

DRAFT

North Area Transportation Alliance Steering Committee Summary Minutes February 3, 2010

Mayor Hansen welcomed everyone to the February 3, 2010 meeting of the North Area Transportation Alliance held at the City of Thornton Training Room.

Members and alternates attending were: Brighton – Mayor Dick McLean; Broomfield – Mayor Pat Quinn, Kevin Standbridge, Deputy City Manager; Commerce City - Mayor Paul Natale, Tom Acre, Deputy City Manager; Dacono – Mayor Charles Sigman, Bill Efting, City Manager; Erie –Trustee Cheryl Hauger; Town Manager Mike Acimovic; Firestone – Mayor Chad Auer, Wes LaVanchy, Town Manager; Longmont – Phil Greenwald, Transportation Planner; Northglenn – Mayor Joyce Downing; Thornton – Mayor Erik Hansen, Gene Putman, Transportation Planning Manager; Westminster – Mayor Nancy McNally, Matt Lutkus, Deputy City Manager; and Metro North Chamber of Commerce – Todd Steward and Jonathan Perlmutter. Also attending were: James Hayes (Northglenn), Gordon Pedrow (Longmont), Jim Paulmeno and Angie Drumm, (CDOT); Joyce Hunt, Jack Ethredge (Thornton); Jane Donovan, Julie Skeen, Scott Reed (RTD); Bill Christopher (RTD Board Director); Rosemary Rodriguez (Senator Bennet’s Office); and Gina Salazar (Congressman Polis’s Office).

Minutes. The December 9, 2009 were revised to reflect that members had paid \$13,800 in dues in 2009 and that the amount reported at the meeting was actually the amount billed. The minutes were approved unanimously as revised.

Presentations.

- a. CDOT Funding for “Gap”. Jim Paulmeno (CDOT) indicated that CDOT had funding available to initiate a Planning and Environmental Linkage Study (PEL) on the section of North I-25 between US 36 and State Highway 7 (“GAP”) as to the improvements needed to enhance the capacity and safety of this section. Jim indicated that CDOT had submitted the request to DRCOG to amend the Transportation Improvement Plan to include this project. The amendment will be acted on the first quarter of 2010. Jim also stated that since no funds are budgeted for improvements within the GAP area, it would be difficult to obtain the funding to begin a formal environmental study. However, the PEL would provide baseline environmental information which would be used when (and if) a more formal environmental study is required. It also would allow intermediate improvements to move forward when funding becomes available. Jim said that CDOT Region 6 would coordinate the PEL efforts with the local entities as well as the public participation process. Mayor McNally also reminded the members that the PEL is slated for action on an upcoming DRCOG meeting agenda and encouraged the members to have their DRCOG representatives support the TIP amendment. The members thanked CDOT for their quick turn around on this issue and a way to move forward. Trustee Cheryl Hauger moved to approve the resolution, seconded by Mayor Joyce Downing, and the resolution was approved unanimously.
- b. RTD FasTracks New Starts Program. Julie Skeen, RTD, provided a brief overview of the New Starts Program administered through the Federal Transit Administration (FTA). The New Starts Program is a discretionary major capital investment grant funding program for fixed guideway projects. It is a competitive grant program with applications from across the United States. The New Starts Program is set up under the traditional process of design-bid-build procurement. There are three major milestones. The first milestone is achieved when FTA approves an application (based on the alternatives analysis) and authorizes the project to enter into preliminary engineering. The second milestone occurs when FTA authorizes the project to move into final design. The third milestone occurs when FTA approves a Full Funding Grant Agreement which then allows the project to move forward to construction. Once a Full Funding Grant Agreement is approved, FTA includes funding in their budget and actual funding is subject to appropriation. The

average time to move through the entire process is approximately 8 years and although once a project receives a Full Funding Grant Agreement, it may take many years to receive all the funds but eventually all grant funds are received.

When SAFETEA-LU was approved in 2005, it didn't make any changes to the New Starts Program and continued the evaluation process provisions first established in 1998. The program still relied on a rating framework that had two components: project justification rating and financial rating with each of these two components valued roughly 50/50. In 2005, the Administration issued a "Dear Colleague Letter" that said that, "as a general practice, the Administration will target its funding recommendations in FY 2006 and beyond to those proposed New Starts projects able to achieve a medium or higher rating for cost-effectiveness." From that point forward, cost-effectiveness was given much greater weight in determining the project justification rating.

In the 2008 SAFETEA-LU Technical Correction Act, language was included that said "comparable, but not necessarily equal, numerical weight" shall be given to each project justification criteria [economic development, mobility improvements, environmental benefits, operating efficiencies, land use, cost effectiveness] in calculating the overall project rating. In January 2010, USDOT Secretary LaHood rescinded the 2005 Dear Colleague Letter mandating "medium" cost-effectiveness rating -- which meant that cost effectiveness could not be valued higher than all the other criteria. The overall summary rating didn't change and neither did the process or timing. With regard to the cost effectiveness rating (CEI), Julie pointed out that this is not a cost per rider. Rather, it is a rating based upon a technical model that takes into account time-travel savings which compares the proposed project against an imaginary project sometimes referred to as the "best bus" alternative.

The challenges now are that if the CEI is low, the project will still have to achieve a medium rating -- which means that ratings on some of the other criteria [economic development, mobility improvements, environmental benefits, land use, etc.] will have to increase. We have heard that FTA is going to proposed new rules relating to the criteria which likely would come out in spring for comment and then would be finalized six months later. We know the rulemaking changes are moving in a different direction than the past, but we don't know where or what.

We have received some good news and that is that the President's Budget includes a Full Funding Grant Agreement for the east and the gold lines as well as some funding in 2011. Mayor Quinn commented that this was good news but that there still was the issue of appropriation. Mayor Hansen stated that he was hopeful the regulations could be changed to allow the corridors to be eligible and competitive under the New Starts Program. Julie stated that the RTD Board has directed staff to go after this and they were interested in partnering with NATA to try to influence our ability to obtain grant funding. Julie also stated that one of the things we needed to do was to go back and look at the corridors to see if we could strengthen our applications given this new approach. She said that RTD would be willing to work with the technical group of NATA to begin that process.

The members discussed the importance of influencing the rulemaking process up-front and the desire to draft a letter that RTD and the NATA members can all sign to be sent to the appropriate elected officials/members of the administration. Mayor McNally commented on the importance of building a whole system and not just the parts and that we need to work together to achieve the goal of building the entire system. She stated that the Denver region has a good story to tell about how we all worked together to create FasTracks and we need to speak with one voice on this again. Bill Christopher stated that the RTD Board was on the same page and that the more voices, the better. Scott Reed indicated that our approach (regional support) has served us very well in the past and that this was an important element in the rule-making process. Mayor Hansen asked Gene Putman to coordinate with RTD and the technical staff to work on draft joint letter to be brought back for NATA review and signature. Mayor Quinn commented that this letter was

also something he felt the US 36 Mayors/Commissioners group as well as the Metro Mayors Caucus would be willing to sign.

- c. Legislative Update. Rosemary Rodriguez, State Director of Senator Bennet's Office, indicated that Senator Bennet is concerned about the growing debt but still very interested in partnering on transportation bills. Rosemary indicated that they are reading the jobs bill that came out of the House and are very interested in receiving your input. She also indicated she would pass on NATA's concerns about the New Starts rulemaking to staff in Washington DC. A question was asked if there would be an opportunity to obtain funding for FasTracks in the Transportation bill and Rosemary indicated she would pass the comment on to the Senator. Gene Putman indicated that the timing criteria under the jobs bill that had been approved by the House basically made it impossible for cities to receive funding. He said that the 90-day timeframe was impossible to meet given that contracts have to go through not only CDOT but also through the local communities Councils. Mayor Hansen asked if there was anything we could provide to the Senator that would help him – perhaps a list of projects. The comment was made that cities don't have projects sitting in the wings and that they don't budget for projects until the money is available. Rosemary said she would pass these comments on to the Senator.
- d. Legislative Update. Gina Salazar, Deputy District Director for Congressman Polis, said she had a brief conversation with Jonathan Asher, transportation legislative aide in DC, about the jobs bill passed by the House. She indicated that there was language in the bill regarding targeting jobs for economically distressed areas but the challenge appeared to be how that was going to be defined. Gina indicated that the Transportation Reauthorization bill is likely not to be taken up until later this year and the real sticking point was how it will be paid. She said that the Congressman supports the regional approach discussed previously.
- e. Congressman Polis tour—February 19, 2010, 9:30 to 11:30. Gina Salazar indicated that two times a year the Congressman holds a staff retreat and that the February retreat is going to be in Adams County. She said that there were a number of tours planned for February 19 and would allow the DC staff to meet staff hear and see the areas being talked about. Joyce Hunt briefly went over the draft agenda indicating that it consisted of three parts: background information, tour, and what we want from the Congressman regarding FasTracks. Todd Stewart asked that the Congressman specifically respond to the question, based on everything you've just seen (tour/background materials), why would you not support this proposal?

Gene Putman and the technical group will work with Gina Salazar to iron out the details of the tour – which is planned to go from 58th to Longmont. Mayor Hansen and Trustee Hauger indicated they will be in attendance. Please notify Joyce Hunt if anyone else plans to attend.

Old Business.

- a. Discussion of governance and obtaining consensus on NATA positions. Mayor McNally said that had she had concerns about some actions taken in the past because she felt it wasn't done on a consensus basis. She indicated that her suggestion at the last meeting to move NATA under the auspices of the Metro North Chamber was an effort to find some neutral ground. The members discussed the desire to speak with one voice and to develop a broader coalition on FasTracks issues. A comment was made that a lot has changed over the past several months (new RTD Executive Director; new announcement on New Starts Grants) and that NATA has had an impact and we want to continue that momentum. Mayor McNally stated that she felt this group is essential and that we need to come up with protocols that set forth how we move forward, how we make decisions, and who speaks on behalf of NATA and that this needs to be in writing. There was discussion about establishing an executive committee but the group decided their preference was for the entire group to weigh in on NATA positions, similar to the process utilized by the Metro Mayors Caucus. Joyce Hunt will assemble information on how other organizations address

governance and send out a draft to the members. Matt Lutkus indicated he would contact the US 36 Mayor/Commissioners group and others and provide that information to Joyce.

Jonathan Perlmutter indicated he was interested in rallying the business community as well as clarifying what the business community's role was in NATA and how the voting structure worked. Mayor Quinn indicated that the Executive Director of US 36 Community Solutions would be a good resource as it relates to developing the business community interest. Matt Lutkus indicated he and others would bring people together to develop a proposal. Another issue that will need to be addressed as it relates to the business community is dues as this was not addressed in the original NATA documents.

- b. 2010 Lobbying Program. This item was deferred to the next meeting although Mayor Hansen indicated that a draft would likely be circulated for review prior to the next meeting.
- c. 2010 Calendar. Mayor Natale commented that there could be a conflict with the July 28th meeting, as this is ADCOG.

2010 Calendar.

March 24, 2010	(4 th Wednesday)
May 26, 2010	(4 th Wednesday)
July 28, 2010	(4 th Wednesday)
September 22, 2010	(4 th Wednesday)
December 8, 2010	(2 nd Wednesday)