

**Regional Transportation District**

1600 Blake Street  
Denver, CO 80202-1399  
303-299-2306



**Board of Directors**

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## **AGENDA**

Government Relations Committee

**Tuesday, January 10, 2017**

**Rooms R, T, & D**

**5:30 PM**

Conference Dial-in # 303-299-2663

Conference ID: 15120

### **Government Relations Committee**

Chaired by Claudia Folska

**A. Call to Order**

**B. Recommended Actions**

**C. Updates**

- **Local Update - CRL Associates, Inc.**
- **State Update - Brandeberry McKenna**
- **Federal Update - Squire Patton Boggs**

**D. Other Matters**

**E. Next Meeting Date - February 7, 2017**

**F. Adjourn**

The following communication assistance is available for public meetings:

- Language Interpreters
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Please notify RTD of the communication assistance you require at least 48 business 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.**

# BOARD OF DIRECTORS REPORT

To: David A. Genova, General Manager and CEO  
From: Scott Reed, Assistant General Manager  
Date: January 4, 2017  
Subject: Local Update - CRL Associates, Inc.

Date: January 5, 2017

GM

Board Meeting Date: January 10, 2017

## ATTACHMENTS:

- CRL LGR Report 01-04-17 (PDF)

Prepared by:  
Sherry Ellebracht, Government Relations Officer

Approved by:

  
Scott Reed, Assistant General Manager 1/5/2017



Date: January 4, 2017  
To: Sherry Ellebracht, Government Relations Officer  
From: Roger Sherman  
Subject: Local Government Relations Update

The following are items for January 10, 2017:

1. Metro Mayors Caucus Annual Retreat – The MMC will hold its annual retreat on January 14, 2017. The draft agenda is attached.
2. MPACT64 Stakeholder Reconvening – As I noted last month, the Metro Mayors Caucus (MMC) and the Denver Regional Council of Governments (DRCOG) convened a large group of transportation and transit advocates met on December 8 to discuss transportation funding needs and possible solutions. Attached are the meeting notes.



## **2017 ANNUAL RETREAT**

**Saturday, January 14**

**Westin DIA**

**8300 Peña Blvd, Denver, CO 80249**

**Maple Conference Room – 2<sup>nd</sup> Floor**

**8:00 am – 3:00 pm (Optional Tour @ 3pm)**

**Generously Co-sponsored by**  
**CRL Associates**  
 &  
**Denver International Airport**

### **AGENDA**

- 8:00 AM Breakfast & Networking**
- 8:30 AM Welcome by Sponsor Denver International Airport**
- Darryl Jones, Executive Vice President & Chief Real Estate Officer
- 8:40 AM Mayor Introductions**
- 9:10 AM Panel: State Government 2017 Priorities**
- Governor John Hickenlooper (confirmed)
  - Senate Majority Leader Senator Chris Holbert (invited)
  - House Speaker Representative Crisanta Duran (confirmed)
- 10:30 AM BREAK**
- 10:45 AM Evolving Colorado Transportation Strategy**
- Mayor Marc Williams – Chair MMC TAC

- Maria Garcia Berry & Roger Sherman, CRL Associates
- Tony Milo, Colorado Contractors Association, et al. (confirmed)
- Jim Gunning, Mobility Choice Blueprint (invited)

**11:45 AM Autonomous Vehicle Legislation – SAVE Act**

- Roger Sherman & Hal Lenox

**12:00 PM LUNCH**

**\* \* \* BEGIN MAYORS ONLY PORTION OF AGENDA \* \* \***

**12:45 PM Exercise — Uncovering Mayors Policy Passions/Areas of Expertise**

- Two Word Category
- 1 sentence describing outcome they would like to produce

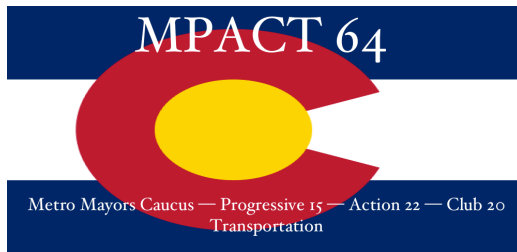
**1:10 PM Caucus Business**

- Executive Committee Budget Report
- Report of the Nominating Committee & Leadership Transition

**1:30 PM Mayors' Dialogue: State, Regional & Local Priorities for 2017**

- Ongoing Initiative Updates —2017 Scope of Work (Timelines, Priorities & Cadence)
  - Transportation — Mayor Marc Williams
  - Water — Mayor Heidi Williams
  - Homelessness — Mayor Kris Teegardin
  - Public Safety — Mayor Ron Rakowsky
  - Owner Occupied Attached Housing – Mayor Adam Paul
- Consensus on Proposed Scopes of Work
- What is Missing?

**3:00 PM Adjourn for Behind the Scenes Tour**



**MPACT64 Reconvening**  
**December 8, 2016**  
**Denver Regional Council of Governments**

**Meeting Notes:**

**Ideal Outcomes:**

- Must have a statewide solution
- If there's no transit for the metro area we can't sell it
- Must get money to the smaller counties with many miles of highway but few people
- We need someone to lead this — who's in charge
  - How does this differ from last week's meeting
    - Last week was the research arm trying to pick a pollster and design the first poll.
    - MPACT64 is a group of policy makers that can make sure we have the right package and sell it to the voters
  - MMC had lengthy discussion in October and agreed to take one more shot at a statewide solution before pursuing a regional funding measure
  - MMC has had long-term involvement in statewide discussions — including CCA effort and MPACT64's first incarnation
  - DRCOG and MMC are only the conveners — no one is in charge
- Need to make sure that there is some flexibility and some transit as well as local share
  - Note: If we use the sales tax the funds are automatically mode flexible — Constitutional limitation for use only on public highways, applies only to, **“proceeds from the imposition of any license, registration fee, or other charge with respect to the operation of any motor vehicle upon any public highway in this state and the proceeds from the imposition of any excise tax on gasoline or other liquid motor fuel...”**

**Incoming Speaker Crisanta Duran**

- Has convened a group prior to session to talk about statewide solution that leaves nobody behind
- Need to work across party lines to find solution - appreciate the participation of leadership on both sides
- Working fast and furious to find a solution prior to session kick-off
- Understand the importance of having support in the instance that there could be a referred measure
- Risk of not doing anything is greater than the risk of trying
- There is a sense of urgency -

**Marc Williams, Tony Milo & Maria Garcia Berry:**

- This isn't a MMC or CCA effort
- In this room there is a very broad coalition
- Goal is to have a poll in field asap to support legislators with fresh data
- RFQ out to 15 firms - 8 or 10 responded and there are 4 finalists that are being interviewed by a group of people that include LiveWell, Sandra Solin, Greg Fulton, Will Toor, Denver Metro Chamber, MMC
- All the pollsters understand Colorado
- Need top line data for legislative leadership to use on opening day
- This coalition should be helping to educate public and support the effort of legislators
- We have opportunity for a referred measure - we are going to have to all compromise in order to get it done
- Hoping for a referred measure early in the session
- First of many polls — find out:
  - Is 2017 or 2018 the time to go
  - They all agreed that number one is to find out how Coloradans understand our transportation problem
  - Need to test different funding sources
  - Will ask about gas tax one more time
  - Pollsters are clear on the difference between 2017 and 2018 for voter behavior
  - All pollsters wanted to meet with a good cross-section of the stakeholders to appreciate the diversity
  - Any of them could get it done though the timing is tight
    - At least top line data to give to the legislature
- Firms are Terrance Group out of VA - national firm that has worked here, Todd Vitale, Strategy 360, and Frederick Polls
- No decisions made yet
- We need to manage expectations about poll
  - All pollsters said we need to understand how big a problem transportation is for CO
  - Need to know if it is at a place where people are ready to pay for solution OR
  - If people are confused and need more information
  - Believe we need to test all the revenue options - all think gas tax is a non-starter but asking anyway
  - Want to make sure that a diverse cross section of the group is part of the discussion around putting together questions
- Won't be able to get in field before Xmas - but can have top lines before 1/11
- All pollsters are in same cost range - so will simply choose the best
- Need to have the pollster to get to underlying sentiments that could trip us up at an election

**Big Questions**

- Who is going to captain the ship?
  - We need a champion leading the charge that in the public eye - FasTracks



- example
  - We don't have a leader — a champion — looked up to, respected, in the public eye
  - Once in a campaign we can pick the person who is the face of this
- What is the dollar amount necessary to undertake the brain damage of this effort
  - Minimum of \$750,000,000
  - Club 20 says as to amount “go big” 750m is the minimum to consider
- If the purpose of polling is to inform legislators, they need to be the ones giving key input
  - If legislators are the leadership then leadership is not from us
  - Is the role of this group to educate the legislators about our respective needs? Yes
  - We may be limited to giving input — not leading
- Easy to structure a campaign once you know the package and have data. Right now - answer is leadership needs to “be all of us”
- We have leadership at CDOT to insure that we get this done
- Metro Chamber believes it must be statewide solution
- Strong commitment from Metro Chamber to get this on ballot in 17 or 18
- Important to know that the poll will not tell us exactly how to spend the \$ and we need to help legislators that the way we have done things needs to change - \$ must be flexible
- MMC members also saying it should be statewide
- A22 agrees must be at least \$750m and that should be in the polling
  - Getting money out to the rural areas protect/preserve our share of dollars
  - Different types of transportation needs - flexibility to use as needed in area
- Broad coalition requires a package that allows everyone to get behind it
- Make the decision then make it right
  - Decide what is needed then educate the public on the specifics
  - This is how Pike Peak RTA was done
- Stop studying and start educating
- Does the MPACT64 2014 package serve as a serve as a starting point?
- Club 20 says distribution, “according to HUTF” formula
- Does legislature want our input on what they come up with or do they want us to advance a proposal?
- MGB - legislature is trying to gauge the temperature of the transportation community and feedback on solutions in a broader context
  - Will not be getting into the nitty gritty of a formula for a distribution
- It is helpful for the legislature to know that there is bipartisan support for a solution?
- Hearing a great deal of consensus around the need for a solution
  - Polling will help us determine how big of an education campaign we need not if we need a solution.
- We will probably have a spokesperson but like FasTracks we need everyone in the room working together to succeed on the ballot
- Maybe we need to tweak the MPACT64 but thinks that it is a really good starting point
- Need to be aware of what might cause legislature to not move forward?
- Tony Milo — planning to test in the poll if they want to vote on a solution and if they would blame their legislator if there was a question on the ballot?

- The hurdle we face is the attitude that voting to refer the measure means you support a tax increase
- Business community funds this each time - can we get to agreement is a big question.
- Fulton - Colorado Motor Carriers - not part of MPACT64. Thinks a lot of groups were not part of it and therefore may not be agreement on the allocation formula
- Need to make sure that the package is one that will pass - need to understand what went right or wrong on packages around the nation - did the polling support that outcome or was it radically different - question for the pollster
- MGB — the email sent to Tony was about what happened in Michigan and Missouri, and we talked to pollsters about it and they were conversant with it (one of them helped kill one measure). This detail has been shared so pollsters understand.

### **What do we need to do in our communities to get this passed**

- We need a package to show people what they will get for their vote
- Don't underestimate importance of the package and the coalition - power in working together BUT solution must resonate with constituents
- Everyone may not agree with every item in the package
- Public education should start now and not wait for a campaign to launch
- The importance of the coalition also has power but the solution has to resonate
  - For some communities it will need a transit component
- City of Fountain tax increase proponents also worked with the community to make them familiar with the package before a campaign ever started
- Need to start talking about the basic education on how our spending power has declined using the CDOT materials - we can do that part of the education NOW
- CDOT needs to take their presentation around the state
  - CDOT should be talking to each chamber statewide
- States that have been successful have had some specificity - need to have some individual commitment to giving and collaborating
- If Donald Trump comes up with an infrastructure package other states may be in a better position to take advantage of it because of available funds for match
- People need to know they they are personally going to benefit
- During MPACT64 the exciting thing was the local share
  - Nebraska passed a smaller increase than we were talking about but they were swayed by a 15% increase in local funding — we were working with 50% or more increase locally
- In Nebraska a 15% local share brought local governments in with very strong support, 50%-70% didn't have the same effect here
- This ought to be a new effort

### **Funding Source**

- Take off the table
  - Property tax
  - Income tax

- VMT
- Bonding will be included
  - Sunset seems necessary according to the research
  - At least 15 yr better 20 yr on a new tax to see its performance

#### Amount

- \$750M/yr minimum to be worth the effort
- Sales tax seems to be the most palatable
- Need to test fuel tax plus ownership tax?

#### Project list?

- Research is a continuum — this is the first of a number of polls, focus groups will be needed to answer many of our questions
- This poll won't answer every question
- Test whether share back with local community moves the needle
  - If this will advance project x in your town will that make you more likely...
- Ask if there is interest in certain state projects — I-70 W, or I-25 N

#### Meet again?

- There is agreement to meet again and continue
- Next meeting will be called when the polling is done
- At that meeting we will set a regular schedule.

# BOARD OF DIRECTORS REPORT

To: David A. Genova, General Manager and CEO  
 From: Scott Reed, Assistant General Manager  
 Date: January 4, 2017  
 Subject: State Update - Brandeberry McKenna

Date:
GM
Board Meeting Date: January 10, 2017

**ATTACHMENTS:**

- State Update 1-10-17 (PDF)

Prepared by:  
 Sherry Ellebracht, Government Relations Officer

Approved by:

# Memo

To: RTD  
From: Brandeberry McKenna Public Affairs (BBMK)  
Date: January 4, 2017  
Re: Board Update

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The legislature will convene on January 11<sup>th</sup>. The first few weeks of the legislative session will be packed with ceremonial events such as the swearing in the new legislators, opening day speeches and the Governor's State of the State. BBMK anticipates that the House and Senate leadership conversations around addressing long term transportation funding solutions for Colorado will be mentioned in these ceremonial events.

Speaker Elect Crisanta Duran and President Elect Kevin Grantham have committed to continuing to work together and have prioritized addressing the issue of transportation funding during the legislative session. BBMK has scheduled meetings with House and Senate leadership, General Manager Genova and Sherry Ellebracht to discuss RTD's interest in being a partner in these conversations.

With the influx of new members on the House and Senate Transportation Committees BBMK is scheduling meetings with these members to provide information about the District's efforts.

BBMK will be reaching out to individual Board Members to schedule meetings with legislators to continue to strengthen the District's presence at the Capitol.

BBMK will coordinate with House and Senate Transportation staff to schedule RTD's annual briefing to the Joint Transportation Committees.

Many thanks to Government Relations Chair Folska for securing the venue for RTD Legislative Briefing to the members of the General Assembly. The event is on February 8<sup>th</sup> at 5:30pm at Denver Union Station in the Cooper Lounge. BBMK will ensure this date is on the legislator's social calendar and ensure great attendance.

# BOARD OF DIRECTORS REPORT

To: David A. Genova, General Manager and CEO  
From: Scott Reed, Assistant General Manager  
Date: January 4, 2017  
Subject: Federal Update - Squire Patton Boggs

Date:
GM
Board Meeting Date:

**ATTACHMENTS:**

- Federal Update 1 10 17(DOCX)

Prepared by:  
Sherry Ellebracht, Government Relations Officer

Approved by:

## FEDERAL UPDATE FOR REGIONAL TRANSPORTATION DISTRICT: JANUARY 10, 2017

### End of the 114<sup>th</sup> Congress:

On December 9, having failed to pass 11 of the 12 annual appropriations bills for the fiscal year that began on October 1, Congress passed another short-term continuing resolution to fund the programs and agencies of the Federal government at FY 2016 levels through April 28, 2017. This was one of the very final actions of the 114<sup>th</sup> Congress.

### Start of the 115<sup>th</sup> Congress:

While holding the majority by narrower margins as a result of the November elections, the Republican leaders of both the House and Senate are still firmly in control of the Congressional agenda for the 115<sup>th</sup> Congress, which opened on January 3.

- With the White House soon to be in Republican hands under President-elect Trump, Congressional leaders have ambitious plans to advance long-sought changes not accomplished during President Obama's term in office, including repeal of the Affordable Care Act, comprehensive tax reform, and regulatory reform.
- We therefore expect the early Congressional calendar to be dominated by measures other than transportation and infrastructure.
- Congressional leaders have not yet announced their plans for advancing one or more spending bills to fund the government after April 28. US DOT will not release any FY 2017 New Starts grants funding before enactment of a full-year spending bill.

### President-elect Trump's Support for Infrastructure

Included on President-elect Trump's list of early priorities is a large infrastructure bill. So far, no details are known about this proposal, although candidate Trump did associate himself with a proposal from Wilbur Ross (now his nominee for Commerce Secretary) and Peter Navarro (named as head of a new National Trade Council to advise Trump) that promoted the creation of tax credits to equity investors in infrastructure projects, but did not include any grant funding.

- House and Senate Republican leaders have publicly stated they look forward to learning more details about Trump's infrastructure plan, including responsible methods of paying for such spending.
- Trump's selection of anti-spending crusader Rep. Rick Mulvaney (R-SC) as the Director of the Office of Management and Budget appears to signal strong fiscal discipline by the next President – in any future infrastructure spending and across the Federal budget – so few expect a large stimulus-style spending bill like the one Congress and Obama adopted in 2009.