

Front Range Passenger Rail District
Board Meeting
October 28, 2022
Board Meeting Agenda

1. Welcome and Roll Call - Chair
2. Approval of prior minutes - Chair
 1. Board action - **Board action necessary**
3. Public comments - Chair
 1. Chair Souby moderates if any public online requesting to speak or submitted written comments
4. Treasurer's Report
 1. Draft budget
 2. 2022 Financial statement to date
5. Old Business - Andy
 1. CRISI grant support letters - **Board action necessary**
 2. Service development plan update
 3. Committee participation
 4. GM position offer - Chair and Executive Committee
 5. Executive Session
 6. GM Position offer
6. New Business - Andy
 1. Board retreat = December 8th and 9th
 1. Board meeting on the 9th after retreat?
 2. KKR, HNTB, FRA, CIDP

Next Meeting - December 9, 10:30-11:30

Adjourn Meeting - **Board action necessary**

Front Range Passenger Rail District
Board of Directors

Deborah Mulvey	DRCOG
Julie Duran Mullica	DRCOG
Joan Peck	DRCOG
Chris Nevitt	DRCOG
Jill Gaebler	PPACG
John Graham	PPACG
Will Karspeck	NFRMPO
Johnny Olson	NFRMPO
Dennis Flores	PACOG
Luis Lopez	SCCOG
Jim Tylick	BNSF Railway
Nathan Anderson	Union Pacific
Rob Eaton	Amtrak
Debra Johnson	RTD
Randy Wheelock	I-70 Mountain Corridor Coalition
Amber Blake	CDOT
Daneya Esgar	environmental conservation
Jim Souby	transportation and public finance passenger rail system
Sal Pace	development or ops
Josh Laipply	General Public
Jose Soto	Statewide labor org
Claire Levy	City/county within FastTrax
Dale Steenberg	CEO Cheyenne Chamber
David Harris	Tranist/Rail Dr NMDOT

Front Range Passenger Rail District
Board of Directors
Meeting Minutes - Draft
September 23, 2022
9:00-11:00

Chair Souby called the meeting to order at 9:00 and took role.

Jim Souby - present
Jill Gaebler - present
John Graham - excused
Dennis Flores - present
Will Karspeck- present
Johnny Olson – excused
Sal Pace- present
Jim Tylik- present
Nathan Anderson – present
Luis Lopez - present
Debbie Mulvey - present
Julie Mullica- present
Joan Peck - excused
Chris Nevitt- present
Daneya Esgar- present
Debra Johnston- excused
Amber Blake – excused
Josh Laipply- present
Jose Soto- present
Claire Levy- present
Rob Eaton - excused
Randy Wheellock- present
Dale Steenbergen - excused
David Harris – excused

On a motion by Josh Laipply and seconded by Deborah Mulvey the Board approved last month's meeting minutes with two typo corrections mentioned and addressed.

Chair Souby read two emails that folks submitted through the FRPR website during the public comments period. No other public comments were had and Chair Souby closed the public comment portion of the meeting.

Treasurer Nevitt provided a financial report to the Board. He detailed the current fund balance, \$1.9M general fund dollars from last legislative session. In addition, there are some more funds

to be transferred, pass through funding for the Trinidad grant (appx \$12.2M) and some funding from interest and remaining funds from original general fund dollars in 2018. Treasurer Nevitt said that at the October meeting the Board will have a draft budget for 2023, and a financial statement detailing the District's finances and expenses for the short 2022 year. The Board will be able to discuss the draft budget in October and adopt the budget in January, 2023.

Directors had a conversation about the pass through funding that came in to the Rail Commission for the Trinidad RAISE grant. These dollars are dedicated for track improvements along the SW Chief line and the Rail District approved managing these funds with Trinidad when it approved FRPR District resolution #F001-2022, Prior Fiscal Commitments of SW Chief Commission. Director Lopez said he would get the latest timeline and information about their consultant manager for the funds to the District directors for their info and review.

Director Mulvey requested a one page fact sheet be placed on the FRPR website that includes the prior fiscal commitments of the Commission that the District must now uphold and pay/facilitate. This will be uploaded to the website on the Documents page.

The Directors moved on to Old Business and the first order of business was approving the draft bylaws. Director Levy and Mulvey recommended a couple of edits and ongoing conversations for the Board to continue, specifically around what constitutes a quorum for the Board. This will be brought up during the FRPR District Board retreat in December. Chris Nevitt made a motion to approve the bylaws, Jill Gabler seconded it. After discussion about possible additions to the bylaws, but with the desire to formally adopt the bylaws, the Directors amended the motion to approve additional comments/suggestions by Directors for discussion during the December retreat. The amended motion passed.

Next, Director Laipply raised the proposal that the FRPR District Board draft a letter of support for Denver's CRISI grant application that would provide planning/design funding for additional projects that could benefit the Burnham Yard redevelopment. The Board agreed to review the draft letter Laipply will send out and vote on it in the October board meeting. They also agreed the Communications and Government Affairs committee will also review the draft letter prior to the board meeting in October.

Director Flores updated the board on the latest information on insurance coverage for the Directors. Now that the District has a functioning bank account with funds, the insurance can be paid, but first the Board had to approve an IGA detailing some administrative details around the insurance pool the District will join. The IGA passed unanimously and staff will get a revised insurance amount from the pool and transfer the funds to get the appropriate coverage for the Board.

Interim GM Andy Karsian updated the Board on the ongoing work with the service development plan consulting group, HNTB. The group is organizing for the multi-year project ahead and plans to engage the Directors before and at the Board retreat in December.

The Board discussed the next agenda item, adoption of the bylaws. Director Levy brought up some proposed edits to the bylaws and Director Nevitt clarified that there should be a motion for the bylaws to be approved, and then we can have further discussion around amended

language. Director Nevitt moved bylaws, as written, and Director Gaebler seconded. During comments, Director Levy proposed two year term for Directors, clarifying the Board's ability to hire consultants and staff if needed, list committee descriptions and duties in bylaws, allow public input at every board meeting, and for clarifying what constitutes a quorum. Discussion continued around the question of determining quorum using the voting members vs including non-voting members. Director Mulvey proposed a change that clarified Director's who have a conflict of interest and abstain from a Board vote shall be recorded as abstaining and not absent. She also mentioned a clarification on determining votes in committee that forward policy to the overall Board. The language is not clear if non-voting members' votes count in those committee votes. Final suggestion included a clause stating typos and non-substantive changes may be made by the Secretary or General Manager without permission from the entire Board. Director Wheelock concurred with the idea that non-voting members should not be included in calling a quorum. The non-voting members should be included in the decision and discussion moving forward with the committees and should be part of the votes moving policies forward to the larger Board as the non-voting members provide subject matter expertise on a variety of policies. Director Nevitt proposed the suggestions that staff and Directors continue to work with council on final wording, and then adopt amendments to the bylaws in the future. Steve Kaplan clarified that the enabling statute states that the majority of the voting Directors constitutes a quorum. Director Levy amended the motion to clarify that the quorum language is revised to reflect statutory language, and the additional proposals be discussed at the retreat. Director Mulvey seconded. Amended motion approved. Motion on the floor to adopt bylaws as amended was approved unanimously.

Interim GM Andy Karsian updated the Board on the upcoming hiring process for the General Manager position. Staff will post the job online for a week and the Executive Committee members will have access to the District's email to review and rate the candidates' resumes. The final candidates will be interviewed at the end of September/beginning of August, with the intent of having a hiring decision at the October board meeting.

Under New Business, Chair Souby reported on the Transportation Legislative Review Committee meeting that he, Jill Gabler and Andy Karsian presented at. The presentation went well and there were a few questions from the members on proposed route and costs, which Chair Souby answered well.

Chair Souby announce the next board meeting date as October 28th, from 9-11 am.

With all business completed for the meeting, Chris Nevitt made the motion to adjourn, Jill Gabler seconded it and the meeting adjourned.

Copies of the July district board meeting, meeting minutes, and virtual chats can be found on the FRPR website and by contacting us at FRPRdistrict@gmail.com.

Front Range Passenger Rail District Draft Budget and Fiscal Statement Overview

Summary

Operating budget: \$2.1M*

2023 monthly expenses w/ GM position +1: \$28,500*

Draft 2023 budget (2 staff): \$332,441*

*not final

Expenses to date: 2022

WIX.COM	\$27.00
FRPR website domain	\$1.25
Wix.com @frontrangepassengerrail.com business email	\$6.00
wix.com Ascend	\$24.00
POSTBOX	\$17.50
ZOHO DATABASE	\$150.00
ZOOM	\$280.00
X four months of operations	<u>x 4</u>
Sub Total	<u>\$2,023*</u>
Insurance	\$1,000
Legal	<u>\$TBD</u>
Total	<u>\$3,025*</u>

*Not final

Draft Letters of Support for Denver's CRISI grant application for work benefitting the district: one to DRCOG for TIP amendments, one to FRA.

November 1, 2022

Mr. Doug Rex
Executive Director
Denver Regional Council of Governments
1001 17th Street, Suite 700
Denver, CO 80202

Re: Alameda Underpass Design for Reconstruction

Dear Mr. Rex & DRCOG Board of Directors:

The Front Range Passenger Rail District (FRPRD), below, in collaboration with the City and County of Denver (CCD) and other project partners, endorses the Alameda Underpass Design project for the Regional TIP Call #3 funds. The project will advance the ability of the Region to replace critical infrastructure in advance of and supporting the expansion of passenger rail. This project will address aging infrastructure and respond to the changing alignment and width of railway tracks crossing Alameda. The project will also address multi-modal connectivity to the adjacent Alameda light rail station serviced by RTD and provide east-west connections to some of Denver's oldest and most historically under-served neighborhoods.

The Front Range Passenger Rail District (FRPRD) and many project partners have been working to bring Front Range Passenger Rail to fruition for several decades. Over that time, the FRPRD has stated its support and preference for passenger rail serving and passing through Downtown Denver. *The Burnham Yard area, and the surrounding crossing infrastructure, including the Alameda Underpass, are critical to taking a step toward fulfillment of this vision.*

We look forward to continuing our strong partnership with CCD and other partners to deliver this vital project that will design replacements for infrastructure that will serve regional and statewide passenger rail needs. We enthusiastically request DRCOGs careful and positive consideration of Regional TIP funding for the project.

Sincerely,

Andrew Karsian
General Manager, Front Range Passenger Rail District

November 1, 2022

Mr. Douglas Gascon
Office of Policy and Planning,
Federal Railroad Administration
1200 New Jersey Avenue SE, Room W38-212
Washington, DC 20590

Re: **Central Denver Rail Realignment and Expansion**

Dear Mr. Gascon:

Colorado's Front Range Passenger Rail District (FRPRD), in collaboration with the City and County of Denver (CCD) and other project partners, strongly endorses **Central Denver Rail Realignment and Expansion** project for the Consolidated Rail Infrastructure & Safety Improvements (CRISI) program. The project will significantly advance the ability of the Region to replace critical infrastructure in advance of and supporting the expansion of passenger rail. This project will address critically aging infrastructure, current safety concerns, and respond to the changing alignment and width of railway tracks in central Denver. The project will also address multi-modal connectivity to the adjacent light rail stations serviced by RTD and provide east-west connections to some of Denver's oldest and most historically under-served neighborhoods.

The FRPRD and many project partners have been working to bring Front Range Passenger Rail to fruition for several decades. Over that time, the FRPRD has stated its support and preference for passenger rail serving and passing through central Denver. The former UP Burnham Yard area, and the surrounding crossing infrastructure, including the Alameda Underpass, and 6th & 8th Avenues, are critical to taking a "building blocks" step toward fulfillment of this vision.

We look forward to continuing our strong relationship with CCD and other partners to deliver this vital project that will design replacements for infrastructure that will serve regional and statewide passenger rail needs. We enthusiastically request the Federal Railroad Administration's careful and positive consideration of CRISI funding for the project.

Sincerely,

Andrew Karsian
Director, Front Range Passenger Rail District

Front Range Passenger District Board Meeting Slide Deck



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 - c. GM position offer- Chair and Executive Committee
 - d. Executive Session
 - e. GM Position offer
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 - ii. KKR, HNTB, FRA, CIDP
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8. Adjourn Meeting - **Board action necessary**



Prior Minutes/Public Comment

Approve Prior Meeting Minutes

- Sent to Directors in board packet on October, 21st
- Any edits, comments?
- Board motion to approve, edit, not approve

Public Comments

- Anyone on the call wishing to make comments please raise your hand and the Chair will recognize you.
- If anyone submitted written comments via email or through the website, the Chair will read them now and request they be submitted into the meeting minutes.



Treasurer's Report



“Our short-term solution is money. Our long-term solution is more money.”

Draft Budget and Fiscal statement

Summary

Operating budget: \$2.1M*

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Treasurer's Report

Expenses to Date - 2022

WIX.COM	\$27.00
FRPR website domain	\$1.25
Wix.com @frontrangepassengerrail.com business email	\$6.00
wix.com Ascend	\$24.00
POSTBOX	\$17.50
ZOHO DATABASE	\$150.00
ZOOM	\$280.00
	<u>x4</u>
	<u>2,023*</u>
Insurance	\$1,000
Legal	<u>\$TBD</u>
	\$3,025*

*Not final



Old Business

- CRISI grant support letter - **Board action necessary**
- Service development plan update
- Board retreat = December 8th and 9th
 - Board meeting on the 9th after retreat?
 - KKR, HNTB, FRA, CIDP
- GM position summary - Chair and Executive Committee
- Executive Session
- General Manager Position Offer



New Business



Board Retreat

In Denver- location TBD

Begins Thurs, Dec 8th, around noon

Ends Friday, Dec 9th, around noon

Add a Dec board meeting onto the end of the retreat?

FRPR FRONT RANGE
PASSENGER RAIL



Next Meeting

December 9th, 10:30-11:30

FRPR FRONT RANGE
PASSENGER RAIL