, ADA services, other district-wide services.
- Reviews/approves subregional transit council **or** local advisory council's "local" transit service plans and resource allocations.

Discussion Topics:

- Define "regional" transit services
- Determine amount of resources needed for regional transit services
- Determine process for RTD Board adjustments to local service plan recommendations (e.g., would it require a super-majority vote of the Board?)

Local Involvement Options:

Option #1: Local Advisory Council

- Similar to [Utah Transit Authority's model](#)
 - The standing Local Advisory Council provides a voice for local governments.
 - Reviews and approves service plans, capital development plans and projects, and TODs before final RTD Board approval.
 - Represents and advocates the concerns of citizens to the RTD Board.

Option #2: Subregional Transit Councils

- Similar to LA Metro's [Local Service Council model](#)
 - Membership: each local jurisdiction within RTD service area.
 - Develops local transit service plans within RTD service goals and objectives.
 - Allocates resources to local transit service.
 - Can supplement services with local resources, if desired.

December

The subcommittee continued its vetting of the regional/subregional governance concept. The subcommittee convened a group of technical staff from communities within the RTD service area to get their thoughts/feedback on the governance concepts being investigated. A summary of the roundtable discussion was provided at the December 21 subcommittee meeting.

The subcommittee was also briefed on an initiative known as community-based service planning that has been implemented around the country to address social equity issues. The subcommittee applauded the opportunity it presented to better understand and mitigate transportation deficiencies, especially in low-income communities through extensive involvement with residents and community-based organizations. Subcommittee members felt it could ultimately be a policy directive of the RTD Board and carried out by the subregional service councils.

Initial Findings and Areas for Further Investigation

The Governance Subcommittee has expressed optimism for the Subregional Service Council governance concept, but fully recognizes more research and investigation is needed. In this exploratory phase, the model appears to address many of the identified problems expressed by the subcommittee. For example, the model increases local involvement in the RTD decision-making process and has the potential to greatly reduce geographic equity concerns because funding and service level decisions would be made at the subregional level, thereby ensuring a minimum level of service. The subcommittee also believes the model has the opportunity to restore trust and confidence in RTD because local governments and users of the system will play a larger role in the decision-making process. The following table describes initial research and potential future investigations and issues.



Focus areas	Initial research	Potential future investigations and issues
Alternative governance structure	Expressed interest in Subregional Service Council model and a willingness to move further in the exploratory phase.	<ul style="list-style-type: none"> • Geography of service councils. <ul style="list-style-type: none"> ◦ County, RTD Board districts, other? • Define “regional” and “local” transit service. • Determine amount of resources for “local” transit service. • Determine allocation of resources for Subregional Service Councils. <ul style="list-style-type: none"> ◦ Share of taxable sales? ◦ Share of population? ◦ Share of employment? ◦ Share of vulnerable population? ◦ Combination of above? ◦ Other?
Partnerships with other transit agencies	TBD	<ul style="list-style-type: none"> • Initiate conversations with VIA Mobility, CDOT and other service providers about partnership opportunities and synergies.
Size of RTD service area	TBD	<ul style="list-style-type: none"> • Is RTD’s service area too large? • Are constituents receiving adequate service? • What would be the optimal service size? • What are the transit service options if communities are removed from the RTD district?
RTD Board Structure	The subcommittee has initiated conversations about the Board structure.	<ul style="list-style-type: none"> • What problem is the subcommittee attempting to solve? • Optimal number of Board members. • Elected vs. appointed. • At-large or district level representation. <ul style="list-style-type: none"> ◦ Hybrid approach?

Finance Subcommittee

The Finance Subcommittee was formed to focus on issues related to the funding and financial stability of RTD. Topics that this subcommittee has addressed or will take up include RTD's pre- and post-COVID-19 budgets, debt and pension obligations, financial transparency, fare and pass programs and farebox recovery, use of CARES Act funding, and RTD's potential role in COVID-19 recovery.

Rutt Bridges (chair)

Dan Blankenship (primary)
Rebecca White (primary)
Chris Frampton (primary)
Elise Jones (secondary)
Crystal Murillo (secondary)
Krystin Trustman (secondary)

Summary of Subcommittee Activities

September

The subcommittee engaged in a conversation to refine its objectives and review and discuss RTD financial documents and information to ground their future work. This included a review of RTD's 2019 and 2020 budgets, 2019 Annual Financial Report, and previous state audits.

October

During October, the subcommittee discussed Colorado's COVID-19 crisis and associated risks and opportunities for RTD, particularly RTD's potential role in vaccine distribution and other recovery efforts. The subcommittee also began a discussion of comparisons to peer transit agencies and a review of state statutes that affect RTD's finances.

November

In November, the subcommittee received a presentation on CDOT's financial dashboard as a potential model for increasing RTD's financial transparency. The subcommittee also began its review and discussion of FasTracks unfinished corridors, refined potential finance-related legislative concepts, and reviewed RTD's updated near-term, mid-term, and long-term revenue forecasts.

December

During December, the subcommittee reviewed and discussed RTD's 2021 budget, use of CARES Act funds, and began a discussion of administrative overhead issues. As noted below, the subcommittee has reviewed and discussed an analysis of RTD's use of CARES Act funding ([Appendix 5](#)), which was used to retain employees and pay for purchased transportation services.

Initial Findings and Areas for Further Investigation

The Finance Subcommittee has been focused on research and investigation to inform future recommendations to the Accountability Committee. The subcommittee also played a significant role in reviewing and developing the Accountability Committee's legislative proposals. The proposals represent an opportunity to provide RTD flexibilities that may help it attract and increase ridership and contribute to developing a more sustainable financial future. The following table describes initial research and potential future investigations and issues.


Focus areas	Initial research	Potential future investigations and issues
Financial Stability	Ridership was trending down, and operating expenses were outpacing revenue growth prior to the coronavirus pandemic. Debt obligations are a significant cost driver and limit RTD's ability to expand service or complete unfinished corridors. The pandemic exacerbated this situation, with ridership down 60% and fare revenue down 50% from pre-COVID-19 levels. As a result, RTD reduced service by 40% and implemented other cost-cutting measures during 2020 to manage expenses. Federal relief funding (\$232 million) through the CARES Act enabled RTD to retain employees during 2020. RTD added \$80 million to reserves. RTD's adopted 2021 budget represents staff reductions of approximately 400 positions. RTD's finances will not stabilize until the pandemic has subsided and customers have returned to the system.	<ul style="list-style-type: none"> Continued monitoring of revenue forecasts. Debt load, debt service payments, contracted services, and RTD's mid-range financial plan. Administrative overhead and other cost drivers. Use of additional federal COVID-19 relief funding. Fare structure, pass programs, and other issues to increase ridership and revenues. RTD's underutilized assets that could potentially play a role in addressing the pandemic, in particular for mass vaccination clinics as vaccines become more readily available.
FasTracks	RTD has completed 75% of the FasTracks program. Four corridors are unfinished (Central Rail Extension, North Metro Completion, Northwest Rail, Southwest Extension) with a total capital cost estimate of almost \$2.8 billion (2018) and inadequate resources to complete them before 2050. A thirty-year delay is not a practical alternative.	<ul style="list-style-type: none"> Opportunity to leverage Front Range Passenger Rail to provide equivalent service in some corridors. The role of emerging alternative technologies. Other options to complete unfinished corridors.
Financial Transparency	<p>A project and financial dashboard used by CDOT is a potential model for RTD, though a simpler solution may be needed.</p> <p>There are significant costs and challenges to integrating RTD's financial system information.</p>	<ul style="list-style-type: none"> RTD financial system integration and the need for a publicly accessible dashboard. If public access to RTD financial data is the goal, can a less maintenance-intensive solution be found?
Partnership Opportunities	RTD should have additional flexibility and clear authority to contract with nonprofits and local governments for service delivery to ensure cost-effective and efficient transit services.	<ul style="list-style-type: none"> Effective models for contracted services. Mass transit's challenge for first- and last-mile station access.

Operations Subcommittee

The Operations Subcommittee was formed to focus on issues related to operations and maintenance of the RTD transit system and develop draft recommendations for consideration by the full committee. Topics this subcommittee has addressed or will take up include pass and fare programs, service planning, and the provision of complementary paratransit required by the Americans with Disabilities Act (ADA) of 1990.

Deyanira Zavala (chair)

Elise Jones (primary)
Crystal Murillo (primary)
Krystin Trustman (primary)
Chris Frampton (secondary)
Jackie Millet (secondary)
Rebecca White (secondary)



Passengers board RTD rail at Union Station in downtown Denver. Among the RTD Accountability Committee's considerations are the fare and pass programs available to passengers.

Photo by: urbanlight/BIGSTOCK

Summary of Subcommittee Activities

September

Refining the subcommittee's focus areas received most of its attention in September. The subcommittee also received an overview of RTD's service planning. This was followed by a discussion on the role of equity and service planning.

October

The subcommittee continued examining the equity in service planning topic in October with more in depth discussions on content from *Best Practices in Service Planning* (Center for Urban Transportation Research at the University of South Florida, 2009) and an article from Jarrett Walker entitled: [The Transit Ridership Recipe](#).

By the end of the month, the subcommittee turned its attention to pass and fare programs, receiving a number of presentations on the subject. First, RTD staff provided a briefing on its [LiVE program](#) that provides a discount for low-income riders and then later in the month the subcommittee heard two briefings on Kansas City's decision to go fare-free and on Portland, Oregon's decision to implement an [equitable fare program](#).

November

Fare structure and pass program discussion and education continued in November with a briefing on the administration and management requirements of RTD to deliver its fare and pass program. Additionally, the subcommittee heard a presentation on pass programs at the following peer agencies: Houston Metro, Dallas Area Rapid Transit (DART), Metro Atlanta Rapid Transit (MARTA), King County Metro (Seattle), and Massachusetts Bay Transit Authority (MBTA-Boston).

December

After some additional presentations in December, the subcommittee was poised to begin developing a strategy for future recommendations. The conversation centered around the development of goals to improve operational performance and potential strategies for implementation. The following table reflects the goals and strategies discussed to date.

Goals

Possible Strategies

Create fare and pass structures that are easy to understand

- Align all discount fares (seniors, youth, persons with disabilities, and low-income)
- Create a simple fare and pass structure for customers and operators
- Minimize cost burden to equity populations
- Deliver communications through easy-to-access channels and easy-to-use tools

*Ensure regional and subregional coordination
(Purpose: Operationalize the governance work;
Connects to Governance Subcommittee work)*

- Implement strategy for RTD to support suburban communities with equitable Transit Oriented Development (eTOD)
- Align the percent of affordable housing and frequent service routes
- Explore strategic partnership to optimize bus priority lanes

*Improve and promote operational efficiency
(Purpose: Operationalize the governance work;
Connects to Governance Subcommittee work)*

- Ensure equitable distribution of service via equity population access within 15-20 minutes
- Community-based transit planning

ADA Accessibility and Service Delivery

- Explore strategies to make fares more affordable for paratransit clients
- Find ways to improve client experience: reduce trip durations, make booking easier and more flexible, investigate other needs for clients and possible strategies to address them

Initial Findings and Areas for Further Investigation

The Operations Subcommittee has been focused on developing its first set of recommendations based on the goals and strategies shown above. These goals are a working compilation, and it is expected goals will be added or revised throughout the process. The following table summarizes the initial research conducted by the subcommittee and potential future investigations and issues.

Focus areas	Initial research	Potential future investigations and issues
Fare and pass programs	<p>DRCOG staff provided a high-level synopsis of RTD's pass and fare programs. This was followed by a presentation by RTD staff on the administration of their pass and fare program. RTD staff also briefed the subcommittee on the LiVE program that provides a discount for low-income riders. Staff from TransitCenter briefed the committee and answered questions on their report entitled <i>Overview of a Fare Framework: How transit agencies can set fare policy based on strategic goals</i>. The RTD Chief of Police briefed the subcommittee on fare evasion enforcement policy to follow up on the TransitCenter presentation. One of TransitCenter's discussion points was that many pass and fare programs coincide with a review of fare evasion enforcement policy. Adjustments to this policy have helped other transit systems increase involvement in low-income fare programs and educate riders on how to purchase the correct fare among other benefits.</p> <p>Also, a CDOT Fellow assisting with the RTD Accountability Committee provided an overview on pass programs at the following peer agencies: Houston Metro, Dallas Area Rapid Transit (DART), Metro Atlanta Rapid Transit (MARTA), King County Metro (Seattle), and Massachusetts Bay Transit Authority (MBTA-Boston).</p>	<ul style="list-style-type: none"> • Identify models to simplify pass and fare programs. • Formulate policies for fare enforcement that can be integrated into pass and fare programs. • Review RTD's costs of fare collection (expenses for security/fare enforcement, purchase and maintenance for fareboxes/TVMs, increased operating costs from increased dwell times, staff/administrative costs, etc.)
Service delivery for transit-reliant populations	<p>A brief presentation on transit service planning with an emphasis on equity. This presentation included background from <i>Best Practices in Service Planning</i> (Center for Urban Transportation Research at the University of South Florida) and an article from Jarrett Walker entitled: <i>The Transit Ridership Recipe</i>.</p>	<ul style="list-style-type: none"> • Determine integration points between service delivery and planning with governance model (possible synergy with Governance Subcommittee). • Identify bus priority lane strategies. • Review Reimagine RTD optimization recommendations. • Explore opportunities to increase ridership.

Community-based transit service planning	A presentation was provided to the Governance Subcommittee.	<ul style="list-style-type: none"> • Review Reimagine RTD optimization recommendations. • Explore opportunities to increase ridership. • Determine integration points between service delivery and planning with a focus on facilitating local stakeholder input (possible synergy with Governance Subcommittee).
Overall organizational assessment	TBD	<ul style="list-style-type: none"> • Learn more about conditions that influenced operator shortage prior to Covid-19 pandemic. • Learn more about current situation with operators and maintenance staff during pandemic. • Review best practices for operator and maintenance staff management and retention at peer transit agencies.
Social/environmental justice to influence transit service	TBD	<ul style="list-style-type: none"> • Learn more about RTD equity practices. • Review best practices at peer transit agencies related to Title VI, Environmental Justice, ADA, and other equity regulations. • Equity in fare evasion (review costs associated with parking violations vs. fare evasion)



Initial Legislative Recommendations

Key among the RTD Accountability Committee's assignments is the examination of how RTD can better serve its riders, expand ridership and achieve financial stability and growth while still meeting its core mission. The emergence of the COVID-19 pandemic has resulted in a 60% reduction in ridership and a major decline in current and projected sales and use tax revenue, further exacerbating RTD's financial situation.

As the RTD Accountability Committee explores potential recommendations for improvement, it has determined that some of the suggestions it may want to propose for RTD would be blocked by the language of Colorado statutes (Title 32, Article 9) first put in place when RTD was founded over 50 years ago and amended periodically thereafter.

In particular, the RTD Accountability Committee has identified several statutory restrictions that, if modified or deleted, have the potential to provide RTD with greater flexibility and opportunity to improve its finances and/or ridership. The Committee acknowledges up front, however, that such changes aren't silver bullets and their effects — while positive — are likely to be modest. Nonetheless, if the Denver metro area is to have the world-class transit system it deserves, we will collectively need to pursue a range of improvements that maximize flexibility and innovation at RTD. An equity assessment of the recommendations can be found as [Appendix 6](#).



1. CRS 32-9-119.7 Farebox recovery ratios – plans

This provision requires that 30% of RTD's operating costs be funded by revenues collected (all non-sales-tax revenue generated through the operation and maintenance of the mass transit system, except ADA services). Although this provision doesn't appear to provide a current limitation on RTD, it would in the future, if RTD wanted the opportunity to significantly decrease fares as a way to restore ridership lost during the COVID-19 pandemic, expand ridership beyond pre-pandemic levels, or improve the equity of mobility services.

One of the specific charges to the RTD Accountability Committee was "A review of the district's plans for how to expand ridership." RTD's systemwide ridership had already been declining in recent years when the COVID-19 crisis resulted in a dramatic reduction in ridership on existing routes and the complete elimination of some other service as well. Recovery and expansion of ridership will necessitate flexibility to consider some out-of-the-box measures to regain lost riders and attract new riders. Additionally, equity considerations for transit-reliant populations, especially low-income households, is a major focus for the RTD Accountability Committee; ensuring transit affordability through an analysis of fare levels will also be a critical component of our work.

There are many potential examples of how maximum fare flexibility could be beneficial. RTD could offer a free one-month transit pass to people in the district who are immunized against COVID-19 as a way to simultaneously defeat the virus and rebuild pandemic-affected ridership. Other transit agencies around the country, and several local governments in the RTD service area, are experimenting with low-fare or fare-free transit to attract new riders or bring former customers back. RTD needs the flexibility to explore options around fares and incentive programs to recover from the damage done by COVID-19 and to expand ridership beyond pre-COVID-19 levels. A \$6 billion rail system that carries a quarter of the passengers it carried in 2019 is a poor return on taxpayers' investment. This must be rectified.

The goal of mass transit should be to provide the most rides for the most people at the lowest total cost. Farebox recovery ratios fail to tell the whole story. A better and simpler measure of return on investment is the system's operating cost divided by total ridership. RTD needs to focus on delivering the greatest value for our infrastructure investment. The more people carried on mass transit, the less our region will suffer from congestion and the less polluted its air will be.

Proposed edits:

1. CRS 32-9-119.7 Farebox recovery ratios — plans Cost efficiency of transit services provided – Maximizing ridership

(1) The general assembly hereby finds and declares that surface transportation in the Denver metropolitan area is a major problem confronting not only the citizens of the metropolitan area but also the citizens of the entire state of Colorado. The general assembly further finds that, although mass transportation is one component of an effective surface transportation system, the allocation of resources to mass transportation must be made in light of all surface transportation needs. The general assembly further finds that the district should be organized

efficiently, economically, and on a demand-responsive basis and that the district should consider least-cost alternatives in discharging its responsibilities. ~~The general assembly further finds that the farebox recovery ratio of the district must be improved so that resources once allocated for mass transportation can be made available for other surface transportation needs.~~

(2) For the purposes of this section, “operating costs” means all expenditures, including depreciation, except for those incurred in long-term planning and development of mass transportation and rapid transit infrastructures and those costs incurred as a result of providing transportation service mandated by the federal “Americans with Disabilities Act of 1990”, 42 U.S.C. sec. 12101 through 12213, ~~and “revenues collected” means all non-sales tax revenue generated through the operation and maintenance of the mass transit system, except for those revenues generated as a result of providing transportation service mandated by the federal “Americans with Disabilities Act of 1990”.~~

(3) The district shall provide in its financial reporting operating cost, ridership, and operating costs divided by ridership as measures of the cost efficiency of services provided. ~~take whatever measures it deems necessary to ensure that the following percentages of its operating costs are funded by revenues collected, as follows:~~

~~(a) For the fiscal year 1990, twenty-seven and one-half percent;~~

~~(b) For the fiscal year 1991, twenty-eight and one-half percent;~~

~~(c) For the fiscal year 1992, twenty-nine and one-half percent;~~

~~(d) For the fiscal year 1993 and each fiscal year thereafter, thirty percent.~~

(4) ~~The district shall prepare annual budgets based on the percentages required by subsection (3) of this section.~~ The district shall submit copies of its annual budget to the transportation legislation review committee created in section 43-2-145, C.R.S

~~(5) No later than August 1, 1989, the district shall submit to the highway legislation review committee optional plans which shall address the following objectives:~~

~~(a) To make the mass transportation operations of the district more demand-responsive;~~

~~(b) To demonstrate that the district has considered least-cost options for performing its service;~~

~~(c) To make recommendations regarding farebox recovery ratios; and~~

~~(d) To demonstrate improved commuter and to-and-from-work service.~~

2. CRS 32-9-119.8 Provision of retail and commercial goods and services at district transfer facilities – residential and other uses at district transfer facilities permitted – definitions

RTD may negotiate and enter into agreements with other entities to provide retail and commercial goods and services to the public or provide housing at its transit stations and park-n-rides, but cannot provide retail and commercial goods and services itself, except for transit-related transactions. There are restrictions on such uses, however: the use may not reduce transit services, reduce the availability of adequate parking for the public, or, for uses involving the provision of retail or commercial goods or services, result in a competitive disadvantage to

a private business near the facility providing similar goods or services. In addition, retail and commercial goods and services or residential uses at RTD facilities must be designed to offer convenience to transit customers and be conducted in a manner that encourages multimodal access from all users.

RTD-owned land and facilities are valuable transit-oriented development assets and can play a beneficial role in generating additional revenues and increasing use of the transit system. Eliminating restrictions related to parking and business competition could further enhance equitable transit-oriented development (TOD) on RTD properties and allow RTD to derive more revenue from the use of its properties.

Specifically, 32-9-119.8(4) contains overly broad language that invites litigation from surrounding businesses “reasonably near a transfer facility.” Furthermore, 32-9-119.8(5) may prevent RTD’s ability to encourage development of affordable, transit-focused residences due to restrictions on allowable parking ratios. For example, according to a study by Seth Goodman and others, the median two-bedroom U.S. city code requirement of 1.5 parking spaces consumes more than half the area of a typical two-bedroom apartment and adds \$375 per month in rent. This unnecessary parking requirement puts the development of transit-focused residences at a significant financial disadvantage and makes no sense for residents who rely on transit for mobility rather than personal vehicles.

Proposed edits:

(4) The use of a transfer facility for the provision of retail or commercial goods or services or for the provision of residential uses or other uses shall not be permitted if the use would reduce transit services, ~~would reduce the availability of adequate parking for the public, or, for uses involving the provision of retail or commercial goods or services, would result in a competitive disadvantage to a private business reasonably near a transfer facility engaging in the sale of similar goods or services.~~ The provision of retail and commercial goods and services or the provision of residential uses or other uses at transfer facilities shall be designed to offer convenience to transit customers and shall be conducted in a manner that encourages multimodal access from all users.

(5) Any development of any portion of a transfer facility made available by the district for the provision of retail or commercial goods or services or for the provision of residential uses or other uses shall be subject to all applicable local zoning ordinances, except for parking requirements, which will be established by RTD. RTD may also at its option charge fees for parking at district parking facilities.

3. CRS 32-9-119.9 Limited authority to charge fees for parking – reserved parking spaces – penalties – definitions

RTD has spent millions of dollars providing structured park-n-ride parking garages and surface parking lots throughout its system but is restricted from requiring in-district residents to pay to park, unless they park for more

than 24 hours. This section limits the flexibility of RTD to manage the parking facilities that RTD has built and is seen as unnecessarily restrictive at a time when RTD faces a financial crisis. Removing this restriction would provide RTD with the ability to generate some revenues from parking if it so desired – although it would be important to not depress ridership by charging too much – and/or to use parking revenues to decrease fares, which could yield equity benefits and enhance ridership. Having more flexibility with regards to parking would also allow RTD to use parking spots and subsidies to incentivize desired outcomes, e.g., giving electric vehicle drivers, carpoolers, and vulnerable populations cheaper parking or parking spots closer to the platform.

Proposed edit: The Committee recommends working with RTD and Legislative Legal Services staff to refine section 32-9-119.9 to remove limitations on RTD's ability to manage their parking facilities to achieve the objectives identified above.

Note: RTD's option to charge fees for parking is now established in 32-9-119.8(5), but otherwise, management of RTD parking facilities is left to RTD.

4. CRS 32-9-119.5 Competition to provide vehicular service within the regional transportation district

RTD is allowed to implement a system by which up to 58% of the district's vehicular service is provided by qualified private businesses. Statute sets out the processes and parameters for these privately provided services.

Ideally, RTD would use qualified service providers for transit service when that is the most cost-effective option, assuming quality of service and safety are ensured. Expanding this provision to include nonprofit and local government service providers could be beneficial by increasing the pool of alternative cost-effective providers.

Proposed edits:


(1) The general assembly hereby finds, determines, and declares that: Public transportation services are provided to assist the transit-dependent and the poor, to relieve congestion, and to minimize automotive pollution; public transportation service should be provided at the lowest possible cost consistent with desired service and safety; private transportation providers have been effectively used under competitive contracts to provide public transportation services at lower costs and with lower annual cost increases; obtaining cost-competitive public transportation services requires the establishment of a mechanism for competitive contracting; facilities and vehicles purchased for public transportation service are public assets which are held in the public trust; contracting for services has historically provided opportunities for minority, women, and disadvantaged business enterprises; and it is the intent of the general assembly that disadvantaged business enterprises, as defined in part 23 of title 49 of the code of

federal regulations, as amended, shall have the maximum opportunity to participate in the performance of contracts.

(2) (a) The district may implement a system under which ~~up to fifty-eight percent~~ some of the district's vehicular service is provided by qualified private businesses, nonprofit organizations, or local governments, pursuant to competitively negotiated contracts.

(XI) No provision specifying wages, benefits, work rules, work conditions, or union organization of the employees of the provider beyond compliance with applicable regulation and law, including compliance with the "Federal Transit Act", 49 U.S.C. sec. 5333(b).

(3) (a) (I) Subject to the requirements of the "Federal Transit Act", as amended, the district may request proposals from private providers to provide ~~up to fifty-eight percent of all~~ some of the vehicular service of the district as measured by vehicle hours or vehicle hour equivalents. The district's decision as to which vehicular services are subject to requests for proposals must represent the district's total vehicular service operations; except that each individual request for proposals may designate one type of vehicular service. Service provided by private businesses, nonprofit organizations, or local governments, pursuant to this section shall be accomplished through attrition of the district's full-time employees. Layoffs shall not occur solely as a result of the implementation of this section. If the director of the division of labor standards and statistics in the department of labor and employment orders an arbitration pursuant to section 8-3-113 (3), C.R.S., the arbitrator shall not have the power to establish a level of vehicular service to be provided by private businesses, nonprofit organizations, or local governments, in accordance with this section.



Appendices

Appendix 1 - RTD Accountability Committee Proposal (Scope of Work)

Appendix 2 - RTD Accountability Committee Guidelines

Appendix 3 - RTD Accountability Committee Equity Assessment Mission Statement

Appendix 4 – Peer Review Governance Matrix

Appendix 5 - CARES Act Spending Review Summary

Appendix 6 - Equity Assessment for Proposed Legislative Changes

Appendix 1 - RTD Accountability Committee Proposal (Scope of Work)

The Regional Transportation District (RTD) board, in collaboration with the Governor of Colorado and the Transportation chairs of the General Assembly, will create the RTD Accountability Committee (the “Committee”). The Committee will be fully independent from RTD.

The Committee’s mission is to provide feedback and a set of recommendations for improvement to the operations of and statutes related to RTD, to the board and staff of the RTD, the Governor, the General Assembly, and the public. The Committee will be appointed by July 15, 2020 and will hold its first meeting by July 31, 2020 and will continue for one year. If the Committee decides additional work is needed, the Committee may continue its work for a second year or may recommend other action to continue this work.

Pending additional arrangements, the Committee will be hosted by an independent agency. The Committee will be staffed with resources provided by RTD. Using resources, the Committee may contract with services of a third-party consultant with expertise in transit authority operations.

RTD, the Governor’s office, and the leadership of the General Assembly will jointly announce and commit to the process through a joint press release and/or press conference.

The Committee may issue a preliminary report by December 31 of 2020 and shall issue a report with recommendations no later than July 1, 2021. It shall submit the report to the Governor, the chairs of the transportation committees in the Senate and House of Representatives and the RTD Board of Directors. The Committee will hold one or more public hearings on the report and will consider public comment and adopt these recommendations as appropriate.

The District shall make each report issued by the Committee available to the public on its website. The RTD Board shall, within 45 days of issuance of the report, either adopt the recommendations or issue a report stating its reasons for not adopting specific recommendations.

The Committee will consist of eleven members. Appointing authorities may receive suggested names and input for the committee from RTD, DRCOG, Metro Mayors, community organizations and members of the public; however, it is essential that the committee is perceived as independent, and free to do its work without interference. The Governor will appoint five members of the Committee and the transportation chairs of the House and Senate will appoint six members of the Committee. The Committee composition should reflect the diverse political views and partisan makeup of RTD’s service area. The RTD board chair will appoint two ex officio members from the RTD board.

The table below shows the recommended expertise for the board, although the goal is to appoint qualified, respected community members; actual members' expertise may vary.

Accountability Committee Makeup (11 members)

Members
Four Local Government Representatives within District
At least one member with economic development expertise
At least one member with expertise on issues facing transit riders with disabilities
At least one member with human resources expertise, preferably for transit agencies
At least one member with transit services expertise or multi-modal expertise
At least one member with transportation equity expertise
At least one member with financial planning and management expertise
At least one member with urban planning expertise

The Governor will make the following appointments:

- 1 member with financial planning expertise
- 1 member with transportation equity expertise
- 1 member with urban planning expertise
- 1 member with economic development expertise
- 1 member who represents a local government served by RTD

The chairs of the House and Senate transportation committees will make the following appointments:

- 1 member with expertise on issues facing transit riders with disabilities
- 1 member with human resources expertise, preferably for transit agencies
- 1 member with transit services or multi-modal expertise
- 3 members who represent a local government served by RTD

Committee Scope and Organization:

The parties will enter into an interagency agreement or letter agreement that allocates up to \$200,000 for staffing and resources such as consulting for the committee. The committee will endeavor to use existing resources when possible. If \$200,000 is determined by the committee to be inadequate to fulfill the work, the committee and RTD will work in good faith to find other potential funding sources.

The Committee shall elect a Chair and Vice-Chair at their first meeting and shall meet as often as necessary to complete its tasks.

The Committee shall perform a comprehensive review of the District, taking into account the perspectives of the staff, board, employees and the public. The District will provide the Committee access to board members, employees, consultants and documents.

The work of the committee should include a review of at least the following:

- A review of recent financials from the district, including any recent audits and a thorough review of the agency's use of CARES Act stimulus funds;
- The structure of RTD governance and executive leadership
- A review of the district's short-term and long-term prioritization of resources to maximize the district's limited dollars for the benefit of taxpayers;
- How RTD can better serve all riders including those with disabilities, how it can better serve transit-dependent populations, a review of the district's plans for how to expand ridership, how the district is addressing coverage gaps, how the district is prioritizing route planning, and how the district is serving its entire service area;
- A determination of the long-range financial stability of the agency, and how the agency can achieve stability and growth while still meeting its core mission.

In issuing its report and recommendations, the Committee may consider but is not limited to including the following topics:

1. District's partnerships with local governments;
2. Use of CARES Act and other pandemic-related funds to support RTD's mission;
3. ADA compliance and accessibility of District services and facilities, including paratransit;
4. Equity in services provided to the District, analyzed in terms of geography, social equity, fare structures, and needs of transit-dependent populations;
5. Organizational assessment (financial health, human resources, work culture, management and governance of the District);
6. Services provided by the District, plans and criteria for expansions or reductions in service;

7. Review of current state audit, including with respect to staff management, retention, and hiring;
8. District's efforts to address the state's climate change goals;
9. District's role in fostering economic development.

Appendix 2 – Regional Transportation District (RTD) Accountability Committee Guidelines

Type: Ad Hoc Committee

Authority: Jointly created by the Governor of Colorado, the transportation chairs of the General Assembly and the Regional Transportation District (RTD) board. The Committee is fully independent from RTD.

Membership

The Committee consists of eleven (11) members.

The Governor appoints the following members:

- 1 member with financial planning expertise
- 1 member with transportation equity expertise
- 1 member with urban planning expertise
- 1 member with economic development expertise
- 1 member who represents a local government served by RTD

The chairs of the House and Senate transportation committees jointly make the following appointments:

- 1 member with expertise on issues facing transit riders with disabilities
- 1 member with human resources expertise, preferably for transit agencies
- 1 member with transit services or multi-modal expertise
- 3 members who represent a local government served by RTD

Two (2) ex officio members of the RTD board appointed by the RTD board chair.

Officers

At its first meeting upon appointment of its members, the RTD Accountability Committee shall elect co-chairs.

Responsibilities

The Committee shall perform a comprehensive review of RTD, taking into account the perspectives of the staff, board, employees, and the public. RTD will provide the Committee access to board members, employees, consultants, and documents.

The following duties and responsibilities are vested in the RTD Accountability Committee:

- A review of recent financials from the district, including any recent audits and a thorough review of the agency's use of CARES Act stimulus funds.
- The structure of RTD governance and executive leadership.
- A review of the district's short-term and long-term prioritization of resources to maximize the district's limited dollars for the benefit of taxpayers.
- How RTD can better serve all riders including those with disabilities, how it can better serve transit-dependent populations, a review of the district's plans for how to expand ridership, how the district is addressing coverage gaps, how the district is prioritizing route planning, and how the district is serving its entire service area.
- A determination of the long-range financial stability of the agency, and how the agency can achieve stability and growth while still meeting its core mission.

The Committee may issue a preliminary report by December 31 of 2020 and shall issue a report with recommendations no later than July 1, 2021. It shall submit the report to the Governor, the chairs of the transportation committees in the Senate and House of Representatives and the RTD Board of Directors. If there are any dissenting opinion(s) to any of the recommendations, the Committee shall publish a minority report that contains those opinion(s).

The Committee will hold one or more public hearings on the report and will consider public comment and adopt these recommendations, as appropriate. Up to 20 minutes shall be allocated for public comment at each meeting of the full committee and each speaker will be limited to 2 minutes. The RTD Accountability Committee requests that the public comment be limited to an item on the Committee's current agenda. Public comment may also be submitted in writing to DRCOG. Comments received will be shared promptly with RTD Accountability Committee members.

In issuing its report and recommendations, the Committee may consider, but is not limited to including the following topics:

- District's partnerships with local governments.
- Use of CARES Act and other pandemic-related funds to support RTD's mission.
- ADA compliance and accessibility of District services and facilities, including paratransit.
- Equity in services provided to the District, analyzed in terms of geography, social equity, fare structures, and needs of transit-dependent populations.
- Organizational assessment (financial health, human resources, work culture, management, and governance of the District).

- Services provided by the District, plans and criteria for expansions or reductions in service.
- Review of current state audit, including with respect to staff management, retention, and hiring.
- District's efforts to address the state's climate change goals and strategies and tactics to contribute to improving the Denver region's air quality.
- District's role in fostering economic development.

Quorum

A quorum for the transaction of RTD Accountability Committee business shall be two-thirds of its members.

Voting

A majority of those present and voting shall decide any question brought before the committee, except those questions eligible for electronic voting.

Electronic Voting

Due to the time-sensitive nature of the Committee's work, electronic voting will be allowed, but limited to those items specifically determined by the Committee. Examples may include approval of policy questions and/or the Committee's final report.

The committee shall establish the electronic voting method and process for each action item the committee deems appropriate for electronic voting.

Meetings

The committee may meet as needed. Committee co-chair will consult with DRCOG on staffing and meeting room/virtual meeting platform availability. Committee members shall always have the option to participate remotely. It will be the responsibility of DRCOG staff to maintain membership lists of the committees.

Meeting notices will be distributed through DRCOG.

Appendix 3 - RTD Accountability Committee Equity Assessment

Mission Statement

Social, economic, financial, and environmental equity is a paramount consideration for the RTD Accountability Committee. The Committee will consider the needs of communities of concern, including but not limited to minority, low-income, individuals with disabilities, older adult, and veteran populations. Effort will be made through the Committee's work to ensure benefits are shared across the RTD service area and that no one group bears a larger burden of environmental or financial impacts.

Actions that include spatial and other forms of analysis, community engagement, and consulting experts will be used at appropriate times to inform the work and final recommendations of the Committee.

Operationalizing Equity in the Deliberation of the Committee and Subcommittees

Each subcommittee will engage community organizations with expertise in equity such as the Center for Community Wealth Building, the Denver Institute of Equity and Reconciliation, and Mile High Connects during their initial deliberations as part of the research phase. During the formation and consideration of issues and policy options, an equality lens will be applied. This lens should include the following questions:

- 1) How could this recommendation benefit or burden communities of concern? Is there likely to be an increase or decrease in equity?
 - a) How are we defining benefit and burden?
 - b) How do we measure this impact?
- 2) Could this recommendation impact specific communities or geography more than others? If so, which communities and how?
 - a) What are the demographics of the most impacted areas?
 - b) Are neighborhoods equally required to help achieve the policy recommendation? If not, does this raise issues of equity and justice?
- 3) Could there be unintended consequences? If so, can they be mitigated?
- 4) Does this policy/strategy address historic, systemic, environmental, or institutional barriers that have impacted this community?

DRCOG staff and/or the on-call consulting team will assist subcommittees and the Committee to conduct appropriate equity assessments of draft recommendations. Draft recommendations, along with the assessments, will be made available for public review and input. Each subcommittee will consider the assessment and any input obtained through public engagement before making final subcommittee recommendations to the full committee.

The full committee will consider subcommittee recommendations and finalize draft recommendations to bring to a public hearing. Input received from the public hearing will be considered before the committee makes final recommendations. As needed, dissenting opinions will also be included with the final recommendations.

Appendix 4 – Peer Review Governance Matrix

Region*	Model	Boundary	Board	Funding	Community-Based Opportunities
Dallas/Fort Worth (DART)	<ul style="list-style-type: none"> Bus Light rail <p>Commuter Rail operated by third party</p>	<ul style="list-style-type: none"> Boundary is formed by cities who join the system – city by city basis Not necessarily a contiguous boundary 	<ul style="list-style-type: none"> 15 appointed Board (members determined by population) <p>No single member can appoint more than 65% of board</p> <p>Combination of cities can aggregate population to be entitled to member</p> <p>May be elected officials</p>	<p>One-cent local sales tax from all member cities</p>	<p>Since members are appointed from communities within the service area, local perspectives are prevalent in the Board discussions</p> <p>Municipalities making more than one appointment must select persons who accurately reflect the racial and ethnic composition of the municipality</p>
Phoenix (Valley Metro)	<p>Unified public brand with two boards – one for bus and one for rail</p> <p>Valley Metro coordinates bus service but cities operate</p> <p>Only those cities with rail service fund and operate</p>	Established by cities and counties with transit operations	<p>Two Appointed Boards:</p> <p>(1) RPTA (all modes except LR) 16 members – 15 cities and Maricopa County</p> <p>(2) METRO (LR/high capacity transit) – 5 cities</p>	<p>Varies from city to city for bus</p> <p>Cities contribute to RTA for coordination services but separately fund their own local service</p> <p>Rail cities pay based on the amount of rail in their city (sales tax)</p>	<p>Since bus service operations occur at the local level, local perspectives are prevalent in RPTA discussions.</p> <p>Local appointments also ensure a local voice on METRO Board.</p>
Portland (TriMet)	<ul style="list-style-type: none"> Bus Light rail Commuter Rail <p>Third party operates Portland streetcar</p>	Seven districts within the Portland area	<p>7-member board appointed by governor to represent geography.</p> <p>Streetcar is governed by</p>	District-wide payroll tax (0.7737% of the wages paid by an employer and the net earnings from self-	TriMet has an internal 5-member accountability committee appointed by and report recommendations to the general manager.

			Portland Dept. of Transportation. City and TriMet govern according to Master Agreement	employment for services performed within the TriMet District boundary)	Purpose of the accountability committee is to increase public access to TriMet information
San Diego (SANDAG/MTS)	SANDAG does not operate transit. Serves as a public forum for regional decision-making and allocation of funding. Operations provided by two transit operators: (1) San Diego Metro Transit System; (2) North County Transit District	SANDAG region: 18 cities and San Diego county	MTS Board: 15 members selected from mayors, council members and other elected officials Each member gets one appointment except for the city of San Diego which gets two Also, advisory members	one-cent local sales tax \$1.1 billion in transportation funding from federal, state and local sources	Since members are appointed from communities within the service area, local perspectives are prevalent in the Board discussions Extra layer of community-based input is provided by SANDAG, the MPO for the area.
Salt Lake City (UTA)	RTA operates all modes: bus, light rail, CR, and streetcar	Members join with voter approval by city or county which establishes the boundary	3-member Board of Trustees appointed by the governor. Governor appoints from nominations submitted from counties in the service area.	Varies between 1-cent and 1 ¼ - cent	9-member Local Advisory Council provides an advisory voice for local governments. Reviews and approves service plans, capital development plans and projects, and TODs before final Board approval. Represent and advocate the concerns of citizens to the Board and thereby assume the responsibilities of the previously required Citizens' Advisory Board.

Detroit (RTA)	RTA does not operate transit. It performs a coordinating role to plan for public transportation in the four-county southeast region	Four-county boundary including city of Detroit established by enabling legislation	<p>10 members – 9 voting</p> <p>2 members appointed from each (4) county</p> <p>1 appointed by mayor of largest city within largest county</p> <p>1 appointed by governor, who serves as chair without a vote</p>	<p>\$400,000 state appropriation and federal sources used for admin.</p> <p>RTA has the authority to levy property tax or vehicle registration fee if approved by voters (none presently in place)</p>	Local collaboration evident through the Board make-up
Los Angeles (LA Metro)	<ul style="list-style-type: none"> • Bus • Light rail • Commuter Rail • Bus Rapid Transit <p>Also provides funding and planning for freeway projects</p> <p>Funds many local transit agencies</p>	LA County and 88 local governments	<p>14 member – 13 voting</p> <ul style="list-style-type: none"> • The 5 LA County supervisors • LA mayor • 3 LA mayor appointees • 4 city council members other than LA • Non-voting appointee by governor 	<p>Four separate county sales tax measures (each ½ cent)</p> <p>Funding shared with other agencies according to requirements of the applicable ordinance</p>	Local Service Councils actively involved in decision-making of local service operations.

Appendix 5 - CARES Act Spending Review Summary



CARES ACT SPENDING REVIEW

RTD Accountability Committee

December 29, 2020

EXECUTIVE SUMMARY

At the request of the Denver Regional Transportation District (RTD), the Governor of the State of Colorado, and the Transportation Chairs of the General Assembly, and in collaboration with Denver Regional Council of Governments, the independent RTD Accountability Committee is pleased to submit this report summarizing the findings of RTD's use of funds associated with the Coronavirus Aid, Relief, and Economic Security (CARES) Act, as prepared by the RTD Accountability Committee consultant, North Highland.

The CARES Act was passed by Congress and signed into law by President Trump on March 27th, 2020. This relief package, valued at more than \$2 trillion, provided economic assistance for several facets of the American economy. It included \$25 billion in direct relief for transit agencies to help them prevent, prepare for, and respond to the COVID-19 pandemic. RTD received an award of approximately \$232 million.

Investigation that informed this report included examination of documents and interviewing key RTD staff. North Highland provided a briefing at the December 14 Committee meeting. North Highland observed the following as it pertains to RTD's use of CARES Act funding:

- These monies appear to have been spent in alignment with FTA intentions
- RTD appears to have balanced provision of transportation options with responsibility for its workforce and regional economic stability in its funding decisions
- RTD appears to have worked to implement cost cutting measures to reduce the funds required for continued operations as buoyed by CARES funding

As the Federal government considers additional funding to provide aid to residents, businesses, and governments impacted by the COVID-19 pandemic, opportunities exist to assist RTD in stabilizing itself and moving toward a 'new normal.' In the meantime, RTD is considering the following to sustain operations in the near term:

- Maintaining operations for the region and those served by RTD
- Continuing to analyze service needs
- Prioritizing adaptable route systems
- Ensuring that cuts are logical and sustainable
- Considering lower cost uses of employees

CARES ACT SPENDING FINDINGS

At the request of the RTD Accountability Committee, North Highland performed a very high-level review of the Regional Transportation District's (RTD) use of Coronavirus Aid, Relief, and Economic Security (CARES) Act stimulus funds. The purpose of this review was to evaluate the distribution of funding according to staffing and service.

Information reviewed suggests that RTD's spend of CARES funding appears to be in alignment with the funding intentions of the Federal Transit Administration (FTA). Additionally, RTD implemented other cost saving initiatives to support continuing operations within the region. Finally, when making funding decisions, RTD balanced the need to deliver transportation services with the responsibility RTD holds to its workforce and region.

Approach

To complete this evaluation, North Highland used the approach outlined in [Figure 1](#).

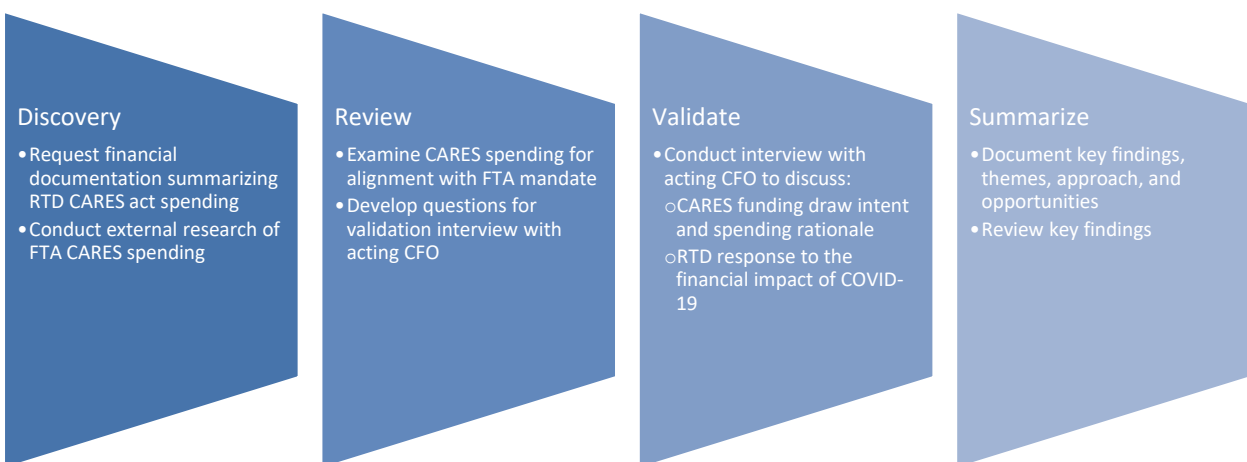


Figure 1: CARES Act Spending Approach

In its *Discovery* and *Review* phases, North Highland obtained and examined the following documents:

- [*"Copy of Cares Draw Summary thru 93020.xlsx"*](#): Use of CARES Act funding, providing detailed statements and explanation of each draw.
- [*"Copy of CARES Draw Summary.pdf"*](#): One-page summary detailing each draw against CARES Act funding.

During the *Validate* phase, North Highland spoke with RTD Acting Chief Financial Officer and Controller Doug MacLeod on December 8, 2020. The purpose of the discussion was to further understand RTD's spending associated the \$232 million in emergency grants the Federal Transit Administration (FTA) authorized through the CARES Act. In addition to Mr. MacLeod, Ron Papsdorf (DRCOG), Matthew Helfant (DRCOG), Anna Danegger (North Highland), Tanya Eydelman (North Highland), and Derek Pender (North Highland) attended the meeting. This conversation expanded upon the understanding gleaned through review of RTD financials documenting the spend of CARES Act funding.

Based on the above approach, this document addresses the *Summarize* phase as it details the key findings and opportunities moving forward as RTD continues to grapple with challenges associated with COVID-19.

Findings

In reviewing CARES funding, we found:

- Funding appears to have been spent in alignment with FTA intentions
- RTD appears to have balanced provision of transportation options with responsibility for its workforce and regional economic stability in its funding decisions
- RTD appears to have worked to implement cost cutting measures to reduce the funds required for continued operations as buoyed by CARES funding

CARES Act Funding Allocated in Alignment with FTA Intention

RTD utilized CARES funding in alignment with the earmarked intention for spending – to support operating costs and employee salaries in the interest of avoiding layoffs. Funds were reimbursed by the Federal government for the following two expense types:

- *Represented and Non-Represented Wages and Benefits*: Employee wages for both unionized and non-union employees; this accounts to roughly 64% of CARES funding drawn to date
- *Purchased Transportation – Bus OR CRT* ("Commuter Rail Transit"): Externally contracted routes with Denver transportation partners; this accounts to roughly 36% of CARES funding drawn to date.

In total, \$208 million of the \$232 million in funding has been drawn. The additional \$24 million is earmarked for use by the end of 2020. While there is some chance that CARES Act funding will remain available into 2021, existing guidelines state that unused funds will revert to the Federal government on December 30, 2020. It is RTD's intent to use all funding available prior to this deadline. Accounting of this spending is detailed in [Figure 2](#).

Regional Transportation District CARES Grant Draws Through September 30, 2020 As of October 19, 2020			
	Actual Draw	Paid Date	Comments
LOC 63.20	\$ 9,410,160.00	Feb-April 2020	Purchased transportation - Bus
LOC 65.20	39,010,411.00	Feb-April 2020	Represented wages and benefits - Payrolls 4 - 9
LOC 66.20	21,304,873.00	Feb-April 2020	Non-Represented wages and benefits - Payrolls 4 - 9
LOC 73.20	13,408,726.00	May 2020	Represented and Non-Represented wages and benefits excluding those
LOC 74.20	4,605,149.00	May 2020	Purchased transportation - Bus
LOC 80.20	4,430,454.00	June 2020	Purchased transportation - Bus
LOC 83.20	13,542,429.00	June 2020	Represented and Non-Represented wages and benefits excluding those
LOC 90.20	4,440,880.00	July 2020	Purchased transportation - Bus
LOC 93.20	14,260,541.00	July 2020	Represented and Non-Represented wages and benefits excluding those
LOC 99.20	11,887,753.00	April - May 2020	Purchased Transportation - CRT
LOC 100.20	12,315,084.00	June - July 2020	Purchased Transportation - CRT
LOC 102.20	4,543,717.00	Aug-2020	Purchased transportation - Bus
LOC 105.20	12,390,380.00	Aug-2020	Purchased Transportation - CRT
LOC 106.20	13,310,109.00	Aug-2020	Represented and Non-Represented wages and benefits excluding those
LOC 02.21	4,461,096.00	Sept-20	Purchased transportation - Bus
LOC 03.21	6,389,367.00	Sept-20	Purchased Transportation - CRT
LOC 07.21	18,376,290.00	Sept-20	Represented and Non-Represented wages and benefits excluding those
Total Drawn	\$ 208,087,419.00		89.6%
Total CARES Award	232,253,946.00		
Remaining to Draw	\$ 24,166,527.00		10.4%

Figure 2: CARES Draw Summary

A Responsibility to Employees, the Region, and Unions

RTD officials expressed a responsibility to the region and its employees and stated that it was important for the organization to have a measured response to the pandemic and not respond too quickly with drastic layoffs. Acting as a partner to the region, the organization realized this kind of response could have had impacts on the economy that were not necessary, particularly in the context of early COVID-19 uncertainty. Furthermore, a reduction-in-force would likely have affected roles that are already in demand (e.g., mandatory overtime for certain positions already underway due to retention challenges) or high acquisition costs (e.g., CDL training costs for operators). Finally, compliance with represented employee collective bargaining agreement (CBA) restricted the options available to RTD to reduce staff.

Other Measures of Cost Savings Enacted

RTD has enacted additional activities to reduce costs, such as a suspension of non-FTA required training initiatives (certification training continued as required and were advanced as appropriate), salary cuts, furloughs for non-represented employees, reduction of discretionary spending, a hiring freeze, service cuts, and a hold on capital construction initiatives (e.g., resurfacing parking lots, etc.). RTD also worked cooperatively with the union to redeploy frontline employees from regular job responsibilities that were not required due to service cuts to new

responsibilities required as a result of the pandemic. For example, treasury employees were diverted to cleaning and sanitation work in lieu of cash counting responsibilities.

Looking Forward

As the Federal government considers additional funding to potentially provide aid to citizens and some businesses impacted by the COVID-19 pandemic, opportunities exist for RTD to maintain stability. A Federally approved and widely distributed vaccine and fairer weather of next summer may positively affect both RTD demand and provide some return to normalcy. In the meantime, RTD is considering the following to sustain operations in the near term:

- *Seek to Maintain Operations for the Region and those Served by RTD:* Public transit often finds itself in a position of debating equity vs. equality when determining service needs for certain regions, populations, and routes. Vulnerable populations and essential workers need transit services more than ever during these times. Pursuing options to maintain operations continues RTD's service to the community and its employees.
- *Continue to Analyze Service Needs:* Route usage will continue to fluctuate as public and private institutions respond to the pandemic. Maintaining unused routes both adversely affects revenue and impacts margins due to increased costs from more stringent sanitation procedures and lost revenue. Continuing to analyze service needs will allow RTD to right-size the service as the region returns to a new normal.
- *Prioritize Adaptable Route Systems:* Fixed route systems, such as LRT or CRT, provide limited flexibility and lower responsiveness to service changes. While some of these maintain relatively healthy ridership (such as the A Line), others do not. Further, social distancing mandates increase the need for additional vehicles and "loop extras" (stand-by on-call buses) to provide float coverage. Buses can respond to these challenges more readily than rail.
- *Ensure that Cuts are Logical and Sustainable:* RTD is a major employer in the Denver region; layoffs could have a notable effect on the economy. Furthermore, there could be significant costs to rehiring trained staff if they were cut and needed to be rehired.
- *Consider Lower Cost Uses of Employees:* RTD has discussed the possibility of reducing the use of higher-cost security firms in exchange for reskilling difficult-to-replace Operators and Mechanics as "conductors." Moves like these mirror those under consideration at similarly-sized transit systems. Not only do they reduce costs, but they retain roles with a high cost of replacement, better positioning RTD to fill these positions when they are once again needed.

RTD recently announced a reduction in force totaling roughly 400 positions. These positions are a combination of Operations and Administrative functions. These layoffs, however, come with the expense of severance packages and unemployment insurance. Also, RTD recognizes the difficulty and costs associated with filling certain operational roles such as Bus Operators and Mechanics. It is RTD's hope that, through a call-back provision in the union contract, these employees will be able to return to work as the region's economy stabilizes.

Appendix 6 - Equity Assessment for Proposed Legislative Changes

RTD Accountability Committee Equity Assessment for Proposed Legislative Changes December 2020

The proposed legislative changes address four distinct issues: fare box recovery ratios; provision of retail and commercial goods and services at RTD facilities; parking fees at RTD lots; and transit services contracted to non-profits and local governments. This equity assessment addresses each provision separately based on the *Operationalizing Equity in the Deliberation of the Committee and Subcommittees* guidelines adopted by the RTD Accountability Committee.

2. CRS 32-9-119.7 Farebox recovery ratios – plans

- a) How could this recommendation benefit or burden communities of concern? Is there likely to be an increase or decrease in equity?

This recommendation may benefit communities of concern by making fares more affordable for them since removing the required fare recovery ratio could provide RTD more flexibility in how much it charges riders. This recommendation may burden communities of concern since it could reduce fare revenue that would otherwise go toward operating and maintaining the transit system. This could result in reduced services and breakdowns. There is more likely to be an increase in equity than decrease because the lower fares would make transit services more affordable for communities of concern. The potential negative impact is less likely because farebox revenues do not cover most of the costs to operate and maintain the system.

How are we defining benefit and burden?

A benefit is something that can help improve the mobility of communities of concern. A burden is something that can curtail it.

- a. How do we measure this impact?

This impact can be measured by assessing travel time to key destinations for communities of concern as well as frequency of service for those communities.

- b) Could this recommendation impact specific communities or geography more than others? If so, which communities and how?

This recommendation could benefit many communities, but it would likely benefit individuals with low income the most because of the potential to make riding transit more affordable. While there are concentrations of low-income individuals in certain places, there are individuals with low-income living across the entire RTD district.

- a. What are the demographics of the most impacted areas?

While people of any demographic could have low-income, certain groups may be more vulnerable: veterans, older adults, individuals with disabilities, minorities, zero car households, and other communities of concern.

- b. Are neighborhoods equally required to help achieve the policy recommendation? If not, does this raise issues of equity and justice?

This recommendation is for an action district wide. It is not anticipated that any disproportionate impacts or requirements will fall upon any neighborhoods.

- c) Could there be unintended consequences? If so, can they be mitigated?

As previously mentioned, there is a possibility that lower fare revenue may reduce RTD's ability to fully fund operations and maintenance for the transit system. This could disproportionately impact communities of concern since they rely more heavily on transit for their mobility and access to opportunity than the general public. This unlikely impact can be mitigated in several ways including charging higher fares from individuals not within communities of concern to make up for a deficit, finding new revenue sources, or an increase in volume due to higher ridership individuals not within communities of concern lower fares that may bring in off-setting revenue.

- d) Does this policy/strategy address historic, systemic, environmental, or institutional barriers that have impacted this community?

This recommendation can address barriers to providing affordable fares for low-income riders by removing the farebox recovery requirement. This will provide RTD flexibility to reduce fares, especially for low-income riders.

4. CRS 32-9-119.8 Provision of retail and commercial goods and services at district transfer facilities – residential and other uses at district transfer facilities permitted – definitions

- a) How could this recommendation benefit or burden communities of concern? Is there likely to be an increase or decrease in equity?

RTD-owned land and facilities are valuable transit-oriented development opportunities and can play a beneficial role in generating additional revenues and increasing use of the transit system. Eliminating restrictions related to parking and business competition could further enhance equitable Transit-Oriented Development (TOD) on RTD properties and allow RTD to derive more revenue from the use of its properties. Another potential benefit could be an opportunity for RTD to work with disadvantaged small business owners giving them access to retail properties on RTD sites. A potential burden for communities of concern could be that TOD properties may not be affordable for them.

- a. How are we defining benefit and burden?

A benefit is something that can help improve the mobility of communities of concern by giving them greater access to their community by living on a TOD property or having access to retail opportunities for disadvantaged small businesses. A burden is something that can disadvantage communities of concern through TOD development that is not affordable for them to own or rent.

- b. How do we measure this impact?

The impact can be measured by the affordability of TOD properties for communities of concern.

- b) Could this recommendation impact specific communities or geography more than others? If so, which communities and how?

This recommendation impacts areas at and near RTD properties more than other places in the RTD district as the policy is focused on those areas.

- a. What are the demographics of the most impacted areas?

The demographics of the most impacted areas vary based on the locations of the RTD facilities.

- b. Are neighborhoods equally required to help achieve the policy recommendation? If not, does this raise issues of equity and justice?

The neighborhoods abutting the RTD sites will equally be required to help achieve the policy recommendation.

- c) Could there be unintended consequences? If so, can they be mitigated?

As previously stated, there is a possibility that TOD sites on RTD properties may be unaffordable for communities of concern to rent or own. A mitigation strategy could be for RTD to require that all TOD developments on RTD property be affordable.

- d) Does this policy/strategy address historic, systemic, environmental, or institutional barriers that have impacted this community?

This recommendation addresses access to frequent transit and there is the opportunity to focus on improving that access for communities of concern.

5. 32-9-119.9 Limited authority to charge fees for parking – reserved parking spaces – penalties – definitions

- a) How could this recommendation benefit or burden communities of concern? Is there likely to be an increase or decrease in equity?

Having more flexibility with regards to parking would also allow RTD to use parking spots and subsidies to incentivize desired outcomes, e.g., giving electric vehicle drivers, carpoolers, and vulnerable populations less expensive parking or parking spots closer to the platform. A potential benefit to communities of concern could be that increases in parking fee revenue could help subsidize more affordable fares for communities of concern, especially individuals with low-income. A potential burden for communities of concern could be an increase in parking fees may not be affordable for low-income riders who live too far from transit to make anything but parking and riding feasible. Also, persons with disabilities may have no other feasible way to connect with transit than parking and riding as well and they too may be impacted by higher parking fees. Since RTD would control parking fees and regulations, they could mitigate these negative impacts by offering reduced or free parking and/or parking closer to the platform to low-income customers and those with disabilities.

- a. How are we defining benefit and burden?

A benefit is something that can help improve the mobility of communities of concern. A burden is something that can curtail it.

- b. How do we measure this impact?

The impact can be potentially measured by how much increased parking fees reduce fares for communities of concern. Studying how many vulnerable people are impacted by higher parking fees may also help measure a potential impact.

- b) Could this recommendation impact specific communities or geography more than others? If so, which communities and how?

This could impact communities of concern but not necessarily any specific geography except perhaps members of that community that due to where they live have no other viable option than parking and riding to use transit.

- a. What are the demographics of the most impacted areas?

Low-income and disabled riders could be the most impacted either with a benefit, a burden or maybe both.

- b. Are neighborhoods equally required to help achieve the policy recommendation? If not, does this raise issues of equity and justice?

As previously stated, there may be more impact to communities of concern that due to where they live have no other viable option than parking and riding to ride transit.

- c) Could there be unintended consequences? If so, can they be mitigated?

A mitigation strategy to reduce unaffordability for communities of concern that due to where they live have no other viable option than parking and riding to use transit could be to offer a reduced fees or free parking for members of that community.

- d) Does this policy/strategy address historic, systemic, environmental, or institutional barriers that have impacted this community?

Allowing RTD more flexibility in choosing parking fee policies can give them the opportunity to generate additional revenue. This recommendation can potentially address barriers by using parking revenues to decrease fares, which could yield equity benefits and enhance ridership.

6. CRS 32-9-119.5 Competition to provide vehicular service within the regional transportation district

- a) How could this recommendation benefit or burden communities of concern? Is there likely to be an increase or decrease in equity?

The proposed change would make the statute clearer on who RTD may contract with to provide transit service. Adding non-profit and local government service providers to the statute could be beneficial by stating in the affirmative that non-profit and local government service providers are a potentially cost-effective option that RTD may choose.

- a. How are we defining benefit and burden?

A benefit is providing more mobility options for communities of concern and additional funding to non-profits and local governments. A burden could be loss of contracts for for-profit service providers.

- b. How do we measure this impact?

We can measure cost savings for RTD and additional funding for non-profits and local governments.

- b) Could this recommendation impact specific communities or geography more than others? If so, which communities and how?

This recommendation can benefit communities of concern by potentially generating savings for RTD that could be invested in operating and maintaining the transit system which could help communities of concern since they are the most likely to rely on transit. It can also benefit communities of concern by generating more revenue for non-profits and local governments since those entities would have the option to invest that funding in programs that help those populations.

- a. What are the demographics of the most impacted areas?

This policy recommendation, if enacted, would impact communities throughout the RTD district although there can be some localized impact to communities served by any non-profits and local governments through the services provided by those entities and through the additional revenue. Communities of concern could benefit if those additional funds are invested in programs targeted at helping them.

- b. Are neighborhoods equally required to help achieve the policy recommendation? If not, does this raise issues of equity and justice?

As stated above, the impact could be district wide with the possibility of some additional impact in certain communities based on who provides the contracted service and where it is provided.

- c) Could there be unintended consequences? If so, can they be mitigated?

An unintended consequence could be a loss of jobs at for profit service providers if their contracts are not renewed in favor of contracting with non-profits and local governments. This can be mitigated by the non-profit or local government offering jobs to workers who lost their jobs as a result of their employer not having their contract renewed.

- d) Does this policy/strategy address historic, systemic, environmental, or institutional barriers that have impacted this community?

The proposed legislative change can address barriers by making it clearer that RTD may contract with non-profit and local government service providers. This could potentially save money for RTD which

could be reinvested in operations and maintenance of the transit system, providing benefit for the community, especially communities of concern who rely on public transportation for their mobility. This could also provide additional revenue for non-profits and local governments and an opportunity to invest that revenue in programs that help communities of concern.

A photograph of a high-speed train, possibly a Shinkansen, at a station platform. The train is silver with blue and red accents. A person in an orange jacket is standing near the train, holding a blue suitcase. The image is overlaid with several semi-transparent orange circles of varying sizes. The text "Preliminary Report" is centered within one of these circles.

Preliminary Report