



- Agenda Item: **MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
FRONT RANGE PASSENGER RAIL DISTRICT (THE “FRPRD”)**
Held: Friday, January 27, 2023; 9:00 am
(Virtual)
- Attendance: The regular meeting of the Board of Directors of the FRPRD was convened in accordance with applicable statutes of the State of Colorado, with the following Directors present:
- Deborah Mulvey, Julie Duran Mullica, Jill Gaebler, Chris Nevitt, John Graham, Will Karspeck, Johnny Olson, Dennis Flores, Jim Tylick, Nathan Anderson, Debra Johnson, Randy Wheelock, Amber Blake, Daneya Esgar, Jim Souby, Sal Pace, Josh Laipply, Jose Soto, Claire Levy, Dale Steenbergen, David Harris, Joan Peck, and Rob Eaton.
- Not Present: Luis Lopez, Alex Khaflik
- Chair Souby called the meeting to order @ 9:00 am: Chair Souby welcomed everyone and added an item to the agenda under old business – election of board officers. Director Mulvey took roll.
- Old Business: Director Olson motioned to accept the prior meeting minutes and Director Graham seconded. Motion passed unanimously.
- Public Comment: There were no public comments. Director Levy asked how the public would notify the District if they wanted to comment. Chair Souby and General Manager Karsian mentioned the public could raise their hands in the Zoom meeting or contact staff through the District website.
- Treasurer’s Report: Treasurer Nevitt provided the board with Actual Expenses for 2022 and a revised 2023 budget. Director Flores asked about the expenditures for the retreat for the hotel bill and whether it was reimbursed. General Manager Karsian answered that policies will be put in place describing any mileage reimbursement/per diem. He also said the District paid for the hotel room for the directors. Director Pace suggested the Executive Committee take up the policies and come back to the full board with their recommendations. Director Mulvey suggested the line item “marketing” be renamed “communications” to better reflect the intent of the funds. Director Flores moved to accept the Treasurer’s Report, Director Levy seconded. The motion passed unanimously.
- Old Business:
Election of Board Officers Chair Souby let the board know the current slate of board officers wished to continue their positions for the next year. The current board members’ term will begin in Jan 2023, with their prior time as officers viewed internally as time spent helping the Executive Committee stand up the District, but not part of their official term. Director Mulvey moved to accept the current slate of board officers to continue for two year terms. The motion was amended to reflect the District bylaw’s one year term for officers. The amended motion was accepted unanimously, and the board accepted the current board officer slate for another year’s term.



The board chairs are as follows:

Chair: Jim Souby
Vice Chair: Jill Gaebler
Secretary: Julie Duran Mullica
Treasurer: Chris Nevitt

Old Business: SDP
Scope and Timeline

General Manager Karsian reported on the motion from the board retreat to examine expanding the scope of the service development plan to include Greeley and Trinidad, and to examine opportunities to expedite the service development plan moving into the future. Conversations with the consultants resulted in several options: (1) there could be an extension of the current service development plan to include the new municipalities, (2) there could be parallel service development plans for them, (3) or the board could do nothing with the current service development plan and still include the outlier municipalities in the report with appendices detailing how those areas are still part of the larger transit picture within the District, even though there may not be a direct passenger rail line present in the near future.

Director Pace mentioned the confusion around the costs associated with what it would cost to get things done before the 2024 election. He also mentioned that studying routes to Greeley and Trinidad must have some hard data and research to inform decision making. He suggested that the board formalize the conversations in a letter to the Governor asking for funds to get additional work accomplished.

Director Lopez agreed with Director Pace. He questioned whether there was any additional funding for the extra service development plan work, and he commented the rail needs to be from state line to state line. He thought the ballot measure could be on the 2024 election, but the ballot measure should be for the entire district and not just in the metro areas. He believes phasing makes sense in the future and needs to include everything from border to border.

Director Levy asked what the goals are in expediting the service development plan. If the purpose is to get to the ballot in 2024, she does not believe the District is close to getting on to the ballot. She would rather develop a thorough service development plan before putting together a campaign. Expanding the SDP makes sense, but not speeding up the timeline to meet a ballot deadline.

Director Mulvey worried that rushing the service development plan is not the right idea, stating we should follow the statute on what we're focusing on and why.

Director Laipply agreed about extending the service development plan border to border. He noted that rushing it has a negative connotation, but there must be a sense of urgency.

Director Blake echoed Director Laipply's comments. She noted political winds may change and there are federal dollars available, and hopefully at the state level for matching dollars.

Director Gaebler stated the Rail Commission completed the alternative analysis and that is what the District is working off of. The 'state line to state line' represents the District, but the service development plan studies the alternatives handed to the District. She would like to hear from the consultants on why staying the course would be better.

Director Esgar mentioned her intent in passing the bill in the legislature was to include border to border service. That is the purpose.

Director Johnson provided comments on the RTD experience in the past and recommended doing due diligence prior to going to the ballot to avoid the negative impacts of rushing a project this large. Speaking to the elephant in the room, the NW Rail issue may be confused by the public to be FRPR and it would be an albatross around this District's neck as it is around RTD's. Strong outreach and communication to the communities in the District is the best way to educate and provide insights on the vision and goals to avoid negative impacts of not doing enough.

Director Peck asked whether the consultants could estimate funding levels generated in the various regions/cities within the District. Also, she asked whether the District applied for FRA funds to pay for this study, and if there are funds coming from the federal government. General Manager Karsian answered that there were federal dollars via the state for the service development plan, as well as FRPR contributed funds from the District budget.

David Singer, CDOT Assistant Director of Transit and Rail, provided key context. He noted that the Rai Commission recommended the first step should be from Pueblo to Fort Collins. CDOT, RTD, host railroads, the State, and the Commission all agreed with that recommendation. There could be studies that are outside of the service development plans to include other cities, but it would involve getting buy-in from the various stakeholders again for the new scopes. There could also be rail studies that are not paid for/governed by the FRA, but that data would not be able to be included in CIDP applications or other grants as the federal government did not oversee the grant for the study. The District is in good standing and the future looks good with the FRA for funding because of the work the Commission did in the past working with stakeholders and the FRA. Going back to them at this time would confuse the service development plan or message, as there would be no solid reason to pursue additional service development plans since the new plans would be beyond what the Commission and the FRA approved in the past.

Director Pace mentioned that there are existing tracks in Trinidad that go from Chicago to Los Angeles, so the question should be what the state gets by connecting to Los Angeles, instead of what Trinidad gets out of the District. Also, the Rail Commission never looked directly at a route going to Trinidad, nor a route from Fort Collins to Greeley as part of the process. He mentioned the District should figure out how much it would cost to study additional rail lines, bring that number to the Governor, and ask him to help the District find money from the state legislature.

Chair Souby mentioned that the Rail Commission envisioned the District spanning border to border, and the proposed service development plan proposes the most effective first steps of the District for a passenger rail line. The district should operate on the best information available and agree with Director Laippy on facilitating the urgent nature of the work.

Director Mulvey added the directors are having many conversations about the ends of the lines and the importance of them. But the district needs to keep in mind the middle jurisdictions are paying for north and south, and that is the way the District is – everyone is paying and needs to support. She stated the board should focus on what the legislation

states. Finally, there's nothing wrong with the district looking at spurs in the future, but not necessarily studying all the spurs currently.

Director Levy stated the board does not have enough information to make a motion or continue discussion on this topic. There is so much more to the conversation around why the District should look at a ballot measure in 2024. If there is a benefit to doing so that results in additional funding, that would be a compelling reason, however, that doesn't seem to be the case. She reminded the board about the FastTracks vote where information from the private railroad came back to the group after voters approved and now there is no service. We don't know the specifics yet on what we would speak to the voters on costs and routes.

Director Olson agreed with Director Levy. He mentioned that sometimes you must go slow to go fast, and that strong preparation for a massive infrastructure project is not a bad thing. It is necessary to balance the politics and the realities to build a successful project. The District needs a plan that informs the board on the path forward to follow. He asked for a risk matrix and political map on where the District stands. He mentioned that Weld County is not against the FRPR, but they are against paying taxes on something that doesn't meet the constituents' needs.

Director Tylik mentioned that BNSF needs an accurate service development plan. He's seen inaccurate information come into grants before and doomed the efforts from the beginning. The service development plan takes time and is reviewed very carefully. He cautioned that working through the modelling and ridership/fiscal models is all important.

General Manager Karsian wrapped up the conversation and proposed he and the new staffer focus on putting in writing the variety of timelines, funding efforts, federal guidelines, and outreach efforts that comprise the FRPR service plan for the next four years leading to a ballot measure.

Old Business:
Committee
Appointments

Chair Souby listed the following committees and members:

Executive Committee

- Jim Souby
- Jill Gaebler
- Julie Duran Mullica
- Chris Nevitt
- Deborah Mulvey
- Joan Peck
- Amber Blake

Finance Committee

- Chris Nevitt – Chair
- Dennis Flores
- Josh Laipply
- Luis Lopez

Planning Committee

- Deborah Mulvey
- Julie Duran Mullica
- Jill Gaebler
- Joan Peck
- Johnny Olson
- Jim Souby
- Randy Wheelock
- Josh Laipply

Government Affairs/Communications Committee

- Deborah Mulvey
- Julie Duran Mullica
- Joan Peck
- Will Karspeck
- Daneya Esgar
- Claire Levy

Old Business: Update from GM

General Manager Karsian informed the board the District hired a new Program Coordinator staffer, Chrissy Breit, that will be joining the District in February. She will bring strong administrative and research skills to the District and will be staffing the Planning and Government Affairs/Communications committees. Director Mulvey stated that she appreciates efforts to keep the hiring process open and transparent.

General Manager Karsian updated the board on other ongoing initiatives, including participation in RTD's Northwest Rail Peak Service Study and outreach efforts, travelling to Washington DC with Northwest Mayors and Commissioners Coalition to advocate for passenger rail, and various meeting with stakeholders to further the vision of the District.

New Business: Federal Grant Update

General Manager Karsian provided a high-level overview of the federal funding. Federal funds are critical to the District, and they are mostly focused on the Corridor Identification Development Program (CIDP). FRPR will apply for the CIDP in March and hear back from the FRA in late fall, early winter. If accepted into the program, and General Manager Karsian believes there is no reason to think the District will not be accepted, FRPR will be eligible for competitive grants dedicated to rail through the IJJA. As described to the District, the CIDP program does not have millions of dollars associated with it, but when accepted into the CIDP, the District will not have to reapply for a variety of grant opportunities in the future (RAISE, CRISI, FSP...) and FRA will not require as stringent grant applications for future funding. General Manager Karsian will develop an infographic for the board detailing the various funding opportunities through CDIP and elsewhere that the District could be eligible for in the future.

Directors had conversations about matching fund availability and the need to update the website to communicate these funding opportunities to the general public.

Adjourn:

Director Soto and seconded by Director Lopez to adjourn the meeting. Motion passed unanimously.

The Board adjourned at 10:53 a.m.