

Regional Transportation District

1600 Blake Street
Denver, CO 80202-1399
303/299-2303

Board of Directors

Chair – Lee Kemp, District I
First Vice Chair – Christopher Martinez, District B
Second Vice Chair – Noel Busck, District K
Secretary – Kent Bagley, District H
Treasurer – John Tayer, District O

Barbara Brohl, Director, District D	Angie Malpiede, District C
Bill Christopher, District J	William “Bill” McMullen, District E
Matt Cohen, District M	Jack O’Boyle, District G
Bruce Daly, District N	Wally Pulliam, District L
Bill James, District A	Tom Tobiassen, District F

BOARD OF DIRECTORS MEETING
Tuesday, May 18, 2010 at 5:45 PM (Delayed Start)

- I. CALL TO ORDER

- II. ROLL CALL-DETERMINATION OF QUORUM

- III. RETIREE AWARDS

The following communication assistance is available for public meetings:

- Language Interpreters
- Sign-language Interpreters
- Assisted listening devices

Please notify RTD of the communication assistance you require at least 48 hours in advance of a RTD meeting you wish to attend by calling 303.299.2307

THE CHAIR REQUESTS THAT ALL PAGERS AND CELL PHONES BE SILENCED DURING THE BOARD OF DIRECTORS MEETING FOR THE REGIONAL TRANSPORTATION DISTRICT.

IV. PUBLIC PARTICIPATION

V. COMMITTEE REPORTS-(See Minutes)

Planning & Development Committee - Chaired by Director Martinez
Legislative Committee – Chaired by Director Daly
FasTracks Monitoring Committee – Chaired by Director McMullen
DBE Committee – Chaired by Director Martinez
Operations/Customer Services Committee – Chaired by Director Brohl
Financial/Administration Committee – Chaired by Director James
GM Oversight and Performance Management – Chaired by Director Busck
CDOT – Director Cohen
E-470 – Director Busck
ACED – Director Busck
DRCOG – TBD
Denver Union Station Advisory – Director James
Northwest Parkway-Chair Kemp and Director Pulliam
Pension Committee - Director Pulliam
Rocky Mountain Rail Authority-Director Christopher
Chair’s Report- Chair Lee Kemp

VI. METRO MAYOR TASK FORCE UPDATE

VII. APPROVAL OF REGULAR BOARD MEETING MINUTES OF APRIL 20, 2010 AND SPECIAL BOARD MEETING MINUTES OF APRIL 27, 2010

VIII. GENERAL MANAGER’S REPORT

IX. UNANIMOUS CONSENT

A. Construction Contract Award to White Construction Group for LRT Facility Enhancements

It is recommended by the FasTracks Monitoring Committee that the RTD Board of Directors authorize the General Manager, or designee, to execute all documents necessary to award a construction contract to White Construction Group in the amount of \$4,894,000 for the LRT Facility Enhancements project. Funding for this contract is included in the 2010 Adopted Budget for the FasTracks Light Rail Maintenance Facility Project.

B. Reciprocal Land Swap Agreement with CDOT

It is recommended by the FasTracks Monitoring Committee that the Board of Directors authorize the General Manager or his designee, to negotiate and execute a proposed Letter Agreement between the Colorado Department of Transportation and the Regional Transportation District for the Reciprocal Use of Right of Way for Transportation Facilities confirming the verbal agreement regarding CDOT and RTD’s use of each other’s right of way.

C. Request for Approval of RTD 2009 Annual Report to Denver Regional Council of Governments (DRCOG) on FasTracks

It is recommended by the FasTracks Monitoring Committee that the RTD Board of Directors approve submittal of the RTD 2009 Annual Report on FasTracks to Denver Regional Council of Governments (DRCOG). This report summarizes the changes to the FasTracks Plan, including financing and alignment, which have been approved by the Board in 2009 and early 2010. These changes are included and referenced in the Annual Report.

D. Approval to Adopt the Northwest Rail Corridor Final Environmental Evaluation (EE) Document

It is recommended by the FasTracks Monitoring Committee that the Board of Directors approve the adoption of the Northwest Rail Corridor Final Environmental Evaluation (EE) document.

E. FasTracks Citizens Advisory Committee Appointments

It is recommended by the Nominating Committee for the FasTracks Citizens Advisory Committee of the Regional Transportation District (RTD) that the RTD Board of Directors appoint one member to the Committee to fill a vacancy created by resignation.

F. Contract Amendment for Duncan, Ostrander & Dingess, P.C

It is recommended by the Planning and Development Committee that the Board of Directors authorize the General Manager or his designee, to amend contract 17F0034A with Duncan, Ostrander & Dingess, P.C. for the provision of legal services specializing in eminent domain for the West Corridor Light Rail Project and additional transit projects to increase the contract amount by \$1,000,000, for a new total contract amount of \$2,700,000. This contract was originally awarded January 15, 2008 for an initial three years plus two one year options to renew. The contract is in the third year of the initial performance period which began January 15, 2010 and will end January 15, 2011 with the ability to extend for two one-year options.

Funding for this contract increase is included in the 2010 Adopted Budget for the East Corridor, Gold Line, Northwest Rail, Systems Improvements, and US 36 BRT – Phase I projects.

G. Contract Amendment for Property Acquisition and Relocation Assistance Services Contracts; Universal Field Services, Inc., Briggs Field Services, Inc., and H. C. Peck and Associates, Inc.

It is recommended by the Planning and Development Committee that the Board of Directors authorize the General Manager or his designee, to amend contracts 17DH014 with Universal Field Services, Inc., 17DH001 with Briggs Field Services, Inc. and 17DH013 with H. C. Peck and Associates, Inc. for the provision of property acquisition, relocation assistance, property management and planning services for the West Corridor Light Rail Project and additional transit projects including the US 36 Phase I BRT and the Eagle P3 projects to increase each contract amount by \$1,000,000, for a new total contract amount of \$2,065,000, \$2,000,000 and \$2,550,000 respectively. These contracts were originally awarded September 14, 2007 for an initial two years plus three one-year options to renew. The contracts are in the first option period.

Funding for these contract increases is included in the 2010 Adopted Budget for the East Corridor, Gold Line, Northwest Rail, Systems Improvements, and US 36 BRT – Phase I projects.

H. 2009 Audited Financial Statements

It is recommended by the Financial Administration and Audit Committee that the Board of Directors accept and enter into the record the District's audited financial reports relating to the year ended December 31, 2009 as prepared by Staff and audited by the District's independent auditor, Bondi & Co. LLC.

I. State Audit, Item #11

It is recommended by the Financial Administration and Audit Committee that the RTD Board of Directors adopt the revision of the reporting structure for the internal audit function to improve communication procedures and independence of the department in light of the State Audit Examination.

J. Budget Transfer for West Corridor

It is recommended by the Financial Administration and Audit Committee that the Board of Directors authorize a transfer of \$20,000,000 from the West Corridor Parking Garage project to the West Corridor project budget. This transfer would accelerate funding originally programmed in 2011 for the West Corridor project into 2010. Funding for the West Corridor parking garages would be replenished in the 2010 Amended Budget to allow design-bid packages for the garages to be issued in late 2010.

K. RESOLUTION NO. ____, SERIES OF 2010 Revised policy on Lifetime Bus Passes for Spouses

L. August 2010 Service Changes

It is recommended by the Operations/Customer Services Committee that the Board of Directors approve moving the proposed August 2010 Service Changes (Attachment A) on to public review and comment.

X. RECOMMENDED ACTION

M. U.S. 36 Transportation Investment Generating Economic Recovery (TIGER) Grant Contingent Commitment

It is recommended by the Financial Administration and Audit Committee that the Board of Directors offer a contingent fiscal commitment of \$30 million to leverage the \$10 million awarded to the U.S. 36 Corridor project through the "Transportation Investment Generating Economic Recovery" (TIGER) grant program into a significant, \$160 million project extending the current US 36 HOV lanes west to Broomfield in a managed lane (BRT/HOV/HOT) configuration, based on the following contingencies:

- a. The Eagle P3 project financial close matches or betters the established budget as anticipated.
- b. The balance of \$130 million project funding is found and committed to by the loan deadline.
- c. In order to demonstrate local financial support to U.S. DOT and to satisfy the 2.5% local match commitment for RTD FasTracks corridors, local governments sign Intergovernmental Agreements (IGAs) to commit \$769,231 in local match via cash or in-kind cost reductions to RTD's share of the project.

Through preparation of the U.S. 36 Environmental Impact Statement (EIS), the U.S. 36 communities, in concert with RTD and the Colorado Department of Transportation (CDOT), have been planning improvements to the U.S. 36 Corridor for the last six years. The planning efforts have culminated in the recommendation of multi-modal improvements ready for implementation. Funding for the \$30 million is included in the FasTracks Financial Plan in the U.S. 36 BRT – Phase 2 project and is programmed for expenditure in 2010 and 2011 derived from current sales and use tax revenues, which meets the fiscal obligation timeframe requirements for TIGER.

XI. EXECUTIVE SESSION

- 1) C.R.S. 24-6-402(4)(e) DUSPA Negotiations

XII. RECOMMENDED ACTION

- N. Item from Executive Session**

XIII. UNFINISHED BUSINESS

XIV. NEW BUSINESS

XV. ADJOURN