

Memorandum

To: Board of Directors/RTD Staff
From: Paula Perdue, Executive Manager to the Board
Date: June 22, 2010
Subject: Minutes of the Regular Board of Directors meeting held on Tuesday, June 22, 2010 at 5:45 p.m. in rooms R, T, and D.

I. CALL TO ORDER

Chair Kemp called the meeting to order at 5:35 p.m.

II. ROLL CALL - DETERMINATION OF QUORUM

Ten (10) Board members were present at roll call. Director Tayer arrived late and Directors Brohl, Christopher, Martinez and O'Boyle were absent.

III. RETIREE AWARDS

There were no retirees present. Chair Kemp commented that Martha Hecox, one of the retirees with 32 years of service, had started her career as a ride checker, rose through the ranks and at one time held the position of AGM of Operations. She will be missed.

SPECIAL RECOGNITION

The Board recognized the participants of the 2010 International Bus Rodeo. Director Daly complimented the team on their performance. Chair Kemp commented that the team is working harder and harder to be a part of this competition. He thanked them for taking the time to participate and noted we are inching closer and closer to the big win.

Bruce Abel. AGM of Operations introduced the members of the team and shared a little about their background:

John Deschner—has over 29 years at RTD, has won the RTD Rodeo 9 times and competed internationally 9 times.

Bus Maintenance team:

Larry Perkins has 33 years at RTD, 18 times competition in the RTD Rodeo and 5 times at the International Rodeo.

Marco Carrillo was not present.

Ben Carroll has 11 years with RTD, 8 times with the RTD Rodeo and 4 times competing in the International Rodeo.

Chair Kemp reminded the Board that the RTD Rodeo will be September 11th and they should consider competing again in 2010. He challenged the new General Manager, Phil Washington, to compete on September 11th.

IV. PUBLIC PARTICIPATION

Curtis Willoughby, Littleton, is visually impaired and lost access to the stop at Central Avenue of the Flatirons business park when route 206 was changed. He indicated that he had been

told by staff that elimination of the route saved \$162K but he questions if all that comes from the .8 mile from this route. He wants RTD to fix the route and provide this service to the Flatirons in Boulder.

Maryann Migliorelli, Boulder, spoke on behalf of the Boulder Chapter of the National Federation of the Blind. She thanked RTD for listening to their ideas, concerns, etc and accepting suggestions for route improvement. She would like RTD to re-consider the route 206 and work together to look for options for the visually impaired especially in the winter months.

Karey Carbough, Longmont, also visually impaired, expressed gratitude to RTD for services. This allows him to maintain his independence and he has been a 30+ year rider. Over the years he has noted more and more loss of service. As the number of services/trips has declined, so has the number of riders who have had to find other alternatives. They have given the RTD staff some proposals that he asks this Board to consider.

Phil Greenwald, transportation planner for the City of Longmont, thanked the staff for meeting with them on June 21, 2010. He expressed concerns over the riders/connectivity with a new service Longmont Express that services the neighboring communities of Ft. Collins, Longmont and Berthoud. Cutting off the service in Longmont would affect their ability to make the connection with Longmont Express. He also noted that some of the decisions were based on old data collected in the fall of 2009 by ride checkers when people were losing their jobs. He believes current ride check data will tell a different story.

Chris Rothe, Golden, shared that one year ago he had his car vandalized at the park-n-ride at Coal Creek. His car was recently stolen at that same park-n-ride and he expressed concerns that there are no cameras at these park-n-rides. He asked if there were plans to add cameras. He expressed that RTD is failing in its obligation to provide security at the park-n-rides. Director Busck asked if the staff can take a look at the report on vandalism at that facility and report back.

Director Tayer thanked the riders who had attended the public hearing on the route 206 and requested staff to address their specific concerns.

Director Bagley shared that the Colorado Center for the Blind is in his district in Littleton and he has been talking to them and understands the concerns.

V. COMMITTEE REPORTS

There were no changes to the Committee reports.

Director Cohen reported on a recent meeting between the CDOT Commissioners and the RTD Board of Directors. There were 10 Commissioners and 10 Board members who participated in an interactive exchange of ideas and concerns. This was more of a relationship building with both groups recognizing the organic relationship and the opportunity to further develop this relationship. He thanked Lisa Trujillo, Board Analyst for setting up this meeting.

Director Bagley commented that the CDOT Commission has established a new division on Transit and Rail. RTD and CDOT will need to get together to have further discussions on this division.

GM Oversight and Performance Management Committee—Committee Chair Busck provided an update on the status of this committee. The Committee is well along in approving a General Manager job description, goal setting and evaluation policies. These documents will be reviewed with the full Board at the July 13th meeting and should be finalized before the due date to the State Auditors of September, 2010. The benchmarking process is a little more difficult and will require more time to complete.

VI. METRO MAYOR TASK FORCE

Chair Kemp reported the Metro Mayors had a meeting on June 11th. General Manager Washington presented on the PPP process. We now have a concessionaire on Board. He thanks the Board and especially the staff for the countless hours, hard work, and commitment to confidentiality to deliver a stand-up program that is the best in the country.

VII. APPROVAL OF REGULAR BOARD MEETING MINUTES OF May 18, 2010

MOTION: Director Pulliam moved for the adoption of the May 18 regular Board minutes.

Director Tobiassen seconded the motion.

VOTE ON MOTION: An electronic vote was taken with 9 votes in favor, 0 against and 2 abstain (Directors Bagley and Daly) who were absent from this meeting. Directors Brohl, Christopher, Martinez and O'Boyle were absent.

Chair Kemp declared the motion **PASSED**.

APPROVAL OF SPECIAL BOARD MEETING MINUTES OF May 25, 2010.

MOTION: Director Pulliam moved for the adoption of the May 25 Special Board meeting minutes.

Director Malpiede seconded the motion.

VOTE ON MOTION: An electronic vote was taken with 9 votes in favor, 0 against and 2 abstain (Directors Malpiede and Bagley) who were absent from this meeting. Directors Brohl, Christopher, Martinez and O'Boyle were absent.

Chair Kemp declared the motion **PASSED**.

APPROVAL OF SPECIAL BOARD MEETING MINUTES OF June 15, 2010.

MOTION: Director Pulliam moved for the adoption of the June 15 Special Board meeting minutes.

Director McMullen seconded the motion.

VOTE ON MOTION: An electronic vote was taken with 9 votes in favor, 0 against and 2 abstain (Chair Kemp and Director Cohen) who were absent from this meeting. Directors Brohl, Christopher, Martinez and O'Boyle were absent.

Chair Kemp declared the motion **PASSED**.

VIII. GENERAL MANAGER'S REPORT

Before he began his report, General Manager Washington welcomed Carla Perez, the new Assistant General Manager of Administration.

- **Two Creeks Neighborhood Organization Meeting-June 19**

General Manager Washington, Director Cohen, West Corridor contractors and others attended a meeting with the Two Creeks Neighborhood Organization. RTD was there primarily in a listening mode. Other representatives included Mayor Murphy and the Ombudsman. There was quite a represented group.

Director Cohen added that this group represented the neighborhood primarily off 6 Avenue between Sheridan and Wadsworth. They expressed some frustrations that they have had for years. He believes that RTD's presence there took us one step closer in changing some of the perception but this will not happen overnight. He received a thank you card from the President of the Organization.

- **The FasTracks Plan Going Forward**

General Manager Washington thanked the Board again for their leadership and support. He outlined that they are pursuing an aggressive posture with the Eagle P3 and FasTracks that will include these elements:

- Accelerate financial close
- Pursue August groundbreaking
- Start Workforce Initiative (community & trade organizations)
- Lessons learned on Eagle P3 project (give team perspective and include FTA input)
- Provide October financial plan update & identify staff recommendations for remaining funds (technical feasibility analysis)
- FasTracks construction ready—years 2010, 2011, 2012-pursuit of funding for unfunded corridors.

- **Employee Forum and Awards Presentation**

General Manager Washington will host an employee forum at the King Center on Auraria Campus. Board members are invited.

- **Additional Questions from Members of US Congress on Congressional Testimony**

RTD staff has responded to additional questions from members of Congress since his Testimony on the Hill. There is great interest in the PPP program and RTD has heard from and received multiple requests from across the country. General Manager Washington shared some examples of the type of questions asked and felt the timing was good and we included in our response that the Board had approved the concessionaire on June 15th. Director Pulliam noted our responses were good and on point.

- **DUS Financial Reporting Update**

We are making progress in our effort to set up process for managing of the financial reporting element of the DUS plan per the condition that RTD placed on giving DUSPA the advanced funds. The CFO is working on the general ledger transfer. July 6 is the targeted date for the sale of the North Wing property.

- **Analysis of Bus Accidents**

Staff has recently completed an analysis of bus accidents from Jan through May, 2010. This has provided good statistics on hot spots, types of accidents, etc and helps us to identify areas for improvement. AGM Dave Genova, Safety, and his staff have done a great job of pulling these reports together. They will report out at the next Operations Committee meeting.

Director Daly inquired about an update on the de-watering at DUS. AGM Rick Clarke will follow up.

Director McMullen asked "What are we doing about safety", and expressed we need to tell the story of our efforts since the accidents.

IX. UNANIMOUS CONSENT

MOTION: Director Pulliam made the motion to approve the unanimous consent agenda items A through H.

Director Cohen seconded the motion.

DISCUSSION: A brief discussion occurred about the approval of the August 22 Service Changes. Chair Kemp acknowledged the concerns and sensitivities expressed by members in his District (Longmont) but stated that given the amount of service reductions that are occurring in all transit across the country, RTD is doing a good job of managing the deficiencies. He cited that Sacramento was doing a 20% cut across the board compared to RTD who has made a 1.1 percent change.

Director James asked the question "Why are we doing so well"? General Manager Washington indicated there are a lot of factors but unlike other agencies that may be doing wholesale cuts, we are making surgical cuts and approaches in our reductions using a very business-like approach. RTD also has highly qualified staff with great expertise and can effectively manage and implement programs. Director Kemp added we have a good relationship with our constituents and elected official community which aids in the implementation and support of programs.

VOTE ON MOTION: An electronic vote was taken for items A through H with 11 votes in favor and 0 against. Directors Brohl, Christopher, Martinez and O'Boyle were absent.

A. Amendment to RTD Defined Contribution Plan and increase in RTD Administrative Contribution for All Plan Participants

It is recommended by the Financial Administration and Audit Committee that the RTD Board of Directors (i) amend the RTD Defined Contribution Plan to provide for participation by the General Manager in accord with the General Manager's Employment Agreement; and (ii) increase its administrative contribution to the plan to

provide payment of investment management fees for all plan participants from \$25,000 to \$35,000 per year.

B. Dataman, USA (Dataman) IT Work Order Contract Increase of Contract Value Not-to-Exceed

It is recommended by the Financial Administration and Audit Committee that the Board of Directors authorize the General Manager to execute all documents necessary to increase the contract value not-to-exceed limit for an existing contract with Dataman USA for IT Technical and Management Support Services \$350,000 to extend the current work order contract IT Technical and Management Support for General Software Development Life-Cycle Services and Migration of Legacy Software (17DK001). This contract was originally awarded May 1st, 2007 to Dataman USA, LLC (a DBE/SBE company) through the competitive bid process. The contract allowed for an initial year plus four one year options to renew based on positive performance by the vendor. In order to continue the 3rd year option additional funding must be added to the contract not to exceed. The proposed action increases the current contract not-to-exceed limit of \$565,000 by \$350,000 to a new total contract not-to-exceed limit of \$915,000.

C. Ciber, Inc. (Ciber) IT Contingency Work Order Contract Increase of Contract Value Not-To-Exceed

It is recommended by the Financial Administration and Audit Committee that the Board of Directors authorize the General Manager to execute all documents necessary to increase the contract value not-to-exceed limit for an existing contract with Ciber for IT Technical and Management Support Services (Contract 15DK008). This contract was originally awarded in 2006 to Ciber through a competitive bid process. The contract allowed for an initial-year plus four (4) one-year options to be renewed based on positive performance by the vendor. The final option has been executed and the period of performance extended to April 24, 2011. The proposed action increases the current contract not-to-exceed limit of \$2,550,000.00 by \$500,000.00 to a new total contract not-to-exceed limit of \$3,050,000.00.

D. State Legislative Liaison Services

It is recommended by the Executive Committee that the Board of Directors authorize the General Manager to enter into an agreement (for state legislative liaison services) with Brandeberry ~ McKenna Public Affairs (BMPA) to exercise a one-year option (July 1, 2010 through June 30, 2011) to extend Contract No. 17-DX-001, at a cost of \$101,000, pursuant to the Contract Award agreement.

E. FasTracks Fare Collection Contract Award to Scheidt & Bachmann USA, Inc.

It is recommended by the FasTracks Monitoring Committee that the Board of Directors authorize the General Manager, or his designee, to execute all documents necessary to award a contract for the FasTracks Fare Collection Project (Ticket Vending Machines) to Scheidt & Bachmann USA, Inc. in an amount not-to-exceed \$14,000,000.00. Funding for this project is included in each FasTracks corridor's budget.

F. Recommendation for Contract with the Union Pacific Railroad for Advance Relocation Work In the Vicinity of Denver Union Station

It is recommended by the FasTracks Monitoring Committee that the RTD Board of Directors authorize the General Manager to enter into a contract with the Union Pacific Railroad (UP) for reimbursement of design, material acquisition and construction necessary to relocate UP tracks in the vicinity of Denver Union Station (DUS), in an amount not to exceed \$600,000. This work in advance of a comprehensive agreement for relocation of UP on the East Corridor is necessary due

to construction at DUS that is impacting the adjacent UP property. Funding for this relocation is included in the 2010 Adopted Budget for the East Corridor project.

G. Resolution Authorizing MTI TIFIA & RIFF Loan Agreements

H. Approval of August 22, 2010 Service Changes

It is recommended by the Operations/Customer Services Committee that the Board of Directors approve the August 22, 2010 Service Change package as revised and summarized on Attachment A resulting in a net annualized cost savings of approximately \$1,168,000, and, further, to authorize the General Manager to execute contract amendments as necessary for private operators whose service is impacted by these changes.

Chair Kemp declared the motion **PASSED unanimously.**

X. RECOMMENDED ACTION

There were no recommended actions.

XI. EXECUTIVE SESSION

There was no Executive Session.

XII. UNFINISHED BUSINESS

There was no unfinished business.

XIII. NEW BUSINESS

There was no new business.

XV. ADJOURNMENT

The Board meeting adjourned at 6:35 p.m.

Prepared and Transcribed by:



Paula Perdue, Executive Manager to the Board