

# Southwest Chief and Front Range Passenger Rail Commission

## Meeting Notes

Friday, August 9<sup>th</sup>, 2019

10:00 a.m. – 12:00 p.m.

Pueblo Union Depot, 132 West B Street, Pueblo 81003

Call in 1-877-820-7831 passcode 418377#

### COMMISSION MEMBERS IN ATTENDANCE:

Member Name	Member Role	Organization	Attendance
Jill Gaebler	Pikes Peak Area Council of Governments	City of Colorado Springs	Yes
Terry Hart	Pueblo Area Council of Governments	Pueblo County	Yes
Becky Karasko	North Front Range Metropolitan Planning Organization	NFRMPO	Yes
Rick Klein	Resident of Huerfano, Las Animas, Otero, or Pueblo Counties	City of La Junta	Yes
Sal Pace	Passenger Rail Advocate	Resident of Pueblo	Phone
Pete Rickershauser	Class 1 Railroad Representative	BNSF Railway	Yes
<i>Vacant</i>	Class 1 Railroad Representative	Union Pacific	No
Phil Rico	South Central Council of Governments	Trinidad Mayor	Yes
Jacob Riger	Denver Regional Council of Governments	DRCOG	Yes
Jim Souby	Passenger Rail Advocate	ColoRail	Yes
Bill Van Meter	Regional Transportation District	RTD	No
David Krutsinger*	Colorado Department of Transportation	CDOT	No
Ray Lang*	Amtrak	Amtrak	Phone
Dale Steenbergen*	Cheyenne, Wyoming	Chamber of Commerce	No

\*Non-Voting Members

On Phone: Nathaniel Minor (Colorado Public Radio), David Singer (CDOT), Jeff Dawson (CDOT),

Others: Shirley Davis (Public), Dan Bilka (ColoRail), Duane Otter (Public), Donald L Bruestle (Pueblo County Planning Commission), DelRose Peda (Public), Ken White Jr. (Public), Jerry Geiger (IGG Consultants). John T Adams (PACOG), Scott Hobson (City of Pueblo), Kathy Javaneau (Public), Tom Carrigan (Public), Erick Javaneau (Public), Cindy Graham (Public), Edgie Walrath (Public), Fred Klein (Public), Frank Mestas (Public), Georgia Mestas (Public), Jim Koncilja (Public), Wil Meiklejohn (Public), Tim Acosta (Public), Becky Montanari (Public), Anne Courtright (Public), Rebecca Lou Mudd (Public), Salvatore Piscitelli (Public), Forrest Whitman (Radio Rail Host), Regina Panepinto (Public), John Panepinto (Public), Leilani Burbidge (Public), Barry Burbidge (Public), Brian Vitulli (City of Colorado Springs, Mountain Metro Transit), Karen Cacy (Rail Consultant), Karen Hedlund (WSP), JoAnn Vaughn (Public), Jim Valenzuela (Public), James Gunter (Public), Kathleen Petit (Public), Jim Good (Public), Pat Good (Public), Richard Reiff (Railroad Consulting), Pat Duffy (Railroad Consulting), Bob F. Luri (Public),

Ray Peck (Public), Kris Allen (Public), Casey Jakuc (Public), Angie Jakuc (Public), Floyd Sandoval (Public), Ryan Fering (Vestas), Alexandra Montez (Public), Rick Garcia (Public), Rebecca M. Trauth (Public), Thomas Anderson (Public), Linda Anderson (Public), Bari Mikitowicz (PACG), Paul Karagas (Public), Dan Gustamante (Public), Jeri Jensen (Public), Major Richard Walker (Public), Zeke Walker (Public), Kathryn Wenger (PPACG)

## **A. Call to Order and Introductions – Jill Gaebler**

The meeting was called to order at 10:06 a.m. and Commissioners were asked to introduce themselves, as well as individuals on the phone. Terry Hart, Pueblo County Commissioner, thanked Southeast Colorado for their strong support at the meeting. The owners of Pueblo Union Depot, Jim and Joe Koncilja, were also acknowledged and thanked.

## **B. Review/approval of July 12 Draft Meeting Minutes – Jill**

Jill Gaebler asked if there were any questions or concerns regarding the July 12<sup>th</sup> Draft Meeting Minutes. There were no questions or concerns, and the motion to accept the meeting minutes passed unanimously.

Phil Rico stated that he would like to see action items identified in meeting minutes.

## **C. Public Comment Period – Public**

Richard Reiff, who has researched high speed rail for 30 years, suggested the Commission work with the existing railroads on the Front Range Passenger Rail. Reiff stated that it would be a good way to start a reasonably fast and reliable service by using existing trackage with signaling improvements versus other alternatives being considered. It was suggested that this could be done without interrupting coal freight. He also stated that such service needs to go to Denver, not to Denver International Airport.

## **D. Burnham Yard Status – Josh Laipply, CDOT Chief Engineer**

Josh Laipply, CDOT Chief Engineer, presented information on the Central 25 PEL Study, in particular focusing on the Burnham Yard area in central Denver. Josh explained the parameters of the study, which includes the segment of I-25 between Santa Fe Drive and 20<sup>th</sup> Avenue. The Planning and Environmental Linkages (PEL) Study is seeking to increase the capacity and mobility of the segment as well as improve the east to west bike/pedestrian connections across the highway. Josh explained the alternatives that were still being considered.

These alternatives included:

- Adding additional shoulders to bring the corridor up to standard. While this alternative would bring the highway up to standard, it would not add additional capacity.
- Realign and split the corridor. This includes moving southbound I-25 to the west side of the South Platte River.
- Construct a multilevel highway. This option is very costly and would only moderately improve capacity.
- Realign the corridor to be adjacent to RTD tracks. This includes moving I-25 to the east to be next to the RTD light rail tracks between Broadway and Colfax Avenue. Additionally, this would allow the addition of two new light rail tracks parallel to the current tracks (four total tracks) and remove the existing highway currently adjacent to the South Platte River between Santa Fe Drive and Colfax Avenue.
- Realign the BNSF-Union Pacific Consolidated Main Line (CML) to Burnham Yard. This alternative would relocate the Union Pacific tracks which provides more Right of Way for the interstate and allows the room for Front Range Passenger Rail. This alternative is contingent upon acquiring Burnham Yard.

CDOT has been working with Union Pacific and submitted an offer for 65-70 acres of Burnham Yard. This area could be used to realign the interstate with space for a future Front Range Passenger Rail corridor. CDOT is competing with eight developers who are also interested in the area. In CDOT's response to the RFP for the acquisition, two options were laid out. One was a long-term commitment with Union Pacific wherein CDOT would take the property needed for its projects, but would release property not needed back to UP for alternative development, the other option was a one-time payment for the property acquisition. If acquired, this section of Burnham Yard could be the first obtained Right of Way for the Front Range Passenger Rail.

Phil Rico, City of Trinidad, stated that he was concerned about adding more lanes to I-25 and the ensuing congestion that would presumably add. In response, Josh Laipply stated that the study is seeking to get travelers out of their vehicles and into transit in order to reduce congestion. Additionally, it is possible that a managed lane could be developed which would manage throughput.

Pete Rickershauser, BNSF, stated that the rail line through Burnham Yard is heavily used by BNSF and the Union Pacific Railroad. Pete suggested considering the rail line beyond the confines of Burnham Yard and to think about it as a whole corridor, similar to what UP and CDOT did in the US 85 Corridor between Brighton and Greeley. North of Burnham Yard, there are several at-grade crossings that provide an opportunity for the City and County of Denver and CDOT to improve the entire alignment, adding capacity for the Front Range Passenger Rail and improving safety. As an example of the safety concerns that exist, Pete described that area following events held at Mile High Stadium; multiple law enforcement agencies are on site, a large amount of pedestrians and SOV's, all working around an at-grade crossing. This situation can be improved greatly.

## **E. Pueblo Station Area Plan Study – Terry Hart**

Terry Hart, Pueblo County Commissioner, announced that Pueblo County is in the process of studying the logistics and potential sites in Pueblo for a passenger rail station that could be used by the Southwest Chief and the Front Range Passenger Rail. An intergovernmental agreement (IGA) has been entered into between the City of Pueblo, Pueblo County, and the Pueblo Area Council of Governments (PACOG). Terry stated that they are hoping to have a contract with WSP on the County Commissioners' agenda this week or next. The Scope of Work for this study will be finalized in the coming months. The study will consider the Pueblo Union Depot as a station location for Front Range Passenger Rail. Terry acknowledged the historical aspect of the depot, noting that the City of Pueblo's existence emerged through that building.

Public Comment: A year ago, the owner of the Pueblo Union Depot was asked about the usage of the depot as a station for a train running to Denver. The owner stated that the depot would never be used for that purpose and that the station and train should go through the industrial park. How can the community suggest to the owners that they should revise their stance? Public involvement like this is a part of the Front Range Passenger Rail study. Randy Grauberger and Spencer Dodge should be contacted for more information on involvement.

## **F. Project Director's Report – Randy Grauberger**

Randy Grauberger, Southwest Chief and Front Range Passenger Rail Project Director, discussed his monthly report that he submitted to the Commission. First, Randy acknowledged the hiring of Spencer Dodge and welcomed Spencer's assistance. Additionally, two Letters of Support were drafted for a BUILD grant and sent to USDOT. One letter came from the Southwest Chief and Front Range Passenger Rail Commission, the other came from CDOT. The Commission worked with Terry Hart to set up the meeting in the Pueblo Union Depot and was also taking the opportunity to tour the Transportation Technology Center northeast of Pueblo. Commission staff have also published a MetroQuest Survey that will be online until September 30<sup>th</sup>. As of August 9<sup>th</sup>, nearly one thousand individuals had taken the survey; Randy encouraged all attendees to take the survey. Randy also met with the current Speaker of the House of Representatives, KC Becker, on August 1<sup>st</sup>. Becker encouraged the Commission to continue

working closely with the Legislature. Commission staff met with Federal Highway Administration (FHWA) due to the possibility that a Front Range Passenger Rail could be located adjacent to I-25 or state highways. FHWA is very interested in this study and wants to stay involved. HDR, the selected consultant for the Front Range Passenger Rail Study, is going through the process of signing a contract and initiating work. Randy Grauberger was asked to make a presentation at the American Association of State Highway Transportation Officials (AASHTO) 2019 Council on Rail Transportation Annual Meeting in September in Hartford, CT. Randy will be on a panel focused on passenger rail corridors.

Question: Jim Souby asked how long the MetroQuest survey will be online. The survey will be live through the end of September.

Question: Pete Rickershauser asked how the Commission is getting the word out about the survey. In a document distributed to Commissioners, there is language that is to be used to promote the survey through their resources. An official CDOT press release may be released later, when the survey is more robust.

## **G. Commission Charter Revision Discussion – Randy**

Commission staff took steps to update the original Commission charter that was created in 2017. An updated version, with comments from some Commissioners incorporated, was provided to Commissioners in their meeting materials packet. The finalized charter will be posted on the Commission website. Phil Rico commented on page 5, a concern about individuals interpreting “Front Range” to mean only the North Front Range and excluding the southern area. Phil would like to see something that identifies both the North and South being a part of the Front Range Passenger Rail. Pete Rickershauser acknowledged that the original charter was drafted before Randy Grauberger and Spencer Dodge were hired. Pete suggested including language that describes the roles and responsibilities of Randy and Spencer. Randy Grauberger discussed the resignation of Sara Cassidy from Union Pacific, and thus the Front Range Passenger Rail Commission. In researching next steps for her replacement, Randy noticed that the statute establishing the Commission states there are 11 commissioners and 3 non-voting members who are advisors. The difference in language is a technicality but could have significant effects on the processes of the Commission. Sal Pace responded that the replacement for Sara Cassidy is nominated by the Governor based on a recommendation from Union Pacific. Additionally, Sal noted that a minor clean-up should be inserted into the statute in order to ensure there are no issues with non-voting advisors. The concern being that they would not be able to participate in Executive Sessions. Legislative action may be needed to accomplish this. Becky Karasko, NFRMPO, stated that 2040 plans were included in the references of the charter. There are now 2045 plans that need to be included, and this needs to be updated.

**Action Item: Commissioners are to review the draft Charter and provide comments to Spencer Dodge by August 23<sup>rd</sup>. Special notice should be applied to the reference section.**

## **H. Southwest Chief and Amtrak Update**

*Build 2019 Grant Status – Rick Klein*

This BUILD grant was submitted to complete the \$200 million to finish the final 34 miles of rail improvements between Hutchinson, Kansas and Las Animas, Colorado. At completion, this will connect 316 continuous miles of Class 4, 79 mph railway for passenger rail.

*TIGER 9 and CRISI Grant Status reports – Spencer Dodge*

CDOT and KDOT submitted their Categorical Exclusions to FRA. Amtrak, BNSF, KDOT, and SWC&FRPRC are currently waiting for FRA to sign off on the Cat Ex before pre-award authority is granted. Another round of CRISI grants is coming soon. There may be opportunities to apply CRISI grants to fund planning efforts. This could help the Commission finish the Service Development Plan,

Environmental Impact Statement, and evaluate the additional thru-car service proposals. It was suggested that a motion be made to watch for upcoming CRISI grant opportunities. Rick Klein made this motion, Terry Hart seconded, and the Commission unanimously agreed upon the motion to monitor CRISI grant opportunities. Pete Rickershauser suggested that, beyond watching for announcement of the anticipated CRISI grant opportunity, Commission staff prepare recommendations as to what purposes or projects the Commission should specifically apply for funding on.

**ACTION: Commission staff will monitor anticipated CRISI grant opportunities, and when available, prepare recommendations as to what purposes and projects the Commission should apply for funding on.**

## I. Front Range Rail

### *HDR Discussion on Proposed Stakeholder Engagement*

Carla Perez, HDR Project Manager, presented the consultant team's plans for Stakeholder Engagement and Public Involvement. Carla began the presentation by highlighting the different components of the consultant team. These include experts in stakeholder engagement, rail planning, political strategy, and engineering. The presentation included a slide that outlined the decision-making process and how that interacted with public involvement. These two processes operate in conjunction with each other, feeding into one another. Decisions are made with the input from stakeholder coalitions, and corridor conversations; these inform the advisory committee who makes recommendations to the decision-makers. Decision-makers seek specific input from these prior mentioned public involvement groups for guidance on decisions.

Jeffrey Range, CDR Associates, spoke more on the public involvement strategy. One of the key tenants is that, while the corridor is very large, the project team must work in a holistic and systemic way. At each local level, there are distinct contexts; therefore, public involvement should be based at a local level. The corridor segment coalitions will provide information on decisions and concepts in smaller groups. Segment Coalitions will consist of 20-30 people and be divided into North, Central, and South segments. A few representatives from each Segment Coalition will gather in the Corridor Coalition. Segment Coalitions implement local engagement and outreach.

Question: Will Pueblo be in the Central or South Segment Coalition? Coalitions have not been finalized, but it is expected that Pueblo will be in the South Segment Coalition.

The Project Leadership Team will meet at key milestones and ensure that the project team is on the right track. A rail industry roundtable is being discussed but has not been finalized. This group will be further defined during the upcoming Chartering session. Phil Rico requested a simplified, bulleted version of the stakeholder engagement and public involvement information that includes how much involvement from the public, the time frame and a list of stakeholders. It is important for the public to know when and how much they'll be involved.

Public Comment: How do I, as a community member, get involved in these local coalitions? The formal representatives may be local elected officials, chamber of commerce members, or individuals from large institutions. Residents and community members will play a role.

**ACTION: Consultants will provide the Commission with a simplified version of the Stakeholder Engagement and Public Involvement plan including how much involvement will occur with the public, the time frame and schedule, and a list of stakeholders.**

### *Rail District Structure Options – Eric Richardson*

At the July 12<sup>th</sup> Commission Meeting, Commissioners requested a document that outlined a set potential legislative options with pros/cons. Eric Richardson, CDOT Office of Policy and Governmental Relations,

provided this document and presented an overview to Commissioners. The six options listed are not the only options available, nor are their pros and cons the only applicable. Options include:

1. District Only—This option allows local districts to join/exit over time. This option would not necessarily be a funding option in 2020.
2. Create District, Allocate Operating Funds—This option would create a district that could approve funding with 50%+1 of the total voters in the district. In this case, if a single jurisdiction within the district was unenthusiastic, another jurisdiction could pick up their slack to approve funding.
3. Create District and a Full Referred Funding Measure—This option is a full funding measure but could run up against competing transportation ballot measures.
4. Referred Rail Measure Plus SB 18-001 Highway Measure—This option would occur in conjunction with a highway funding measure.
5. Change Funding Formula for SB 17-267 or Other Multimodal Options Fund (MMOF) Requirements to Allocate a Percentage Spent on Rail—This option is not a referred measure but would see an amendment to either SB 18-001 or SB 17-267. However, in this option there would not be sufficient dedicated revenue for long-term capital needs. It would provide funding for operating costs of Passenger Rail or the Commission.
6. Create an Enterprise for Southwest Chief and Front Range Passenger Rail—This option is not a referred measure but an entirely new appointed board that would operate similar to HPTe.

Commissioners stated that this document contained a large amount of information, and for those who represent the Council of Government (COG) organizations there would need to be time to gather input. Randy Grauberger stated that there is an opportunity to present to the Transportation Legislation Review Committee the second week of September. It would be optimal for the Commission to provide their favored two or three legislative options. Phil Rico suggested the Commission consider a limited agenda for the September meeting with at least 45 minutes given to discuss these options. Jacob Riger was asked if he and the other COG representatives could reach out to their constituents and get an answer on their preferred options by the September TLRC meeting. Jacob stated they could try and start the dialogue, but it is a regional conversation and will be difficult. It was suggested that the meeting with the TLRC may need to be pushed to October. This may be a possibility and Eric Richardson will look more into this. Jim Souby mentioned that the Commission is not alone in this endeavor and would need government and public opinion leaders support; outside political support is a must. Pete Rickershauser suggested that there are two guidelines the group will coalesce around. With appropriate forethought, chances are the Commission will prefer to get to an option that reaches a successful Front Range Passenger Rail the quickest. The Commission is structured as the third leg of stool, with CDOT being the second leg. One of those other legs, the political side, will need to help the Commission understand what is realistically feasible to achieve. Jim Souby asked if any polling was planned to get a sense of where the public was in their thinking. ColoRail completed a poll in 2017; 75% of the North Front Range, and 65% of the South Front Range supported funding for a Front Range Passenger Rail. Jill Gaebler reiterated that the Front Range Passenger Rail Commission currently has a survey that is gathering public opinion on the passenger rail that should be informing decision-making. Jill also mentioned that HDR should be involved in this conversation. Jacob Riger stated that there are other conversations about regional or statewide transportation funding and the Commission cannot operate in isolation and compete with themselves. Jill suggested that the Pikes Peak Area Council of Governments (PPACG) would need more information on the legislative options and that a conversation can begin, but would need more time. Both Jill and Jacob's COG's next meetings are after the next Commission meeting and they won't have the information needed. Phil Rico asked if a presentation should be given to the different groups and governments represented. Jill stated that Randy Grauberger had given a presentation to the Colorado Springs City Council and their Mayor, but it was the first conversation they had and support was limited due to a lack of information. Carla Perez suggested that Commissioners closely study the document that Eric Richardson provided as a way of thinking about the multitude of options that exist.

#### *Metro Quest Survey Update – Spencer*

Spencer Dodge presented interim results from the first two weeks that the Front Range Passenger Rail MetroQuest survey was live. The survey will be live until September 30<sup>th</sup>.

Key pieces of information included:

- 825 completed surveys have been submitted, gathering 445 email addresses.
- 61.5% of respondents were aware of the Front Range Passenger Rail study
- 88.5% of respondents believe that passenger rail service could help address transportation needs along the Front Range
- 87.5% of respondents support establishing Front Range Passenger Rail service between Fort Collins and Pueblo
- 85.1% of respondents would be interested in using passenger rail service if it were available

## **J. Communication Plan Sub-Committee**

Spencer Dodge presented two draft documents to Commissioners that are intended to be used for promotional purposes. The tri-fold pamphlet and the one-page fact sheet provide high level information on the Commission purposes, membership, and activities. Commissioners were requested to provide input and edits so that a final version can be distributed.

**ACTION: Commissioners are to provide comments and edits to Spencer Dodge on promotional materials before August 23<sup>rd</sup>.**

## **K. Other/Future Business**

### *Surface Transportation Reauthorization (Amtrak)*

Jim Souby suggested that the Commission take a position on Amtrak reauthorization as this will affect funding that is needed. Jim will provide the Commissioners updates as they become available, and this topic will be discussed formally at a later Commission meeting.

### *Statewide Transportation Plan Update*

David Krutsinger will provide an update on the Statewide Transportation Plan at next month's meeting.

### *Chartering Session*

A Doodle Poll to determine the date of a study Chartering Session had been distributed. The most common date voted on was August 28<sup>th</sup>. An "Executive Summary" lasting approximately two hours will follow, sometime in September, for those who are unable to attend the August 28<sup>th</sup> session.

## **L. Confirm Next / Future Meetings – Date/Time/Location – Jill**

- September 13<sup>th</sup>—Commission meeting in September will be held in Denver, at CDOT Headquarters.
- October 11<sup>th</sup>—Becky Karasko is providing contact information to Spencer Dodge in order to set up meetings.
  - Rick Klein stated that he is personal friends with Weld County Commissioner Steve Moreno and reached out to Moreno to see if there was a location where Greeley could host the Commission Meeting.
- 2020 Commission Meetings—The Statewide Transportation Advisory Committee (STAC) is changing the date of their meetings in 2020 to occur on the second Friday of every month. This coincides with the dates of the Commission meetings. Therefore, Commissioners will need to change the standard meeting date for the upcoming year.
  - Terry Hart mentioned that Randy Grauberger did a good job presenting to the STAC at their last meeting. Terry closed that presentation with a statement on the importance of Front Range Passenger Rail in Colorado. Comments that were received following the presentation were supportive. Commissioners are attempting to pitch that instead of how

much money is being put towards highways, Coloradoans need to consider all forms of transportation.

- Phil Rico was asked to participate in the Statewide planning “Kitchen Cabinet” discussions on August 12th. Phil is happy to discuss items that Commissioners wish to be discussed. Commissioners are asked to provide these items by Sunday night, August 11<sup>th</sup>.

**Adjourn – Jill**

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### Action Items

<b>Date Assigned</b>	<b>Task</b>	<b>Assignee</b>	<b>Deadline</b>	<b>Completed</b>
8/9/2019	Commissioners are to review the draft Commission Charter and provide comments/edits to Spencer Dodge. Special notice should be applied to the reference section.	All Commissioners; Spencer Dodge	8/23/2019	
8/9/2019	Commissioners are to provide comments and edits to Spencer Dodge on promotional materials (one pager and tri-fold brochure).	All Commissioners; Spencer Dodge	8/23/2019	
8/9/2019	Consultants will provide the Commission with a simplified version of the Stakeholder Engagement and Public Involvement plan; including how much involvement will occur with the general public, the time frame and schedule, and a list of possible stakeholders.	Consultant Team	9/4/2019	
8/9/2019	Commission staff will monitor anticipated CRISI grant opportunities, and when available, prepare recommendations as to what purposes and projects the Commission should apply for funding.	Commission Staff	<i>When Appropriate</i>	

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